

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           tablsh 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.

○