

114TH CONGRESS
2D SESSION

H. R. 5070

To amend the Safe Drinking Water Act to provide for a school and child care lead testing grant program.

IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 2016

Mr. PASCRELL introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Safe Drinking Water Act to provide for a school and child care lead testing grant program.

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 “Lead Testing in School
5 and Child Care Drinking Water Act of 2016”.

6 **SEC. 2. VOLUNTARY SCHOOL AND CHILD CARE LEAD TEST-**
7 **ING GRANT PROGRAM.**

8 (a) IN GENERAL.—Section 1464 of the Safe Drink-
9 ing Water Act (42 U.S.C. 300j–24) is amended by striking
10 subsection (d) and inserting the following:

1 “(d) VOLUNTARY SCHOOL AND CHILD CARE LEAD
2 TESTING GRANT PROGRAM.—

3 “(1) DEFINITIONS.—In this subsection:

4 “(A) CHILD CARE PROGRAM.—The term
5 ‘child care program’ has the meaning given the
6 term ‘early childhood education program’ in
7 section 103 of the Higher Education Act of
8 1965 (20 U.S.C. 1003).

9 “(B) LOCAL EDUCATIONAL AGENCY.—The
10 term ‘local educational agency’ means—

11 “(i) a local educational agency (as de-
12 fined in section 8101 of the Elementary
13 and Secondary Education Act of 1965 (20
14 U.S.C. 7801));

15 “(ii) a tribal education agency (as de-
16 fined in section 3 of the National Environ-
17 mental Education Act (20 U.S.C. 5502));
18 and

19 “(iii) an operator of a child care pro-
20 gram facility.

21 “(2) ESTABLISHMENT.—

22 “(A) IN GENERAL.—Not later than 180
23 days after the date of enactment of the Lead
24 Testing in School and Child Care Drinking
25 Water Act of 2016, the Administrator shall es-

1 tabish a voluntary school and child care lead
2 testing grant program to make grants available
3 to States to assist local educational agencies in
4 voluntary testing for lead contamination in
5 drinking water at schools and child care pro-
6 grams under the jurisdiction of the local edu-
7 cational agencies.

8 “(B) GRANTS TO LOCAL EDUCATIONAL
9 AGENCIES.—The Administrator may make
10 grants directly available to local educational
11 agencies for the voluntary testing described in
12 subparagraph (A) in—

13 “(i) any State that does not partici-
14 pate in the voluntary school and child care
15 lead testing grant program established
16 under that subparagraph; and

17 “(ii) any direct implementation area.

18 “(3) APPLICATION.—To be eligible to receive a
19 grant under this subsection, a State or local edu-
20 cational agency shall submit to the Administrator an
21 application at such time, in such manner, and con-
22 taining such information as the Administrator may
23 require.

24 “(4) USE OF FUNDS.—

1 “(A) IN GENERAL.—A State or local edu-
2 cational agency that receives a grant under this
3 subsection may use grant funds for the vol-
4 untary testing described in paragraph (2)(A).

5 “(B) LIMITATION.—Not more than 5 per-
6 cent of grant funds accepted under this sub-
7 section shall be used to pay the administrative
8 costs of carrying out this subsection.

9 “(5) GUIDANCE; PUBLIC AVAILABILITY.—As a
10 condition of receiving a grant under this subsection,
11 the State or local educational agency shall ensure
12 that each local educational agency to which grant
13 funds are distributed shall—

14 “(A) expend grant funds in accordance
15 with—

16 “(i) the guidance of the Environ-
17 mental Protection Agency entitled ‘3Ts for
18 Reducing Lead in Drinking Water in
19 Schools: Revised Technical Guidance’ and
20 dated October 2006 (or any successor
21 guidance); or

22 “(ii) applicable State regulations or
23 guidance regarding reducing lead in drink-
24 ing water in schools and child care pro-

1 grams that is not less stringent than the
2 guidance referred to in clause (i); and

3 “(B)(i) make available in the administra-
4 tive offices, and to the maximum extent prac-
5 ticable, on the Internet website, of the local
6 educational agency for inspection by the public
7 (including teachers, other school personnel, and
8 parents) a copy of the results of any voluntary
9 testing for lead contamination in school and
10 child care program drinking water that is car-
11 ried out with grant funds under this subsection;
12 and

13 “(ii) notify parent, teacher, and employee
14 organizations of the availability of the results
15 described in clause (i).

16 “(6) AUTHORIZATION OF APPROPRIATIONS.—
17 There is authorized to be appropriated to carry out
18 this subsection \$100,000,000 for fiscal year 2017
19 and each fiscal year thereafter.”.

20 (b) REPEAL.—Section 1465 of the Safe Drinking
21 Water Act (42 U.S.C. 300j-25) is repealed.

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