

# Rural Water Policy Advisory [11/27/2017]

**Special Single Issue Edition: H.R. 3387, “The Drinking Water System Improvement Act of 2017”**

**House Energy and Commerce Committee Releases Report Explaining the New Safe Drinking Water Act Amendments Legislation** ([House Report 115-380](#)). NRWA supported the initial version of the bill introduced by Mississippi Representative Gregg Harper on June 27, 2017 ([initial version](#)). NRWA President Steve Fletcher (IL) testified before the House of Representatives in support of the legislation ([video](#)). However, on June 27, the House Energy and Commerce Committee amended the bill to include a number of new regulatory provisions supported by the Committee Democratic leadership. The committee Republicans and Democrats all voted in favor of the amended version of the legislation. The amended version of the legislation was placed on the House of Representatives “Calendar” on November 1, 2107. This allows the bill to be considered in the full House under an expedited rules (i.e. suspension calendar). Due to the bipartisan support in the Energy and Commerce Committee and the placement of the bill on the House Calendar, it is “likely” the bill will pass the House of Representatives in the coming weeks.

At the annual NRWA conference in Reno in September, the NRWA Regulatory Committee approved a motion to raise “principled concerns” with the new regulatory provisions added to H.R. 3887 in committee, especially the new “[Mandatory Consolidation](#)” provision. The committee identified several principled concerns including: current state authorities for condemnation and emergency authorities, limitations on due process for local government, usurpation of local government authority, respect for local democratic policies and processes, the burden and affordability of the new assessments, and allowing corporate water companies to forcibly acquire municipalities. Mississippi Rural Water Association (MRWA) Executive Director, Kirby Mayfield, will be in Washington this week to brief the bill’s sponsor, Representative Gregg Harper, on rural water’s concerns. MRWA will urge the Congressman to modify the problematic provision in the bill before taking it to a vote before the full House of Representatives. If you would like to raise concerns with the legislation with your local House of Representatives’ Member, please see this [draft letter](#) for your use.

NRWA also opposed efforts by the so called “[plastic pipe lobby](#)” to limit local decisions in determining what type of pipe to use on the federally-funded water infrastructure projects in the legislation. The committee-passed version of the bill included a new provision in the state revolving fund (SRF) program to require water utilities serving a population of more than 10,000 that receive an SRF award to “consider the cost and effectiveness of the relevant processes, materials, techniques, and technologies for carrying out their project” and this consideration be certified to the state. The Committee Report explained that this provision “*is not meant to convey a preference for any materials nor to make cost the sole feature of any consideration. Rather, this language is an effort to ensure SRF money is going to projects where recipients have considered both the cost as well as the effectiveness of the relevant processes, materials, techniques, and technologies that public money is purchasing... Importantly, the required consideration is not binding on the decision made by a community. Communities have several reasons for making the decisions that they do and the Committee believes those are discussions that need to occur between community decision makers and the users of the system.*”

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## National Rural Water Association

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**The National Rural Water Association** is the country’s largest public drinking water and sanitation supply organization with over 30,000 members. Safe drinking water and sanitation are generally recognized as the most essential public health, public welfare, and civic necessities.

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