

114TH CONGRESS
2D SESSION

S. 2821

To improve drinking water quality and reduce lead exposure in homes, and
for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 20, 2016

Mr. CARDIN (for himself, Mrs. BOXER, Ms. MIKULSKI, Mr. MARKEY, Ms. STABENOW, Mr. REED, Mr. CASEY, Mr. WHITEHOUSE, Ms. BALDWIN, Mr. PETERS, Mr. MERKLEY, Mr. SANDERS, Mr. MURPHY, Mrs. GILLIBRAND, Mrs. SHAHEEN, Mr. FRANKEN, Mr. DURBIN, Mr. MENENDEZ, Mr. SCHUMER, Mr. BOOKER, Mrs. MURRAY, Mr. WYDEN, Ms. HIRONO, Ms. WARREN, Mr. BLUMENTHAL, Ms. CANTWELL, Mr. HEINRICH, Mrs. FEINSTEIN, Mr. LEAHY, and Mr. REID) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To improve drinking water quality and reduce lead exposure
in homes, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Testing, Removal, and Updated Evaluations of Lead Ev-
6 erywhere in America for Dramatic Enhancements that Re-

1 store Safety to Homes, Infrastructure, and Pipes Act of
2 2016” or the “True LEADership Act of 2016”.

3 (b) TABLE OF CONTENTS.—The table of contents for
4 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—INVESTING IN WATER INFRASTRUCTURE

Subtitle A—Reducing Lead in Drinking Water

Sec. 1101. Reducing lead in drinking water.

Subtitle B—Funding Water

Sec. 1201. Drinking Water State Revolving Fund.

Sec. 1202. Clean Water State Revolving Fund.

Subtitle C—WIFIA Pilot Program

Sec. 1301. Permanent authorization for WIFIA pilot program.

Subtitle D—Iron and Steel in Public Water Systems

Sec. 1401. Taxpayer-produced iron and steel in public water systems.

Subtitle E—Sustainable Water Infrastructure Investment

Sec. 1501. Findings and purpose.

Sec. 1502. Exempt-facility bonds for sewage and water supply facilities.

TITLE II—REFORMING LEAD NOTIFICATION, TESTING, AND
TRANSPARENCY

Subtitle A—Elevated Blood Lead Levels

Sec. 2101. State reporting of elevated blood lead levels.

Subtitle B—Lead and Copper Regulations

Sec. 2201. Lead and copper in drinking water.

Subtitle C—Drinking Water Regulations

Sec. 2301. Enforcement of drinking water regulations.

Subtitle D—Contaminant and Lead Electronic Accounting and Reporting
Requirements

Sec. 2401. Assistance for disadvantaged communities.

Sec. 2402. Drinking water quality improvement for minority, tribal, and low-
income communities.

Sec. 2403. Compliance and inspections of public water supplies.

Sec. 2404. Electronic reporting of test results.

Sec. 2405. Priority of applications.

Sec. 2406. Notification of the Centers for Disease Control and Prevention and State health agencies.

Subtitle E—Grants for Lead Testing in Schools

Sec. 2501. Lead testing in school and child care drinking water.

TITLE III—BUILDING HEALTHIER HOMES AND COMMUNITIES

Subtitle A—Home Lead Safety Tax Credit

Sec. 3101. Findings; purpose.

Sec. 3102. Home lead hazard reduction activity tax credit.

Subtitle B—Title X Amendments Act

Sec. 3201. Findings.

Sec. 3202. Definitions.

Sec. 3203. Grant program.

Sec. 3204. Authorization of appropriations.

Subtitle C—Healthy Housing Council

Sec. 3301. Findings.

Sec. 3302. Definitions.

Sec. 3303. Interagency council on healthy housing.

Sec. 3304. Functions of the council.

Sec. 3305. Powers of the council.

Sec. 3306. Council personnel matters.

Sec. 3307. Authorization of appropriations.

Subtitle D—Lead-Safe Housing for Kids

Sec. 3401. Definitions.

Sec. 3402. Updates to lead-contaminated dust and lead-contaminated soil standards.

Sec. 3403. Amendments to Residential Lead-Based Paint Hazard Reduction Act of 1992.

Sec. 3404. Amendments to the Lead-Based Paint Poisoning Prevention Act.

Sec. 3405. GAO reports on lead hazards in federally assisted housing.

Sec. 3406. Authorization of appropriations.

TITLE IV—ACCELERATING WATER TECHNOLOGIES

Sec. 4101. Innovation in Clean Water State revolving funds.

Sec. 4102. Innovation in Drinking Water State revolving funds.

Sec. 4103. Innovative water technology grant program.

TITLE V—CITIZEN EMPOWERMENT DURING WATER EMERGENCIES

Sec. 5101. Emergency powers.

TITLE VI—DISASTER ASSISTANCE FOR LEAD CONTAMINATION OF DRINKING WATER

Sec. 6101. Findings.

Sec. 6102. Authority to use disaster relief funds.

TITLE VII—MITIGATING THE EFFECTS OF LEAD POISONING ON CHILDREN

Sec. 7101. Grants for local educational agencies affected by lead poisoning.

TITLE VIII—WAGE RATE REQUIREMENTS

Sec. 8101. Wage rate requirements.

1 **TITLE I—INVESTING IN WATER**
2 **INFRASTRUCTURE**
3 **Subtitle A—Reducing Lead in**
4 **Drinking Water**

5 **SEC. 1101. REDUCING LEAD IN DRINKING WATER.**

6 (a) DEFINITIONS.—In this section:

7 (1) ELIGIBLE ENTITY.—The term “eligible enti-
8 ty” means—

9 (A) a community water system (as defined
10 in section 1401 of the Safe Drinking Water Act
11 (42 U.S.C. 300f));

12 (B) a system located in an area governed
13 by an Indian Tribe (as defined in that section);

14 (C) a nontransient noncommunity water
15 system;

16 (D) a qualified nonprofit organization, as
17 determined by the Administrator; and

18 (E) a municipality or State, interstate, or
19 intermunicipal agency.

20 (2) LEAD REDUCTION PROJECT.—

21 (A) IN GENERAL.—The term “lead reduc-
22 tion project” means a project or activity the

1 primary purpose of which is to reduce the level
2 of lead in water for human consumption by—

3 (i) replacement of publicly owned por-
4 tions of lead service lines;

5 (ii) testing, planning, or other relevant
6 activities, as determined by the Adminis-
7 trator, to identify and address conditions
8 (including corrosion control) that con-
9 tribute to increased lead levels in water for
10 human consumption;

11 (iii) assistance to low-income home-
12 owners to replace privately owned portions
13 of service lines, pipes, fittings, or fixtures
14 that contain lead; and

15 (iv) education of consumers regarding
16 measures to reduce exposure to lead from
17 drinking water or other sources.

18 (B) LIMITATION.—The term “lead reduc-
19 tion project” does not include a partial lead
20 service line replacement if, at the conclusion of
21 that service line replacement, drinking water is
22 delivered to a household through a publicly or
23 privately owned portion of a lead service line.

24 (3) LOW-INCOME.—The term “low-income”,
25 with respect to an individual provided assistance

1 under this section, has such meaning as may be
2 given the term by the head of the municipality or
3 State, interstate, or intermunicipal agency with ju-
4 risdiction over the area to which assistance is pro-
5 vided.

6 (4) MUNICIPALITY.—The term “municipality”
7 means—

8 (A) a city, town, borough, county, parish,
9 district, association, or other public entity es-
10 tablished by, or pursuant to, applicable State
11 law; and

12 (B) an Indian tribe (as defined in section
13 4 of the Indian Self-Determination and Edu-
14 cation Assistance Act (25 U.S.C. 450b)).

15 (b) GRANT PROGRAM.—

16 (1) ESTABLISHMENT.—Not later than 180 days
17 after the date of enactment of this Act, the Adminis-
18 trator shall establish a grant program to provide as-
19 sistance to eligible entities for lead reduction
20 projects in the United States.

21 (2) EVALUATION.—In providing assistance
22 under this section, the Administrator shall evalu-
23 ate—

1 (A) that an eligible entity applying for as-
2 sistance has identified the source of lead in
3 water for human consumption; and

4 (B) the means by which the proposed lead
5 reduction project would reduce lead levels in the
6 applicable water system.

7 (3) PRIORITY APPLICATION.—In providing
8 grants under this subsection, the Administrator shall
9 give priority to an eligible entity that—

10 (A) carries out a lead reduction project at
11 a public water system or nontransient non-
12 community water system that has exceeded the
13 lead action level established by the Adminis-
14 trator at any time during the 3-year period pre-
15 ceeding the date of submission of the application
16 of the eligible entity;

17 (B) addresses lead levels in water for
18 human consumption at a school, daycare, or
19 other facility that primarily serves children or
20 another vulnerable human subpopulation; or

21 (C) addresses such priority criteria as the
22 Administrator may establish, consistent with
23 the goal of reducing lead levels of concern.

24 (4) COST SHARING.—

1 (A) IN GENERAL.—Subject to subpara-
2 graph (B), the non-Federal share of the total
3 cost of a project funded by a grant under this
4 subsection shall be not less than 20 percent.

5 (B) WAIVER.—The Administrator may re-
6 duce or eliminate the non-Federal share under
7 subparagraph (A) for reasons of affordability,
8 as the Administrator determines to be appro-
9 priate.

10 (5) LOW-INCOME ASSISTANCE.—

11 (A) IN GENERAL.—Subject to subpara-
12 graph (B), an eligible entity may use a grant
13 provided under this subsection to provide assist-
14 ance to low-income homeowners to carry out
15 lead reduction projects.

16 (B) LIMITATION.—The amount of a grant
17 provided to a low-income homeowner under this
18 paragraph shall not exceed the cost of replace-
19 ment of the privately owned portion of the serv-
20 ice line.

21 (6) SPECIAL CONSIDERATION FOR LEAD SERV-
22 ICE LINE REPLACEMENT.—In carrying out lead serv-
23 ice line replacement using a grant under this sub-
24 section, an eligible entity shall—

1 (A) notify customers of the planned re-
2 placement of any publicly owned portion of the
3 lead service line;

4 (B) offer—

5 (i) in the case of a homeowner that is
6 not low-income, to replace the privately
7 owned portion of the lead service line at
8 the cost of replacement; and

9 (ii) in the case of a low-income home-
10 owner, to replace the privately owned por-
11 tion of the lead service line and any pipes,
12 fittings, and fixtures that contain lead at a
13 cost that is equal to the difference be-
14 tween—

15 (I) the cost of replacement; and

16 (II) the amount of low-income as-
17 sistance available to the homeowner
18 under paragraph (5);

19 (C) notify each customer that a planned
20 replacement of any publicly owned portion of a
21 lead service line that is funded by a grant made
22 under this subsection will not be carried out un-
23 less the customer consents to the simultaneous
24 replacement of the privately owned portion of
25 the lead service line; and

1 (D) demonstrate that the eligible entity
 2 has considered multiple options for reducing
 3 lead in drinking water, including an evaluation
 4 of options for corrosion control.

5 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
 6 authorized to be appropriated to carry out this subtitle
 7 \$60,000,000 for each of fiscal years 2017 through 2021.

8 **Subtitle B—Funding Water**

9 **SEC. 1201. DRINKING WATER STATE REVOLVING FUND.**

10 Section 1452 of the Safe Drinking Water Act (42
 11 U.S.C. 300j–12) is amended by striking subsection (m)
 12 and inserting the following:

13 “(m) AUTHORIZATION OF APPROPRIATIONS.—There
 14 are authorized to be appropriated to carry out this sec-
 15 tion—

16 “(1) \$3,130,000,000 for fiscal year 2017;

17 “(2) \$3,600,000,000 for fiscal year 2018;

18 “(3) \$4,140,000,000 for fiscal year 2019;

19 “(4) \$4,800,000,000 for fiscal year 2020; and

20 “(5) \$5,500,000,000 for fiscal year 2021.”.

21 **SEC. 1202. CLEAN WATER STATE REVOLVING FUND.**

22 Title VI of the Federal Water Pollution Control Act
 23 (33 U.S.C. 1381 et seq.) is amended by striking section
 24 607 and inserting the following:

1 **“SEC. 607. AUTHORIZATION OF APPROPRIATIONS.**

2 “There are authorized to be appropriated to carry out
3 this title—

4 “(1) \$5,180,000,000 for fiscal year 2017;

5 “(2) \$5,960,000,000 for fiscal year 2018;

6 “(3) \$6,850,000,000 for fiscal year 2019;

7 “(4) \$7,880,000,000 for fiscal year 2020; and

8 “(5) \$9,060,000,000 for fiscal year 2021.”.

9 **Subtitle C—WIFIA Pilot Program**

10 **SEC. 1301. PERMANENT AUTHORIZATION FOR WIFIA PILOT**
11 **PROGRAM.**

12 (a) IN GENERAL.—Section 5033 of the Water Infra-
13 structure Finance and Innovation Act of 2014 (33 U.S.C.
14 3912) is amended—

15 (1) in subsection (a)—

16 (A) by redesignating paragraphs (1)
17 through (5) as subparagraphs (A) through (E),
18 respectively, and indenting appropriately;

19 (B) in the matter preceding subparagraph
20 (A) (as so redesignated), by striking “There is
21 authorized to be appropriated to each of the
22 Secretary and the Administrator” and inserting
23 the following:

24 “(1) AUTHORIZATION OF APPROPRIATIONS.—

25 There is authorized to be appropriated to the Sec-
26 retary”; and

1 (C) by adding at the end the following:

2 “(2) MANDATORY FUNDING.—

3 “(A) IN GENERAL.—Notwithstanding any
4 other provision of law, on October 1, 2016, and
5 on each October 1 thereafter through October
6 1, 2029, out of any funds in the Treasury not
7 otherwise appropriated, the Secretary of the
8 Treasury shall transfer to the Administrator to
9 carry out this subtitle \$1,359,950,000, to re-
10 main available until expended.

11 “(B) RECEIPT AND ACCEPTANCE.—The
12 Administrator shall be entitled to receive, shall
13 accept, and shall use to carry out this subtitle
14 the funds transferred under subparagraph (A),
15 without further appropriation.”; and

16 (2) in subsection (b), by striking “for each of
17 fiscal years 2015 through 2019” and inserting “for
18 each fiscal year in which funds are made available
19 to carry out this subtitle”.

