

114TH CONGRESS  
2D SESSION

# H. R. 4479

To provide emergency assistance related to the Flint water crisis, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 4, 2016

Mr. KILDEE introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, Education and the Workforce, Financial Services, and the Budget, 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 provide emergency assistance related to the Flint water crisis, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Families of Flint Act”.

5 **SEC. 2. LEAD PREVENTION GRANT PROGRAM.**

6 (a) IN GENERAL.—Part B of the Safe Drinking  
7 Water Act (42 U.S.C. 300g et seq.) is amended by adding  
8 at the end the following:

1 **“SEC. 1420A. LEAD PREVENTION GRANT PROGRAM.**

2 “(a) DEFINITIONS.—In this section:

3 “(1) CITY.—The term ‘City’ means the City of  
4 Flint, Michigan.

5 “(2) STATE.—The term ‘State’ means the State  
6 of Michigan.

7 “(b) GRANT PROGRAM.—

8 “(1) ESTABLISHMENT.—Using funds made  
9 available under section 7(a) of the Families of Flint  
10 Act, the Administrator shall make grants to the  
11 State and the City for use in accordance with this  
12 subsection.

13 “(2) USE OF FUNDS.—The use of funds from  
14 a grant made under this subsection shall be—

15 “(A) determined by the Administrator, in  
16 consultation with the State and the City; and

17 “(B) used only for an activity authorized  
18 under paragraph (3).

19 “(3) AUTHORIZED ACTIVITIES.—

20 “(A) IN GENERAL.—The Administrator  
21 may authorize the use by the State or the City  
22 of funds from a grant under this subsection to  
23 carry out any activity that the Administrator  
24 determines is necessary to ensure that the  
25 drinking water supply of the City does not con-  
26 tain—

1           “(i) lead levels that threaten public  
2 health or the environment; or

3           “(ii) lead, other drinking water con-  
4 taminants, and pathogens that pose a  
5 threat to public health.

6           “(B) INCLUSIONS.—Authorized activities  
7 under subparagraph (A) may include—

8           “(i) testing, evaluation, and sampling  
9 of water supplies and public and private  
10 water service lines in the water distribution  
11 system of the City;

12           “(ii) repairs and upgrades to water  
13 treatment facilities that serve the City;

14           “(iii) optimization of corrosion control  
15 treatment of the public and private water  
16 service lines in the water distribution sys-  
17 tem of the City;

18           “(iv) repairs to water mains and re-  
19 placement of public and private water serv-  
20 ice lines in the water distribution system of  
21 the City; and

22           “(v) modification or construction of  
23 new pipelines and treatment system start-  
24 up evaluations needed to ensure optimal  
25 treatment of water from the Karegnondi

1 Water Authority before and after the tran-  
2 sition to this new source.

3 “(4) MATCHING REQUIREMENT.—As a condi-  
4 tion of the State or the City receiving a grant under  
5 this subsection, the Administrator shall require the  
6 State to provide funds from non-Federal sources in  
7 an amount that is at least equal to the amount pro-  
8 vided by the Federal Government.

9 “(c) ADMINISTRATION.—The Administrator may use  
10 funds made available under section 7(a) of the Families  
11 of Flint Act—

12 “(1) for the costs of technical assistance pro-  
13 vided by the Environmental Protection Agency or by  
14 contractors of the Environmental Protection Agency;  
15 and

16 “(2) for administrative activities in support of  
17 authorized activities.

18 “(d) REPORT.—Not later than 45 days after the first  
19 day of each fiscal year beginning prior to the termination  
20 date in subsection (e), the Administrator shall submit to  
21 the Committee on Appropriations of the Senate, the Com-  
22 mittee on Environment and Public Works of the Senate,  
23 the Committee on Homeland Security and Governmental  
24 Affairs of the Senate, the Committee on Appropriations  
25 of the House of Representatives, the Committee on En-

1 ergy and Commerce of the House of Representatives, and  
2 the Committee on Transportation and Infrastructure of  
3 the House of Representatives a report describing the ac-  
4 tions taken to carry out the purposes of the grant pro-  
5 gram, as described in subsection (b)(3).

6 “(e) SUNSET.—The authority provided by this sec-  
7 tion terminates on the date that is 10 years after the date  
8 of the enactment of the Families of Flint Act.”.

