

Fiscal Year 2017 Appropriations Provisions to Combat Lead Poisoning in Federally-Assisted Housing (5/30/17)

	House Interior Appropriations Bill (H.R. 5538)	House Interior Appropriations Report 115-632	Senate Interior Appropriations Report 114-281	Consolidated Appropriations Act 2017 (H.R. 244), Explanatory Statement for Division G (Interior)
<i>Status of last action</i>	Passed House 7/14/16	Passed House 7/14/16	Bill approved by Approps Committee 6/17/16	Signed into law 5/5/17
Lead Test Kit	EPA must develop a lead test kit that can be used in home to detect lead paint, or solicit comments on alternatives, before funds can be used to enforce provisions within the lead renovation rule (p. 149)	Encourages EPA to develop an in-home lead test kit that could be used to detect the presence of lead paint without laboratory testing (p. 64-65)	Directs EPA to develop an in-home lead test kit or reopen the lead renovation rule for comment on alternative solutions (p. 69)	Reiterates support for activities that result in safe and proper reduction of lead paint in homes and the protection of sensitive populations. Consistent with the concerns outlined in the Committee reports, EPA should identify options to remedy implementation challenges that have persisted since 2009. (p. 40)
GAO Study on Lead Services Lines	-	Directs GAO to study the number of lead services lines in each State (p. 5)	-	Silent / House Report provision is preserved
EPA Lead Reduction Trainings	-	Increases EPA trainings on safe and proper lead reduction practices (p. 64-65)	-	Silent / House Report provision is preserved
Dust and Soil Evaluation	-	-	Encourages EPA to evaluate lead-contaminated dust and soil standards to determine if they adequately protect children from lead poisoning and are scientifically sound. If they are not, to revise the standards. (p. 72-73)	Silent / Senate Report provision is preserved

	House Transportation, Housing and Urban Development (THUD) Appropriations Report 114-606	Senate THUD Appropriations Bill (S. 2844)	Senate THUD Appropriations Report 114-243	Consolidated Appropriations Act 2017 (H.R. 244), Explanatory Statement for Division K (THUD)
<i>Status of last action</i>	Bill approved by Approps Committee 5/24/16	Approved by Approps Committee 4/21/16	Bill approved by Approps Committee 4/21/16	Signed into law 5/5/17
Zero-bedroom Dwellings		Removes exception for zero-bedroom dwellings, in which any child under the age of six resides or is expected to reside, from target housing definition (p. 160-161)		Bill text includes Senate bill provision (p. 654-655)
PHA Funding for Reducing Lead Hazards		Includes \$25 million from the Public Housing Capital Fund Program for competitive grants to PHAs to evaluate and reduce lead-based paint hazards in public housing through risk assessments, abatement and interim controls. (p. 96-97)		Bill text includes Senate bill provision (p. 631)
CDC EBLL definition	Requests GAO report on implication of changing EBLL standard to CDC definition. Report should also recommend how to better leverage funds to identify lead risks and remediation costs, as well as identify partnerships between public housing and health agencies and whether enhanced data collection would be helpful. (p. 94)		Directs HUD to issue clarifying guidance explaining the changes the Dept is undertaking to align standards with CDC. (p. 97-98) Directs HUD to finalize regulatory action to update its standard for requiring an environmental intervention and adopt the CDC EBLL within 90 days of enactment. (p. 97-98 and 130-131)	Silent / Need to determine committee views on which version prevails or if they are compatible
UPSC Inspections			Indicates support for UPSC inspections over HQS because they include risk assessments and scientific testing of samples. (p. 98)	Silent / Senate Report provision is preserved

