

Committee on Energy and Commerce

**Opening Statement as Prepared for Delivery
of**

Subcommittee on Environment Ranking Member Paul Tonko

***Hearing on "Reliable Water in the Digital Age: Examining Legislation to Strengthen
Drinking Water Systems and Protect Ratepayers"***

September 3, 2026

Thank you, Mr. Chair.

Today, we will consider two discussion drafts proposed by the majority.

The Safe Drinking Water Infrastructure Improvement Act would reauthorize several important existing programs. For the most part, these programs were last reauthorized as part of the Infrastructure Investment and Jobs Act of 2021. The IIJA provided historic levels of funding to tackle our most pressing drinking water needs, including aging infrastructure, lead pipe replacement, and PFAS. But even with these historic investments, our water systems' needs are staggering. And without a serious, maintained federal financial commitment, our constituents will feel the consequences of deteriorating infrastructure and rising water costs.

The EPA's most recent needs survey assessed that water systems will require \$625 billion in infrastructure investments over the next 20 years to maintain safe operations. So, as we approach the end of the IIJA authorizations and supplemental funding, we should recognize the great work that has been accomplished due to these investments and strive to continue these efforts. The majority's proposal could potentially be the start of that discussion. For many of SDWA's smaller programs, we could quibble over modest changes to the authorization levels, but generally, these extensions are good.

The majority has also proposed adding heightened emphasis on cybersecurity to some of these programs. This is a sensible change. We know water systems are facing increasing cyberattacks, and many systems, especially smaller ones, lack the capacity to be able to prepare and respond to the threats. So, while we may be able to reach agreement on these provisions, unfortunately, the discussion draft falls far short in some critical areas.

First, it would devastate the Drinking Water State Revolving Fund, reducing the authorization level by over \$2 billion annually compared to this year's level. This is completely unacceptable. We have heard so much testimony about the importance of this program as well as the significant needs in the years ahead. I personally believe we should provide more funding to the SRF, but I would hope we could at least compromise by maintaining current levels.

Second, the proposal fails to reauthorize the Public Water System Supervision grant program, which provides funding to state governments to help enable their administration of SDWA. The success of cooperative federalism depends on states having the capacity and

resources to carry out the requirements of the law, and this program is essential to that. Without addressing these two issues, I unfortunately will not be able to support this proposal.

Today, we will also consider the majority's Water Cost Accountability Act. I want to be clear that I strongly support data centers paying the full costs of any water system upgrades or operations that they are responsible for. I appreciate that we have identified some bipartisan consensus to ensure data centers do the same for their electricity use through the Ratepayer Protection Act. But state utility commissions do not typically regulate the rates of not-for-profit public water systems in the same way as investor-owned electric utilities. So, while I hope almost of us can support the intent of the bill, I have questions about the approach taken in this draft.

If we are serious about making data centers pay their fair share, I would like us to work together to make sure this legislation can withstand legal scrutiny and be implemented effectively. I appreciate the majority's interest in addressing water affordability by protecting Americans from data center-related water costs. But data centers are not the only reason that millions of Americans are struggling to pay their water bills.

According to EPA, between 12 and 20 million U.S. households lack affordable access to water services. And I can guarantee that if Congress reduces federal funding to support water infrastructure, these affordability challenges will get worse. Maintaining or even increasing funding levels for the SRF should not be ignored as foundational to protecting Americans from increases to their water bills. I would also suggest that we should go a step further by enacting a permanent water affordability program similar to LIHEAP.

Ranking Member Pallone and I proposed a version of such a program in 2024, and I would urge the Committee to consider it. Again, I would like to thank the majority for holding this hearing. I hope we can work together to build upon the success of the IJA and advance bipartisan legislation to ensure safe, reliable, and affordable drinking water for all Americans.

With that, I yield back.