20 (b) CONFORMING AMENDMENTS.—

21 (1) Subtitle C of title V of the Water Resources
22 Reform and Development Act of 2014 (33 U.S.C.
23 3901 et seq.) is amended by striking the subtitle
24 designation and heading and inserting the following:

1 **“Subtitle C—Innovative Financing**
 2 **Projects”.**

3 (2) Section 5023 of the Water Infrastructure
 4 Finance and Innovation Act of 2014 (33 U.S.C.
 5 3092) is amended by striking “pilot” each place it
 6 appears.

7 (3) Section 5034 of the Water Infrastructure
 8 Finance and Innovation Act of 2014 (33 U.S.C.
 9 3913) is amended by striking the section designation
 10 and heading and inserting the following:

11 **“SEC. 5034. REPORTS ON PROGRAM IMPLEMENTATION.”.**

12 (4) The table of contents for the Water Re-
 13 sources Reform and Development Act of 2014 (Pub-
 14 lic Law 113–121) is amended—

15 (A) by striking the item relating to subtitle
 16 C of title V and inserting the following:

“Subtitle C—Innovative Financing Projects”;

17 and

18 (B) by striking the item relating to section
 19 5034 and inserting the following:

“Sec. 5034. Reports on program implementation.”.

1 **Subtitle D—Iron and Steel in**
2 **Public Water Systems**

3 **SEC. 1401. TAXPAYER-PRODUCED IRON AND STEEL IN PUB-**
4 **LIC WATER SYSTEMS.**

5 Section 1452(a) of the Safe Drinking Water Act (42
6 U.S.C. 300j–12(a)) is amended by adding at the end the
7 following:

8 “(4) REQUIREMENT FOR THE USE OF AMER-
9 ICAN MATERIALS.—

10 “(A) DEFINITION OF IRON AND STEEL
11 PRODUCTS.—In this paragraph, the term ‘iron
12 and steel products’ means the following prod-
13 ucts made, in part, of iron or steel:

14 “(i) Lined or unlined pipe and fit-
15 tings.

16 “(ii) Manhole covers and other munic-
17 ipal castings.

18 “(iii) Hydrants.

19 “(iv) Tanks.

20 “(v) Flanges.

21 “(vi) Pipe clamps and restraints.

22 “(vii) Valves.

23 “(viii) Structural steel.

24 “(ix) Reinforced precast concrete.

25 “(x) Construction materials.

1 “(B) REQUIREMENT.—Notwithstanding
2 any other provision of law, except as provided
3 in subparagraph (C), none of the funds made
4 available by a State loan fund authorized under
5 this section may be used for a project for the
6 construction, alteration, maintenance, or repair
7 of a public water system unless all the iron and
8 steel products used in the project are produced
9 in the United States.

10 “(C) WAIVERS.—Subparagraph (B) shall
11 not apply in any case or category of cases in
12 which the Administrator finds that—

13 “(i) applying subparagraph (B) would
14 be inconsistent with the public interest;

15 “(ii) iron and steel products are not
16 produced in the United States in sufficient
17 and reasonably available quantities and of
18 a satisfactory quality; or

19 “(iii) inclusion of iron and steel prod-
20 ucts produced in the United States will in-
21 crease the cost of the overall product by
22 more than 25 percent.

23 “(D) PUBLIC NOTICE FOR WAIVER.—If the
24 Administrator receives a request for a waiver
25 under this paragraph, the Administrator shall—

1 “(i) make available to the public on
 2 an informal basis, including on the website
 3 of the Administrator—

4 “(I) a copy of the request; and

5 “(II) any information available to
 6 the Administrator regarding the re-
 7 quest; and

8 “(ii) provide notice of, and oppor-
 9 tunity for informal public comment on, the
 10 request for a period of not less than 15
 11 days before making a finding based on a
 12 request under subparagraph (C).

13 “(E) APPLICATION.—This paragraph shall
 14 be applied in a manner consistent with United
 15 States obligations under international agree-
 16 ments.

17 “(F) MANAGEMENT AND OVERSIGHT.—
 18 The Administrator may use not more than 0.25
 19 percent of any funds made available to carry
 20 out this title for management and oversight of
 21 the requirements of this paragraph.”.

22 **Subtitle E—Sustainable Water**
 23 **Infrastructure Investment**

24 **SEC. 1501. FINDINGS AND PURPOSE.**

25 (a) FINDINGS.—Congress finds the following:

1 (1) Our Nation’s water and wastewater systems
2 are among the best in the world, providing safe
3 drinking water and sanitation to our citizens.

4 (2) In addition to protecting the health of our
5 citizens, community water systems are essential to
6 our local economies, enabling industries to achieve
7 growth and productivity that make America strong
8 and prosperous.

9 (3) Regulated under title XIV of the Public
10 Health Service Act (42 U.S.C. 300f et seq.; com-
11 monly known as the “Safe Drinking Water Act”) and the Federal Water Pollution Control Act (33
12 U.S.C. 1251 et seq.), community drinking water sys-
13 tems and wastewater collection and treatment facili-
14 ties are critical elements in the Nation’s infrastruc-
15 ture.
16

17 (4) Water and wastewater infrastructure is
18 comprised of a mixture of old and new technology.
19 In many local communities across the Nation, the
20 old infrastructure has deteriorated to critical condi-
21 tions and is very costly to replace. Recent govern-
22 ment studies have estimated costs of
23 \$500,000,000,000 to \$800,000,000,000 over the
24 next 20 years for maintaining and improving the ex-

1 isting inventory, building new infrastructure, and
2 meeting new water quality standards.

3 (5) The historical approach of funding infra-
4 structure is insufficient to meet the investment
5 needs of the future.

6 (6) The Federal partnership with State and
7 local communities has played a pivotal role in im-
8 proving the Nation's water quality and drinking
9 water supplies. Federal assistance under this part-
10 nership has been the linchpin of these improvements.

11 (7) In light of constrained Federal budgets, the
12 availability of exempt-facility financing represents an
13 important financing tool to help close the gap be-
14 tween funds currently being invested and water in-
15 frastructure needs, preserving the Federal partner-
16 ship.

17 (8) Providing alternative financing solutions,
18 such as tax-exempt securities, encourages investment
19 in water and wastewater infrastructure that in turn
20 creates local jobs and protects the health of our citi-
21 zens.

22 (9) Federally mandated State volume cap re-
23 strictions in conjunction with other priorities have
24 limited the use of tax-exempt securities on water and
25 wastewater infrastructure investment.

1 (b) CONFORMING CHANGE.—Paragraphs (2) and
 2 (3)(B) of section 146(k) of the Internal Revenue Code of
 3 1986 are both amended by striking “(4), (5), (6),” and
 4 inserting “(6)”.

5 (c) EFFECTIVE DATE.—The amendments made by
 6 this section shall apply to obligations issued after the date
 7 of the enactment of this Act.

8 **TITLE II—REFORMING LEAD NO-**
 9 **TIFICATION, TESTING, AND**
 10 **TRANSPARENCY**

11 **Subtitle A—Elevated Blood Lead**
 12 **Levels**

13 **SEC. 2101. STATE REPORTING OF ELEVATED BLOOD LEAD**
 14 **LEVELS.**

15 (a) IN GENERAL.—Not later than 6 months after the
 16 date of enactment of this Act, the Secretary of Health and
 17 Human Services, acting through the Director of the Cen-
 18 ters for Disease Control and Prevention, shall establish
 19 procedures under which a State shall, on a quarterly basis,
 20 report to the Director the number of residents of the State
 21 under 2 years of age who have elevated blood lead levels.

22 (b) IDENTIFICATION AND INVESTIGATION.—The Di-
 23 rector of the Centers for Disease Control and Prevention,
 24 based on the reports received under subsection (a), shall
 25 identify specific areas where children with high blood lead

1 levels are concentrated and conduct an investigation to de-
2 termine the sources of lead in such areas.

3 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated, such sums as may be nec-
5 essary to carry out this section.

6 **Subtitle B—Lead and Copper** 7 **Regulations**

8 **SEC. 2201. LEAD AND COPPER IN DRINKING WATER.**

9 (a) REGULATIONS REQUIRED.—Section 1412(b) of
10 the Safe Drinking Water Act (42 U.S.C. 300g–1(b)) is
11 amended—

12 (1) by redesignating paragraphs (14) and (15)
13 as paragraphs (15) and (16), respectively; and

14 (2) by inserting after paragraph (13) the fol-
15 lowing:

16 “(14) LEAD AND COPPER IN DRINKING
17 WATER.—Not later than 180 days after the date of
18 enactment of the True LEADership Act of 2016, the
19 Administrator shall promulgate lead and copper reg-
20 ulations that—

21 “(A) based on the amount of lead that
22 would result in a blood lead level greater than
23 5 micrograms per deciliter in any healthy infant
24 with an average blood lead level who consumes
25 infant formula made with water, establish a

1 household action level for priority setting for
2 lead and copper that triggers—

3 “(i) not later than 28 days after the
4 date on which the household action level is
5 reached, plain-language consumer notifica-
6 tion that is culturally and linguistically ap-
7 propriate;

8 “(ii) a report to the appropriate public
9 health agency; and

10 “(iii) an examination by the public
11 water system of service line material, and
12 the prioritization of the removal by the
13 public water system, of any lead portion of
14 the service line;

15 “(B) provide for frequent and culturally
16 and linguistically appropriate multi-media out-
17 reach in plain language about the health risk
18 and protection available to—

19 “(i) consumers with known or sus-
20 pected full or partial lead service lines;

21 “(ii) public and private institutions
22 and facilities that serve individuals of any
23 other vulnerable population, including—

24 “(I) children;

25 “(II) pregnant women; and

1 “(III) an immunocompromised
2 population, such as—

3 “(aa) individuals living with
4 auto immune deficiency syndrome
5 or human immunodeficiency
6 virus; and

7 “(bb) the elderly; and

8 “(iii) caregivers and healthcare pro-
9 viders for any individual described in
10 clause (i) or (ii);

11 “(C) require, for each monitoring period,
12 each public water system to publish on a pub-
13 licly accessible website of the public water sys-
14 tem, or distribute by carrier route presort if the
15 public water system does not maintain a pub-
16 licly accessible website, or distribute door-to-
17 door if a substantial portion of the population
18 served by the public water system does not have
19 access to the Internet or is elderly—

20 “(i) the number of households served
21 by the public water system that have a
22 household action level that is greater than
23 the household action level established by
24 the Administrator under subparagraph
25 (A);

1 “(ii) all levels of lead and copper
2 found in each monitoring period; and

3 “(iii) the most recent 90th percentile
4 levels for lead and copper, as compared to
5 the system action levels for lead and cop-
6 per;

7 “(D) in the case of a community that has
8 a lead service line, require the public water sys-
9 tem to provide a public statement of lead serv-
10 ice line ownership that includes the legal basis
11 of that determination of ownership;

12 “(E) modify lead monitoring requirements
13 to provide for—

14 “(i) voluntary consumer-requested tap
15 sampling for lead; and

16 “(ii) the use of any result of a tap
17 sample described in clause (i)—

18 “(I) to inform—

19 “(aa) consumer action to re-
20 duce the risk of lead in the home
21 of the consumer; and

22 “(bb) in the case of a tap
23 sample that is higher than the
24 household action level established
25 in subparagraph (A), the con-

1 consumer and the appropriate public
2 health agency; and

3 “(II) to assess—

4 “(aa) if the tap sample
5 meets the site selection criteria
6 described in the regulations
7 issued by the Administrator for
8 the control of lead and copper,
9 the effectiveness of corrosion con-
10 trol treatment; or

11 “(bb) any other potential
12 cause of an elevated lead level;
13 and

14 “(F) are periodically reviewed and revised
15 in accordance with paragraph (9), including the
16 revision of the household action level established
17 by the Administrator under subparagraph (A)
18 to require action based on the quantity of lead
19 in drinking water that would result in a blood
20 lead level, for any healthy infant with an aver-
21 age blood lead level who consumes infant for-
22 mula made with water, equal to not less than
23 the national 97.5th percentile for childhood
24 blood lead level.”.

1 (b) CONFORMING AMENDMENTS.—Section 1415(e)
 2 of the Safe Drinking Water Act (42 U.S.C. 300g–4(e))
 3 is amended—

4 (1) in paragraph (2)(A), by striking
 5 “1412(b)(15)” and inserting “1412(b)(16)”; and

6 (2) in paragraph (7)(A)—

7 (A) in clause (ii), by striking
 8 “1412(b)(15)” and inserting “1412(b)(16)”;
 9 and

10 (B) in clause (iii), by striking
 11 “1412(b)(15)(A)” and inserting
 12 “1412(b)(16)(A)”.

13 (c) SAVINGS CLAUSE.—Nothing in this Act, or the
 14 amendments made by this Act, authorizes or requires the
 15 elimination or weakening of any requirement or health
 16 protection relating to lead and copper under part 141 of
 17 title 40, Code of Federal Regulations (as in effect on the
 18 date of enactment of this Act).

19 **Subtitle C—Drinking Water** 20 **Regulations**

21 **SEC. 2301. ENFORCEMENT OF DRINKING WATER REGULA-** 22 **TIONS.**

23 (a) EXCEEDANCE OF LEAD ACTION LEVEL.—Section
 24 1414(c) of the Safe Drinking Water Act (42 U.S.C. 300g–
 25 3(c)) is amended—

1 (1) in paragraph (1), by adding at the end the
2 following:

3 “(D) Notice of any exceedance of a lead
4 action level or any other prescribed level of lead
5 in a regulation issued under section 1412, in-
6 cluding the concentrations of lead found in a
7 monitoring activity.”;

8 (2) in paragraph (2)—

9 (A) by redesignating subparagraphs (D)
10 and (E) as subparagraphs (E) and (F), respec-
11 tively; and

12 (B) by inserting after subparagraph (C)
13 the following:

14 “(D) EXCEEDANCE OF LEAD ACTION
15 LEVEL.—Regulations issued under subpara-
16 graph (A) shall specify notification procedures
17 for an exceedance of a lead action level or any
18 other prescribed level of lead in a regulation
19 issued under section 1412.”;

20 (3) by redesignating paragraphs (3) and (4) as
21 paragraphs (4) and (5), respectively; and

22 (4) by inserting after paragraph (2) the fol-
23 lowing:

24 “(3) NOTIFICATION OF THE PUBLIC RELATING
25 TO LEAD.—

1 “(A) EXCEEDANCE OF LEAD ACTION
2 LEVEL.—Not later than 15 days after the date
3 of an exceedance of a lead action level or any
4 other prescribed level of lead in a regulation
5 issued under section 1412, the Administrator
6 shall notify the public of the concentrations of
7 lead found in the monitoring activity conducted
8 by the public water system if the public water
9 system or the State does not notify the public
10 of the concentrations of lead found in a moni-
11 toring activity.