<p>Public Housing Authority Best Practices</p>			<p>Directs HUD to identify and disseminate best practices on making, and keeping, units lead safe. In addition, directs HUD to provide related training to PHA maintenance and property management staff and encourage PHAs to raise tenant awareness re lead-based paint hazards in the home. (p. 97-98)</p>	<p>Silent / House Report provision is preserved</p>
<p>Data Collection, Reporting and Evaluation Related to HUD Oversight and Enforcement of Lead-Based Paint Regulations</p>			<p>Expresses Committee belief that HUD has the statutory authority to collect and analyze data on lead-based paint hazards in housing choice voucher units. Directs HUD to establish and implement a process that improves data collection and analysis of action PHAs are taking to comply with lead-based paint regulations in housing choice voucher units and report semiannually to the Appropriations Committees on progress. Also directs HUD to identify and report on incidences and prevalence of lead-based paint hazards in housing choice voucher units. (p. 97-98, 104-105, 131)</p>	<p>Amends Senate Report 114-243 to require HUD to provide this report by June 30, 2017, and report semi-annually to the Appropriations Committees on its progress. (p. 48)</p>
<p>HUD Authority to Conduct Risk Assessments</p>	<p>Expresses Committee belief that HUD has the authority to conduct risk assessments in all federally-assisted housing and to replace visual assessments with risk assessments. (p. 94)</p>		<p>Expresses Committee belief that HUD has the statutory authority to apply better quality assurance measures on routine physical inspections. (p. 98)</p>	<p>Passed version no longer directs HUD to implement a lead inspection standard more stringent than the current visual inspection. Instead directs GAO to complete study in "Data Collection" summary within one year of the date of enactment. (p. 59)</p>

Legislative Text and Report Language in Full - Interior

House Interior Appropriations Bill ([H.R. 5538](#))

p. 150-151

LEAD TEST KIT

SEC. 429. None of the funds made available by this Act may be used to enforce regulations under sections 745.84 and 745.86 of title 40, Code of Federal Regulations, or any subsequent amendments to such regulations, until the Administrator of the Environmental Protection Agency—

- (1) publicizes Environmental Protection Agency recognition of a commercially available lead test kit that meets both criteria under section 745.88(c) of title 40, Code of Federal Regulations; or
- (2) solicits public comment on alternatives to subpart E of part 745 of title 40, Code of Federal Regulations, following the date of enactment of this Act.

House Interior Appropriations [Report 115-632](#)

LEAD IN DRINKING WATER. More communities are discovering elevated levels of lead in drinking water. It is estimated that nearly 1,500 water systems serving more than three million Americans have exceeded EPA's lead in drinking water standard at least once in the past three years. The events in Flint, Michigan have called greater attention to aging infrastructure, the need for prudent management and oversight of water systems, exposed gaps in the understanding of contaminants in water systems, and the potential for exposure to residents. Targeted investments and prioritization of resources will help EPA, States and communities respond to Flint and other affected communities in a manner that addresses the entire water system. The bill provides \$2.1 billion for water infrastructure programs including the Clean Water and Drinking Water State Revolving Funds (SRFs) and the Water Infrastructure Finance and Innovation Act (WIFIA) program. This includes an increase of \$207 million over the fiscal year 2016 enacted level for the Drinking Water SRF and \$50 million for the WIFIA program. To the extent possible, States should give greater weight to funding projects on State Intended Use Plans that would remove lead pipes from existing infrastructure. Based on current Administration estimates, the Committee believes that direct loan subsidization through \$50 million in the WIFIA program may be leveraged to fund anywhere from \$3 billion to \$5 billion worth of water infrastructure projects nationwide. In addition, for fiscal year 2017 the Committee has provided additional authority to allow States to provide debt relief in areas with elevated levels of lead in drinking water. It is important for States and communities to approach projects in a comprehensive, strategic manner. The replacement of aging infrastructure will not only help mitigate nationwide issues related to contaminants such as lead and arsenic, but will also help address Combined Sewer Overflows and Sanitary Sewer Overflows, and allow systems to improve water delivery for residents. As such, the bill allocates \$6.5 million to fully fund activities related to integrated planning, which will be increasingly necessary as States and communities evaluate drinking water and wastewater systems for lead contamination issues. Recognizing the value of State drinking

water programs, the Committee funds Public Water System Supervision grants as requested at \$109.7 million, a \$7.7 million increase for improved State oversight and operations. Finally, more information is necessary in order to understand the prevalence of lead pipes in the water infrastructure of cities around the country. To better understand the extent of the need, the Committee urges the Government Accountability Office to expeditiously assess the number of existing lead service lines by State. (p. 5)

