

# DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

## Office of Lead Hazard Control and Healthy Homes

### Lead Hazard Reduction

#### SUMMARY OF RESOURCES

(Dollars in Thousands)

	Enacted/ Requested	Carry over	Supplemental/ Rescission	Total Resources	Obligations	Net Outlays
2022 Appropriation	415,000	371,867	-	786,867	250,782	114,998
2023 Appropriation	410,000	510,360	-	920,360	428,000	200,000
2024 President's Budget	410,000	492,360	-	902,360	338,000	318,000
Change from 2023	-	(18,000)	-	(18,000)	(90,000)	118,000

a/ 2022 obligations include \$245 thousand in upward adjustments.

#### PROGRAM PURPOSE

The Office of Lead Hazard Control and Healthy Homes (OLHCHH) programs protect low-income families, particularly those with children and other vulnerable populations, such as the elderly, from exposures to lead paint, the lead-contaminated dust and soil that lead paint creates, and from multiple health hazards in homes that contribute to such conditions as asthma, cancer, and/or unintentional injuries. OLHCHH funds grants that reduce lead-based paint hazards and other housing-related health and safety hazards, enforces lead-based paint regulations, provides outreach and technical assistance, and funds technical studies to develop and evaluate cost-effective methods to protect children and their families from health and safety hazards in the home. OLHCHH also conducts demonstrations of programs that identify and remediate housing-related hazards individually and in collaboration with other HUD offices and/or other agencies. For 2024, these demonstrations would include collaborating on the Healthy Homes and Weatherization Cooperation Demonstration, and Radon Testing and Mitigation Resident Safety Demonstration, and, new in 2024, the Income Eligibility Harmonization and Coordinated Lead Service Line Replacement Demonstrations. As further described in HUD's 2022-2026 Strategic Plan (Goal 4), HUD is committed to reducing exposure to health risks, environmental hazards, and substandard housing, especially for low-income households and communities of color, who are disproportionately impacted by these threats.

#### BUDGET OVERVIEW

The 2024 President's Budget requests \$410 million for OLHCHH, which is equal to the 2023 enacted level.

- **Lead Hazard Reduction Grants:** \$160 million in grants to make over 13,300 unassisted low-income older homes free of lead-based paint hazards.
- **Lead Hazard Reduction Demonstration:** \$105 million in grants to make 8,800 unassisted low-income older homes in jurisdictions with the most pre-1940 rental housing and highest rates of childhood lead poisoning cases free of lead-based paint hazards.
- **Healthy Homes Grants and Support:** \$125 million in grants under the Healthy Homes Initiative to, as described below, mitigate over 26,000 homes of low-income families of housing-related health and safety hazards and provide grants and contracts to conduct research into associated issues.
  - \$35 million in Healthy Homes Supplements to the Lead Hazard Reduction and Lead Hazard Reduction Demonstration grant programs, above, to mitigate multiple health

- hazards (besides the lead-based paint hazards that those programs address) that contribute to asthma, cancer, and unintentional injuries in 9,300 homes of low-income families (assumes per-unit cost of \$3,800).
- \$45 million in Healthy Homes Production grants to identify and correct housing-related health and safety hazards besides lead-based paint hazards in 10,000 homes of low-income families (assumes per-unit cost of \$4,500).
  - \$10 million in Healthy Homes Technical Studies grants, cooperative agreements, and contracts, to develop detection, evaluation, and control technologies regarding housing-related health and safety hazards other than lead-based paint hazards, demonstrate the health and economic benefits of interventions, and conduct and analyze the results of the surveys, providing the basis for the building, housing, scientific, and public health communities to implement effective hazard prevention practices and address the hazards more efficiently and broadly when they occur. The technical studies and assistance activities also include technical support and training, designing and implementing grant management and evaluation tools, and interagency collaboration projects.
  - \$5 million in Healthy Homes and Weatherization Cooperation Demonstration Supplements to Healthy Homes Production grants to demonstrate, in over 1,000 homes of low-income families, whether the coordination of Healthy Homes remediation activities with weatherization activities achieves cost savings and better outcomes in improving the safety and quality of their homes (assumes per-unit cost of \$5,000).
  - \$30 million in Aging in Place Modification grants to treat housing-related health and safety hazards in 6,000 homes of low-income seniors to help enable them to age in place, of which \$10 million is for substantially rural communities (assumes per-unit cost of \$5,000).
- Radon Testing and Mitigation Resident Safety: \$5 million in Radon Testing and Mitigation Resident Safety Demonstration grants for radon testing and mitigation in 1,600 public housing units with radon levels at or above the Environmental Protection Agency (EPA)'s radon action level, in areas identified by the EPA or a State or local government as having high potential for elevated indoor radon levels (assumes per-unit cost of \$3,100).
  - Lead Technical Studies and Support: \$5 million to develop detection, evaluation, and control technologies regarding lead-based paint hazards, and provide the basis for the building, housing, scientific, and public health communities to address the hazards more efficiently and broadly. The technical studies and assistance activities are conducted through grants, cooperative agreements, and contracts, and include technical support and training, designing and implementing grant management and evaluation tools, and interagency collaboration projects.
  - Coordinated Lead Service Line Replacement: \$10 million grants to communities to replace lead service lines to HUD-assisted housing to demonstrate efficient approaches to safely replacing those lead service lines.

