To amend the Residential Lead-Based Paint Hazard Reduction Act of 1992 to define environmental intervention blood lead level, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 26 (legislative day, SEPTEMBER 17), 2008

Mrs. CLINTON introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

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,

3 SECTION 1. SHORT TITLE.

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

6 SEC. 2. AMENDMENTS TO RESIDENTIAL LEAD-BASED PAINT


8 (a) AMENDMENTS.—Section 1017 of the Residential
9 Lead-Based Paint Hazard Reduction Act of 1992 (42
10 U.S.C. 4852e) is amended—
(1) by striking “Not later than” and inserting

“(a) IN GENERAL.—Not later than”; and

(2) by adding at the end the following:

“(b) ENVIRONMENTAL INTERVENTION BLOOD LEAD LEVEL.—

“(1) IN GENERAL.—For purposes of this title and any regulations issued under this title, an environmental intervention blood lead level means the lower of—

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

“(B) the elevated blood lead level of concern for a child under 6 years of age that has been recommended by the Centers for Disease Control and Prevention.

“(2) RELATION TO OTHER AUTHORITIES.—Nothing in this Act may be construed to affect the authority of the Environmental Protection Agency under section 403 of the Toxic Substances Control Act (15 U.S.C. 2683).”.

(b) REGULATIONS.—Not later than 90 days after the date of enactment of this Act, the Secretary of Housing and Urban Development shall amend the regulations of the Department of Housing and Urban Development to comply with the amendments made by subsection (a).
SEC. 3. REPORT TO CONGRESS ON PREVIOUS LEAD HAZARD INSPECTION PROGRAMS.

(a) In General.—Not later than 90 days after the date of enactment of this Act, the Secretary of Housing and Urban Development shall submit a report to Congress on the status of the program of the Department of Housing and Urban Development known as the Big Buy program and any other voluntary programs the Secretary has implemented, or has planned to implement, through which the Secretary has conducted, or planned to conduct, lead evaluations of housing covered by section 35.715 of title 24, Code of Federal Regulations (Lead Safe Housing Rule for pre-1978 assisted housing).

(b) Contents.—The report under subsection (a) shall include—

(1) a description of the purpose of any program described in subsection (a) that is being implemented or is planned to be implemented;

(2) a statement of the amounts allocated for each such program;

(3) the identification of the sources of the funding for each such program;

(4) a statement of the amount expended under each such program, as of the date of the submission of the report;
(5) a statement of the number of properties and
the number of dwelling units intended to be covered
by each such program;

(6) a statement of the number of properties and
the number of dwelling units actually assisted by
each such program;

(7) a description of the status of each such pro-
gram, as of the date of the submission of the report;

(8) an explanation as to why each such pro-
gram has not been completed;

(9) a description of any enforcement actions
taken against owners of housing covered by section
35.715 of title 24, Code of Federal Regulations
(Lead Safe Housing Rule for pre-1978 assisted
housing) who were to have been held harmless with
respect to any noncompliance with section 1018 of
the Residential Lead-Based Paint Hazard Reduction
Act of 1992 (42 U.S.C. 4852d), or with any rules
implementing such section, during implementation of
such programs; and

(10) a timeline for completion of the remaining
properties and units covered by each such program.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

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

(b) Costs of Compliance.—This Act and the amendments made by this Act shall not create any obligation or requirement on the part of any owner of housing, public housing agency, or other party (other than the Secretary of Housing and Urban Development) to comply with any new obligations established by or pursuant to this Act or such amendments, except to the extent that the Secretary of Housing and Urban Development makes amounts available to such owner, agency, or party for the costs of such compliance.