Lead Test Kit.—The Committee fully supports activities by EPA, States, contractors and homeowners that result in the safe and proper reduction of lead paint in homes. The Committee believes it is incumbent upon contractors to be fully trained, certified and knowledgeable about the risks related to lead exposure especially for children and at-risk populations. It is imperative that EPA and the States continue to make those training opportunities readily available and easily accessible along with improved outreach to build awareness for homeowners during renovations. As the Committee follows EPA's implementation of the rule, the Committee raised concerns in fiscal year 2012 that EPA had not been meeting demand by offering the necessary volume and accessibility to training based upon training locations and dates offered. As such, EPA was required to adjust implementation and enforcement deadlines in the rule. In 2009, EPA stipulated that an in-home test kit could be developed along certain parameters that would allow contractors to quickly and efficiently identify whether lead paint was present during a renovation. EPA set a standard that has been unattainable to date, and redirects homeowners to solutions such as laboratory testing that are more costly and delay renovations. Those are the appropriate alternatives within the regulatory void that EPA has created, and those costs must be factored into EPA's cost/benefit analysis for the rulemaking. Further, the Committee notes that EPA's enforcement of paperwork violations has little effect on whether children have been exposed to lead paint. Therefore, the Committee finds the overall intent of the rule to have merit, but EPA's implementation and standards therein must be revisited via a formal comment period. (p. 64-65)

Minority Dissenting Views (p. 227) – Ranking Member Lowey offered an amendment to strike section 429, which delays implementation of EPA's lead renovation, repair, and painting rule. The amendment failed along party lines, and the majority effectively stripped EPA of one of its tools for addressing lead paint in homes.

Senate Interior Appropriations [Report 114-281](#)

Lead Test Kit.—In 2008, EPA adopted the Lead Renovation, Repair and Painting rule which included criteria by which the Agency could certify a test kit that contractors could use onsite to comply with the rule. The Committee is concerned that 8 years later, no kit has been developed that meets these standards. The Committee is concerned that this action is not adequate and is concerned that progress is not being made to identify a solution to this issue. If no solution is reached by the end of the fiscal year, EPA should reopen the rule and determine whether it is possible to include an opt-out provision until a test kit is certified that can comply with the rule. (p. 69)

Dust and Soil Evaluation.—The Committee recognizes that lead contaminated dust and soil found in homes is a significant source of lead exposure for children. The current hazard standards for lead in dust and soil are based on pre-1995 research, and may no longer be sufficient to protect children from lead poisoning. The Committee is aware that the Agency is currently making use of an Information Collection Request from the Department of Housing and Urban Development [HUD] in its deliberations on potential changes to the Lead Dust Standard. The Committee directs the Agency, in consultation with the Centers for Disease Control and Prevention and HUD, to provide the Committee with a report on the progress related to its deliberations related to lead-contaminated dust and soil within 90 days of enactment and every 180 days thereafter. Given the significant impact lead exposure can have on children and their development, once such deliberations are complete, the Committee urges the Agency to act expeditiously to take appropriate regulatory action, if warranted. (p. 72-73)

Consolidated Appropriations Act 2017 ([H.R. 244](#)), [Explanatory Statement for Division G \(Interior\)](#)

Lead Test Kit.-The Committees reiterate support for activities that result in safe and proper reduction of lead paint in homes and the protection of sensitive populations. Such support along with concerns about implementation challenges were expressed in House Report 114-632 and Senate Report 114-281. Consistent with the concerns outlined in the Committee reports, EPA should identify options to remedy implementation challenges that have persisted since 2009.

Legislative Text and Report Language in Full – Transportation, Housing and Urban Development

House Transportation, Housing and Urban Development (THUD) Appropriations [Report 114-606](#)

Lead hazards in assisted housing.—The Committee recognizes the need for updated lead inspection standards for federally assisted housing especially given the significant impact lead exposure can have on children and their development. The Committee believes that HUD has the statutory authority necessary to require more stringent inspections when checking homes for lead paint. HUD’s current visual lead inspections have proven insufficient, and more rigorous standards, such as requiring risk assessments prior to a family moving into a home, should be implemented to ensure that children living in federally assisted housing are protected from lead poisoning. (p. 94)