12 “(B) RESULTS OF LEAD MONITORING.—

13 “(i) IN GENERAL.—The Administrator
14 may provide notice of any result of lead
15 monitoring conducted by a public water
16 system to—

17 “(I) any person that is served by
18 the public water system; or

19 “(II) the local or State health de-
20 partment of a locality or State in
21 which the public water system is lo-
22 cated.

23 “(ii) FORM OF NOTICE.—The Admin-
24 istrator may provide the notice described
25 in clause (i) by—

1 “(I) press release; or
 2 “(II) other form of communica-
 3 tion, including local media.”.

4 (b) CONFORMING AMENDMENTS.—Section 1414(c)
 5 of the Safe Drinking Water Act (42 U.S.C. 300g–3(e))
 6 is amended—

7 (1) in paragraph (1)(C), by striking “paragraph
 8 (2)(E)” and inserting “paragraph (2)(F)”;

9 (2) in paragraph (2)(B)(i)(II), by striking “sub-
 10 paragraph (D)” and inserting “subparagraph (E)”;
 11 and

12 (3) in paragraph (3)(B), in the first sentence,
 13 by striking “(D)” and inserting “(E)”.

14 **Subtitle D—Contaminant and Lead**
 15 **Electronic Accounting and Re-**
 16 **porting Requirements**

17 **SEC. 2401. ASSISTANCE FOR DISADVANTAGED COMMU-**
 18 **NITIES.**

19 (a) ASSISTANCE TO INCREASE COMPLIANCE WITH
 20 NATIONAL DRINKING WATER STANDARDS.—Section
 21 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–
 22 12) is amended—

23 (1) in subsection (b)(3), by adding at the end
 24 the following:

1 “(C) ASSISTANCE TO INCREASE COMPLI-
2 ANCE.—An intended use plan shall provide
3 that, of the funds received by the State in a fis-
4 cal year through a capitalization grant under
5 this section, the State shall, to the extent that
6 the State receives sufficient eligible project ap-
7 plications, reserve not less than 6 percent of
8 those funds to provide assistance under sub-
9 section (d) to one or more public water systems
10 described in a list included in an intended use
11 plan under paragraph (2)(D).”; and

12 (2) in subsection (d)—

13 (A) by redesignating paragraphs (1), (2),
14 and (3) as paragraphs (2), (3), and (1), respec-
15 tively;

16 (B) by moving the paragraphs so as to ap-
17 pear in numerical order;

18 (C) in paragraph (1) (as redesignated by
19 subparagraph (A))—

20 (i) in the first sentence—

21 (I) by striking “In this sub-
22 section” and inserting the following:

23 “(A) IN GENERAL.—In this subsection”;

24 and

1 (II) by inserting “, or a portion
2 of the service area,” after “service
3 area”; and

4 (ii) in the second sentence, by striking
5 “The Administrator” and inserting the fol-
6 lowing:

7 “(B) AFFORDABILITY CRITERIA FOR DIS-
8 ADVANTAGED COMMUNITIES.—

9 “(i) IN GENERAL.—In establishing af-
10 fordability criteria, each State that has en-
11 tered into a capitalization agreement under
12 this section shall consider, solicit public
13 comment on, and include in the afford-
14 ability criteria, as appropriate—

15 “(I) the methods or criteria that
16 the State intends to use to identify
17 disadvantaged communities;

18 “(II) a description of the institu-
19 tional, regulatory, financial, tax, or
20 legal factors at the Federal, State, or
21 local level that affect the affordability
22 criteria; and

23 “(III) a description of the man-
24 ner in which the State will assist a

1 disadvantaged community under this
2 subsection.

3 “(ii) ASSISTANCE TO STATES.—The
4 Administrator”;

5 (D) in paragraph (2) (as redesignated by
6 subparagraph (A))—

7 (i) by striking “Notwithstanding” and
8 inserting the following:

9 “(A) ADDITIONAL SUBSIDIZATION.—Not-
10 withstanding”; and

11 (ii) by adding at the end the fol-
12 lowing:

13 “(B) DIRECT AND PRIMARY BENEFIT.—
14 Any additional subsidization provided under
15 subparagraph (A) shall directly and primarily
16 benefit the disadvantaged community.”; and

17 (E) in paragraph (3) (as redesignated by
18 subparagraph (A)), by striking “paragraph (1)”
19 and inserting “paragraph (2)”.

20 (b) CONFORMING AMENDMENT.—Section
21 1452(f)(1)(B) of the Safe Drinking Water Act (42 U.S.C.
22 300j–12(f)(1)(B)) is amended by striking “subsection
23 (d)(3)” and inserting “subsection (d)(1)”.

1 **SEC. 2402. DRINKING WATER QUALITY IMPROVEMENT FOR**
2 **MINORITY, TRIBAL, AND LOW-INCOME COM-**
3 **MUNITIES.**

4 (a) DEFINITIONS.—In this section:

5 (1) ADMINISTRATOR.—The term “Adminis-
6 trator” means the Administrator of the Environ-
7 mental Protection Agency.

8 (2) WATER QUALITY TESTING.—The term
9 “water quality testing” means the testing of drink-
10 ing water for the presence of lead or any other con-
11 taminant that poses a public health risk.

12 (b) FORMAL GUIDANCE.—The Administrator shall
13 issue formal guidance to develop a process to protect and
14 improve the drinking water of minority, tribal, and low-
15 income communities.

16 (c) EXPEDITED WATER QUALITY TESTING.—

17 (1) IN GENERAL.—In developing the process
18 described in subsection (b), the Administrator shall
19 establish and maintain, within the Office of Environ-
20 mental Justice of the Environmental Protection
21 Agency, a process by which a minority, tribal, or
22 low-income community, as defined by the Director of
23 the Office of Environmental Justice of the Environ-
24 mental Protection Agency, may request expedited
25 water quality testing of the drinking water of the
26 community for the presence of lead or any other

1 contaminant that poses a public health risk to indi-
2 viduals in the community.

3 (2) RESULTS.—The Administrator shall provide
4 to the requestor the results of an expedited water
5 quality testing carried out in accordance with para-
6 graph (1) in a timely manner.

7 (3) WEBSITE.—The Administrator shall develop
8 and maintain a publicly accessible website through
9 which a request for expedited water quality testing
10 in accordance with paragraph (1) may be submitted,
11 in compliance with applicable Federal law (including
12 regulations) and policies relating to the protection of
13 individual privacy.

14 (4) PERFORMANCE MEASURE.—

15 (A) IN GENERAL.—The Administrator
16 shall develop a performance measure for the ex-
17 pedited water quality testing carried out in ac-
18 cordance with paragraph (1) to determine the
19 average number of days between the date of
20 submission of a request for expedited water
21 quality testing and the date of completion of a
22 request.

23 (B) REPORTING.—The performance meas-
24 ure described in subparagraph (A) shall be pub-
25 lished on the website described in paragraph (3)

1 not less frequently than once each calendar
2 year.

3 (d) ELECTRONIC DATABASE.—The Administrator
4 shall develop and maintain an electronic database of water
5 quality and health screening tests that includes the results
6 of any—

7 (1) water system supplier water quality test re-
8 quired under the Safe Drinking Water Act (42
9 U.S.C. 300f et seq.);

10 (2) health screening, including blood lead test
11 results, aggregated not less frequently than once
12 each month on a geographic scale not smaller than
13 county level, to be coordinated with the Director of
14 the Centers for Disease Control and Prevention, re-
15 quired under section 317A of the Public Health
16 Service Act (42 U.S.C. 247b–1) and in accordance
17 with the Health Insurance Portability and Account-
18 ability Act of 1996 (42 U.S.C. 201 et seq.); and

19 (3) expedited water quality testing carried out
20 in accordance with subsection (c)(1).

21 (e) REGIONAL LIAISON.—

22 (1) IN GENERAL.—In developing the process
23 described in subsection (b), the Administrator shall
24 ensure that not fewer than 1 employee in each re-
25 gional office of the Environmental Protection Agency

1 will serve as a liaison to minority, tribal, and low-
2 income communities in the relevant region.

3 (2) PUBLIC IDENTIFICATION.—The Adminis-
4 trator shall prominently identify each regional liai-
5 son selected under paragraph (1) on the website
6 of—

7 (A) the relevant regional office of the Envi-
8 ronmental Protection Agency; and

9 (B) the Office of Environmental Justice of
10 the Environmental Protection Agency.

11 (f) COMMUNITY PARTNERSHIP.—The Administrator
12 may make grants to community organizations that rep-
13 resent, operate in, or serve a minority, tribal, or low-in-
14 come community, as determined by the Administrator, to
15 educate the residents of the community on—

16 (1) contaminants in drinking water that may
17 have an adverse effect on human health; and

18 (2) assistance that the Administrator may pro-
19 vide to residents to identify and address a drinking
20 water contaminant that may have an adverse effect
21 on human health.

22 (g) PUBLIC INTEREST SCIENCE PARTNERSHIPS.—
23 The Administrator may create a partnership with an aca-
24 demic or research institution, including another Federal
25 agency, to conduct or promote science that serves the pub-

1 lie interest by sharing data or costs or engaging in any
2 other activity of mutual benefit—

3 (1) to identify—

4 (A) any contaminant in drinking water
5 that may have an adverse effect on human
6 health; and

7 (B) a significant public health crisis caused
8 by any violation or contamination that—

9 (i) has the potential to have a serious
10 adverse effect on human health that re-
11 quires notice under section 1414(c)(2)(C)
12 of the Safe Drinking Water Act (42 U.S.C.
13 300g-3(c)(2)(C)); or

14 (ii) may present an imminent and
15 substantial endangerment to the health of
16 persons (within the meaning of section
17 1431(a) of the Safe Drinking Water Act
18 (42 U.S.C. 300i(a))); and

19 (2) to measure the risk that a minority, tribal,
20 or low-income community faces from contaminants
21 in drinking water that may have an adverse effect
22 on human health.

23 (h) AUTHORIZATION OF APPROPRIATIONS.—There
24 are authorized to be appropriated for the period of fiscal
25 years 2018 through 2022—

1 (1) to carry out subsection (c), \$2,000,000;

2 (2) to provide grants to community partners to
3 carry out subsection (f), \$5,000,000; and

4 (3) to carry out subsection (g), \$10,000,000.

5 **SEC. 2403. COMPLIANCE AND INSPECTIONS OF PUBLIC**
6 **WATER SUPPLIES.**

7 (a) **REPORTING NONCOMPLIANCE.**—Section
8 1452(b)(2) of the Safe Drinking Water Act (42 U.S.C.
9 300j–12(b)(2)) is amended—

10 (1) in subparagraph (B), by striking “and” at
11 the end;

12 (2) in subparagraph (C), by striking the period
13 at the end and inserting “; and”; and

14 (3) by adding at the end the following:

15 “(D) a list that includes—

16 “(i) any public water system in the
17 State that—

18 “(I) has in effect an exemption
19 or variance for any national primary
20 drinking water regulation;

21 “(II) is in persistent violation of
22 any requirement for a maximum con-
23 taminant level or treatment technique
24 under a national primary drinking
25 water regulation; or

1 “(III) the State or Administrator
2 determines may present an imminent
3 and substantial endangerment to the
4 health of persons (within the meaning
5 of section 1431(a));

6 “(ii) the relevant national primary
7 drinking regulation for the exemption,
8 variance, or violation; and

9 “(iii)(I) the effective date of the ex-
10 emption or variance; or

11 “(II) the date on which the persistent
12 violation began.”.

13 (b) ADVICE AND TECHNICAL ASSISTANCE.—Section
14 1414(a)(1) of the Safe Drinking Water Act (42 U.S.C.
15 300g-3(a)(1)) is amended—

16 (1) in subparagraph (A)—

17 (A) in the undesignated matter preceding
18 clause (i), by striking “Whenever” and insert-
19 ing “The Administrator shall notify the State
20 and the public water system of noncompliance
21 by the public water system if”;

22 (B) in clause (ii), by striking “pursuant
23 thereto,” and inserting “in accordance with
24 that variance or exemption.”; and

1 (C) by striking the undesignated matter
2 following clause (ii); and

3 (2) by adding at the end the following:

4 “(C) ADVICE AND TECHNICAL ASSIST-
5 ANCE.—

6 “(i) IN GENERAL.—After providing
7 notice of noncompliance to the State and
8 the public water system under subpara-
9 graph (A), the Administrator may provide
10 such advice and technical assistance to the
11 State and public water system as the Ad-
12 ministrator determines appropriate to
13 bring the public water system into compli-
14 ance with the variance or exemption by the
15 earliest date feasible.

16 “(ii) CONSIDERATIONS.—In making a
17 determination to provide advice and tech-
18 nical assistance under clause (i), the Ad-
19 ministrator may consider—

20 “(I) the potential for the non-
21 compliance to result in a serious ad-
22 verse effect to human health;

23 “(II) whether the noncompliance
24 has occurred continuously or fre-
25 quently; and

1 “(III) the effectiveness of any
2 past technical assistance effort.”.

3 (c) ADDITIONAL INSPECTIONS.—Section 1414 of the
4 Safe Drinking Water Act (42 U.S.C. 300g-3) is amend-
5 ed—

6 (1) by redesignating subsections (d) through (i)
7 as subsections (e) through (j), respectively; and

8 (2) by inserting after subsection (c) the fol-
9 lowing:

10 “(d) ADDITIONAL INSPECTIONS AFTER A VIOLA-
11 TION.—

12 “(1) IN GENERAL.—After consultation with the
13 States, the Administrator shall, by regulation, pre-
14 scribe the number, frequency, and type of additional
15 inspections that shall be carried out after any viola-
16 tion that requires notice under subsection (c).

17 “(2) REGULATIONS.—The regulations issued
18 under paragraph (1) shall—

19 “(A) take into account—

20 “(i) the difference between—

21 “(I) intermittent or infrequent
22 violations; and

23 “(II) continuous or frequent vio-
24 lations;

1 “(ii) the seriousness of any potential
2 adverse health effect that may be related
3 to a violation; and

4 “(iii) the number and severity of a
5 past violation by a public water system;
6 and

7 “(B) specify the procedure for an inspec-
8 tion after a violation by a public water system
9 that has the potential to cause a serious adverse
10 effect on human health due to short-term expo-
11 sure to a contaminant.”.

12 (3) CONFORMING AMENDMENTS.—

13 (A) Section 1414 of the Safe Drinking
14 Water Act (42 U.S.C. 300g-3) is amended—

15 (i) in subsection (a)—

16 (I) in paragraph (1)(B), by strik-
17 ing “subsection (g)” and inserting
18 “subsection (h)”; and

19 (II) in paragraph (2)(A), in the
20 undesignated matter following clause
21 (ii), by striking “subsection (g)” and
22 inserting “subsection (h)”; and

23 (ii) in subsection (b), in the undesign-
24 nated matter preceding paragraph (1), by

1 striking “subsection (g)” and inserting
2 “subsection (h)”.