## JUSTIFICATION

### Equity

Funding in the 2024 Budget will advance equity through enhanced targeting of disadvantaged communities, particularly benefitting low-income communities and communities of color by implementing the Administration's Justice40 Initiative under Executive Order 14008, and by implementing statutory (e.g., 42 U.S.C. § 4852) and policy-based prioritization of low-income families. OLHCHH will continue partnering with the Office of Policy Development and Research (PD&R) in developing and refining data-driven methods for enhancing targeting of its grants to these communities and families.

**Funding Impact**

This request will fund making approximately 50,000 homes of low-income families healthy and safe, benefitting over 61,000 children and over 8,000 seniors. This will decrease the number of children in these homes with elevated blood lead levels, asthma, and other illnesses and injuries, reducing societal costs (healthcare, reduced educational achievement, reduced income, etc.).

**Key Assumptions**

The number of housing units to be treated under this program is estimated based on the commitments by grantees in the respective programs in their 2022 applications for funding.

**Outcomes, Performance Indicators, and Other Evidence**

OLHCHH's programs will decrease the number of children in these homes with elevated blood lead levels, asthma, and other illnesses and injuries, reducing societal costs such as related to healthcare, reduced educational achievement, reduced income, etc.<sup>1,2,3</sup>

Through the grantees' solicitation of contractors for identifying housing-related health and safety hazards in homes of low-income families and mitigating those hazards, among other activities under the program, it will support the availability of such contractors for working on homes beyond the scope of the grants, that is, using the infrastructure developed and supported by the program more widely.

The Key Performance Indicator for the implementation of the funding will be the number of housing units made lead safe and/or healthy because of the funded activities. The target number will be specified in the Annual Performance Plan and tracked with reporting in the Annual Performance Report.

**Stakeholders**

The primary stakeholders of the OLHCHH's grants and contracts are the grantees within the respective programs, which include State and local governments, as well as tribal governments, nonprofit organizations, research organizations (such as universities, State and local governmental research offices, and private-sector research firms). For OLHCHH's contracts, the primary stakeholders are specialty contractors, such as for research, training, and outreach activities. Secondary stakeholders include residential environmental assessment professional firms (in a range of disciplines), residential hazard control firms (again, in a range of disciplines), trade groups of categories of such firms and of categories of housing affected by the office's programs, and residents of the homes on which the office's hazard evaluation and control projects are conducted.

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<sup>1</sup> Nurmagambetov TA, Barnett SB, Jacob V, Chattopadhyay SK, Hopkins DP, Crocker DD, Dumitru GG, Kinyota S; Task Force on Community Preventive Services. Economic value of home-based, multi-trigger, multicomponent interventions with an environmental focus for reducing asthma morbidity a community guide systematic review. *American Journal of Preventive Medicine*. 2011 Aug;41(2 Suppl 1):S33-47. <https://doi.org/10.1016/j.amepre.2011.05.011>.

