

119TH CONGRESS
2D SESSION

S. 4812

To require the Administrator of the Environmental Protection Agency to modify regulations with respect to drinking water State revolving funds, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 17, 2026

Mr. PADILLA (for himself, Mr. CURTIS, Mr. BOOZMAN, Mr. CRAPO, Mr. KELLY, Mr. MERKLEY, Mr. SCHIFF, and Mr. SHEEHY) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To require the Administrator of the Environmental Protection Agency to modify regulations with respect to drinking water State revolving funds, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Firefighting Infra-
5 structure for Rural and Exurban Smaller Municipalities
6 Augmenting Residential Fuels Treatments Act of 2026”
7 or the “FIRE SMART Act of 2026”.

1 **SEC. 2. REQUIRED REGULATORY REVISIONS.**

2 (a) IN GENERAL.—Not later than 2 years after the
3 date of enactment of this Act, the Administrator of the
4 Environmental Protection Agency (referred to in this sec-
5 tion as the “Administrator”) shall—

6 (1) revise section 35.3505 of title 40, Code of
7 Federal Regulations, to ensure that—

8 (A) the term “community at high risk
9 from fire or wildfire” is defined to mean a com-
10 munity located in an area with a high risk for
11 fire or wildfire, in the built or natural environ-
12 ment, as evidenced by a State wildfire map or
13 a geospatial map generated pursuant to section
14 210(a) of the Wildfire Suppression Funding
15 and Forest Management Activities Act (16
16 U.S.C. 6501 note; division O of Public Law
17 115–141);

18 (B) the terms “rural” and “rural area”
19 have the meaning given those terms in subpara-
20 graph (A) of section 343(a)(13) of the Consoli-
21 dated Farm and Rural Development Act (7
22 U.S.C. 1991(a)(13)), subject to subparagraphs
23 (H) and (I) of that section; and

24 (C) the term “water infrastructure for fire
25 suppression” means improvements to a public
26 water system for purposes that will facilitate

1 compliance with section 1412 of the Safe
2 Drinking Water Act (42 U.S.C. 300g–1) or oth-
3 erwise further the public health protection ob-
4 jectives of that Act (42 U.S.C. 300f et seq.)
5 and that aid in fire suppression for the protec-
6 tion of public health, safety, and property from
7 wildfire;

8 (2) revise section 35.3520 of that title—

9 (A) in subsection (b)(2)—

10 (i) in clause (ii) (relating to trans-
11 mission and distribution), to insert “and
12 enhancement of water system delivery and
13 distribution capacity in a rural area to aid
14 in fire suppression in communities at high
15 risk from fire or wildfire” before the period
16 at the end;

17 (ii) in clause (iv) (relating to storage),
18 to insert “and enhancement of water infra-
19 structure for fire suppression in a rural
20 area in communities at high risk from fire
21 or wildfire” before the period at the end;
22 and

23 (iii) in clause (v) (relating to consoli-
24 dation), to insert “or where necessary for
25 enhancing water infrastructure for fire

1 suppression in a rural area in communities
2 at high risk from fire or wildfire” before
3 the period at the end; and

4 (B) in subsection (e)(4), to insert “, except
5 for projects specifically identified in paragraphs
6 (b)(2)(ii), (b)(2)(iv), and (b)(2)(v) of this sec-
7 tion that have both drinking water benefits and
8 fire suppression benefits, for which priority
9 shall be given to projects in communities that
10 have adopted a community wildfire protection
11 plan (as defined in section 101(a) of the
12 Healthy Forests Restoration Act of 2003 (16
13 U.S.C. 6511(a))) or have taken proactive meas-
14 ures to encourage property owners to reduce
15 fire risk on private property” before the period
16 at the end;

17 (3) revise section 35.3555(c)(1) of that title to
18 add at the end the following: “In addition, the pri-
19 ority system may include projects that improve both
20 infrastructure for drinking water and water infra-
21 structure for fire suppression in rural areas in com-
22 munities at high risk from fire or wildfire.”; and

23 (4) make such purely technical and conforming
24 revisions to the regulations of the Administrator as

1 are necessary to implement the revisions described in
2 paragraphs (1) through (3).

3 (b) IMMEDIATE EFFECT.—Notwithstanding the pe-
4 riod for revision required under subsection (a), beginning
5 on the date of enactment of this Act, the Administrator
6 shall implement sections 35.3505, 35.3520, and 35.3555
7 of title 40, Code of Federal Regulations, in accordance
8 with the revisions required under that subsection.

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