3 (B) Section 1448(a) of the Safe Drinking
4 Water Act (42 U.S.C. 300j-7(a)) is amended in
5 the third sentence of the undesignated matter
6 following paragraph (2) by striking
7 “1414(g)(3)(B)” and inserting
8 “1414(h)(3)(B)”.

9 **SEC. 2404. ELECTRONIC REPORTING OF TEST RESULTS.**

10 Section 1414 of the Safe Drinking Water Act (42
11 U.S.C. 300g-3) (as amended by section 2403(c)(1)) is
12 amended by adding at the end the following:

13 “(k) ELECTRONIC REPORTING OF COMPLIANCE
14 MONITORING DATA.—Not later than 1 year after the date
15 of enactment of this subsection, the Administrator shall
16 issue a final rule that establishes requirements for elec-
17 tronic submission—

18 “(1) by public water systems of all compliance
19 monitoring data—

20 “(A) to the Administrator; or

21 “(B) with respect to a public water system
22 in a State that has primary enforcement re-
23 sponsibility under section 1413, to that State;
24 and

1 “(2) by each State that has primary enforce-
2 ment responsibility under section 1413 to the Ad-
3 ministrator all compliance monitoring data sub-
4 mitted by a public water system to the State under
5 paragraph (1)(B).”.

6 **SEC. 2405. PRIORITY OF APPLICATIONS.**

7 Section 1452(b)(3)(A) of the Safe Drinking Water
8 Act (42 U.S.C. 300j-12(b)(3)(A)) is amended—

- 9 (1) in clause (ii), by striking “and” at the end;
10 (2) in clause (iii), by striking the period at the
11 end and inserting a semicolon; and
12 (3) by inserting at the end the following:

13 “(iv) improve—

14 “(I) real-time continuous on-site
15 electronic monitoring; or

16 “(II) transmission of testing re-
17 sults; and

18 “(v) improve the ability of a public
19 water system—

20 “(I) to protect human health;
21 and

22 “(II) to comply with this title in
23 manner that is affordable.”.

1 **SEC. 2406. NOTIFICATION OF THE CENTERS FOR DISEASE**
2 **CONTROL AND PREVENTION AND STATE**
3 **HEALTH AGENCIES.**

4 Section 1414(c)(2)(C) of the Safe Drinking Water
5 Act (42 U.S.C. 300g-3(c)(2)(C)) is amended—

6 (1) in clause (iii)—

7 (A) by striking “Administrator or” and in-
8 serting “Administrator, the Director of the
9 Centers for Disease Control and Prevention,
10 and, if applicable,”;

11 (B) by inserting “and the appropriate
12 State and county health agencies” after
13 “1413”; and

14 (C) by striking “and” at the end;

15 (2) by redesignating clause (iv) as clause (v);

16 and

17 (3) by inserting after clause (iii) the following:

18 “(iv) be provided to each person
19 served by the public water system—

20 “(I) in the first billing statement
21 that the public water system prepares
22 after the date on which the violation
23 occurs; and

24 “(II) in a manner consistent with
25 clause (ii); and”.

1 **Subtitle E—Grants for Lead**
 2 **Testing in Schools**

3 **SEC. 2501. LEAD TESTING IN SCHOOL AND CHILD CARE**
 4 **DRINKING WATER.**

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

8 “(d) VOLUNTARY SCHOOL AND CHILD CARE LEAD
 9 TESTING GRANT PROGRAM.—

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

11 “(A) CHILD CARE PROGRAM.—The term
 12 ‘child care program’ has the meaning given the
 13 term ‘early childhood education program’ in
 14 section 103 of the Higher Education Act of
 15 1965 (20 U.S.C. 1003).

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

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

22 “(ii) a tribal education agency (as de-
 23 fined in section 3 of the National Environ-
 24 mental Education Act (20 U.S.C. 5502));
 25 and

1 “(iii) an operator of a child care pro-
2 gram facility.

3 “(2) ESTABLISHMENT.—

4 “(A) IN GENERAL.—Not later than 180
5 days after the date of enactment of the True
6 LEADership Act of 2016, the Administrator
7 shall establish a voluntary school and child care
8 lead testing grant program to make grants
9 available to States to assist local educational
10 agencies in voluntary testing for lead contami-
11 nation in drinking water at schools and child
12 care programs under the jurisdiction of the
13 local educational agencies.

14 “(B) GRANTS TO LOCAL EDUCATIONAL
15 AGENCIES.—The Administrator may make
16 grants directly available to local educational
17 agencies for the voluntary testing described in
18 subparagraph (A) in—

19 “(i) any State that does not partici-
20 pate in the voluntary school and child care
21 lead testing grant program established
22 under that subparagraph; and

23 “(ii) any direct implementation area.

24 “(3) APPLICATION.—To be eligible to receive a
25 grant under this subsection, a State or local edu-

1 cational agency shall submit to the Administrator an
2 application at such time, in such manner, and con-
3 taining such information as the Administrator may
4 require.

5 “(4) USE OF FUNDS.—

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

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

14 “(5) GUIDANCE; PUBLIC AVAILABILITY.—As a
15 condition of receiving a grant under this subsection,
16 the State or local educational agency shall ensure
17 that each local educational agency to which grant
18 funds are distributed shall—

19 “(A) expend grant funds in accordance
20 with—

21 “(i) the guidance of the Environ-
22 mental Protection Agency entitled ‘3Ts for
23 Reducing Lead in Drinking Water in
24 Schools: Revised Technical Guidance’ and

1 dated October 2006 (or any successor
2 guidance); or

3 “(ii) applicable State regulations or
4 guidance regarding reducing lead in drink-
5 ing water in schools and child care pro-
6 grams that is not less stringent than the
7 guidance referred to in clause (i); and

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

18 “(ii) notify parent, teacher, and employee
19 organizations of the availability of the results
20 described in clause (i).

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

1 (b) REPEAL.—Section 1465 of the Safe Drinking
2 Water Act (42 U.S.C. 300j–25) is repealed.

3 **TITLE III—BUILDING HEALTH-**
4 **IER HOMES AND COMMU-**
5 **NITIES**

6 **Subtitle A—Home Lead Safety Tax**
7 **Credit**

8 **SEC. 3101. FINDINGS; PURPOSE.**

9 (a) FINDINGS.—Congress finds that:

10 (1) Lead is a metal that can produce a wide
11 range of health effects in humans when ingested.
12 Children are more vulnerable to lead poisoning than
13 adults.

14 (2) Lead poisoning is a serious, entirely pre-
15 ventable threat to a child’s intelligence, behavior,
16 and learning. In severe cases, lead poisoning can re-
17 sult in death.

18 (3) According to the Department of Housing
19 and Urban Development, approximately 23 million
20 housing units nationwide have at least one lead
21 paint hazard.

22 (4) In fiscal year 2015, funding for Federal
23 lead abatement programs, such as the Lead Hazard
24 Control Grant Program, only provided for lead

1 abatement or “interim control measures” for 18,600
2 homes.

3 (5) Childhood lead poisoning can be dramati-
4 cally reduced by the abatement or complete removal
5 of all lead-based hazards. Empirical studies also
6 have shown substantial reductions in lead poisoning
7 when the affected properties have undergone “in-
8 terim control measures” that are less costly than
9 abatement.

10 (b) PURPOSE.—The purpose of this section is to en-
11 courage the safe removal of lead hazards from homes and
12 thereby decrease the number of children who suffer re-
13 duced intelligence, learning difficulties, behavioral prob-
14 lems, and other health consequences due to lead poisoning.

15 **SEC. 3102. HOME LEAD HAZARD REDUCTION ACTIVITY TAX**

16 **CREDIT.**

17 (a) IN GENERAL.—Subpart C of part IV of sub-
18 chapter A of chapter 1 of the Internal Revenue Code of
19 1986 is amended by inserting after section 36B the fol-
20 lowing new section:

21 **“SEC. 36C. HOME LEAD HAZARD REDUCTION ACTIVITY.**

22 **“(a) ALLOWANCE OF CREDIT.—**

23 **“(1) IN GENERAL.—**Subject to paragraph (2),
24 there shall be allowed as a credit against the tax im-
25 posed by this subtitle for the taxable year an amount

1 equal to 50 percent of the lead hazard reduction ac-
2 tivity cost paid or incurred by the taxpayer during
3 the taxable year for each eligible dwelling unit.

4 “(2) ELECTION TO APPLY COSTS TO PRIOR
5 YEAR.—For purposes of this section, a taxpayer may
6 elect to treat any lead hazard reduction activity cost
7 paid or incurred by the taxpayer during the taxable
8 year as having been paid or incurred during the pre-
9 ceding taxable year.

10 “(b) LIMITATIONS.—

11 “(1) IN GENERAL.—Subject to paragraph (3),
12 the amount of the credit allowed under subsection
13 (a) for any eligible dwelling unit for any taxable year
14 shall not exceed—

15 “(A) \$3,000 in the case of lead hazard re-
16 duction activity cost including lead abatement
17 measures described in clauses (i), (ii), (iv), and
18 (v) of subsection (c)(1)(A), or

19 “(B) \$1,000 in the case of lead hazard re-
20 duction activity cost including interim lead con-
21 trol measures described in clauses (i), (iii), (iv),
22 and (v) of subsection (c)(1)(A).

23 “(2) OTHER TAX CREDITS.—In the case of any
24 credit against State or local tax liabilities which is
25 allowable under the laws of any State or political

1 subdivision thereof to a taxpayer with respect to any
 2 costs paid or incurred by the taxpayer which would
 3 otherwise qualify as lead hazard reduction activity
 4 costs under this section (referred to in this para-
 5 graph as the ‘State or local tax credit amount’), the
 6 amount of the credit allowed under subsection (a)
 7 for any eligible dwelling unit for any taxable year
 8 (determined after application of paragraph (1)) shall
 9 not exceed an amount equal to the difference be-
 10 tween—

11 “(A) the lead hazard reduction activity
 12 cost paid or incurred by the taxpayer during
 13 the taxable year for such unit, and

14 “(B) the State or local tax credit amount.

15 “(3) LIMITATION PER RESIDENCE.—The cumu-
 16 lative amount of the credit allowed under subsection
 17 (a) for an eligible dwelling unit for all taxable years
 18 shall not exceed \$4,000.

19 “(c) DEFINITIONS AND SPECIAL RULES.—For pur-
 20 poses of this section:

21 “(1) LEAD HAZARD REDUCTION ACTIVITY
 22 COST.—

23 “(A) IN GENERAL.—The term ‘lead hazard
 24 reduction activity cost’ means, with respect to
 25 any eligible dwelling unit—

1 “(i) the cost for a certified risk asses-
2 sor to conduct an assessment to determine
3 the presence of a lead-based hazard (as
4 such terms are defined by the Secretary, in
5 consultation with the Administrator of the
6 Environmental Protection Agency),

7 “(ii) the cost for performing lead
8 abatement measures by a certified lead
9 abatement supervisor (as such term is de-
10 fined by the Secretary, in consultation with
11 the Administrator of the Environmental
12 Protection Agency), including the removal
13 of paint, dust, or pipes, the permanent en-
14 closure or encapsulation of lead-based
15 paint or pipes, the replacement of painted
16 surfaces, windows, or fixtures, or the re-
17 moval or permanent covering of soil when
18 lead-based hazards are present,

19 “(iii) the cost for performing interim
20 lead control measures to reduce exposure
21 or likely exposure to lead-based hazards,
22 including specialized cleaning, repairs,
23 maintenance, painting, temporary contain-
24 ment, ongoing monitoring of lead-based
25 hazards, and the establishment and oper-

1 ation of management and resident edu-
2 cation programs, but only if such measures
3 are evaluated and completed by a certified
4 lead abatement supervisor using accepted
5 methods, are conducted by a qualified con-
6 tractor, and have an expected useful life of
7 more than 10 years,

8 “(iv) the cost for a certified lead
9 abatement supervisor, those working under
10 the supervision of such supervisor, or a
11 qualified contractor to perform all prepara-
12 tion, cleanup, disposal, and clearance test-
13 ing activities associated with the lead
14 abatement measures or interim lead con-
15 trol measures, and

16 “(v) costs incurred by or on behalf of
17 any occupant of such dwelling unit for any
18 relocation which is necessary to achieve oc-
19 cupant protection (as such term is defined
20 by the Secretary, in consultation with the
21 Administrator of the Environmental Pro-
22 tection Agency).

23 “(B) LIMITATION.—The term ‘lead hazard
24 reduction activity cost’ does not include any
25 cost to the extent such cost is funded by any

1 grant, contract, or otherwise by another person
2 or any governmental agency.

3 “(2) ELIGIBLE DWELLING UNIT.—

4 “(A) IN GENERAL.—The term ‘eligible
5 dwelling unit’ means, with respect to any tax-
6 able year, any dwelling unit—

7 “(i) placed in service before 1978,

8 “(ii) located in the United States, and

9 “(iii) the residents of which during
10 the preceding taxable year have a cumu-
11 lative adjusted gross income of less than
12 \$110,000.

13 “(B) DWELLING UNIT.—The term ‘dwell-
14 ing unit’ has the meaning given such term by
15 section 280A(f)(1).

16 “(3) QUALIFIED CONTRACTOR.—The term
17 ‘qualified contractor’ means any contractor who has
18 successfully completed a training course on lead safe
19 work practices which has been approved by the De-
20 partment of Housing and Urban Development and
21 the Environmental Protection Agency.

22 “(4) DOCUMENTATION REQUIRED FOR CREDIT
23 ALLOWANCE.—No credit shall be allowed under sub-
24 section (a) with respect to any eligible dwelling unit
25 for any taxable year unless, after lead hazard reduc-

1 tion activity is complete, a certified inspector (as
2 such term is defined by the Secretary, in consulta-
3 tion with the Administrator of the Environmental
4 Protection Agency) or certified risk assessor pro-
5 vides written documentation to the taxpayer that in-
6 cludes—

7 “(A) evidence that—

8 “(i) the eligible dwelling unit meets
9 the lead hazard reduction criteria defined
10 by the Secretary, in consultation with the
11 Administrator of the Environmental Pro-
12 tection Agency, or

13 “(ii) the eligible dwelling unit meets
14 lead hazard evaluation criteria established
15 under an authorized State or local pro-
16 gram, and

17 “(B) documentation showing that the lead
18 hazard reduction activity meets the require-
19 ments of this section.

