

110<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 6309

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IN THE SENATE OF THE UNITED STATES

AUGUST 1, 2008

Received; read twice and referred to the Committee on Banking, Housing, and  
Urban Affairs

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## AN ACT

To amend the Residential Lead-Based Paint Hazard Reduction Act of 1992 to define environmental intervention blood lead level, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Lead-Safe Housing  
3 for Kids Act of 2008”.

4 **SEC. 2. AMENDMENTS TO RESIDENTIAL LEAD-BASED PAINT**  
5 **HAZARD REDUCTION ACT OF 1992.**

6 (a) AMENDMENTS.—Section 1017 of the Residential  
7 Lead-Based Paint Hazard Reduction Act of 1992 (42  
8 U.S.C. 4852c) is amended—

9 (1) by striking “Not later than” and inserting  
10 “(a) IN GENERAL.—Not later than”; and

11 (2) by adding at the end the following new sub-  
12 section:

13 “(b) ENVIRONMENTAL INTERVENTION BLOOD LEAD  
14 LEVEL.—

15 “(1) IN GENERAL.—For purposes of this title  
16 and any regulations issued under this title, an envi-  
17 ronmental intervention blood lead level shall be de-  
18 fined as the lower of—

19 “(A) 10 ug/dL (micrograms of lead per  
20 deciliter); or

21 “(B) the elevated blood lead level of con-  
22 cern for a child under six years of age that has  
23 been recommended by the Centers for Disease  
24 Control and Prevention.

25 “(2) RELATION TO OTHER AUTHORITIES.—This  
26 Act may not be construed as affecting the authority

1 of the Environmental Protection Agency under sec-  
2 tion 403 of the Toxic Substances Control Act.”.

3 (b) REGULATIONS.—Not later than the expiration of  
4 the 90-day period beginning on the date of the enactment  
5 of this Act, the Secretary of Housing and Urban Develop-  
6 ment shall amend the regulations of such Department to  
7 comply with the amendments made by subsection (a).

8 **SEC. 3. REPORT TO CONGRESS ON PREVIOUS LEAD HAZ-**  
9 **ARD INSPECTION PROGRAMS.**

10 Not later than the expiration of the 90-day period  
11 beginning on the date of the enactment of this Act, the  
12 Secretary of Housing and Urban Development shall sub-  
13 mit a report to the Congress on the status of the program  
14 of the Department of Housing and Urban Development  
15 known as the Big Buy program and any other voluntary  
16 programs the Secretary has implemented, or has planned  
17 to implement, through which the Secretary has conducted,  
18 or planned to conduct, lead evaluations of housing covered  
19 by section 35.715 of the Secretary’s regulations (24  
20 C.F.R. 35.715; Lead Safe Housing Rule for pre-1978 as-  
21 sisted housing). Such report shall include the following in-  
22 formation:

23 (1) A description of the purpose of such pro-  
24 grams implemented or planned to be implemented.

1           (2) A statement of the amounts allocated for  
2 each of such programs.

3           (3) Identification of the sources of the funding  
4 for each of such programs.

5           (4) A statement of the amount expended to  
6 each of such programs, as of the date of the submis-  
7 sion of the report.

8           (5) A statement of the number of properties  
9 and the number of dwelling units intended to be cov-  
10 ered by each of such programs.

11           (6) A statement of the number of properties  
12 and the number of dwelling units actually assisted  
13 by each of such programs.

14           (7) A description of the status of each of such  
15 programs, as of the date of the submission of the re-  
16 port.

17           (8) An explanation as to why each of such pro-  
18 grams have not been completed.

19           (9) A description of any enforcement actions  
20 taken against owners of such housing who were to  
21 have been held harmless with respect to any non-  
22 compliance with section 1018 of the Residential  
23 Lead-Based Paint Hazard Reduction Act of 1992  
24 (42 U.S.C. 4852d), or with any rules implementing

1 such section, during implementation of such pro-  
2 grams.

3 (10) A timeline for completion of the remaining  
4 properties and units covered by each of such pro-  
5 grams.

6 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

7 (a) IN GENERAL.—There is authorized to be appro-  
8 priated to carry out this Act and the amendments made  
9 by this Act such sums as may be appropriated for fiscal  
10 year 2009.

11 (b) COSTS OF COMPLIANCE.—This Act and the  
12 amendments made by this Act shall not create any obliga-  
13 tion or requirement on the part of any owner of housing,  
14 public housing agency, or other party (other than the Sec-  
15 retary of Housing and Urban Development) to comply  
16 with any new obligations established by or pursuant to this  
17 Act or such amendments, except to the extent that the  
18 Secretary of Housing and Urban Development makes  
19 amounts available to such owner, agency, or party for the  
20 costs of such compliance.

Passed the House of Representatives July 31, 2008.

Attest: LORRAINE C. MILLER,  
*Clerk.*