

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 7023
OFFERED BY MR. GARAMENDI OF CALIFORNIA**

Page 11, after line 21, insert the following:

1 **SEC. 7. PROJECTS AND ACTIVITIES ELIGIBLE FOR ASSIST-**
2 **ANCE.**

3 Section 603 of the Federal Water Pollution Control
4 Act (33 U.S.C. 1383) is amended—

5 (1) in subsection (c)—

6 (A) in paragraph (11)(B) by striking
7 “and” at the end;

8 (B) in paragraph (12)(B) by striking the
9 period at the end and inserting “; and”; and

10 (C) by adding at the end the following:

11 “(13) to any qualified nonprofit entity, as de-
12 termined by the Administrator, to provide assistance
13 for the construction or acquisition of, or improve-
14 ments to, a treatment works, or for any other activ-
15 ity described in paragraphs (1) through (10).”;

16 (2) in subsection (i)(3), by adding at the end
17 the following:

18 “(E) CERTAIN ACTIVITIES INELIGIBLE.—A
19 State may not provide additional subsidization

1 under this subsection to a qualified nonprofit
2 entity for assistance described in subsection
3 (c)(13) or to the owner or operator of a pri-
4 vately owned treatment works for assistance de-
5 scribed in subsection (k).”; and

6 (3) by adding at the end the following:

7 “(1) SPECIAL RULE FOR PRIVATELY OWNED TREAT-
8 MENT WORKS.—

9 “(1) IN GENERAL.—In any fiscal year for which
10 the total amount appropriated to carry out this title
11 exceeds \$1,638,861,000, any such amounts appro-
12 priated in excess of \$1,638,861,000 for such fiscal
13 year may be used to provide financial assistance
14 under this section to the owner or operator of a pri-
15 vately owned treatment works for—

16 “(A) improvements to such privately owned
17 treatment works;

18 “(B) the construction of, or improvements
19 to, another privately owned treatment works;

20 “(C) measures to reduce the demand for
21 privately owned treatment works capacity
22 through water conservation, efficiency, or reuse;

23 “(D) measures to reduce the energy con-
24 sumption needs for privately owned treatment
25 works;

1 “(E) measures to increase the security of
2 privately owned treatment works; and

3 “(F) any other activity described in para-
4 graphs (1) through (10) of subsection (c).

5 “(2) LIMITATION.—Financial assistance may
6 only be provided under this subsection to the owner
7 or operator of a privately owned treatment works for
8 activities described in paragraph (1) that primarily
9 and directly benefit the individuals or entities served
10 by the privately owned treatment works, and not the
11 shareholders or owners of the treatment works, as
12 determined by the instrumentality of the State re-
13 sponsible for administering the water pollution con-
14 trol revolving fund through which such financial as-
15 sistance is provided.”.