Lead hazards in housing study.—The Committee directs the Government Accountability Office (GAO) to report to the House and Senate Committees on Appropriations, not later than 180 days after enactment, on the issue of lead hazards in housing, including: (1) an assessment of the implications of changing Department regulations to align with the Centers for Disease Control and Prevention guidance; and (2) an assessment of the implications of requiring a risk assessment (beyond a visual assessment) for initial and periodic inspections for lead-based paint hazards for housing receiving federal assistance through HUD, and the impact it would have on landlord participation and the availability of affordable housing; (3) an analysis of whether existing federal programs and funding for lead hazard control activities in housing receiving federal assistance meet the current and evolving needs; (4) recommendations on how to improve coordination and leveraging of public and private funds to reduce the costs associated with the identification and remediation of lead hazards; and (5) an identification of existing partnerships among public housing agencies and public health agencies to address lead-based paint hazards, what gaps exist in compliance and enforcement, and whether the partnerships can be replicated and enhanced through better data collection and dissemination among stakeholders. The Committee directs the Department to provide a spend plan for all funds and activities in this account concurrent with the fiscal year 2017 operating plan and provide 3 days’ notice prior to the announcement of any grant. (p. 94-95)

Minority Dissenting Views (p. 175) – With regard to housing, the \$20 million increase for Lead Hazard Control would reduce lead poisoning rates and improve educational and behavioral outcomes for children. Now is not the time to slow our momentum in eliminating household toxins.

Senate THUD Appropriations Bill ([S. 2844](#))

p. 160-161

SEC. 238. (a) Section 302 of the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4822) is amended in subsection (e)—

(1) in paragraph (1)—

(i) by striking “handicapped” and inserting “persons with disabilities, or any 0-bedroom dwelling”;

(ii) by inserting “or” after “expected to reside;”; and

(iii) by striking “less than 7 years of age” and inserting “under age 6”;

(2) in paragraph (2) by striking “; or” and inserting “.”; and

(3) by striking paragraph (3).

(b) Section 1004 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851b) is amended in paragraph (27)—

(1) by inserting “or any 0-bedroom dwelling” after “disabilities,”; and

(2) by deleting “housing for the elderly or persons with disabilities) or any 0 bedroom dwelling” and inserting “housing)”.

(c) Section 401 of the Toxic Substances Control Act 7 (15 U.S.C. 2681) is amended in paragraph (17)—

(1) by inserting “or any 0-bedroom dwelling” after “disabilities,”; and

(2) by deleting “housing for the elderly or persons with disabilities) or any 0 bedroom dwelling” and inserting “housing)”.

p. 96-97

Provided further, That of the total amount provided under this heading, \$25,000,000 shall be available for competitive grants to public housing agencies to evaluate and reduce lead-based paint hazards in public housing by carrying out the activities of risk assessments, abatement, and interim controls (as those terms are defined in section 1004 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851b))

Senate THUD Appropriations [Report 114-243](#)

Lead-Hazard Control and Remediation.—The Centers for Disease Control and Prevention [CDC] estimate that 535,000 American children under 6 years of age are affected by lead poisoning. This preventable condition can result in children having reduced IQs and developing behavioral problems and learning disabilities. According to HUD, 70 percent of lead poisoning cases in the United States are the result of exposure to lead-based paint hazards in the home. This exposure usually stems from the presence of lead-based paint in homes built prior to 1978. Over the last decade, the Committee has provided more than \$1,000,000,000 for initiatives that address lead-based paint hazards in our Nation’s housing stock. These resources have helped to improve the condition of 78,032 homes and

the lives and health outcomes of 278,000 people. These funds were primarily used to address lead-based paint hazards in homes that were owned or occupied by low and very-low income families with children. However, the continued presence of lead-based paint hazards in HUD-assisted housing has only been fully revealed in recent news reports. These reports raise concerns that HUD has insufficient oversight to ensure that public housing agencies and property owners comply with regulations regarding inspections for and remediation of lead-based paint hazards. Furthermore, the Committee believes that HUD has failed to appropriately respond to the CDC's decision in 2012 to strengthen its blood lead level standard for children under 6 years old. HUD's blood lead level standard, which prescribes the level at which an environmental intervention must be performed in a unit, has not been changed since 1999. As a result, HUD's outdated standard permits children to live in homes that place them at risk of permanent neurological damage. To address these concerns, the bill and accompanying report include a deadline for the implementation of a new regulation that strengthens HUD's blood lead level standard, and a series of reforms and investments to address lead-based paint hazards in HUD-assisted housing and low-income housing in the private sector. The Committee includes reforms to current policies, an expansion of HUD's oversight and enforcement capacity, and additional funding for Public Housing Agencies [PHAs] and low-income homeowners to address lead-based paint hazards in the home. (p. 86-87)