9 **SEC. 3. LOAN FORGIVENESS.**

10 The matter under the heading “STATE AND TRIBAL  
11 ASSISTANCE GRANTS” under the heading “ENVIRON-  
12 MENTAL PROTECTION AGENCY” in title II of divi-  
13 sion G of the Consolidated Appropriations Act, 2016  
14 (Public Law 114–113), is amended in paragraph (1), by  
15 striking the semicolon at the end and inserting the fol-  
16 lowing: “or, if a Federal or State emergency declaration  
17 has been issued due to a threat to public health from  
18 heightened exposure to lead in a municipal drinking water  
19 supply, before the date of enactment of this Act: *Provided*  
20 *further*, That in a State in which such an emergency dec-  
21 laration has been issued, the State may use more than  
22 20 percent of the funds made available under this title  
23 to the State for Drinking Water State Revolving Fund  
24 capitalization grants to provide additional subsidy to eligi-  
25 ble recipients;”.

1 **SEC. 4. CENTER OF EXCELLENCE ON LEAD EXPOSURE.**

2 (a) DEFINITIONS.—In this section:

3 (1) CENTER.—The term “Center” means the  
4 Center of Excellence on Lead Exposure established  
5 under subsection (b).

6 (2) COMMUNITY.—The term “community”  
7 means the community of the City.

8 (3) SECRETARY.—The term “Secretary” means  
9 the Secretary of Health and Human Services.

10 (b) ESTABLISHMENT.—Not later than 180 days after  
11 the date of enactment of this Act, the Secretary shall, by  
12 contract, grant, or cooperative agreement, establish in the  
13 City a center to be known as the “Center of Excellence  
14 on Lead Exposure”.

15 (c) COLLABORATION.—The Center shall collaborate  
16 with research institutions, hospitals, Federally qualified  
17 health centers, school-based health centers, community be-  
18 havioral health providers, public health agencies of Gen-  
19 esee County in the State, and the State in the development  
20 and operation of the Center.

21 (d) ADVISORY COMMITTEE.—

22 (1) IN GENERAL.—The Center shall establish  
23 an advisory committee to provide scientific and tech-  
24 nical support for the Center and to advise the Sec-  
25 retary, consisting of, at a minimum—

26 (A) an epidemiologist;

- 1 (B) a toxicologist;
- 2 (C) a mental health professional;
- 3 (D) a pediatrician;
- 4 (E) an early childhood education expert;
- 5 (F) a special education expert;
- 6 (G) a dietician;
- 7 (H) an environmental health expert; and
- 8 (I) 2 community representatives.

9 (2) APPLICATION OF FACCA.—The advisory com-  
10 mittee shall be subject to the Federal Advisory Com-  
11 mittee Act (5 U.S.C. App.).

12 (e) RESPONSIBILITIES.—The Center shall, at a min-  
13 imum, develop and carry out the following components and  
14 responsibilities:

15 (1) Establish a health registry with the fol-  
16 lowing responsibilities:

17 (A) Survey City residents about exposure  
18 to lead, and inform City residents of the health  
19 and developmental impacts that may have re-  
20 sulted from that exposure.

21 (B) Identify and provide ongoing moni-  
22 toring for City residents who have been exposed  
23 to lead.

1           (C) Collect and analyze clinical data re-  
2           lated to the monitoring and treatment of City  
3           residents.

4           (D) Provide culturally and linguistically  
5           relevant personnel and materials necessary for  
6           City residents.

7           (2) Conduct research on physical, behavioral,  
8           and developmental impacts, as well as other health  
9           or educational impacts associated with lead expo-  
10          sure, including cancer, heart disease, liver disease,  
11          neurological impacts, developmental delays, repro-  
12          ductive health impacts, and maternal and fetal  
13          health impacts.

14          (3) Develop lead mitigation recommendations  
15          and allocate resources, as appropriate, for health-,  
16          education-, and nutrition-related interventions, as  
17          well as other interventions, to mitigate lead exposure  
18          in children and adults.

19          (4) Establish a partnership with the Regional  
20          Center of Excellence on Nutrition Education of the  
21          Department of Agriculture to provide any relevant  
22          nutrition information for lead mitigation, includ-  
23          ing—



1 (A) identifying and implementing best  
2 practices in nutrition education regarding lead-  
3 mitigating foods; and

4 (B) making recommendations and con-  
5 ducting outreach to improve access to lead-miti-  
6 gating foods in the community.

7 (5) Conduct education and outreach efforts for  
8 the City, including the following:

9 (A) Create a publicly accessible website  
10 that provides, at a minimum, details about the  
11 health registry for City residents, available test-  
12 ing and other services through the Center for  
13 City residents and other communities impacted  
14 by lead exposure, any relevant information re-  
15 garding health and educational impacts of lead  
16 exposure, any relevant information on mitiga-  
17 tion services, and any research conducted  
18 through the Center.

