

S 895

Rural Water Supply Act of 2006

Congress: 109 (2005–2007, Ended)

Chamber: Senate

Policy Area: Water Resources Development

Introduced: Apr 25, 2005

Current Status: Became Public Law No: 109-451.

Latest Action: Became Public Law No: 109-451. (Dec 22, 2006)

Law: 109-451 (Enacted Dec 22, 2006)

Official Text: <https://www.congress.gov/bill/109th-congress/senate-bill/895>

Sponsor

Name: Sen. Domenici, Pete V. [R-NM]

Party: Republican • **State:** NM • **Chamber:** Senate

Cosponsors (9 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Bennett, Robert F. [R-UT]	R · UT		Apr 25, 2005
Sen. Bingaman, Jeff [D-NM]	D · NM		Apr 25, 2005
Sen. Johnson, Tim [D-SD]	D · SD		Apr 25, 2005
Sen. Murkowski, Lisa [R-AK]	R · AK		Apr 25, 2005
Sen. Dorgan, Byron L. [D-ND]	D · ND		May 9, 2005
Sen. Salazar, Ken [D-CO]	D · CO		May 11, 2005
Sen. Burns, Conrad R. [R-MT]	R · MT		Jun 30, 2005
Sen. Kyl, Jon [R-AZ]	R · AZ		Jul 27, 2005
Sen. Feinstein, Dianne [D-CA]	D · CA		Sep 13, 2005

Committee Activity

Committee	Chamber	Activity	Date
Energy and Natural Resources Committee	Senate	Reported By	Oct 19, 2005
Natural Resources Committee	House	Hearings By (subcommittee)	Jul 27, 2006

Subjects & Policy Tags

Policy Area:

Water Resources Development

Related Bills

Bill	Relationship	Last Action
109 HR 4418	Related bill	Dec 5, 2005: Referred to the Subcommittee on Water and Power.

(This measure has not been amended since it was passed by the House on December 6, 2006. The summary of that version is repeated here.)

Rural Water Supply Act of 2006 - **Title I: Reclamation Rural Water Supply Act of 2006** - Reclamation Rural Water Supply Act of 2006 - (Sec. 103) Directs the Secretary of the Interior (the Secretary) to carry out a rural water supply program in reclamation states (Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, and Wyoming) (the program) to identify opportunities for, plan the design of, and oversee the construction of water supply projects for small communities and rural areas that are recommended by the Secretary and authorized by Congress.

Requires any activity performed under this title to be carried out in cooperation with a qualifying non-federal project entity. Directs the Secretary to publish criteria for determining the eligibility of a rural community and prioritizing requests for assistance, which criteria shall include consideration of: (1) the need for a project that would result in water quality benefits or address water supply needs; and (2) whether a project promotes and applies a regional or watershed perspective to water resources management.

(Sec. 104) Directs the Secretary to develop an assessment of: (1) the status of all projects under the Secretary's jurisdiction authorized but not completed; (2) the plan for completing such projects within established time frames; (3) the demand for new projects; (4) the extent to which other rural water programs provide support for projects and water treatment programs in reclamation states; (5) the extent of the demand the program can meet; (6) how the program will complement other authorities; and (7) improvements that can be made to coordinate and integrate the authorities of the agencies with programs evaluated. Requires the Secretary to solicit comments from states with identified rural water needs before finalizing the assessment and report to Congress.

(Sec. 105) Authorizes the Secretary, at the request of a qualifying non-federal project entity, to: (1) review an appraisal investigation submitted by the entity; (2) conduct an investigation; or (3) provide a grant to, or enter into a cooperative agreement with, the entity to conduct such an investigation. Requires an appraisal investigation to be scheduled for completion within two years after its initiation.

Directs the Secretary to prepare a report on whether the project meets the appraisal and eligibility criteria, whether viable water supplies and water rights exist to supply the project, the effects on public health and safety, environmental benefits, and preliminary cost estimates for the project and whether a feasibility study should be initiated. Sets the federal share of an appraisal investigation at 100% of the total cost up to \$200,000 or 50% if the cost of conducting an investigation is more than \$200,000.

(Sec. 106) Directs the Secretary, upon completion of an appraisal report that recommends undertaking a project feasibility study, to: (1) carry out a study with, or review a study conducted by, a non-federal entity; or (2) provide a grant to, or enter into an agreement with, the entity to conduct such a study if the entity is qualified and using such entity is a cost-effective alternative for completing the appraisal investigation.

Requires studies to include assessments of water demand and advancement of benefits of the proposed project. Directs the Secretary to develop and publish a feasibility report that includes: (1) a recommendation on whether the project should be authorized and the appropriate non-federal share of construction costs; (2) a determination of amounts of grants and loan guarantees that should be used to provide the federal cost share; (3) a schedule that identifies the

annual operations, maintenance, and replacement costs that should be allocated to each participating entity; and (4) an assessment of the financial capability of each participating entity to pay the allocated costs. Limits the federal share of the costs of a feasibility study to 50%.

(Sec. 107) Directs the Secretary to: (1) coordinate the program with existing rural water and wastewater programs to facilitate the most efficient and effective solution to meeting the water needs of the non-federal project sponsors; and (2) expedite appraisal investigations, feasibility studies, and reports upon determining that a community to be served has urgent and compelling water needs.

(Sec. 108) Directs the Secretary to report to Congress annually for FY2007-FY2012 on the number and type of full-time equivalent positions in the Department of the Interior and the amount of the Department's overhead costs allocated to carrying out this title.

