



OC San Federal Legislative Update

May 2026

FEDERAL - 119TH CONGRESS

H.R. 1267

Water Systems PFAS Liability
Protection Act

● High Priority ● Support

AI Summary: The Water Systems PFAS Liability Protection Act exempts water and wastewater treatment facilities from CERCLA liability for releases of certain perfluoroalkyl and polyfluoroalkyl substances, provided they comply with applicable laws and regulations.

Introduced: 02/12/2025

Sponsor: Rep. Marie Gluesenkamp Perez WA-03

Latest Actions:

02/12/2025 - Referred to the Subcommittee on Water Resources and Environment.

02/12/2025 - Referred to the Committee on Energy and Commerce, and in addition to the Committee on Transportation an...

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Committees: House Energy and Commerce Committee, House Transportation and Infrastructure Committee, House Transportation and Infrastructure Committee Water Resources and Environment Subcommittee

Why It Matters: The legislation would provide important protection to water and wastewater agencies against third party litigation seeking to secure cost contributions for cleanups that involve PFAS contamination. Absent an explicit liability protection provision such agencies would be exposed to liability simply because an agency treated water and wastewater that contained PFAS chemicals and disposed of residuals and biosolids.

Outlook: H.R. 1267 represents a placeholder bill to address the water sector's concerns over the potential liability created by USEPA's designation of PFAS as a hazardous substance under CERCLA. Both the House and Senate committees with jurisdiction over CERCLA have expressed interest in addressing PFAS liability. We expect that congressional action could later this summer on H.R. 1267 or other initiatives that would address nuisance litigation.

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H.R. 1285

Water Infrastructure Subcontractor and Taxpayer Protection Act of 2025

○ No Priority ○ No Stance

Summary: H.R. 1285 would amend the Water Infrastructure Finance and Innovation Act of 2014. The key points: Payment and Performance Security Requirements: The bill establishes new requirements for payment and performance security for projects funded under the act. Project Funding: Ensure that projects financed through the Water Infrastructure Finance and Innovation Act have adequate financial safeguards.

Introduced: 02/13/2025

Sponsor: Rep. Mike Bost IL-12

Latest Actions:

02/13/2025 - Referred to the Subcommittee on Water Resources and Environment.

02/13/2025 - Referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ene...

02/13/2025 - Referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ene...

Committees: House Energy and Commerce Committee, House Transportation and Infrastructure Committee, House Transportation and Infrastructure Committee Water Resources and Environment Subcommittee

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S. 857

Water Conservation Rebate Tax Parity Act

○ No Priority ○ No Stance

Summary: Amends federal tax law so that homeowners would not need to pay income tax when they receive rebates from water utilities for water conservation and water runoff management improvements. S. 857.

Introduced: 03/05/2025

Sponsor: Sen. John Curtis UT

Latest Actions:

03/05/2025 - Read twice and referred to the Committee on Finance.

03/05/2025 - Introduced in Senate

Committees: Senate Finance Committee

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H.R. 2269

WIPPES Act

● High Priority ● Support

Summary: H.R. 2269 would direct the Federal Trade Commission to establish federal "Do Not Flush" labeling requirements for nonflushable wet wipes packaging. The labeling requirements would be enacted one year after the bill's enactment. The bill mirrors California's state labeling law and is supported by clean water, industry, environmental advocates, and civil engineer stakeholders. Senate companion legislation is S. 1092.

Introduced: 03/21/2025

Sponsor: Rep. Lisa McClain MI-09

Latest Actions:

06/24/2025 - Received in the Senate.

06/23/2025 - Motion to reconsider laid on the table Agreed to without objection.

06/23/2025 - On motion to suspend the rules and pass the bill Agreed to by voice vote. (text: CR H2852-2853)

Committees: House Energy and Commerce Committee

Why it matters: H.R. 2269 provides a source control solution to the problem of the flushing of nonflushable wipes that will reduce costs associated with fixing damaged treatment infrastructure for wastewater utilities. The labeling requirements compliment existing "Do Not Flush" labeling state law. Rep. Lou Correa is a co-sponsor. OC San continues to publicly support the effort and has sent support letters to the delegation this Congress.

Outlook: Final passage of the WIPPES Act is anticipated with the House accepting the Senate passed version to avoid the need for a formal conference committee that

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S. 1092

WIPPES Act

● High Priority ● Support

Summary: S.1092 would direct the Federal Trade Commission to establish federal "Do Not Flush" labeling requirements for nonflushable wet wipes packaging. The labeling requirements would be enacted one year after the bill's enactment. The bill mirrors California's state labeling law and is supported by clean water, industry, environmental advocates, and civil engineer stakeholders. House companion legislation is HR 2269.

Introduced: 03/24/2025

Sponsor: Sen. Jeff Merkley OR

Latest Actions:

03/24/2026 - Held at the desk.

03/24/2026 - Received in the House.

03/24/2026 - Message on Senate action sent to the House.

Committees: Senate Commerce, Science and Transportation Committee

Why it matters: S. 1092 provides a source control solution to the problem of the flushing of nonflushable wipes that will reduce costs associated with fixing damaged treatment infrastructure for wastewater utilities. The labeling requirements compliment existing "Do Not Flush" labeling state law. Senator Alex Padilla is an original co-sponsor. OC San continues to publicly support the effort and has sent support letters to the delegation this Congress.

Outlook: S. 1092 passed the Senate by unanimous consent. The bill was referred to the House. House action to accept the Senate version of the WIPPES Act is anticipated. (See above)

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H.R. 2344

Water ISAC Threat Protection Act

○ No Priority ○ No Stance

Summary: Would establish a program to enhance the preparedness and resilience of drinking water and wastewater systems against various threats. The bill's primary focus is on safeguarding these critical utilities from risks such as natural disasters, cyberattacks, and other vulnerabilities that could disrupt essential water services.