19 (B) Conduct regular meetings in the City  
20 to discuss the ongoing impact of lead exposure  
21 on residents and solicit community input re-  
22 garding ongoing mitigation needs.

23 (C) Establish a navigation program to con-  
24 nect City residents to available Federal, State,  
25 and local resources and programs that assist

1 with cognitive, developmental, and health prob-  
2 lems associated with lead exposure.

3 (f) REPORT.—Biannually, the Secretary shall submit  
4 to the Committees on Finance, Health, Education, Labor,  
5 and Pensions, and Agriculture, Nutrition, and Forestry of  
6 the Senate and the Committees on Education and the  
7 Workforce, Energy and Commerce, and Agriculture of the  
8 House of Representatives a report—

9 (1) assessing the impacts of the Center on City  
10 health and education systems and outcomes;

11 (2) describing any research conducted by or  
12 with the Center; and

13 (3) making any recommendations for the City,  
14 State, or other communities impacted by lead expo-  
15 sure, as appropriate.

16 **SEC. 5. ADDITIONAL GRANT PROGRAMS.**

17 (a) DEPARTMENT OF LABOR GRANT PROGRAM.—

18 (1) ESTABLISHMENT.—Using funds made avail-  
19 able under section 7(a), the Secretary of Labor shall  
20 make grants to entities serving the residents in the  
21 City for use in accordance with this subsection.

22 (2) USE OF FUNDS.—Funds awarded through a  
23 grant under subsection (a) may be used—

24 (A) for expanded youth employment within  
25 the City; and

1 (B) for workforce training grants, literacy  
2 programs and registered apprenticeship pro-  
3 grams within the City.

4 (b) DEPARTMENT OF HEALTH AND HUMAN SERV-  
5 ICES GRANT PROGRAM.—

6 (1) ESTABLISHMENT.—Using funds made avail-  
7 able under section 7(a), the Secretary of Health and  
8 Human Services shall make grants to entities serv-  
9 ing the residents in the City for use in accordance  
10 with this subsection.

11 (2) USE OF FUNDS.—Funds awarded through a  
12 grant under subsection (a) may be used—

13 (A) to support and create school-based  
14 health centers within the City;

15 (B) to support those with issues related to  
16 lead exposure within the City; and

17 (C) for universal head start and early head  
18 start for children within the City.

19 (c) DEPARTMENT OF EDUCATION GRANT PRO-  
20 GRAM.—

21 (1) ESTABLISHMENT.—Using funds made avail-  
22 able under section 7(a), the Secretary of Education  
23 shall make grants to entities serving the residents in  
24 the City for use in accordance with this subsection.

1           (2) USE OF FUNDS.—Funds awarded through a  
2 grant under subsection (a) may be used—

3           (A) to reduce class size including hiring  
4 additional personnel, construction, repairs and  
5 improvements to structures, and any other ex-  
6 penses related to improving academic achieve-  
7 ment within the City;

8           (B) for 21st Century Community Learning  
9 Centers to provide expanded afterschool pro-  
10 gramming within the City;

11           (C) to create a promise neighborhood pro-  
12 gram within the City;

13           (D) to hire personnel and support children  
14 eligible for funding through the Individuals with  
15 Disabilities Education Act within the City;

16           (E) for career, technical, and adult edu-  
17 cation within the City; and

18           (F) to expand Pell Grant access for chil-  
19 dren within the City.

20       (d) DEPARTMENT OF COMMERCE GRANT PRO-  
21 GRAM.—

22           (1) ESTABLISHMENT.—Using funds made avail-  
23 able under section 7(a), the Secretary of Commerce  
24 shall make grants to entities serving the residents in  
25 the City for use in accordance with this subsection.

1           (2) USE OF FUNDS.—Funds awarded through a  
2 grant under subsection (a) may be used—

3                   (A) for economic development assistance  
4 programs within the City; and

5                   (B) for minority business development  
6 within the City.

7 (e) DEPARTMENT OF JUSTICE GRANT PROGRAM.—

8           (1) ESTABLISHMENT.—Using funds made avail-  
9 able under section 7(a), the Attorney General shall  
10 make grants to entities serving the residents in the  
11 City for use in accordance with this subsection.

12           (2) USE OF FUNDS.—Funds awarded through a  
13 grant under subsection (a) may be used for juvenile  
14 delinquency prevention within the City.