(Sec. 109) Authorizes appropriations for FY2007-FY2016, of which not more than \$1 million may be made available for the rural water programs assessment for each of FY2007 and FY2008. Prohibits use of funds for project construction costs.

(Sec. 110) Terminates the Secretary's authority to carry out this title on September 30, 2016.

Title II: Twenty-First Century Water Works Act - Twenty-First Century Water Works Act - (Sec. 203) Directs the Secretary to develop and publish criteria for determining the eligibility of a rural water supply or reclamation project for financial assistance under this title. Includes within the definition of "project" the replacement of a facility under specified circumstances and an improvement to water infrastructure directly associated with a reclamation project that improves water management and fulfills other federal goals.

(Sec. 204) Authorizes the Secretary to make loan guarantees available to lenders (non-federal qualified institutional buyers or clean renewable energy bond lenders) for eligible projects to supplement private-sector or lender financing. Limits guarantees by the Secretary to 90% of a project's cost. Requires complete amortization of the guarantee within 40 years.

(Sec. 205) Sets forth the obligations and rights of the Secretary with respect to a borrower who defaults.

(Sec. 206) Sets the non-federal share of operations, maintenance, and replacement costs for a project receiving federal assistance at 100%. Authorizes the Secretary, on request of the non-federal borrower, to assist in the development of an operations, maintenance, and replacement plan to provide the necessary framework to assist the borrower in establishing rates and fees for project beneficiaries.

(Sec. 207) Requires all new projects or facilities constructed in accordance with this title to remain under the jurisdiction and control of the non-federal borrower.

(Sec. 209) Directs the Secretary to consult with the Secretary of Agriculture regarding financial appraisal functions and loan guarantee administration for activities carried out under this title and requires such Secretaries to enter into a memorandum of agreement providing for Department of Agriculture performance of such functions.

(Sec. 212) Directs the Secretary, within one year after the eligibility criteria are published and every two years thereafter, to report to Congress on implementation of the loan guarantee program.

(Sec. 214) Authorizes appropriations.

(Sec. 215) Terminates the Secretary's authority to carry out this title ten years after this Act's enactment. Provides that such termination shall have no effect on any loans guaranteed by the United States under this title.

Title III: Report on Transfer of Reclamation Facilities - Directs the Secretary to report to Congress on any impediments or activities that significantly delay the timely transfer of title to reclamation facilities to qualified non-federal entities.

Actions Timeline

- **Dec 22, 2006:** Signed by President.
- **Dec 22, 2006:** Signed by President.
- **Dec 22, 2006:** Became Public Law No: 109-451.
- **Dec 22, 2006:** Became Public Law No: 109-451.
- **Dec 20, 2006:** Presented to President.
- **Dec 20, 2006:** Presented to President.
- **Dec 9, 2006:** Resolving differences -- Senate actions: Senate agreed to House amendments by Unanimous Consent.(consideration: CR 12/8/2006 S11831-11836; text as Senate agreed to House amendments: CR 12/8/2006 S11831-11836)
- **Dec 9, 2006:** Senate agreed to House amendments by Unanimous Consent. (consideration: CR 12/8/2006 S11831-11836; text as Senate agreed to House amendments: CR 12/8/2006 S11831-11836)
- **Dec 6, 2006:** Mrs. Drake moved to suspend the rules and pass the bill, as amended.
- **Dec 6, 2006:** Considered under suspension of the rules. (consideration: CR 12/7/2006 H8846-8851)
- **Dec 6, 2006:** DEBATE - The House proceeded with forty minutes of debate on S. 895.
- **Dec 6, 2006:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR 12/7/2006 H8846-8851)
- **Dec 6, 2006:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR 12/7/2006 H8846-8851)
- **Dec 6, 2006:** Motion to reconsider laid on the table Agreed to without objection.
- **Dec 6, 2006:** The title of the measure was amended. Agreed to without objection.
- **Dec 6, 2006:** Message on House action received in Senate and at desk: House amendments to Senate bill.
- **Jul 27, 2006:** Subcommittee Hearings Held.
- **Dec 2, 2005:** Referred to the Subcommittee on Water and Power.
- **Nov 17, 2005:** Received in the House.
- **Nov 17, 2005:** Message on Senate action sent to the House.
- **Nov 17, 2005:** Referred to the House Committee on Resources.
- **Nov 16, 2005:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.(consideration: CR S13045-13053; text as passed Senate: CR S13045-13053)
- **Nov 16, 2005:** Passed Senate with an amendment by Unanimous Consent. (consideration: CR S13045-13053; text as passed Senate: CR S13045-13053)
- **Oct 19, 2005:** Committee on Energy and Natural Resources. Reported by Senator Domenici with an amendment in the nature of a substitute. With written report No. 109-148.
- **Oct 19, 2005:** Committee on Energy and Natural Resources. Reported by Senator Domenici with an amendment in the nature of a substitute. With written report No. 109-148.
- **Oct 19, 2005:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 240.
- **Sep 28, 2005:** Committee on Energy and Natural Resources. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **May 11, 2005:** Committee on Energy and Natural Resources. Hearings held. Hearings printed: S.Hrg. 109-105.
- **Apr 25, 2005:** Introduced in Senate
- **Apr 25, 2005:** Sponsor introductory remarks on measure. (CR S4185-4186)
- **Apr 25, 2005:** Read twice and referred to the Committee on Energy and Natural Resources. (text of measure as introduced: CR S4186-4189)