<sup>2</sup> Trasande, Leonardo and Liu, Yinghua. Reducing the Staggering Costs of Environmental Disease in Children, Estimated at \$76.6 Billion In 2008. *Health Affairs* 30(5) (2011). <https://doi.org/10.1377/hlthaff.2010.1239>.

<sup>3</sup> Gould, Elise. Childhood lead poisoning: conservative estimates of the social and economic benefits of lead hazard control. *Environmental Health Perspectives* 117(7):1162-7 (2009). [www.ncbi.nlm.nih.gov/pmc/articles/PMC2717145/](http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2717145/).

## Operational Improvements

Under the Income Eligibility Harmonization Demonstration (see Appropriations Language Changes), OLHCHH will significantly reduce the burden on potential beneficiaries of its grant programs, provided they are beneficiaries of the Department of Energy's Weatherization Assistance Program, the Department of Health and Human Services Low-Income Home Energy Assistance Program, or the Department of Veterans Affairs Supportive Services for Veterans Families Program.

OLHCHH coordinates disparate health and housing agendas, supports key research, targets grant monitoring and regulatory compliance enforcement efforts, and provides tools to build sustainable local programs that mitigate housing-related health hazards. OLHCHH assists State, tribal, and local governments, both directly and through collaboration with other HUD offices, in remedying unsafe housing conditions and addressing the acute shortage of decent and safe dwellings for low-income families. OLHCHH collaborates with nonfederal partners, especially philanthropies, to create local, regional, and national partnerships in both the childhood lead safety and the healthy homes arenas. OLHCHH has strong collaborations with other Federal Agencies, such as the Departments of Health and Human Services, Agriculture, Energy, and Labor, and the Environmental Protection Agency and Consumer Product Safety Commission. It also collaborates with advisory committees and working groups, such as its chairing of the Healthy Homes Working Group and of the Lead Exposure and Prevention Advisory Committee and participates in the President's Task Force on Environmental Health Risks and Safety Risks to Children (including co-chairing its Lead Subcommittee), Asthma Disparities Working Group, Federal Bedbug Working Group, and National Radon Action Plan Workgroup.

OLHCHH will continue reporting on grantee progress quarterly through HUD's Agency Priority Goal reporting and annually through HUD's Annual Performance Report.

## Lead Hazard Reduction Programs

Lead paint in housing presents one of the largest threats to the health, safety, and future productivity of America's children; it is estimated that 29 million homes (44 percent of the homes built before 1978) have significant lead-based paint hazards.<sup>4</sup> OLHCHH's two main programs are the Lead Hazard Reduction grant program and Lead Hazard Reduction Demonstration grant program, which share the same goal to make privately owned low-income older (pre-1978) housing lead-safe (42 U.S.C. § 4852). The main distinction between the two programs is that the Lead Hazard Reduction Demonstration grant program (begun in 2003) focuses on jurisdictions with the most pre-1940 rental housing and highest rates of childhood lead poisoning cases, while the original Lead Hazard Reduction grant program (begun in 1993) is open to a broader range of States, Native American Tribes, and communities. Funding is projected to make the housing units enrolled in the programs lead-safe at an average of \$12,000 per unit, based on Lead Hazard Reduction grant program data.

HUD has rigorously evaluated the effectiveness of the programs, determining them effective in both reducing children's blood lead levels<sup>5</sup> and proving the long-term effectiveness of the hazard controls.<sup>6</sup> The programs offer high returns for children's reduced healthcare costs and later increased work productivity, i.e., \$17–\$221 per dollar controlling lead paint hazards.<sup>7</sup>

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<sup>4</sup> HUD Office of Lead Hazard Control and Healthy Homes. American Healthy Homes Survey II Lead Findings. October 29, 2021. [www.hud.gov/sites/dfiles/HH/documents/AHHS\\_II\\_Lead\\_Findings\\_Report\\_Final\\_29oct21.pdf](http://www.hud.gov/sites/dfiles/HH/documents/AHHS_II_Lead_Findings_Report_Final_29oct21.pdf).

