AMENDMENT TO RULES COMM. PRINT 116–57
OFFERED BY MR. FITZPATRICK OF
PENNSYLVANIA

At the end of subtitle B of title XXVIII, add the following new section:

SEC. 28. IMPROVED DEPARTMENT OF DEFENSE AND
LANDLORD RESPONSE TO IDENTIFICATION
AND REMEDIATION OF SEVERE ENVIRON-
MENTAL HEALTH HAZARDS IN MILITARY
HOUSING.

(a) DEFINITIONS.—In this section:

(1) The terms “landlord”, “privatized military
housing”, and “tenant” have the meanings given
those terms in section 3001(a) of the Military Con-
struction Authorization Act for Fiscal Year 2020
(division B of Public Law 116–92; 133 Stat. 1916;

(2) The term “severe environmental health haz-
ard” means asbestos, radon, lead, and such other
hazardous substances as the Secretary of Defense
may designate.

(b) GUIDANCE REQUIRED.—
(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this section, the Secretary of Defense shall issue guidance regarding hazard assessments conducted under section 3052(b) of the Military Construction Authorization Act for Fiscal Year 2020 (division B of Public Law 116–92; 10 U.S.C. 2821 note) subsection (b) and under the process developed under section 3053(a) of such Act (10 U.S.C. 2821 note) to improve Department of Defense and landlord identification and resolution of severe environmental health hazards in housing under the jurisdiction of the Department of Defense (including privatized military housing).

(2) TESTING AND INSPECTION REQUIREMENTS.—The guidance issued under this subsection shall specifically require, on an annual basis or at more frequent intervals as the Secretary considers appropriate, the following:

(A) Testing in housing under the jurisdiction of the Department of Defense (including privatized military housing) for known severe environmental health hazards.

(B) Inspections of such housing to determine the efficacy of mitigation or encapsulation measures regarding severe environmental health
hazards. Such inspections shall be performed by qualified home inspectors (as described in section 3051(d) of the Military Construction Authorization Act for Fiscal Year 2020 (division B of Public Law 116–92; 10 U.S.C. 2821 note) and adhere to recognized industry practices and standards.

(3) ADDITIONAL REQUIREMENT FOR LEAD ENCAPSULATION.—The guidance issued under this subsection shall specifically require that testing of the integrity of lead encapsulation will be performed on an emergency basis at the request of the affected tenant.

(4) PROMPT NOTIFICATION REQUIREMENT.—The results of testing and inspections described in paragraphs (2) and (3) shall be shared with the tenant of the affected housing within 48 hours after receipt of the results by the housing management office of the military installation for which the housing is provided, the installation commander, or the landlord, whichever occurs first.

(5) ALTERNATIVE HOUSING.—The Secretary of the military department concerned shall provide alternative housing to affected tenants until any dis-
crepancies are resolved, as provided in the department’s displaced tenants policy.

(c) ADDITIONAL PROTECTIONS FOR CERTAIN MEMBERS.—Members of the Armed Forces assigned to a military installation who are required to reside in on-installation housing (including privatized military housing on the installation) because of the members’ essential status shall be provided the following information before occupying the housing (and, in the case of privatized military housing, signing lease documents):

(1) The most recent results of testing and inspections described in paragraphs (2) and (3) of subsection (b) regarding the housing.

(2) If any of the tests and inspections were positive, information on the mitigation or encapsulation measures in place in the housing.

(3) Information on required maintenance of mitigation measures.