15 (f) DEPARTMENT OF HOUSING AND URBAN DEVEL-  
16 OPMENT.—

17           (1) ESTABLISHMENT.—Using funds made avail-  
18 able under section 7(a), the Secretary of Housing  
19 and Urban Development, acting through the head of  
20 the Office of Lead Hazard Control and Healthy  
21 Homes, shall make grants to entities serving the  
22 residents in the City for use in accordance with this  
23 subsection.

1           (2) USE OF FUNDS.—Funds awarded through a  
2           grant under subsection (a) may be used for lead  
3           hazard reduction in drinking water within the City.

4 **SEC. 6. DEFINITIONS.**

5           In this Act:

6           (1) CITY.—The term “City” means the City of  
7           Flint, Michigan.

8           (2) STATE.—The term “State” means the State  
9           of Michigan.

10 **SEC. 7. FUNDING.**

11          (a) IN GENERAL.—There is appropriated, out of any  
12          money in the Treasury not otherwise appropriated, to re-  
13          main available until the date that is 10 years after the  
14          date of the enactment of this Act—

15               (1) to carry out section 1420A of the Safe  
16          Drinking Water Act (as added by section 2),  
17          \$385,000,000;

18               (2) to carry out section 4, \$100,000,000;

19               (3) to carry out section 5(a)(2)(A),  
20          \$10,000,000;

21               (4) to carry out section 5(a)(2)(B),  
22          \$10,000,000;

23               (5) to carry out section 5(b)(2)(A), \$5,000,000;

24               (6) to carry out section 5(b)(2)(B), \$5,000,000;

1 (7) to carry out section 5(b)(2)(C),  
2 \$125,000,000;

3 (8) to carry out section 5(c)(2)(A),  
4 \$25,000,000;

5 (9) to carry out section 5(c)(2)(B),  
6 \$25,000,000;

7 (10) to carry out section 5(c)(2)(C),  
8 \$5,000,000;

9 (11) to carry out section 5(c)(2)(D),  
10 \$5,000,000;

11 (12) to carry out section 5(c)(2)(E),  
12 \$5,000,000;

13 (13) to carry out section 5(c)(2)(F),  
14 \$25,000,000;

15 (14) to carry out section 5(d)(2)(A),  
16 \$12,500,000;

17 (15) to carry out section 5(d)(2)(B),  
18 \$12,500,000;

19 (16) to carry out section 5(e)(2), \$5,000,000;  
20 and

21 (17) to carry out section 5(f)(2), \$5,000,000.

22 (b) MATCHING REQUIREMENT.—As a condition of  
23 any entity receiving a grant under section 4 or 5, the State  
24 shall be required to provide funds from non-Federal

1 sources in an amount that is at least equal to the amount  
2 provided by the Federal Government.

3 **SEC. 8. EMERGENCY DESIGNATION.**

4 (a) IN GENERAL.—The amounts provided by section  
5 7 are designated as an emergency requirement pursuant  
6 to section 4(g) of the Statutory Pay-As-You-Go Act of  
7 2010 (2 U.S.C. 933(g)).

8 (b) DESIGNATION IN SENATE.—In the Senate, the  
9 amounts provided by section 7 are designated as an emer-  
10 gency requirement pursuant to section 403(a) of S. Con.  
11 Res. 13 (111th Congress), the concurrent resolution on  
12 the budget for fiscal year 2010.

13 **SEC. 9. EMERGENCY EXPANSION OF THE SPECIAL SUPPLE-**  
14 **MENTAL NUTRITION PROGRAM FOR WOMEN,**  
15 **INFANTS, AND CHILDREN (WIC).**

16 Section 17(d)(3)(iii) of the Child Nutrition Act of  
17 1966 (42 U.S.C. 1786(d)(3)(iii)) is amended—

18 (1) by striking “A State” and inserting the fol-  
19 lowing:

20 (I) IN GENERAL.—A State”;

21 and

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

23 (II) STATE-OF-EMERGENCY EX-  
24 CEPTION.—



1           “(aa) IN GENERAL.—With  
2           respect to participant children  
3           who reside in a geographic area  
4           that has been declared to be in a  
5           state of emergency, a State may  
6           elect to certify such children dur-  
7           ing a period that ends on the  
8           earlier of—

9                     “(AA) the 10th birth-  
10                    day of the children; or

11                   “(BB) the date that is  
12                    5 years after the last day of  
13                    such state of emergency.

14           “(bb) REQUIREMENT.—  
15           Each State that elects to certify  
16           children under item (aa) shall en-  
17           sure that participant children re-  
18           ceive required health and nutri-  
19           tion assessments.”.

○