<sup>5</sup> Clark S, et al. Effects of HUD-supported lead hazard control interventions in housing on children's blood lead. *Env. Research.* 111(2):301–311 (2011). <https://doi.org/10.1016/j.envres.2010.11.003>.

<sup>6</sup> Dixon SL, et al. Window replacement and residential lead paint hazard control 12 years later. *Env. Research.* 113(1):14-20 (2012). <http://doi.org/10.1016/j.envres.2012.01.005>.

<sup>7</sup> Gould E. *Op. cit.*:

## Healthy Homes

The Healthy Homes program goes beyond addressing lead-based paint hazards to cover other serious threats to low-income residents' health and safety. A major portion of the Healthy Homes funding is for Healthy Homes Supplements to the Lead Hazard Reduction and Lead Hazard Reduction Demonstration grants, which allow those grantees to address residential hazards in the same low-income older homes where grantees are controlling lead-based paint hazards. The Healthy Homes Supplement outreach, recruitment, enrollment, and monitoring processes for getting work done in the home have already been developed and implemented for the lead hazard control work, so that smaller, incremental efforts are needed to assess for and mitigate hazards other than lead-based paint. Funding for Healthy Homes Supplements is projected to make homes healthy at an average cost of \$3,800 per unit. Another major portion of the Healthy Homes funding is for the Healthy Homes Production Program to address residential hazards that are not primarily lead-based paint hazards in housing of low-income families. Healthy Homes programs yield high returns on investment. For example, reducing household allergens that contribute to asthma and allergies yields \$5.30 - \$16.50 per dollar invested,<sup>8</sup> and installing battery-operated smoke alarms yields \$18 per dollar invested.<sup>9</sup>

Healthy Homes also funds the Aging in Place Modification program, which provides funding to treat housing-related health and safety hazards in housing of low-income seniors to help enable them to age in place. In 2024, one third of Aging in Place Modification funding will go to substantially rural communities. Healthy Homes and Weatherization Cooperation Demonstration Supplements to Healthy Homes Production grants will continue the demonstration of whether the coordination of Healthy Homes remediation activities with weatherization activities achieves cost savings and better outcomes in improving the safety and quality of low-income homes.

The OLHCHH program funds support services contracts for a grants management and evaluation tool for OLHCHH's grants, and for a regulatory information public use tool. The Healthy Homes Grants Management System (HHGMS) uses a commercial platform for providing grant application processing support, grantee document management, grant progress tracking, quarterly progress report generation, and query responses for its grantee and OLHCHH grant monitoring staff users. OLHCHH's Lead Compliance Advisor provides a robust electronic regulatory implementation decision-support engine, available to the public via HUD's website, and provides online advice about the requirements of the Lead Safe Housing Rule (24 CFR part 35, subparts B – R) to owners and managers of HUD-assisted housing built before 1978 that are covered by the rule. OLHCHH will need to maintain access to these services and to enhance and expand their functionality available to the Department as business requirements or congressional requirements on their respective subject matters evolve.

## Technical Studies, Support and Contracts

The 2024 Budget includes \$15 million in grants, cooperative agreements, and contracts for Lead and Healthy Homes Technical Studies and Support (\$5 million for Lead Technical Studies and \$10 million from within the Healthy Homes Program). The funding will continue HUD's significant progress furthering the national understanding of housing conditions and their connections to resident health, which includes identifying effective interventions and preventive practices and demonstrating the health benefits of interventions to reduce or eliminate health and safety hazards in homes.

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<sup>8</sup> Nurmagambetov TA et al. *Op. cit.* :

<sup>9</sup> Children's Safety Network/Pacific Institute for Research and Evaluation. Injury Prevention: What Works? A Summary of Cost-Outcome Analysis for Injury Prevention Programs (2014 Update)

The technical studies conducted to date have helped develop detection, evaluation, and control technologies for lead and other residential hazards, providing the basis for the construction, housing, scientific, and public health communities to address the hazards more efficiently and broadly. The technical studies and support activities are conducted through grants, cooperative agreements, and contracts, and include technical assistance and training, grant management and evaluation tools, and interagency collaboration projects.