Lead-Based Paint.—Lead exposure and poisoning can have a significant impact on the development of children under the age of 6. Yet, HUD is unable to verify what actions the more than 700,000 private landlords and property owners who participate in the program are taking to identify and address lead-based paint hazards in the more than 2 million housing units across the country. The Committee is extremely concerned that HUD lacks the necessary oversight and quality assurance of lead and routine physical inspections to determine whether lead-based paint hazards are present in these homes, particularly in units where there are children under the age of 6. The Committee is further concerned that HUD is unable to identify which units or quantify how much of the housing choice voucher stock meet the standards currently set-forth in HUD's physical inspection and lead-based paint hazard regulations. This information is essential to understanding the resource and health challenges faced by HUD, PHAs, and housing choice voucher residents. The Committee believes that the Department has the statutory authority to collect and analyze data on lead-based paint hazards in housing choice voucher units, and apply better quality assurance measures on routine physical inspections. While current HUD housing quality standards require that the physical condition of housing choice voucher units be free of health hazards, including lead-based paint, HUD's regulatory standards lack consistency and scientific rigor. The Committee notes that HUD's Housing Quality Standard [HQS] regulations limit lead inspections in housing choice voucher units to a visual review of chipped or deteriorated paint. Meanwhile, under the Uniform Physical Condition Standard [UPCS] regulations, public housing units are subject to more rigorous inspection standards, such as risk assessments, which require scientific testing of paint and dust samples found in the home. The Committee directs HUD to establish and implement a process that improves data collection and analysis of actions PHAs are taking to comply with lead-based paint regulations in housing choice voucher units by March 31, 2017, and report semi-annually to the House and Senate Committees on Appropriations on this progress. At a minimum, this report should include the steps HUD has taken to ensure PHAs and landlords are in statutory and regulatory compliance, as well as the number and location of units that are not in compliance with current inspections and lead-based paint regulations. The Committee also directs the Department to identify and report on the incidences and prevalence of lead-based paint hazards in housing choice voucher units. The Committee recognizes that States with the oldest housing stock will have more homes with lead-based paint, and notes that the mere presence of lead-based paint, where properly contained, should not preclude such units from participating in the housing choice voucher program. In order to improve communication with PHAs on lead-safe housing, the Committee directs the Department to issue clarifying guidance explaining the importance of lead-safe housing and the changes the Department is undertaking to align standards with CDC and improve its processes. The Committee recognizes that some PHAs are already effectively applying lead-safe standards, and directs HUD to identify and disseminate best practices on making, and keeping, units lead safe. In addition to disseminating best practices, the Department is directed to provide training on lead-safe housing issues targeted to PHA maintenance and

property management staff. Finally, the Committee strongly encourages PHAs to work closely with tenants to improve their awareness of lead-based paint hazards in the home. (p. 97-98)

