

Flint Drinking Water Crisis Spurs Legislative Responses

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Flint, Michigan's water crisis has spurred legislative activity at both the national and state level.

The U.S. House of Representatives has taken swift action. On February 2, Representative Daniel Kildee (D-MI) introduced the Safe Drinking Water Act Improved Compliance Awareness Act (H.R. [4470](#)). Only eight days later, the measure overwhelmingly passed the House by a vote of 416-2. The bill would require EPA to notify the public when it identifies unsafe lead levels in a community's drinking water. The measure is awaiting Senate action.

In the Senate, negotiators reached a deal on an aid package for Flint on February 24. The proposed legislation would provide \$250 million to jurisdictions such as Flint with contaminated drinking water. The measure appears likely to be approved by the Senate. Most of the funding (\$200 million) would be used to expand and finance loan programs to help states and local governments make drinking water infrastructure improvements. The other \$50 million would be for health programs. Also on February 24, Senator Debbie Stabenow (D-MI) introduced the Drinking Water Safety and Infrastructure Act ([S. 2579](#)), which would appropriate \$170 million for EPA to provide grants to eligible states and to provide credit subsidies for secured loans under the Water Infrastructure Finance and Innovation Act (WIFIA) program for water infrastructure projects.

Additionally, on February 25, Senator Ben Cardin (D-MD) introduced four bills addressing the Flint crisis. The suite of legislation would (i) establish a new grant program allowing EPA to provide assistance to eligible entities for lead reduction projects; (ii) reauthorize state revolving funds (SRFs) through fiscal year 2020 at dramatically increased funding levels; (iii) codify the December 2015 recommendations of EPA's National Drinking Water Advisory Council regarding the Agency's Lead and Copper Rule; and (iv) require states to report to the Director of the Centers for Disease Control and Prevention, on a quarterly basis, the number of residents under age 2 that have elevated blood lead levels.

At a state level, Democratic lawmakers from Flint and Detroit have drafted a package that would restore citizen commissions to oversee Michigan's Department of Environmental Quality. Such commissions were abolished under former Michigan Governor John Engler's administration more than two decades ago. The legislative package has not yet been introduced.

The Flint crisis has put a spotlight on the safety of our nation's drinking water supply. As distressing as the Flint situation appears to be, reports have come from a significant number of other jurisdictions with similar water supply

and exposure issues. It remains to be seen whether the flurry of legislative activity on the heels of high-intensity public focus will produce changes once the spotlight moves on to other issues.

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