

Legislation to protect children in public housing from lead exposure introduced in House and Senate

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Durbin, Menendez, Ellison and Quigley say HUD standards should be updated to reflect current science and agency should increase investment in prevention

WASHINGTON, D.C. – U.S. Senators Dick Durbin (D-IL) and Robert Menendez (D-NJ) joined U.S. Representatives Keith Ellison (D-MN) and Mike Quigley (D-IL) today in introducing legislation to protect children in affordable housing from lead poisoning. U.S. Representatives Dan Kildee (D-MI) and Brenda Lawrence (D-MI) are also cosponsoring the House bill.

Since the enactment of federal lead policies in the 1990's, lead poisoning rates have fallen dramatically. However, lead poisoning risk continues to disproportionately impact minority children that live in federally subsidized housing. The U.S. Department of Housing and Urban Development's (HUD) outdated and ineffective lead standards and regulations place millions of families with children at risk of lead poisoning because they are no longer consistent with the prevailing science.

The *Lead-Safe Housing for Kids Act of 2016* would require the Department of Housing and Urban Development (HUD) to adopt prevention measures and update its lead regulations to protect children from the risk of lead exposure.

“We know that there is no safe level of lead for children, yet the Department of Housing and Urban Development regulations seem to ignore this fact,” said Durbin who was prompted to introduce this legislation after reading a [*Chicago Tribune* article](#) about a family in low-income housing with elevated blood lead levels in all nine children. **“We have to bring these outdated lead standards up to date and consistent with the latest science. More than that, we must invest in prevention which has unparalleled cost savings for society - every dollar spent on lead hazard control yields a return of \$17 to \$221 in savings. Most importantly, lead poisoning prevention preserves a child's ability to reach his or her full potential. American children are depending on this legislation – it can't wait.”**

“No child should have to grow up in a home where simply breathing could cause irreparable harm,” said Menendez. **“We can't sit idly by while millions of children in this country are suffering from the health effects of lead poisoning, and thousands more may be vulnerable to exposure. This bill makes certain that our nation's affordable housing has the highest lead standards to limit exposure and keep families safe.”**

“No American should live in conditions that put their lives or the lives of their families at risk. While we have come a long way in fighting lead poisoning, millions of children are still at risk because of outdated regulations and examination techniques. It is time the Department of Housing and Urban Development updates its regulations to meet today's health standards. The Lead-Safe Housing Kids Act of 2016 does just that and will keep Americans safe in their homes,” said Ellison.

“Congress must do all it can to ensure safe, affordable housing is available without the threat of lead exposure to children and families,” said Quigley. “I’m proud to introduce the Lead-Safe Housing Kids Act with Senators Durbin and Menendez and Representatives Ellison, Lawrence and Kildee. The bill better protects families and children from lead poisoning by prohibiting woefully inadequate visual inspections as an acceptable means of detecting lead. Additionally, this legislation would require HUD to create a process for families to relocate on an emergency basis if a lead hazard is identified in the home. It is the duty of Congress to ensure our lead regulations are up to date and consistent with modern detection methods so that we can better protect children from the harmful consequences of exposure.”

The Centers for Disease Control and Prevention (CDC) calls for a public health intervention when a child’s blood level is 5 µg/dL (micrograms of lead per deciliter). Under current HUD regulations, however, intervention to reduce lead hazards in a home is not required until the amount of lead in a child is four times as high – 20 µg/dL. Lead poisoning left unaddressed by the outdated HUD levels can cause irreversible and long-term health, neurological, and behavioral damage in children. Children with lead poisoning require ongoing medical treatment and special education services, and studies have demonstrated the profound impact of childhood lead poisoning on outcomes such as school graduation rates. Today’s legislation would bring HUD’s policies in line with the CDC recommendations and the current science on lead exposure.

The *Lead-Safe Housing for Kids Act of 2016* has been endorsed by the National Center for Healthy Housing, the Green and Healthy Homes Initiative, the Health Justice Project, the Sargent Shriver National Center for Poverty Law, the Erie Family Health Center, the Environmental Advocacy Clinic of Northwestern University School of Law, United Parents Against Lead, the Louisiana Roundtable for the Environment, A Community Voice, the Southern United Neighborhoods and the Housing and Community Development Network of New Jersey.

“Federal housing policies are not aligned with the prevailing science or the US Centers for Disease Control and Prevention standards. As a result, too many children and families are coping with the permanent and devastating effects of lead poisoning,”said Emily Benfer, the Director of the Health Justice Project. **“The *Lead-Safe Housing for Kids Act of 2016* ensures that children living in federally assisted housing have the ability to flourish and reach their fullest potential. The Health Justice Project at Erie Family Health Center and Loyola University Chicago School of Law unequivocally support this measure and applaud Senator Durbin and the sponsors of the bill for protecting our children and their future.”**

Specifically, the *Lead-Safe Housing for Kids Act of 2016* would ensure federal lead standards are updated in accordance with the best available science by:

- Requiring HUD to align the definition of lead poisoning with the CDC's blood level reference value or the most current CDC lead poisoning prevention definitions and guidance; and
- Requiring the Environmental Protection Agency and HUD to update the outdated lead-contaminated dust and lead-contaminated soil standards, used to identify lead hazards in homes and the environment, to conform to the prevailing science.

HUD's regulations are also ineffective in promoting prevention measures used to identify lead hazards before a child is exposed to lead or poisoned by lead in the home. The consequence is that families can be presented with the impossible decision of remaining in unsafe housing or risking homelessness. Specifically, today's legislation would improve primary prevention measures to protect children in low-income housing by:

- Requiring HUD to issue rules requiring an initial risk assessment for low-income housing constructed prior to 1978 for lead-based hazards prior to a family with a child under 6 years of age moving in and clarify that a visual inspection is insufficient for an initial risk assessment;
- Removing the lead inspection exemption for a zero-bedroom dwelling unit (studio apartment) that will be occupied by a child under the age of 6; and
- Providing a process for families to relocate on an emergency basis, without penalty or the loss of assistance, if a lead hazard is identified in the home and a child is found to have an elevated blood lead level.

Finally, the *Lead-Safe Housing for Kids Act of 2016* would require the Government Accountability Office to submit a report to Congress on identifying and remediating lead hazards in federally assisted housing and evaluate ways to improve the coordination and leveraging of public and private partnerships to increase prevention interventions to reduce lead exposure among children. Appropriations are authorized as necessary to carry out the requirements of the law for five years.