Lead-Based Paint.—In 2010, Abt. Associates reported on capital needs in public housing and found that approximately 62,000 public housing units required lead-based paint abatement. Yet, HUD is unable to verify what actions the more than 3,100 public housing agencies are taking to identify and address lead-based paint hazards in the more than 1 million public housing units across the country. The Committee is extremely concerned that HUD lacks the necessary oversight and quality assurance of lead and routine physical inspections to determine whether lead-based paint hazards are present in these homes, particularly in units where there are children under the age of 6. The Committee is further concerned that HUD is unable to identify which units or quantify how much of the public housing stock meet the standards currently set forth in HUD’s physical inspection and lead-based paint hazard regulations. This information is essential to understanding the resource and health challenges faced by HUD, PHAs, and public housing residents. The Committee believes that the Department has the statutory authority to collect and analyze data on lead-based paint hazards in public housing units, and apply better quality assurance measures on routine physical inspections. While current HUD housing quality standards require that the physical condition of housing choice voucher units be free of health hazards, including lead-based paint, HUD inadequately performs quality assurance and oversight measures to enforce this requirement. The Committee notes that HUD’s Lead-Safe Housing Rule requires PHAs to conduct a lead inspection and risk assessment in all public housing units that predate 1978, and where a child under the age of 6 currently or is expected to reside. These units are subject to rigorous inspection standards that require scientific testing of paint and dust samples found in the home, and where necessary, abating or performing interim controls to make the unit livable and safe for these children. Under the Uniform Physical Condition Standard [UPCS] regulations, PHAs must maintain verification that this work has been performed, and at the time of routine physical inspection, provide the inspector with proof that a Lead-Based Paint Inspection was conducted, and where necessary, that a Lead-Based Paint Disclosure Form has been signed by the PHA and the resident. However, PHAs are not required to store this documentation at the property, and inspectors are only verifying the presence of documentation— there is no regulatory requirement to verify the content or findings of lead-based paint inspections or, where necessary, steps PHAs have taken to address any lead-based paint hazards. The Committee is concerned that UPCS does not require inspectors to verify that a public housing unit has been evaluated for, and to the extent necessary, made safe of lead-based paint hazards in accordance with lead-based paint regulations. The Committee is further dismayed that HUD does not analyze the lead-based paint section from the inspection checklist to determine a PHA’s compliance with lead-based paint regulations and, where necessary, identify and provide the necessary oversight to ensure they become compliant. The Committee directs HUD to establish and implement a process that improves data collection and analysis of actions PHAs are taking to comply with lead-based paint regulations in public housing units by March 31, 2017, and report semi-annually to the House and Senate Committees on Appropriations on this progress. At a minimum, this report should include the steps HUD has taken to ensure PHAs are in statutory and regulatory compliance, as well as the number and location of units that are not in compliance with current inspections and lead-based paint regulations. The Committee also directs the Department to identify and report on the incidences and prevalence of lead-based paint hazards in public housing units. The Committee also directs the REAC to provide monthly updates to the public housing program offices, in the field and headquarters, on UPCS inspections conducted in public housing that do not meet the lead-based paint documentation requirements outlined in HUD’s regulation. As HUD amends its blood lead level standards to align with the CDC’s standards, HUD anticipates more than 1,500 public housing units, where children under the age of 6 reside, will require an environmental intervention. The Committee recommendation includes \$25,000,000 to help PHAs address this new regulatory requirement. This funding shall be competitively awarded to PHAs to evaluate and reduce lead-based paint hazards in public housing units, which may include lead inspections, risk assessments, interim controls, and abatements. In order to improve communication with PHAs on lead-safe housing, the Committee directs the Department to issue clarifying guidance explaining the importance of lead-safe housing and the changes the Department is undertaking to align standards with CDC and improve its processes. The Committee recognizes that some PHAs are already effectively applying lead-safe

standards, and directs HUD to identify and disseminate best practices on making, and keeping, units lead safe. In addition to disseminating best practices, the Department is directed to provide training on lead-safe housing issues targeted to PHA maintenance and property management staff. Finally, the Committee strongly encourages PHAs to work closely with tenants to improve their awareness of lead-based paint hazards in the home. (p. 104-105)