20 “(5) BASIS REDUCTION.—The basis of any
21 property for which a credit is allowable under sub-
22 section (a) shall be reduced by the amount of such
23 credit.

24 “(6) NO DOUBLE BENEFIT.—Any deduction al-
25 lowable for costs taken into account in computing

1 the amount of the credit for lead-based abatement
2 shall be reduced by the amount of such credit attrib-
3 utable to such costs.

4 “(d) INFLATION ADJUSTMENT.—In the case of any
5 taxable year beginning in a calendar year after 2016, each
6 of the dollar amounts in subsections (b) and (c)(2)(A)(iii)
7 shall be increased by an amount equal to—

8 “(1) such dollar amount, multiplied by

9 “(2) the cost-of-living adjustment determined
10 under section 1(f)(3) for the calendar year in which
11 the taxable year begins, determined by substituting
12 ‘calendar year 2015’ for ‘calendar year 1992’ in sub-
13 paragraph (B) thereof. Any increase determined
14 under the preceding sentence shall be rounded to the
15 nearest multiple of \$100.”.

16 (b) CONFORMING AMENDMENTS.—

17 (1) Section 1324(b)(2) of title 31, United
18 States Code, is amended by inserting “, 36C” after
19 “36B”.

20 (2) The table of sections for subpart C of part
21 IV of subchapter A of chapter 1 of the Internal Rev-
22 enue Code of 1986 is amended by inserting before
23 the item relating to section 37 the following new
24 item:

“Sec. 36C. Home lead hazard reduction activity.”.

1 (c) EFFECTIVE DATE.—The amendments made by
2 this section shall apply to lead hazard reduction activity
3 costs incurred after December 31, 2015, in taxable years
4 ending after that date.

5 **Subtitle B—Title X Amendments**
6 **Act**

7 **SEC. 3201. FINDINGS.**

8 Congress finds the following:

9 (1) Poor housing conditions contribute to a
10 wide range of health conditions, including uninten-
11 tional injuries, respiratory illness, asthma, and can-
12 cer, which disproportionately impact susceptible and
13 vulnerable populations, such as children, the poor,
14 minorities, and people with chronic medical condi-
15 tions.

16 (2) Over 30 million housing units in the United
17 States have significant physical problems or elevated
18 levels of lead, radon, or other contaminants that
19 place their occupants at risk for illnesses or injuries.

20 (3) The societal cost of unhealthy housing in
21 terms of lost productivity, missed school days, crime,
22 and disability far exceed the cost of improving hous-
23 ing conditions.

24 (4) Cost-effective solutions to residential health
25 and safety hazards exist, including—

1 (A) interventions for children and adoles-
2 cents with asthma to reduce symptom days, im-
3 prove quality of life, and reduce missed school
4 days;

5 (B) housing policies to reduce childhood
6 lead exposure; and

7 (C) the installation of safety devices such
8 as smoke detectors and carbon monoxide alarms
9 to reduce injuries and death from fires and
10 malfunctioning equipment.

11 (5) The Federal Government must continue its
12 leadership in demonstrating and implementing
13 projects that support the national goal of substan-
14 tially reducing the number of homes in the United
15 States with residential health and safety hazards.

16 **SEC. 3202. DEFINITIONS.**

17 Section 1004 of the Residential Lead-Based Paint
18 Hazard Reduction Act of 1992 (42 U.S.C. 4851b) is
19 amended—

20 (1) by redesignating paragraphs (12) through
21 (27) as paragraphs (16) through (31), respectively;

22 (2) by redesignating paragraph (11) as para-
23 graph (14);

24 (3) by redesignating paragraphs (6) through
25 (10) as paragraphs (8) through (12), respectively;

1 (4) by inserting before paragraph (8), as so re-
2 designated, the following:

3 “(7) ELIGIBLE APPLICANT.—The term ‘eligible
4 applicant’ means a State, a unit of general local gov-
5 ernment, an Indian tribe, or a private nonprofit or-
6 ganization that meets the requirements of section
7 1101(b).”;

8 (5) by inserting after paragraph (12), as so re-
9 designated, the following:

10 “(13) HOUSING-RELATED HEALTH HAZARD.—
11 The term ‘housing-related health hazard’ means any
12 condition of residential real property that poses a
13 risk of biological, physical, radiological, or chemical
14 exposure that can adversely affect human health.”;
15 and

16 (6) by inserting after paragraph (14), as so re-
17 designated, the following:

18 “(15) INDIAN TRIBE.—The term ‘Indian tribe’
19 has the meaning given the term in section 4 of the
20 Indian Self-Determination and Education Assistance
21 Act (25 U.S.C. 450b).”.

22 **SEC. 3203. GRANT PROGRAM.**

23 Section 1011 of the Residential Lead-Based Paint
24 Hazard Reduction Act of 1992 (42 U.S.C. 4852) is
25 amended—

1 (1) in the section heading, by striking
2 **“GRANTS FOR LEAD-BASED PAINT HAZARD RE-**
3 **DUCTION IN TARGET HOUSING”** and inserting
4 **“GRANTS FOR REDUCTION OF LEAD-BASED**
5 **PAINT HAZARDS AND CORRECTION OF OTHER**
6 **HOUSING-RELATED HAZARDS”**;

7 (2) in subsection (a)—

8 (A) by redesignating paragraphs (1), (2),
9 and (3) as subparagraphs (A), (B), and (D), re-
10 spectively, and adjusting the margins accord-
11 ingly;

12 (B) in subparagraph (A), as so redesign-
13 nated—

14 (i) by striking “for grants” and in-
15 serting “For grants”; and

16 (ii) by striking the semicolon at the
17 end and inserting a period;

18 (C) in subparagraph (B), as so redesign-
19 nated—

20 (i) by striking “for grants” and in-
21 serting “For grants”; and

22 (ii) by striking “; and” and inserting
23 a period;

24 (D) by inserting after subparagraph (B),
25 as so redesignated, the following:

1 “(C) For grants made to carry out any of
2 paragraphs (1) through (9) or (11) of sub-
3 section (e), the grants may not be used to assist
4 federally assisted housing, federally owned
5 housing, or public housing.”;

6 (E) in subparagraph (D), as so redesign-
7 dated, by striking “notwithstanding paragraphs
8 (1) and (2)” and inserting “Notwithstanding
9 subparagraphs (A) and (B)”;

10 (F) in the matter preceding subparagraph
11 (A), as so redesignated, by striking “The Sec-
12 retary” and all that follows through
13 “criteria—” and inserting the following:

14 “(1) AUTHORIZATION.—The Secretary is au-
15 thorized to provide grants to eligible applicants to
16 evaluate and reduce lead-based paint hazards and to
17 identify and correct other housing-related health
18 hazards in accordance with the provisions of this
19 section.

20 “(2) CRITERIA.—The Secretary may make a
21 grant under this section only to provide housing that
22 meets the following criteria:”; and

23 (G) by adding at the end the following:

24 “(3) INCOME VERIFICATION.—For the purpose
25 of verifying the income level of a family under sub-

1 paragraphs (A) and (B), the Secretary may establish
2 a process by which a grantee may first obtain and
3 use income and program participation information
4 from an entity administering—

5 “(A) the HOME Investment Partnerships
6 program under title II of the Cranston-Gon-
7 zalez National Affordable Housing Act (42
8 U.S.C. 12721 et seq.);

9 “(B) the special supplemental nutrition
10 program for women, infants, and children es-
11 tablished under section 17 of the Child Nutri-
12 tion Act of 1966 (42 U.S.C. 1786);

13 “(C) reduced price or free lunches under
14 the Richard B. Russell National School Lunch
15 Act (42 U.S.C. 1751 et seq.);

16 “(D) the weatherization assistance pro-
17 gram for low-income persons established under
18 part A of title IV of the Energy Conservation
19 and Production Act (42 U.S.C. 6861 et seq.);

20 “(E) the temporary assistance for needy
21 families program established under part A of
22 title IV of the Social Security Act (42 U.S.C.
23 601 et seq.);

1 “(F) the supplemental security income pro-
2 gram established under title XVI of the Social
3 Security Act (42 U.S.C. 1381 et seq.); or

4 “(G) any other program that the Secretary
5 determines is consistent with the family income
6 requirements of this section.”;

7 (3) by striking subsection (b) and inserting the
8 following:

9 “(b) ELIGIBLE APPLICANTS.—A State or unit of gen-
10 eral local government, as defined under section 104 of the
11 Cranston-Gonzalez National Affordable Housing Act (42
12 U.S.C. 12704), that has an approved comprehensive hous-
13 ing affordability strategy under section 105 of the Cran-
14 ston-Gonzalez National Affordable Housing Act (42
15 U.S.C. 12705), an Indian tribe, or a private nonprofit or-
16 ganization is eligible to apply for a grant to carry out ac-
17 tivities under subsection (e).”;

18 (4) in subsection (c), in the matter preceding
19 paragraph (1), by striking “a State or unit of local
20 government” and inserting “an eligible applicant”;

21 (5) in subsection (d)—

22 (A) in paragraph (1)—

23 (i) by inserting “in the case of a grant
24 to carry out activities relating to lead-

1 based paint hazards,” before “the extent”;
2 and

3 (ii) by striking “housing” and insert-
4 ing “target housing or 0-bedroom dwellings
5 constructed before 1978”;

6 (B) in paragraph (2), by inserting “or
7 other housing-related health hazards” after
8 “lead-based paint hazards”;

9 (C) by redesignating paragraphs (2)
10 through (5) as paragraphs (3) through (6), re-
11 spectively; and

12 (D) by inserting after paragraph (1) the
13 following:

14 “(2) in the case of a grant to carry out activi-
15 ties relating to housing-related hazards, the extent
16 to which the proposed activities will correct housing-
17 related health hazards;”;

18 (6) in subsection (e)—

19 (A) in paragraph (5), by inserting “renova-
20 tions, remodeling,” after “inspections,”;

21 (B) in paragraph (9)—

22 (i) by inserting “before and” after
23 “housing”; and

24 (ii) by striking “and” at the end;

1 (C) by redesignating paragraph (10) as
2 paragraph (11); and

3 (D) by inserting after paragraph (9) the
4 following:

5 “(10) provide for the assessment and correction
6 of housing-related health hazards and the evaluation
7 of the effectiveness of the assessment and correction;
8 and”;

9 (7) in subsection (l)(4), by inserting “and other
10 housing-related health hazards have been corrected”
11 after “abated”; and

12 (8) in subsection (n), by inserting “or Indian
13 tribe” after “State” each place that term appears.

14 **SEC. 3204. AUTHORIZATION OF APPROPRIATIONS.**

15 Section 1011 of the Residential Lead-Based Paint
16 Hazard Reduction Act of 1992 (42 U.S.C. 4852) is
17 amended by striking subsection (p) and inserting the fol-
18 lowing:

19 “(p) ALLOCATION OF AMOUNTS APPROPRIATED FOR
20 HOUSING-RELATED HEALTH HAZARDS.—

21 “(1) IN GENERAL.—Except as provided in para-
22 graph (2), not more than 25 percent of the amounts
23 made available under subsection (q) for a fiscal year
24 shall be available for grants to carry out activities
25 under subsection (e)(10).

1 “(2) EXCEPTION.—If an amount that is not
2 more than \$120,000,000 is appropriated for a fiscal
3 year, not more than \$30,000,000 of that amount
4 shall be available for grants to carry out activities
5 under subsection (e)(10) for that fiscal year.

6 “(q) AUTHORIZATION OF APPROPRIATIONS.—For
7 purposes of carrying out this subtitle, there are authorized
8 to be appropriated \$250,000,000 for each of fiscal years
9 2017 through 2021.”.

10 **Subtitle C—Healthy Housing** 11 **Council**

12 **SEC. 3301. FINDINGS.**

13 Congress finds the following:

14 (1) In the United States—

15 (A) 5,757,000 households live in homes
16 with moderate or severe physical hazards;

17 (B) 23,000,000 homes have significant
18 lead-based paint hazards;

19 (C) 6,000,000 homes have had signs of
20 mice in the last 3 months; and

21 (D) 1 in 15 homes have dangerous levels
22 of radon.

23 (2) Residents of housing that is poorly de-
24 signed, constructed, or maintained are at risk for
25 cancer, carbon monoxide poisoning, burns, falls, ro-

1 dent bites, childhood lead poisoning, asthma, and
2 other illnesses and injuries. Vulnerable subpopula-
3 tions, such as children and the elderly, are at ele-
4 vated risk for housing-related illnesses and injuries.

5 (3) Because substandard housing typically
6 poses the greatest risks, the disparities in the dis-
7 tribution of housing-related health hazards are strik-
8 ing. One million two hundred thousand housing
9 units with significant lead-based paint hazards house
10 low-income families with children under 6 years of
11 age.

12 (4) Housing-related illnesses, including asthma
13 and lead poisoning, disproportionately affect children
14 from lower-income families and from specific racial
15 and ethnic groups. The prevalence of being diag-
16 nosed with asthma in a lifetime is 24 percent among
17 Puerto Rican children, 10.1 percent for Mexican-
18 American children, 12.4 percent for non-Hispanic
19 White children, and 21.8 percent for non-Hispanic
20 Black children. Black children are twice as likely to
21 die from residential injuries as White children, and
22 3 percent of Black children and 2 percent of Mexi-
23 can-American children have elevated blood lead lev-
24 els, as compared to only 1.3 percent of White chil-
25 dren.

1 (5) The annual costs for environmentally attrib-
2 utable childhood diseases in the United States, in-
3 cluding lead poisoning, asthma, and cancer, total
4 \$76,000,000,000 in 2008 dollars. This amount is
5 approximately 3.5 percent of total health care costs.

6 (6) Appropriate housing design, construction,
7 and maintenance, timely correction of deficiencies,
8 planning efforts, and low-cost preventive measures
9 can reduce the incidence of serious injury or death,
10 improve the ability of residents to survive in the
11 event of a major catastrophe, and contribute to over-
12 all well-being and mental health. Lead hazard con-
13 trol in homes with lead-based paint hazards can re-
14 duce children's blood lead levels by as much as 34
15 percent. Properly installed and maintained smoke
16 alarms reduce the risk of fire deaths by 50 percent.

17 (7) Providing healthy housing to families and
18 individuals in the United States will help prevent an
19 estimated 250,000 children from having elevated
20 blood lead levels, 18,000 injury deaths, 12,000,000
21 nonfatal injuries, 3,000 deaths in house fires, 9,600
22 emergency department visits for carbon monoxide
23 exposure, and 21,000 radon-associated lung cancer
24 deaths that occur in United States housing each

1 year, as well as 12,300,000 asthma attacks, and
2 14,000,000 missed school days.