Introduced: 03/25/2025

Sponsor: Rep. Jan Schakowsky IL-09

Latest Actions:

03/25/2025 - Referred to the Subcommittee on Water Resources and Environment.

03/25/2025 - Referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ene...

03/25/2025 - Referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ene...

Committees: House Energy and Commerce Committee, House Transportation and Infrastructure Committee, House Transportation and Infrastructure Committee Water Resources and Environment Subcommittee

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S. 1118

Water Intelligence, Security, and Cyber Threat Protection Act of 2025

○ No Priority ○ No Stance

Summary: S. 1118 would provide funding and additional access for clean water and wastewater utilities to become members of the Water Information Sharing and Analysis Center (WaterISAC). The WaterISAC is a critical source of information and best practices for water systems to protect against, mitigate, and respond to threats. House Companion bill H.R. 2344. Endorsed by American Water Works Association, Association of Metropolitan Water Agencies, National Association of Clean Water Agencies, National Association of Water Companies, and Water Environment Federation.

Introduced: 03/25/2025

Sponsor: Sen. Ed Markey MA

Latest Actions:

03/25/2025 - Read twice and referred to the Committee on Environment and Public Works.

03/25/2025 - Introduced in Senate

Committees: Senate Environment and Public Works Committee

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H.R. 3184

PFAS Alternatives Act

◦ No Priority ◦ No Stance

AI Summary: The bill establishes a research and training program to develop PFAS-free turnout gear for firefighters, supporting innovation and safer protective equipment through grants and partnerships.

Introduced: 05/05/2025

Sponsor: Rep. Debbie Dingell MI-06

Latest Actions:

05/06/2025 - Referred to the Subcommittee on Water Resources and Environment.

05/05/2025 - Referred to the Committee on Science, Space, and Technology, and in addition to the Committee on Transp...

05/05/2025 - Referred to the Committee on Science, Space, and Technology, and in addition to the Committee on Transp...

Committees: House Science, Space and Technology Committee, House Transportation and Infrastructure Committee, House Transportation and Infrastructure Committee Water Resources and Environment Subcommittee

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H.R. 3898

PERMIT Act

◦ No Priority ◦ No Stance

AI Summary: The PERMIT Act amends the Federal Water Pollution Control Act to streamline water quality standards, improve transparency in criteria development, reduce regulatory burdens, and enhance permitting efficiency for infrastructure and agricultural projects.

Introduced: 06/11/2025

Sponsor: Rep. Mike Collins GA-10

Latest Actions:

12/15/2025 - Received in the Senate and Read twice and referred to the Committee on Environment and Public Works.

12/11/2025 - Motion to reconsider laid on the table Agreed to without objection.

12/11/2025 - On passage Passed by the Yeas and Nays: 221 - 205 (Roll no. 330).

Committees: House Transportation and Infrastructure Committee, House Transportation and Infrastructure Committee Water Resources and Environment Subcommittee, Senate Environment and Public Works Committee

Why It Matters: H.R. 3898 represents a comprehensive Clean Water Act permitting reform bill. Key provisions:

- mandated 10 year NPDES permits
- codification of exemption from WOTUS definition for wastewater and water storage facilities
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- expedited review and approval of section 404 permit applications
- ten year general permits for dredge and fill activities with requirement for 2 year advanced notification if permit not to be renewed
- water quality certification reviews limited to project impacts on water quality

Outlook. H.R. 3898's provisions could be incorporated into a broader permitting reform bill that addresses both energy and environmental permit mandates.

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S. 3737

GROW SMART Act

◦ No Priority ◦ No Stance

AI Summary: The GROW SMART Act amends the Reclamation States Emergency Drought Relief Act to provide financial and technical assistance for innovative, voluntary water-sharing agreements among agricultural, municipal, and industrial entities, emphasizing water conservation and rural economic resilience.

Introduced: 01/29/2026

Sponsor: Sen. Alex Padilla CA

Latest Actions:

03/17/2026 - Committee on Energy and Natural Resources Subcommittee on Water and Power. Hearings held.

01/29/2026 - Read twice and referred to the Committee on Energy and Natural Resources. (Sponsor introductory remarks...

01/29/2026 - Introduced in Senate

Committees: Senate Energy and Natural Resources Committee, Senate Energy and Natural Resources Committee Water and Power Subcommittee

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H.R. 7845

DROUGHT Act

Summary: The bill address the Western water supply resiliency concerns caused by drought conditions by increasing current federal share cap from 80% to 90% for certain WIFIA projects.

Introduced: 03/05/2026

Sponsor: Rep. Scott Peters CA-50

Latest Actions:

03/05/2026 - Referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ene...

03/05/2026 - Referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ene...

03/05/2026 - Introduced in House

Committees: House Energy and Commerce Committee, House Transportation and Infrastructure Committee

Why It Matters: The legislation would increase the federal cost share cap for the WIFIA Program from the current 80% to 90% for projects that are located in areas of extreme drought, projects of national significance, or serves disadvantaged communities. By raising the federal cap for these categories of eligible projects, H.R. 7845 aims to help address concerns about Western water supplies resiliency due to prolonged drought conditions. Importantly, the bill does not change borrowers' obligations, payment plans, or interest rates under WIFIA.

Outlook: H.R. 7845 has been referred to the Committee on Transportation and Infrastructure. While the issue of Western water supply security continues to be a focus for lawmakers in the 119th Congress, the committee is currently focused primarily on drafting and advancing the Water Resources Development Act of 2026 (WRDA) later this summer. As a result, committee consideration on H.R. 7845 will likely be delayed until the summer at the earliest.

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