

113TH CONGRESS  
1ST SESSION

# H. R. 1282

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

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## 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

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## A BILL

To reduce housing-related health hazards, 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 “Lead Hazard Title  
5 X Amendments Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Poor housing conditions contribute to a  
9 wide range of health conditions, including uninten-  
10 tional injuries, respiratory illness, asthma, and can-

1 cer, which disproportionately impact susceptible and  
2 vulnerable populations, such as children, the poor,  
3 minorities, and people with chronic medical condi-  
4 tions. For example—

5 (A) according to the Department of Hous-  
6 ing and Urban Development, nearly 6,000,000  
7 housing units in the United States had mod-  
8 erate to severe physical infrastructure problems  
9 other than problems with lead in 2007;

10 (B) the Centers for Disease Control and  
11 Prevention found that about 23,000,000 hous-  
12 ing units, most of them built before 1960, have  
13 1 or more lead-based paint hazards, where  
14 young children under age 6 are endangered by  
15 chipping or peeling lead paint or excessive  
16 amounts of lead-contaminated dust. Of these  
17 homes, about 1,100,000 housed low-income  
18 families with 1 or more children under age 6;

19 (C) low-level lead poisoning is widespread  
20 among children in the United States, afflicting  
21 hundreds of thousands of children under age 6,  
22 with minority and low-income communities af-  
23 fected disproportionately;

24 (D) costs for asthma due to dampness and  
25 mold were estimated at \$3,500,000,000 in

1           2004, according to the International Journal of  
2           Environment and Health;

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

8           (F) the Environmental Protection Agency  
9           found that more than 6,800,000 housing units  
10          have radon exposures above the current Envi-  
11          ronmental Protection Agency radon action level;  
12          and

13          (G) the National Institutes of Health esti-  
14          mates that radon exposures result in 21,000  
15          radon-induced lung cancer deaths per year,  
16          which cost \$2,300,000,000 per year.

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

1 **SEC. 3. DEFINITIONS.**

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

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

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

9 (3) by inserting after paragraph (5) the fol-  
10 lowing:

11 “(6) ELIGIBLE APPLICANT.—The term ‘eligible  
12 applicant’ means a State, a unit of general local gov-  
13 ernment, an Indian tribe, or a private nonprofit or-  
14 ganization that meets the requirements of section  
15 1101(b).”; and

16 (4) by inserting after paragraph (11), as so re-  
17 designated, the following:

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

23 **SEC. 4. GRANT PROGRAM.**

24 Section 1011 of the Residential Lead-Based Paint  
25 Hazard Reduction Act of 1992 (42 U.S.C. 4852) is  
26 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;

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

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

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

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

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

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

23                   (D) by inserting after subparagraph (B),  
24                   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.—

10           “(1) LEAD-BASED PAINT HAZARDS.—

11           “(A) IN GENERAL.—A State or unit of  
12           general local government, as defined under sec-  
13           tion 104 of the Cranston-Gonzalez National Af-  
14           fordable Housing Act (42 U.S.C. 12704), that  
15           has an approved comprehensive housing afford-  
16           ability strategy under section 105 of the Cran-  
17           ston-Gonzalez National Affordable Housing Act  
18           (42 U.S.C. 12705), or an Indian tribe recog-  
19           nized under section 102 of the Federally Recog-  
20           nized Indian Tribe List Act of 1994 (25 U.S.C.  
21           479a), is eligible to apply for a grant to carry  
22           out activities under any of paragraphs (1)  
23           through (9) or (11) of subsection (e).

24           “(B) EXCEPTION.—A private nonprofit or-  
25           ganization shall be eligible to apply for a grant



1 to carry out activities under paragraphs (1)  
2 through (9) or (11) of subsection (e) if the ap-  
3 plication adequately demonstrates that it is  
4 being submitted in partnership with the State  
5 or unit of general local government in which the  
6 activities will be carried out.

7 “(2) HOUSING-RELATED HEALTH HAZARDS.—A  
8 private nonprofit organization shall be eligible to  
9 apply for a grant to carry out activities under sub-  
10 section (e)(10).”;

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

14 (5) in subsection (d)—

15 (A) in paragraph (1)—

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

20 (ii) by striking “housing” and insert-  
21 ing “target housing or 0-bedroom dwellings  
22 constructed before 1978”;

23 (B) in paragraph (2), by inserting “or  
24 other housing-related health hazards” after  
25 “lead-based paint hazards”;

1 (C) by redesignating paragraphs (2)  
2 through (5) as paragraphs (3) through (6); and

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

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

9 (6) in subsection (e)—

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

12 (B) in paragraph (9)—

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

15 (ii) by striking “and” at the end;

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

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

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

24 (7) in subsection (l)—

1 (A) in paragraph (3), by inserting “in the  
2 case of a grant to carry out activities relating  
3 to lead-based paint hazards,” before “the abil-  
4 ity”; and

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

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

10 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

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

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

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

22 “(2) EXCEPTION.—If an amount that is not  
23 more than \$120,000,000 is appropriated for a fiscal  
24 year, not more than \$30,000,000 of that amount

1 shall be available for grants to carry out activities  
2 under subsection (e)(10) for that fiscal year.

3 “(q) AUTHORIZATION OF APPROPRIATIONS.—For  
4 purposes of carrying out this subtitle, there are authorized  
5 to be appropriated \$250,000,000 for each of fiscal years  
6 2014 through 2018.”.

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