3 (8) While there are many programs in place to
4 address housing-related health hazards, these pro-
5 grams are fragmented and spread across many agen-
6 cies, making it difficult for at-risk families and indi-
7 viduals to access assistance or to receive comprehen-
8 sive information.

9 (9) Better coordination among Federal agencies
10 is needed, as is better coordination at State and
11 local levels, to ensure that families and individuals
12 can access government programs and services in an
13 effective and efficient manner.

14 **SEC. 3302. DEFINITIONS.**

15 In this subtitle, the following definitions shall apply:

16 (1) COUNCIL.—The term “Council” means the
17 Interagency Council on Healthy Housing established
18 under section 3303.

19 (2) HEALTHY HOUSING.—The term “healthy
20 housing” means housing that is designed, con-
21 structed, rehabilitated, and maintained in a manner
22 that supports the health of the occupants of such
23 housing.

24 (3) HOUSING.—The term “housing” means any
25 form of residence, including rental housing, home-

1 ownership, group home, or supportive housing ar-
2 rangement.

3 (4) HOUSING-RELATED HEALTH HAZARD.—The
4 term “housing-related health hazard” means any bi-
5 ological, physical, or chemical source of exposure or
6 condition either in, or immediately adjacent to, hous-
7 ing, that can adversely affect human health.

8 (5) LOW-INCOME FAMILIES AND INDIVID-
9 UALS.—The term “low-income families and individ-
10 uals” means any household or individual with an in-
11 come at or below 200 percent of the Federal poverty
12 line.

13 (6) POVERTY LINE.—The term “poverty line”
14 means the official poverty line defined by the Office
15 of Management and Budget based on the most re-
16 cent data available from the Bureau of the Census.

17 (7) PROGRAM.—The term “program” includes
18 any Federal, State, or local program providing hous-
19 ing or financial assistance, health care, mortgages,
20 bond and tax financing, homebuyer support courses,
21 financial education, mortgage insurance or loan
22 guarantees, housing counseling, supportive services,
23 energy assistance, or other assistance related to
24 healthy housing.

1 (8) SERVICE.—The term “service” includes
2 public and environmental health services, housing
3 services, energy efficiency services, human services,
4 and any other services needed to ensure that fami-
5 lies and individuals in the United States have access
6 to healthy housing.

7 **SEC. 3303. INTERAGENCY COUNCIL ON HEALTHY HOUSING.**

8 (a) ESTABLISHMENT.—There is established in the ex-
9 ecutive branch an independent council to be known as the
10 “Interagency Council on Healthy Housing”.

11 (b) OBJECTIVES.—The objectives of the Council are
12 as follows:

13 (1) To promote the supply of and demand for
14 healthy housing in the United States through capac-
15 ity building, technical assistance, education, and
16 public policy.

17 (2) To promote coordination and collaboration
18 among the Federal departments and agencies in-
19 volved with housing, public health, energy efficiency,
20 emergency preparedness and response, and the envi-
21 ronment to improve services for families and individ-
22 uals residing in inadequate or unsafe housing and to
23 make recommendations about needed changes in
24 programs and services with an emphasis on—

1 (A) maximizing the impact of existing pro-
2 grams and services by transitioning the focus of
3 such programs and services from categorical ap-
4 proaches to comprehensive approaches that con-
5 sider and address multiple housing-related
6 health hazards;

7 (B) reducing or eliminating areas of over-
8 lap and duplication in the provision and accessi-
9 bility of such programs and services;

10 (C) ensuring that resources, including as-
11 sistance with capacity building, are targeted to
12 and sufficient to meet the needs of high-risk
13 communities, families, and individuals; and

14 (D) facilitating access by families and indi-
15 viduals to programs and services that help re-
16 duce health hazards in housing.

17 (3) To identify knowledge gaps, research needs,
18 and policy and program deficiencies associated with
19 inadequate housing conditions and housing-related
20 illnesses and injuries.

21 (4) To help identify best practices for achieving
22 and sustaining healthy housing.

23 (5) To help improve the quality of existing and
24 newly constructed housing and related programs and

1 services, including those programs and services
2 which serve low-income families and individuals.

3 (6) To establish an ongoing system of coordina-
4 tion among and within such agencies or organiza-
5 tions so that the healthy housing needs of families
6 and individuals are met in a more effective and effi-
7 cient manner.

8 (c) MEMBERSHIP.—The Council shall be composed of
9 the following members:

10 (1) The Secretary of Health and Human Serv-
11 ices.

12 (2) The Secretary of Housing and Urban Devel-
13 opment.

14 (3) The Administrator of the Environmental
15 Protection Agency.

16 (4) The Secretary of Energy.

17 (5) The Secretary of Labor.

18 (6) The Secretary of Veterans Affairs.

19 (7) The Secretary of the Treasury.

20 (8) The Secretary of Agriculture.

21 (9) The Secretary of Education.

22 (10) The head of any other Federal agency as
23 the Council considers appropriate.

1 (11) Six additional non-Federal employee mem-
2 bers, as appointed by the President to serve terms
3 not to exceed 2 years, of whom—

4 (A) 1 shall be a State or local government
5 Director of Health or the Environment;

6 (B) 1 shall be a State or local government
7 Director of Housing or Community Develop-
8 ment;

9 (C) 2 shall represent nonprofit organiza-
10 tions involved in housing or health issues; and

11 (D) 2 shall represent for-profit entities in-
12 volved in the housing, banking, or health insur-
13 ance industries.

14 (d) CO-CHAIRPERSONS.—The co-Chairpersons of the
15 Council shall be the Secretary of Housing and Urban De-
16 velopment and the Secretary of Health and Human Serv-
17 ices.

18 (e) VICE CHAIR.—Every 2 years, the Council shall
19 elect a Vice Chair from among its members.

20 (f) MEETINGS.—The Council shall meet at the call
21 of either co-Chairperson or a majority of its members at
22 any time, and no less often than annually.

23 **SEC. 3304. FUNCTIONS OF THE COUNCIL.**

24 (a) RELEVANT ACTIVITIES.—In carrying out the ob-
25 jectives described in section 3303(b), the Council shall—

1 (1) review Federal programs and services that
2 provide housing, health, energy, or environmental
3 services to families and individuals;

4 (2) monitor, evaluate, and recommend improve-
5 ments in programs and services administered, fund-
6 ed, or financed by Federal, State, and local agencies
7 to assist families and individuals in accessing
8 healthy housing and make recommendations about
9 how such agencies can better work to meet the
10 healthy housing and related needs of low-income
11 families and individuals; and

12 (3) recommend ways to—

13 (A) reduce duplication among programs
14 and services by Federal agencies that assist
15 families and individuals in meeting their
16 healthy housing and related service needs;

17 (B) ensure collaboration among and within
18 agencies in the provision and availability of pro-
19 grams and services so that families and individ-
20 uals are able to easily access needed programs
21 and services;

22 (C) work with States and local govern-
23 ments to better meet the needs of families and
24 individuals for healthy housing by—

- 1 (i) holding meetings with State and
2 local representatives; and
- 3 (ii) providing ongoing technical assist-
4 ance and training to States and localities
5 in better meeting the housing-related needs
6 of such families and individuals;
- 7 (D) identify best practices for programs
8 and services that assist families and individuals
9 in accessing healthy housing, including model—
- 10 (i) programs linking housing, health,
11 environmental, human, and energy serv-
12 ices;
- 13 (ii) housing and remodeling financing
14 products offered by government, quasi-gov-
15 ernment, and private sector entities;
- 16 (iii) housing and building codes and
17 regulatory practices;
- 18 (iv) existing and new consensus speci-
19 fications and work practices documents;
- 20 (v) capacity building and training pro-
21 grams that help increase and diversify the
22 supply of practitioners who perform assess-
23 ments of housing-related health hazards
24 and interventions to address housing-re-
25 lated health hazards; and

- 1 (vi) programs that increase commu-
2 nity awareness of, and education on, hous-
3 ing-related health hazards and available
4 assessments and interventions;
- 5 (E) develop a comprehensive healthy hous-
6 ing research agenda that considers health, safe-
7 ty, environmental, and energy factors, to—
- 8 (i) identify cost-effective assessments
9 and treatment protocols for housing-re-
10 lated health hazards in existing housing;
- 11 (ii) establish links between housing
12 hazards and health outcomes;
- 13 (iii) track housing-related health prob-
14 lems including injuries, illnesses, and
15 death;
- 16 (iv) track housing conditions that may
17 be associated with health problems;
- 18 (v) identify cost-effective protocols for
19 construction of new healthy housing; and
- 20 (vi) identify replicable and effective
21 programs or strategies for addressing
22 housing-related health hazards;
- 23 (4) hold biannual meetings with stakeholders
24 and other interested parties in a location convenient
25 for such stakeholders, or hold open Council meet-

1 ings, to receive input and ideas about how to best
2 meet the healthy housing needs of families and indi-
3 viduals;

4 (5) maintain an updated website of policies,
5 meetings, best practices, programs and services,
6 making use of existing websites as appropriate, to
7 keep people informed of the activities of the Council;
8 and

9 (6) work with member agencies to collect and
10 maintain data on housing-related health hazards, ill-
11 nesses, and injuries so that all data can be accessed
12 in one place and to identify and address unmet data
13 needs.

14 (b) REPORTS.—

15 (1) BY MEMBERS.—Each year the head of each
16 agency who is a member of the Council shall prepare
17 and transmit to the Council a report that briefly
18 summarizes—

19 (A) each healthy housing-related program
20 and service administered by the agency and the
21 number of families and individuals served by
22 each program or service, the resources available
23 in each program or service, and a breakdown of
24 where each program and service can be
25 accessed;

1 (B) the barriers and impediments, includ-
2 ing statutory or regulatory, to the access and
3 use of such programs and services by families
4 and individuals, with particular attention to the
5 barriers and impediments experienced by low-
6 income families and individuals;

7 (C) the efforts made by the agency to in-
8 crease opportunities for families and individ-
9 uals, including low-income families and individ-
10 uals, to reside in healthy housing, including how
11 the agency is working with other agencies to
12 better coordinate programs and services; and

13 (D) any new data collected by the agency
14 relating to the healthy housing needs of families
15 and individuals.

16 (2) BY THE COUNCIL.—Each year, the Council
17 shall prepare and transmit to the President and
18 Congress a report that—

19 (A) summarizes the reports required under
20 paragraph (1);

21 (B) utilizes recent data to assess the na-
22 ture of housing-related health hazards, and as-
23 sociated illnesses and injuries, in the United
24 States;

1 (C) provides a comprehensive and detailed
2 description of the programs and services of the
3 Federal Government in meeting the needs and
4 problems described in subparagraph (B);

5 (D) describes the activities and accomplish-
6 ments of the Council in working with Federal,
7 State, and local governments, nonprofit organi-
8 zations and for-profit entities in coordinating
9 programs and services to meet the needs de-
10 scribed in subparagraph (B) and the resources
11 available to meet those needs;

12 (E) assesses the level of Federal assistance
13 required to meet the needs described in sub-
14 paragraph (B); and

15 (F) makes recommendations for appro-
16 priate legislative and administrative actions to
17 meet the needs described in subparagraph (B)
18 and for coordinating programs and services de-
19 signed to meet those needs.

20 **SEC. 3305. POWERS OF THE COUNCIL.**

21 (a) HEARINGS.—The Council may hold such hear-
22 ings, sit and act at such times and places, take such testi-
23 mony, and receive such evidence as the Council considers
24 advisable to carry out the purposes of this subtitle.

1 (b) INFORMATION FROM AGENCIES.—Agencies which
2 are represented on the Council shall provide all requested
3 information and data to the Council as requested.

4 (c) POSTAL SERVICES.—The Council may use the
5 United States mails in the same manner and under the
6 same conditions as other departments and agencies of the
7 Federal Government.

8 (d) CONTRACTS AND INTERAGENCY AGREEMENTS.—
9 The Council may enter into contracts with State, tribal,
10 and local governments, public agencies and private-sector
11 entities, and into interagency agreements with Federal
12 agencies. Such contracts and interagency agreements may
13 be single-year or multi-year in duration.

14 **SEC. 3306. COUNCIL PERSONNEL MATTERS.**

15 (a) STAFF.—

16 (1) EXECUTIVE DIRECTOR.—The Council shall
17 appoint an Executive Director at its initial meeting.
18 The Executive Director shall be compensated at a
19 rate not to exceed the rate of basic pay payable for
20 level V of the Executive Schedule under section 5316
21 of title 5, United States Code.

22 (2) COMPENSATION.—With the approval of the
23 Council, the Executive Director may appoint and fix
24 the compensation of such additional personnel as the
25 Executive Director considers necessary to carry out

1 the duties of the Council, except that the rate of pay
2 for any such additional personnel may not exceed
3 the rate of basic pay payable for level V of the Exec-
4 utive Schedule under section 5316 of such title.

5 (b) TEMPORARY AND INTERMITTENT SERVICES.—In
6 carrying out its objectives, the Executive Director with the
7 approval of the Council, may procure temporary and inter-
8 mittent services of consultants and experts under section
9 3109(b) of title 5, United States Code, at rates for individ-
10 uals which do not exceed the daily equivalent of the annual
11 rate of basic pay payable for level V of the Executive
12 Schedule under section 5316 of such title.

13 (c) DETAIL OF GOVERNMENT EMPLOYEES.—Upon
14 request of the Council, any Federal Government employee
15 may be detailed to the Council with reimbursement, and
16 such detail shall be without interruption or loss of civil
17 service status or privilege.

18 (d) ADMINISTRATIVE SUPPORT.—The Secretary of
19 Housing and Urban Development shall provide the Coun-
20 cil with such administrative (including office space) and
21 support services as are necessary to ensure that the Coun-
22 cil can carry out its functions in an efficient and expedi-
23 tious manner.

1 **SEC. 3307. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) IN GENERAL.—There are authorized to be appro-
3 priated to carry out this subtitle \$750,000 for each of fis-
4 cal years 2017 through 2021.

5 (b) AVAILABILITY.—Amounts authorized to be appro-
6 priated by subsection (a) shall remain available for the 2
7 fiscal years following such appropriation.