Blood Lead Level Rule.—In fiscal year 2014, the Committee expressed concern regarding the exposure of children to lead-based paint hazards and noted that a heightened standard for blood lead levels had recently been adopted by the Centers for Disease Control and Prevention [CDC] in 2012. As a result of this new standard, the CDC now estimates that 535,000 American children under 6 years of age are affected by lead poisoning. Exposure to lead can have severe, lasting consequences for children under the age of 6 due their ongoing neurological development. The resulting harms can include reduced IQ, behavioral problems, and learning disabilities. HUD’s blood lead level standard, however, has not been updated since 1999, allowing for children’s blood lead levels to be three to four times higher than the CDC standard before requiring an environmental intervention. The Committee is extremely concerned that children are living in conditions in assisted housing that have been scientifically-proven to result in lifelong neurological damage. The Committee directs HUD to finalize regulatory action to update its standard for requiring an environmental intervention and adopt the blood lead levels currently advised by the CDC within 90 days after the enactment of this act. HUD estimates that this regulatory action will require an additional 6,100 environmental interventions in public and HUD-assisted housing units. This change could place additional cost burdens on public housing agencies, which are already unable to meet their deferred capital needs and do not have their administrative funding needs met either. The Committee has provided an additional \$25,000,000 in the Public Housing Capital Fund account to allow PHAs to meet this new regulatory requirement. **Grantee Coordination.**—Funds received by States and local governments under the Lead Hazard Reduction Demonstration and the Lead-Based Paint Hazard Control grant programs may be utilized to evaluate and address lead-based paint hazards in Section 8 voucher units. The Office of Lead Hazard Control and Healthy Homes currently gives preference to grantees that work with public housing agencies to address lead-based paint hazards in Section 8 voucher units. The Committee commends HUD for emphasizing the need to address lead-based paint hazards in Section 8 voucher units when awarding these grants and urges HUD to continue to address these needs in HUD-assisted housing stock in the private market. (p. 130-131)

Oversight and Enforcement of Lead-Based Paint Regulations.— The Committee is concerned that HUD lacks an appropriate level of oversight and enforcement of its lead-based paint regulations. Respective program offices within HUD are responsible for ensuring that grantees are in compliance with lead-based paint regulations, while the Office of Lead Hazard Control and Healthy Homes enforces lead-based paint regulations and provides technical assistance to HUD offices and grantees. The Committee directs GAO to review HUD’s policies, procedures, and processes for oversight to ensure that public housing agencies comply with lead-based paint regulations within 1 year after the date of the enactment of this act. The report shall: (1) analyze existing Federal programs for addressing lead-based paint hazards in dwellings receiving Federal housing assistance; (2) determine whether gaps exist in compliance and enforcement of HUD’s lead-based paint regulations; (3) identify existing partnerships with public housing agencies (including State housing finance agencies) and public health agencies in addressing lead-based paint hazards and determine whether those partnerships can be replicated and enhanced with better data collection, analysis, and dissemination among stakeholders; and (4) examine the appropriateness and efficacy of existing HUD protocols on reducing or abating lead-based paint hazards and whether they are aligned with accepted environmental health practices to ensure the best and appropriate health outcomes and reduce further exposure. (p. 131)

Consolidated Appropriations Act 2017 (H.R. 244)

Restates \$25 million from PHCF program for evaluation and reduction of lead-based paint hazards (p. 631)

Restates removal of exception for zero-bedroom dwellings (p. 654-655)

Consolidated Appropriations Act 2017 [Explanatory Statement for Division K](#) (THUD)

The agreement amends the Senate Report 114-243 directive for HUD to establish and implement a process that improves data collection and analysis of actions PHAs are taking to comply with lead-based paint regulations in housing choice voucher units. The agreement requires HUD to provide this report by June 30, 2017, and report semi-annually to the Committees on Appropriations on its progress. (p. 48)

The agreement no longer directs HUD to implement a lead inspection standard in assisted housing that is more stringent than the current visual inspection standard. The agreement directs the Government Accountability Office to report to the House and Senate Committees on Appropriations within one year of the date of enactment of this Act on: 1. The effectiveness of federal programs for addressing lead-based paint hazards in -- dwellings; 2. Current partnerships between public housing agencies (including State housing finance agencies) and public health agencies to address lead-based paint hazards, and determine whether those partnerships could be replicated and enhanced through improved data collection, analysis, and dissemination among stakeholders; 3. Gaps in compliance and enforcement of HUD's lead-based paint regulations; 4. Opportunities for improving coordination and leveraging of public and private funds in order to reduce the Federal costs associated with identifying and remediating lead-based paint hazards; 5. The effectiveness and efficiency of existing HUD protocols for identifying and addressing lead-based paint hazards, and determine whether those protocols are aligned with accepted environmental health practices to ensure the best and appropriate health outcomes and to reduce further exposure; and 6. HUD's process for assessing risks of lead-based paint hazards during initial and periodic inspections in dwellings occupied by households assisted under the Section 8 Housing Choice Voucher program and the impact, if any, on landlord participation and the availability of affordable housing. (p. 49)