

116TH CONGRESS  
1ST SESSION

# H. R. 2257

To require lead testing in Department of Defense Education Activity schools,  
and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 10, 2019

Mr. KILDEE (for himself and Ms. SPEIER) introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To require lead testing in Department of Defense Education  
Activity schools, 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. LEAD TESTING IN DEPARTMENT OF DEFENSE**  
4 **EDUCATION ACTIVITY SCHOOLS.**

5 (a) LEAD-BASED PAINT AND LEAD IN DRINKING  
6 WATER.—

7 (1) TESTING REQUIRED.—The Secretary of De-  
8 fense shall ensure that all covered schools are tested  
9 for—

1 (A) the presence of lead-based paint; and

2 (B) the presence of lead in drinking water.

3 (2) STANDARDS.—In carrying out paragraph  
4 (1), the Secretary shall ensure that tests are per-  
5 formed in accordance with the guidance document  
6 and testing protocol published by the Administrator  
7 of the Environmental Protection Agency under sec-  
8 tion 1464(b) of the Safe Drinking Water Act (42  
9 U.S.C. 300j-24(b)).

10 (3) NOTIFICATION.—Not later than one day  
11 after a test is carried out pursuant to this sub-  
12 section in a covered school, the Secretary shall notify  
13 of the results of the test—

14 (A) the parents or legal guardians of stu-  
15 dents attending such covered school; and

16 (B) the employees of such covered school.

17 (b) LEAD MITIGATION.—

18 (1) ACTIVITIES REQUIRED.—The Secretary  
19 shall undertake activities necessary to mitigate the  
20 presence of lead in a covered school in which lead is  
21 detected as a result of a test performed pursuant to  
22 subsection (a).

23 (2) STANDARDS.—In carrying out paragraph  
24 (1), the Secretary shall ensure mitigation is under-  
25 taken in accordance with the requirements of De-

1       partment of Defense Education Activity Administra-  
2       tive Instruction 6055.01 (or successor instruction).

3       (c) TIMING.—The Secretary shall—

4               (1) commence all actions required pursuant to  
5       subsection (a) not later than 30 days after the date  
6       of the enactment of this Act; and

7               (2) complete all actions required pursuant to  
8       subsections (a) and (b) not later than two years  
9       after the date of the enactment of this Act.

10       (d) REPORT.—Not later than one year after the date  
11      of the enactment of this Act, the Secretary shall submit  
12      to the congressional defense committees a report con-  
13      taining information on activities carried out under this  
14      section, including—

15               (1) the number of covered schools tested for  
16      lead-based paint;

17               (2) the number of covered schools tested for  
18      lead in drinking water;

19               (3) for each covered school at which testing was  
20      performed, the results of the testing;

21               (4) for each covered school at which testing was  
22      not performed, an explanation for the failure to per-  
23      form the testing; and

1           (5) for each covered school in which lead was  
2           detected, the activities undertaken to mitigate the  
3           presence of lead.

4           (e) DEFINITIONS.—In this section:

5           (1) The term “congressional defense commit-  
6           tees” has the meaning given that term in section  
7           101(a) of title 10, United States Code.

8           (2) The term “covered school” means—

9                   (A) a school owned or operated by the De-  
10                  partment of Defense Education Activity; or

11                  (B) a school with which the Secretary has  
12                  entered into a contract or otherwise entered  
13                  into an arrangement to provide educational pro-  
14                  grams under—

15                          (i) section 2164 of title 10, United  
16                          States Code; or

17                          (ii) section 1402 of the Defense De-  
18                          pendents’ Education Act of 1978 (20  
19                          U.S.C. 921).

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