8 **Subtitle D—Lead-Safe Housing for**
9 **Kids**

10 **SEC. 3401. DEFINITIONS.**

11 In this subtitle—

12 (1) the term “Department” means the Depart-
13 ment of Housing and Urban Development;

14 (2) the term “housing receiving Federal assist-
15 ance”—

16 (A) means housing that—

17 (i) except as provided in subparagraph
18 (B), is covered by an application for mort-
19 gage insurance from the Department;

20 (ii) receives housing assistance pay-
21 ments under a program administered by
22 the Department; or

23 (iii) otherwise receives more than
24 \$5,000 in project-based assistance under a
25 Federal housing program administered by

1 a Federal agency other than the Depart-
2 ment; and

3 (B) does not include—

4 (i) single-family housing covered by an
5 application for mortgage insurance from
6 the Federal Housing Administration; or

7 (ii) multi-family housing that—

8 (I) is covered by an application
9 for mortgage insurance from the Fed-
10 eral Housing Administration; and

11 (II) does not receive any other
12 Federal housing assistance.

13 (3) the term “public housing agency” means an
14 agency described in section 3(b)(6) of the United
15 States Housing Act of 1937 (42 U.S.C.
16 1437a(b)(6)); and

17 (4) the term “Secretary” means the Secretary
18 of Housing and Urban Development.

19 **SEC. 3402. UPDATES TO LEAD-CONTAMINATED DUST AND**
20 **LEAD-CONTAMINATED SOIL STANDARDS.**

21 (a) EPA REGULATIONS.—Not later than 120 days
22 after the date of enactment of this Act, the Administrator
23 of the Environmental Protection Agency, in consultation
24 with the Director of the Centers for Disease Control and
25 Prevention, shall promulgate regulations to update the

1 standards for lead-contaminated dust and lead-contami-
 2 nated soil under part 745 of title 40, Code of Federal Reg-
 3 ulations, in accordance with health-based standards.

4 (b) HUD REGULATIONS.—The Secretary shall
 5 promptly promulgate regulations to update the standards
 6 for lead-contaminated dust and lead-contaminated soil
 7 under part 35 of title 24, Code of Federal Regulations,
 8 in accordance with the regulations promulgated by the Ad-
 9 ministrator of the Environmental Protection Agency under
 10 subsection (a).

11 **SEC. 3403. AMENDMENTS TO RESIDENTIAL LEAD-BASED**
 12 **PAINT HAZARD REDUCTION ACT OF 1992.**

13 (a) IN GENERAL.—Section 1004 of the Residential
 14 Lead-Based Paint Hazard Reduction Act of 1992 (42
 15 U.S.C. 4851b), as amended by section 3202, is amend-
 16 ed—

17 (1) by inserting after paragraph (5) the fol-
 18 lowing:

19 “(6) ELEVATED BLOOD LEAD LEVEL.—The
 20 term ‘elevated blood lead level’ means the lower of—

21 “(A) 5 $\mu\text{g}/\text{dL}$ (micrograms of lead per
 22 deciliter); or

23 “(B) the most recent definition for ele-
 24 vated blood lead level or reference range level in

1 children ages 1 through 5 years set by the Cen-
 2 ters for Disease Control and Prevention.”; and
 3 (2) in paragraph (31), as so redesignated, by
 4 striking “or any 0-bedroom dwelling”.

5 (b) RELATION TO OTHER AUTHORITIES.—Nothing in
 6 this subtitle or the amendments made by this subtitle shall
 7 be construed to affect the authority of the Environmental
 8 Protection Agency under section 403 of the Toxic Sub-
 9 stances Control Act (15 U.S.C. 2683).

10 (c) REGULATIONS.—Not later than 120 days after
 11 the date of enactment of this Act, the Secretary shall
 12 amend the regulations of the Department to comply with
 13 the amendments made by subsection (a).

14 **SEC. 3404. AMENDMENTS TO THE LEAD-BASED PAINT POI-**
 15 **SONING PREVENTION ACT.**

16 Section 302(a) of the Lead-Based Paint Poisoning
 17 Prevention Act (42 U.S.C. 4822(a)) is amended by adding
 18 at the end the following:

19 “(5) ADDITIONAL PROCEDURES FOR FAMILIES
 20 WITH CHILDREN UNDER THE AGE OF 6.—

21 “(A) DEFINITION.—In this paragraph, the
 22 term ‘covered housing’—

23 “(i) means housing receiving Federal
 24 assistance described in paragraph (1) that
 25 was constructed prior to 1978; and

1 “(ii) does not include—

2 “(I) single-family housing cov-
3 ered by an application for mortgage
4 insurance from the Federal Housing
5 Administration; or

6 “(II) multi-family housing that—

7 “(aa) is covered by an appli-
8 cation for mortgage insurance
9 from the Federal Housing Ad-
10 ministration; and

11 “(bb) does not receive any
12 other Federal housing assistance.

13 “(B) RISK ASSESSMENT.—

14 “(i) REGULATIONS.—Not later than
15 120 days after the date of enactment of
16 this paragraph, the Secretary shall promul-
17 gate regulations that—

18 “(I) require an initial risk assess-
19 ment for all covered housing in which
20 a family with a child of less than 6
21 years of age will reside or be expected
22 to reside for lead-based paint hazards
23 prior to occupancy by the family; and

1 “(II) provide that a visual assess-
2 ment is not sufficient for purposes of
3 complying with subclause (I).

4 “(ii) EXCEPTION.—The regulations
5 promulgated under clause (i) shall provide
6 an exception to the requirement under sub-
7 clause (I) of such clause for covered hous-
8 ing—

9 “(I) from which all lead-based
10 paint has been identified and removed
11 and clearance has been achieved in ac-
12 cordance with section 402 or 404 of
13 the Toxic Substances Control Act (15
14 U.S.C. 2682 and 2684), as applicable;
15 or

16 “(II) in accordance with any
17 other standard or exception the Sec-
18 retary deems appropriate.

19 “(C) RELOCATION.—Not later than 120
20 days after the date of enactment of this para-
21 graph, the Secretary shall promulgate regula-
22 tions to provide that a family with a child of
23 less than 6 years of age that occupies a dwell-
24 ing unit in covered housing may relocate on an
25 emergency basis, and without placement on any

1 waitlist, penalty, or lapse in assistance, to an-
2 other unit of covered housing that has no lead-
3 based paint hazards if—

4 “(i) lead-based paint hazards were
5 identified in the dwelling unit; or

6 “(ii)(I) lead-based hazards were iden-
7 tified in the dwelling unit; and

8 “(II) the blood lead level for the child
9 is an elevated blood lead level, as defined
10 in section 1004 of the Residential Lead-
11 Based Paint Hazard Reduction Act of
12 1992 (42 U.S.C. 4851b).”.

13 **SEC. 3405. GAO REPORTS ON LEAD HAZARDS IN FEDER-**
14 **ALLY ASSISTED HOUSING.**

15 (a) INITIAL REPORT.—Not later than 90 days after
16 the date of enactment of this Act, the Comptroller General
17 of the United States shall submit to Congress an initial
18 report on lead hazards in housing receiving Federal assist-
19 ance, which shall analyze the implications of—

20 (1) changing Department regulations to align
21 with the Centers for Disease Control and Prevention
22 guidance; and

23 (2) requiring a risk assessment (beyond a visual
24 assessment) for initial and periodic inspections for
25 lead-based paint hazards for all housing receiving

1 Federal assistance, and the impact it would have on
2 landlord participation and the stock of affordable
3 housing.

4 (b) SUBSEQUENT REPORT.—Not later than 180 days
5 after the date of enactment of this Act, the Comptroller
6 General of the United States shall submit to Congress a
7 report on lead hazards in housing receiving Federal assist-
8 ance, which shall—

9 (1) analyze whether existing Federal programs
10 and Federal funding for lead hazard control activi-
11 ties in housing receiving Federal assistance meet the
12 current and evolving needs, and if not, the merits of
13 identifying and providing dedicated funds within new
14 or existing Federal programs to conduct lead hazard
15 control activities;

16 (2) evaluate the financial and social cost of
17 lead-based paint hazard prevention and lead hazard
18 control activities, and provide recommendations on
19 how to improve coordination and leveraging of public
20 and private funds, including private investments and
21 tax incentives, to reduce the cost associated with the
22 identification and remediation of lead hazards and
23 expedite home remediation;

24 (3) identify existing partnerships with public
25 housing agencies and public health agencies in ad-

1 dressing lead-based paint hazards, what gaps exist
 2 in compliance and enforcement, and whether the
 3 partnerships can be replicated and enhanced with
 4 dedicated funding and better data collection and dis-
 5 semination among stakeholders; and

6 (4) examine the appropriateness and efficacy of
 7 existing Department protocols on reducing or abat-
 8 ing lead-based paint hazards and whether they are
 9 aligned with specific environmental health scenarios
 10 to ensure the best and appropriate health outcomes
 11 and reduce further exposure.

12 **SEC. 3406. AUTHORIZATION OF APPROPRIATIONS.**

13 There is authorized to be appropriated to carry out
 14 this subtitle and the amendments made by this subtitle
 15 such sums as may be necessary for each of fiscal years
 16 2017 through 2021.

17 **TITLE IV—ACCELERATING**
 18 **WATER TECHNOLOGIES**

19 **SEC. 4101. INNOVATION IN CLEAN WATER STATE REVOLV-**
 20 **ING FUNDS.**

21 (a) INNOVATIVE WATER TECHNOLOGIES.—Section
 22 603 of the Federal Water Pollution Control Act (33
 23 U.S.C. 1383) is amended—

24 (1) in subsection (c)—

1 (A) in paragraph (10), by striking “and”
2 at the end;

3 (B) in paragraph (11)(B), by striking the
4 period at the end and inserting “; and”; and

5 (C) by adding at the end the following:

6 “(12) for the deployment of innovative water
7 technologies, including—

8 “(A) green technologies, including manu-
9 factured technology and natural systems, to ad-
10 dress nonpoint source pollution from agri-
11 culture;

12 “(B) resource recovery in water and waste-
13 water treatment systems, including—

14 “(i) energy conservation and produc-
15 tion;

16 “(ii) water reuse and recycling; and

17 “(iii) recovery of valuable materials,
18 such as nutrients from wastewater
19 streams; and

20 “(C) green infrastructure and other inno-
21 vative technologies, such as real-time system
22 monitoring and peak wet weather treatment
23 technology, to reduce sewer and storm water
24 overflows due to wet weather events in urban
25 areas.”; and

1 (2) by adding at the end the following:

2 “(j) TECHNICAL ASSISTANCE.—The Administrator
3 shall carry out technical assistance programs to facilitate
4 and encourage the provision of financial assistance for the
5 purposes described in subsection (e)(12).

6 “(k) REPORT.—Each year, the Administrator shall
7 submit to Congress a report that describes—

8 “(1) the amount of financial assistance pro-
9 vided by State water pollution control revolving
10 funds to deploy innovative water technologies;

11 “(2) the barriers impacting greater use of inno-
12 vative water technologies; and

13 “(3) the cost-saving potential to cities and fu-
14 ture infrastructure investments from emerging tech-
15 nologies.”.

16 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
17 607 of the Federal Water Pollution Control Act (33
18 U.S.C. 1387) (as amended by section 1202) is amended—

19 (1) by redesignating paragraphs (1) through
20 (5) as subparagraphs (A) through (E), respectively,
21 and indenting appropriately;

22 (2) in the matter preceding subparagraph (A)
23 (as so redesignated), by striking “There are” and in-
24 serting the following:

25 “(1) IN GENERAL.—There are”; and

1 (3) by adding at the end the following:

2 “(2) INNOVATIVE WATER TECHNOLOGIES.—In
3 addition to any other funds made available to carry
4 out this title and notwithstanding any other provi-
5 sion of this Act, there is authorized to be appro-
6 priated to the Administrator to make additional al-
7 lotments under this title to States to provide finan-
8 cial assistance solely for purposes described in sec-
9 tion 603(c)(12) \$100,000,000 for each fiscal year.”.

10 **SEC. 4102. INNOVATION IN DRINKING WATER STATE RE-**
11 **VOLVING FUNDS.**

12 Section 1452 of the Safe Drinking Water Act (42
13 U.S.C. 300j–12) is amended—

14 (1) in subsection (a)(2)—

15 (A) in the first sentence—

16 (i) by striking “only”; and

17 (ii) by striking “Except” and insert-
18 ing the following:

19 “(A) IN GENERAL.—Except”;

20 (B) in the second sentence, by striking
21 “Financial” and inserting the following:

22 “(B) FINANCIAL ASSISTANCE.—Finan-
23 cial”;

24 (C) in the third sentence, by striking “The
25 funds” and inserting the following:

1 “(C) LOANS TO PUBLIC WATER SYS-
2 TEMS.—The funds”;

3 (D) in the fourth sentence, by striking
4 “The funds” and inserting the following:

5 “(D) INNOVATIVE WATER TECH-
6 NOLOGIES.—The funds may be used for the de-
7 ployment of innovative water technologies, in-
8 cluding technologies to improve water quality
9 and technologies to improve real-time water
10 quality information of water users.

11 “(E) LIMITATION.—The funds”; and

12 (E) in the fifth sentence, by striking “Of
13 the amount” and inserting the following:

14 “(F) PUBLIC WATER SYSTEMS SERVING
15 FEWER THAN 10,000 PERSONS.—Of the
16 amount”;

17 (2) in subsection (f)—

18 (A) in paragraph (4), by striking “and” at
19 the end;

20 (B) in paragraph (5), by striking the pe-
21 riod at the end and inserting “; and”; and

22 (C) by adding at the end the following:

23 “(6) for the deployment of innovative water
24 technologies, including technologies to improve water

1 quality and technologies to improve real-time water
2 quality information of water users.”;

3 (3) in subsection (m) (as amended by section
4 1201)—

5 (A) by redesignating paragraphs (1)
6 through (5) as subparagraphs (A) through (E),
7 respectively, and indenting appropriately;

8 (B) in the matter preceding subparagraph
9 (A) (as so redesignated), by striking “There
10 are” and inserting the following:

11 “(1) IN GENERAL.—There are”; and

12 (C) by adding at the end the following:

13 “(2) INNOVATIVE WATER TECHNOLOGIES.—In
14 addition to any other funds made available to carry
15 out this section and notwithstanding any other pro-
16 vision of this Act, there is authorized to be appro-
17 priated to the Administrator to make additional al-
18 lotments under this section to States to provide fi-
19 nancial assistance solely for the deployment of inno-
20 vative water technologies, including technologies to
21 improve water quality and technologies to improve
22 real-time water quality information of water users,
23 \$100,000,000 for each fiscal year.”; and

24 (4) by adding at the end the following:

1 “(s) TECHNICAL ASSISTANCE.—The Administrator
 2 shall carry out technical assistance programs to facilitate
 3 and encourage the provision of financial assistance for the
 4 deployment of innovative water technologies, including
 5 technologies to improve water quality and technologies to
 6 improve real-time water quality information of water
 7 users.

