

[DISCUSSION DRAFT]

119TH CONGRESS
2D SESSION

H. R. _____

To amend the Safe Drinking Water Act to limit the pass-through of data center costs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M____. _____ introduced the following bill; which was referred to the
Committee on _____

A BILL

To amend the Safe Drinking Water Act to limit the pass-through of data center costs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Water Cost Account-
5 ability Act of 2026”.

6 **SEC. 2. LIMITATION ON PASS-THROUGH OF DATA CENTER**
7 **COSTS.**

8 (a) STATE REVOLVING LOAN FUNDS.—Section
9 1452(a)(2) of the Safe Drinking Water Act (42 U.S.C.

1 300j–12(a)(2)) is amended by adding at the end the fol-
2 lowing:

3 “(H) LIMITATION ON PASS-THROUGH OF
4 DATA CENTER COSTS.—

5 “(i) IN GENERAL.—Each State receiv-
6 ing a grant under this section shall pro-
7 hibit a public water system from recovering
8 from any customer, other than the owner
9 or operator of a data center, the incre-
10 mental costs of connecting the data center
11 to the public water system or of expanding
12 the capacity of the public water system to
13 provide service to the data center (includ-
14 ing the capacity of such system with re-
15 spect to the source, treatment, storage, or
16 distribution of water).

17 “(ii) DATA CENTER DEFINED.—In
18 this subparagraph, the term ‘data center’
19 has the meaning given such term in section
20 453(a) of the Energy Independence and
21 Security Act of 2007 (42 U.S.C.
22 17112(a)).”.

23 (b) REPORT ON DATA CENTER WATER SOURCES.—

24 (1) IN GENERAL.—Not later than 18 months
25 after the date of enactment of this Act, the Adminis-

1 trator of the Environmental Protection Agency shall
2 submit to Congress a report on the sources of water
3 used by qualified data centers.

4 (2) MATTERS.—The report submitted under
5 paragraph (1) shall include—

6 (A) an assessment by the Administrator of
7 the sources of water used by qualified data cen-
8 ters, including—

9 (i) whether such water is withdrawn
10 from ground or surface water or obtained
11 from any other source; and

12 (ii) whether such water is provided to
13 qualified data centers by public water sys-
14 tems;

15 (B) an identification of any gaps in infor-
16 mation available to the Administrator with re-
17 spect to the assessment required under sub-
18 paragraph (A); and

19 (C) any recommendations of the Adminis-
20 trator as a result of such assessment.

21 (3) DEFINITIONS.—In this subsection:

22 (A) PUBLIC WATER SYSTEM.—The term
23 “public water system” has the meaning given
24 such term in section 1401 of the Safe Drinking
25 Water Act (42 U.S.C. 300f).

1 (B) QUALIFIED DATA CENTER.—The term
2 “qualified data center” means a data center (as
3 defined in section 1452(a)(2)(H) of the Safe
4 Drinking Water Act, as added by this section)
5 the water intake of which exceeds 200,000 gal-
6 lons of water per day, on average, over any 30-
7 day period.