H. R. 1282

To reduce housing-related health hazards, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

March 20, 2013

Ms. Slaughter (for herself, Ms. Roybal-Allard, Mr. Grijalva, Mr. Nadler, Mr. Hastings of Florida, Ms. Lee of California, Mr. Cummings, Ms. Wilson of Florida, and Mr. Cicilline) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To reduce housing-related health hazards, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Lead Hazard Title X Amendments Act”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Poor housing conditions contribute to a wide range of health conditions, including unintentional injuries, respiratory illness, asthma, and can-
cer, which disproportionately impact susceptible and vulnerable populations, such as children, the poor, minorities, and people with chronic medical conditions. For example—

(A) according to the Department of Housing and Urban Development, nearly 6,000,000 housing units in the United States had moderate to severe physical infrastructure problems other than problems with lead in 2007;

(B) the Centers for Disease Control and Prevention found that about 23,000,000 housing units, most of them built before 1960, have 1 or more lead-based paint hazards, where young children under age 6 are endangered by chipping or peeling lead paint or excessive amounts of lead-contaminated dust. Of these homes, about 1,100,000 housed low-income families with 1 or more children under age 6;

(C) low-level lead poisoning is widespread among children in the United States, afflicting hundreds of thousands of children under age 6, with minority and low-income communities affected disproportionately;

(D) costs for asthma due to dampness and mold were estimated at $3,500,000,000 in
2004, according to the International Journal of Environment and Health;

(E) the Journal of Allergy and Clinical Immunology found that about 17,000,000 homes have elevated levels of 4 or more allergens, a condition that is associated with symptoms among residents with allergic asthma;

(F) the Environmental Protection Agency found that more than 6,800,000 housing units have radon exposures above the current Environmental Protection Agency radon action level; and

(G) the National Institutes of Health estimates that radon exposures result in 21,000 radon-induced lung cancer deaths per year, which cost $2,300,000,000 per year.

(2) The Federal Government must continue its leadership in demonstrating and implementing projects that assess and correct health hazards in the home environment to support the national goal of providing decent, safe, and sanitary housing to every family in the United States.
SEC. 3. DEFINITIONS.

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

(1) by redesignating paragraphs (11) through (27) as paragraphs (13) through (29), respectively;

(2) by redesignating paragraphs (6) through (10) as paragraphs (7) through (11), respectively;

(3) by inserting after paragraph (5) the following:

“(6) ELIGIBLE APPLICANT.—The term ‘eligible applicant’ means a State, a unit of general local government, an Indian tribe, or a private nonprofit organization that meets the requirements of section 1101(b).”; and

(4) by inserting after paragraph (11), as so redesignated, the following:

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

SEC. 4. GRANT PROGRAM.

Section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4852) is amended—
(1) in the section heading, by striking
“GRANTS FOR LEAD-BASED PAINT HAZARD REDUCTION IN TARGET HOUSING” and inserting
“GRANTS FOR REDUCTION OF LEAD-BASED PAINT HAZARDS AND CORRECTION OF OTHER HOUSING-RELATED HAZARDS”;

(2) in subsection (a)—
(A) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (D), re-
spectively;

(B) in subparagraph (A), as so redesignated—
(i) by striking “for grants” and insert-
serting “For grants”; and

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

(C) in subparagraph (B), as so redesign-
ated—
(i) by striking “for grants” and in-
serting “For grants”; and

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

(D) by inserting after subparagraph (B),
as so redesignated, the following:
“(C) For grants made to carry out any of paragraphs (1) through (9) or (11) of subsection (e), the grants may not be used to assist federally assisted housing, federally owned housing, or public housing;”;

(E) in subparagraph (D), as so redesignated, by striking “notwithstanding paragraphs (1) and (2)” and inserting “Notwithstanding subparagraphs (A) and (B)”;

(F) in the matter preceding subparagraph (A), as so redesignated, by striking “The Secretary” and all that follows through “criteria—” and inserting the following:

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

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

(G) by adding at the end the following:

“(3) INCOME VERIFICATION.—For the purpose of verifying the income level of a family under sub-
paragraphs (A) and (B), the Secretary may establish a process by which a grantee may first obtain and use income and program participation information from an entity administering—

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

“(B) the special supplemental nutrition program for women, infants, and children established under section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786);

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

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

“(E) the temporary assistance for needy families program established under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.);
“(F) the supplemental security income program established under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.); or

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

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

“(b) Eligible Applicants.—

“(1) Lead-Based Paint Hazards.—

“(A) In general.—A State or unit of general local government, as defined under section 104 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12704), that has an approved comprehensive housing affordability strategy under section 105 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12705), or an Indian tribe recognized under section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a), is eligible to apply for a grant to carry out activities under any of paragraphs (1) through (9) or (11) of subsection (e).

“(B) Exception.—A private nonprofit organization shall be eligible to apply for a grant
to carry out activities under paragraphs (1) through (9) or (11) of subsection (e) if the application adequately demonstrates that it is being submitted in partnership with the State or unit of general local government in which the activities will be carried out.

“(2) Housing-related health hazards.—A private nonprofit organization shall be eligible to apply for a grant to carry out activities under subsection (e)(10).”;

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

(5) in subsection (d)—

(A) in paragraph (1)—

(i) by inserting “in the case of a grant to carry out activities relating to lead-based paint hazards,” before “the extent”;

and

(ii) by striking “housing” and inserting “target housing or 0-bedroom dwellings constructed before 1978”;

(B) in paragraph (2), by inserting “or other housing-related health hazards” after “lead-based paint hazards”;
(C) by redesignating paragraphs (2) through (5) as paragraphs (3) through (6); and

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

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

(6) in subsection (e)—

(A) in paragraph (5), by inserting “renovations, remodeling,” after “inspections,”;

(B) in paragraph (9)—

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

(ii) by striking “and” at the end;

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

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

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

(7) in subsection (l)—
(A) in paragraph (3), by inserting “in the case of a grant to carry out activities relating to lead-based paint hazards,” before “the ability”; and

(B) in paragraph (4), by inserting “and other housing-related health hazards have been corrected” after “abated”; and

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

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

Section 1011 of the Residential Lead-based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4852) is amended by striking subsection (p) and inserting the following:

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

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

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

“(q) AUTHORIZATION OF APPROPRIATIONS.—For
purposes of carrying out this subtitle, there are authorized
to be appropriated $250,000,000 for each of fiscal years
2014 through 2018.”.