8 “(t) REPORT.—Each year, the Administrator shall
 9 submit to Congress a report that describes—

10 “(1) the amount of financial assistance pro-
 11 vided by State drinking water revolving funds to de-
 12 ploy innovative water technologies;

13 “(2) the barriers impacting greater use of inno-
 14 vative water technologies; and

15 “(3) the cost-saving potential to cities and fu-
 16 ture infrastructure investments from emerging tech-
 17 nologies.”.

18 **SEC. 4103. INNOVATIVE WATER TECHNOLOGY GRANT PRO-**
 19 **GRAM.**

20 (a) DEFINITIONS.—In this section:

21 (1) ADMINISTRATOR.—The term “Adminis-
 22 trator” means the Administrator of the Environ-
 23 mental Protection Agency.

24 (2) ELIGIBLE ENTITY.—The term “eligible enti-
 25 ty” means—

1 (A) a public utility, including publicly
2 owned treatment works and clean water sys-
3 tems;

4 (B) a municipality;

5 (C) a private entity, including a farmer or
6 manufacturer;

7 (D) an institution of higher education;

8 (E) a research institution or foundation;

9 (F) a State;

10 (G) a regional organization; or

11 (H) a nonprofit organization.

12 (b) GRANT PROGRAM AUTHORIZED.—The Adminis-
13 trator shall carry out a grant program for purposes de-
14 scribed in subsection (c) to accelerate the development of
15 innovative water technologies that address pressing water
16 challenges.

17 (c) GRANTS.—In carrying out the program under
18 subsection (b), the Administrator shall make to eligible en-
19 tities grants that—

20 (1) finance projects that—

21 (A) are public-private partnerships; and

22 (B) deploy, test, and improve emerging
23 water technologies;

1 (2) fund entities that provide technical assist-
2 ance to deploy innovative water technologies more
3 broadly, especially—

4 (A) to increase adoption of innovative
5 water technologies in—

6 (i) municipal water and wastewater
7 treatment systems; or

8 (ii) areas served by private wells; and

9 (B) in a manner that reduces ratepayer or
10 community costs over time, including the cost
11 of future capital investments; or

12 (3) specifically target investments that, as de-
13 termined by the Administrator—

14 (A) improve water quality of a water
15 source;

16 (B) improve water quality through the im-
17 provement of the safety and security of a drink-
18 ing water delivery system;

19 (C) minimize contamination of drinking
20 water, including contamination by lead, bac-
21 teria, and nitrates;

22 (D) improve the quality and timeliness and
23 decrease the cost of drinking water tests, espe-
24 cially technologies that can be deployed within
25 water systems and at individual faucets to pro-

1 vide accurate real-time tests of water quality,
2 especially with respect to lead, bacteria, and ni-
3 trate content;

4 (E) treat edge-of-field runoff to improve
5 water quality;

6 (F) treat agricultural, municipal, and in-
7 dustrial wastewater;

8 (G) manage urban storm water runoff;

9 (H) conserve water; or

10 (I) address urgent water quality and
11 human health needs.

12 (d) PRIORITY FUNDING.—In making grants under
13 this section, the Administrator shall give priority to
14 projects that have the potential—

15 (1) to provide substantial cost savings across a
16 sector (such as municipal or agricultural waste
17 treatment); or

18 (2) to significantly improve human health or
19 the environment.

20 (e) COST-SHARING.—The Federal share of the cost
21 of activities carried out using a grant made under this sec-
22 tion shall be not more than 70 percent.

23 (f) LIMITATION.—The maximum amount of a grant
24 provided to a project under this section shall be
25 \$5,000,000.

1 (g) REPORT.—Each year, the Administrator shall
 2 submit to Congress and make publicly available on the
 3 website of the Administrator a report that describes any
 4 advancements during the previous year in development of
 5 innovative water technologies made as a result of funding
 6 provided under this section.

7 (h) FUNDING.—There is authorized to be appro-
 8 priated to carry out this section \$50,000,000 for each fis-
 9 cal year.

10 **TITLE V—CITIZEN EMPOWER-**
 11 **MENT DURING WATER EMER-**
 12 **GENCIES**

13 **SEC. 5101. EMERGENCY POWERS.**

14 Section 1431 of the Safe Drinking Water Act (42
 15 U.S.C. 300i) is amended—

16 (1) by redesignating subsection (b) as sub-
 17 section (c); and

18 (2) by inserting after subsection (a) the fol-
 19 lowing:

20 “(b) PRIVATE RIGHT OF ACTION; PETITIONS.—

21 “(1) IN GENERAL.—In any case in which the
 22 Administrator may act under subsection (a), an indi-
 23 vidual may—

24 “(A) commence a civil action for appro-
 25 priate equitable relief, including a restraining

1 order or permanent or temporary injunction, to
2 address any activity or facility that may present
3 an imminent and substantial endangerment to
4 the health of a person who is supplied by a pub-
5 lic water system; or

6 “(B) petition the Administrator to issue an
7 order or commence a civil action described in
8 subsection (a).

9 “(2) RESPONSE.—

10 “(A) IN GENERAL.—Subject to subpara-
11 graph (B), not later than 30 days after the date
12 on which the Administrator receives a petition
13 described in paragraph (1)(B), the Adminis-
14 trator shall—

15 “(i) respond to the petition; and

16 “(ii) initiate such action as the Ad-
17 ministrator determines to be appropriate.

18 “(B) SPECIAL RULE FOR EMERGENCIES.—
19 Notwithstanding subparagraph (A), if the
20 owner or operator of a public water system sub-
21 mits a petition described in paragraph (1)(B) in
22 response to an emergency, the Administrator
23 shall take the actions described in that subpara-
24 graph not later than 72 hours after the date on
25 which the Administrator receives the petition.”.

1 **TITLE VI—DISASTER ASSIST-**
2 **ANCE FOR LEAD CONTAMINA-**
3 **TION OF DRINKING WATER**

4 **SEC. 6101. FINDINGS.**

5 Congress finds the following:

6 (1) According to the American Water Works
7 Association, approximately 6,100,000 homes are
8 served by lead service lines.

9 (2) According to the most recent Environmental
10 Protection Agency Drinking Water Infrastructure
11 Needs Survey and Assessment, \$384,000,000,000 is
12 needed for drinking water infrastructure by 2030.

13 (3) According to the Centers for Disease Con-
14 trol—

15 (A) there is no safe level of lead in chil-
16 dren;

17 (B) children tend to show signs of severe
18 lead toxicity at lower levels than adults;

19 (C) lead can damage a developing baby's
20 nervous system and even low-level lead expo-
21 sures in developing babies have been found to
22 affect behavior and intelligence;

23 (D) lead exposure can cause miscarriage,
24 stillbirths, and infertility (in both men and
25 women); and

1 (E) people with prolonged exposure to lead
2 may also be at risk for high blood pressure,
3 heart disease, kidney disease, and reduced fer-
4 tility.

5 (4) In Flint, Michigan, homes were found to
6 have lead levels as high as 4,000 parts per billion,
7 nearly 267 times the Environmental Protection
8 Agency's action level for lead in drinking water of
9 15 parts per billion.

10 (5) Numerous cities around the United States,
11 including Sebring, Ohio, Durham, North Carolina,
12 Greenville, North Carolina, and Jackson, Mis-
13 sissippi, have experienced elevated levels of lead in
14 drinking water.

15 **SEC. 6102. AUTHORITY TO USE DISASTER RELIEF FUNDS.**

16 (a) IN GENERAL.—Notwithstanding the definition of
17 “major disaster” under section 102 of the Robert T. Staf-
18 ford Disaster Relief and Emergency Assistance Act (42
19 U.S.C. 5122), the President may, upon request of a Gov-
20 ernor of a State, declare a major disaster relating to lead
21 contamination of drinking water from a public water sys-
22 tem (as defined in section 1401 of the Safe Drinking
23 Water Act (42 U.S.C. 300f)).

24 (b) REGULATIONS.—Notwithstanding subchapter II
25 of title 5, United States Code, and not later than 60 days

1 after the date of enactment of this Act, the Secretary of
 2 Homeland Security, acting through the Administrator of
 3 the Federal Emergency Management Agency, shall pro-
 4 mulgate regulations to carry out the authority described
 5 in subsection (a).

6 (c) COORDINATION.—In the case of a major disaster
 7 declared under subsection (a), the Federal coordinating of-
 8 ficer appointed under section 302 of the Robert T. Staf-
 9 ford Disaster Relief and Emergency Assistance Act (42
 10 U.S.C. 5143) shall ensure that the coordination of admin-
 11 istration of relief required under such section 302(b) in-
 12 cludes, at a minimum, coordination with—

13 (1) the Secretary of Health and Human Serv-
 14 ices;

15 (2) the Army Corps of Engineers;

16 (3) the Environmental Protection Agency; and

17 (4) any other relevant agency.

18 **TITLE VII—MITIGATING THE EF-**
 19 **FECTS OF LEAD POISONING**
 20 **ON CHILDREN**

21 **SEC. 7101. GRANTS FOR LOCAL EDUCATIONAL AGENCIES**

22 **AFFECTED BY LEAD POISONING.**

23 (a) PURPOSE.—The purpose of this section is to—

24 (1) mitigate the detrimental health and edu-
 25 cational effects of lead poisoning on at-risk children;

1 (2) provide supports to teachers, principals,
2 other school leaders, paraprofessionals, and special-
3 ized instructional support personnel in order to im-
4 plement evidence-based programs to improve student
5 classroom behavior and student success; and

6 (3) improve access to community-based health
7 and wellness services in areas affected by lead poi-
8 soning, including school-based health centers.

9 (b) DEFINITIONS.—In this section:

10 (1) ELIGIBLE ENTITY.—The term “eligible enti-
11 ty” means a local educational agency, or consortia of
12 such agencies, that serves a high percentage of stu-
13 dents who have been found to have a high level of
14 lead exposure, as determined by the Centers for Dis-
15 ease Control and Prevention.

16 (2) LOCAL EDUCATIONAL AGENCY.—The term
17 “local educational agency” has the meaning given
18 such term in section 8101 of the Elementary and
19 Secondary Education Act of 1965 (20 U.S.C. 7801).

20 (3) MULTI-TIER SYSTEM OF SUPPORTS.—The
21 term “multi-tier system of supports” has the mean-
22 ing given such term in section 8101 of the Elemen-
23 tary and Secondary Education Act of 1965 (20
24 U.S.C. 7801).

1 (4) SCHOOL-BASED HEALTH CENTER.—The
2 term “school-based health center” has the meaning
3 given such term in section 399Z–1 of the Public
4 Health Service Act (42 U.S.C. 280h–5).

5 (5) SECRETARY.—The term “Secretary” means
6 the Secretary of Education.

7 (6) SPECIALIZED INSTRUCTIONAL SUPPORT
8 PERSONNEL.—The term “specialized instructional
9 support personnel” has the meaning given such term
10 in section 8101 of the Elementary and Secondary
11 Education Act of 1965 (20 U.S.C. 7801).

12 (c) GRANTS AUTHORIZED.—From amounts made
13 available under subsection (f), the Secretary of Education
14 is authorized to make 3-year grants to eligible entities in
15 order to carry out the activities described in subsection
16 (e).

17 (d) APPLICATION.—In order to receive a grant under
18 this section, an eligible entity shall submit an application
19 to the Secretary, at such time and in such manner as the
20 Secretary may require.

21 (e) USE OF FUNDS.—An eligible entity that receives
22 a grant under this section shall use grant funds to improve
23 health and educational services for children who have been
24 affected by lead poisoning and their families, which may
25 include—

1 (1) training for teachers, principals, other
2 school leaders, paraprofessionals, and specialized in-
3 structional support personnel on—

4 (A) the warning signs that indicate that a
5 child may have been exposed to lead; and

6 (B) interventions and supports that are ef-
7 fective for children who have been exposed to
8 lead;

9 (2) offering preventative screenings for children
10 affected by or at risk for lead poisoning;

11 (3) implementing a schoolwide multi-tiered sys-
12 tem of supports;

13 (4) training educators, principals, other school
14 leaders, paraprofessionals, and specialized instruc-
15 tional support personnel to implement positive be-
16 havioral interventions and supports to improve stu-
17 dent behavior in the classroom;

18 (5) early intervening services, including through
19 coordination with such activities and services carried
20 out under the Individuals with Disabilities Edu-
21 cation Act (20 U.S.C. 1400 et seq.);

22 (6) training teachers, principals, other school
23 leaders, paraprofessionals, and specialized instruc-
24 tional support personnel in how to teach and address
25 the needs of children with different learning styles,

1 including training to meet the needs of students with
2 significant health, mobility, or behavioral needs prior
3 to serving such students;

4 (7) providing training for special education per-
5 sonnel and regular education personnel in planning,
6 developing, and implementing effective and appro-
7 priate individualized education programs (IEPs) (as
8 defined under section 602 of the Individuals with
9 Disabilities Education Act (20 U.S.C. 1401));

10 (8) offering counseling, school-based mental
11 health programs, specialized instructional support
12 services, mentoring services, and other strategies to
13 improve students' nonacademic skills;

14 (9) partnering with community-based organiza-
15 tions, which may include school-based health centers
16 or other health providers, to improve students'
17 health and well-being; and

18 (10) providing effective parent and family out-
19 reach and training programs, which may include
20 home visitation programs.

21 (f) AUTHORIZATION OF APPROPRIATIONS.—There
22 are authorized to be appropriated to carry out this section
23 \$50,000,000 for each of fiscal years 2017 through 2021.

1 **TITLE VIII—WAGE RATE**
2 **REQUIREMENTS**

3 **SEC. 8101. WAGE RATE REQUIREMENTS.**

4 (a) **IN GENERAL.**—Notwithstanding any other provi-
5 sion of law and in a manner consistent with the other pro-
6 visions in this Act, all laborers and mechanics employed
7 by contractors and subcontractors on projects funded di-
8 rectly by or assisted in whole or in part by and through
9 the Federal Government pursuant to this Act shall be paid
10 wages at rates not less than the rates prevailing on
11 projects of a similar character in the locality as deter-
12 mined by the Secretary of Labor in accordance with sub-
13 chapter IV of chapter 31 of title 40, United States Code.

14 (b) **SECRETARY OF LABOR AUTHORITY.**—With re-
15 spect to the labor standards described in subsection (a),
16 the Secretary of Labor shall have the authority and func-
17 tions set forth in Reorganization Plan Numbered 14 of
18 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145
19 of title 40, United States Code.

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