Healthy Homes program funds also support contracts for national surveys, training, and public education programs that help State, local, and nongovernmental agencies, housing industry stakeholders, and the public to understand the issues; and the Healthy Homes Technical Studies Grant Program, which develops and evaluates effective interventions and preventive practices to reduce or eliminate health and safety hazards in homes.

As part of the technical studies funding, HUD is proposing to continue to allow OLHCHH to transfer up to \$2 million of its funds for research to PD&R. Part of the Lead and/or Healthy Homes research funds can then be awarded as cooperative agreements through PD&R, allowing those funds to be awarded in a faster and more targeted manner.

OLHCHH's Lead Technical Studies allocation would also fund \$828 thousand for OLHCHH's Healthy Homes Grants Management System, which includes \$346 thousand for annual maintenance and \$482 thousand for conducting perfective and adaptive maintenance to automate capture of grant applicant data from GrantSolutions for review and award.

This investment will support maintenance of this system and will provide for enhancements and expanded functionality as business requirements, in particular, for the grant application data intake automation project, or congressional requirements evolve. The HHGMS system, using the Salesforce platform, provides application processing, document management, grant tracking, quarterly progress reporting, and query responses for its users. OLHCHH will continue to need support maintaining this system and failure to address these needs would result in less efficient and effective grant oversight data collection and reporting.

### **Demonstration Programs**

For 2024, OLHCHH would collaborate with other HUD offices and other agencies on four demonstrations: the Healthy Homes and Weatherization Cooperation Demonstration, Radon Testing and Mitigation Resident Safety Demonstration, and Consolidated Lead Service Line Replacement Demonstration, described in the Healthy Homes section, above, and the Income Eligibility Harmonization Demonstration, described in the Legislative Proposals and General Provisions section, below.

The Budget also proposes funding for grants for radon testing and mitigation in public housing. The continuation of this resident safety demonstration, initiated using 2021 funding, would allow more public housing agencies to mitigate elevated radon levels and provide HUD with additional implementation information for consideration of subsequent steps in addressing radon in public housing. OLHCHH would continue to implement this demonstration in collaboration with the Office of Public and Indian Housing, including development, award, and management of one or more grants, contracts, or other funding vehicles, with each office providing its technical, managerial, and administrative skills to their respective portions of the demonstration.

The Budget also proposes funding for grants for a demonstration of coordinated replacement of lead service lines to HUD assisted housing. The Infrastructure Investment and Jobs Act (IIJA; P.L. 117-58; also known as the "Bipartisan Infrastructure Law") funds \$3 billion in 2024 for capitalization grants from EPA to the Drinking Water State Revolving Funds for lead service line replacement (less 2.5 percent for EPA salaries and expenses and Inspector General oversight funds) as part of a

five-year, \$15 billion dollar lead service line replacement program. That amount, being the single largest investment in water that the Federal Government has ever made, is substantial, but there are an estimated 6 to 10 million lead service lines in cities and towns across the country.<sup>10</sup> Accordingly, not all lead service lines will be replaced under the IIJA. While the IIJA (*at* sec. 50105) gives “priority” or “first priority” to “disadvantaged communities based on the affordability criteria [under the Safe Drinking Water Act], low-income homeowners, and landlords or property owners providing housing to low-income renters,” however, this IIJA funding will likely only replace about half of the lead services lines in the Nation<sup>11</sup>. Accordingly, the Budget includes \$10 million for grants to communities to replace lead service lines to HUD-assisted housing, with this program’s work to be performed in coordination with activities of the public water systems near such housing units, whether under the IIJA, other provisions of the Safe Drinking Water Act, or State or local acts. This funding is to demonstrate if any such coordination approaches are efficient in replacing those lead service lines, and, if so, which such approaches and to what extent they enhance efficiency.

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<sup>10</sup> EPA. Bipartisan Infrastructure Law. Water Infrastructure Investments. <https://www.epa.gov/infrastructure/water-infrastructure-investments>.

<sup>11</sup> EPA. LSLR Financing Case Studies. <https://www.epa.gov/ground-water-and-drinking-water/lslr-financing-case-studies>. Data on lead service line replacement financing case studies for Galesburg, IL, and Ashland, WI.

**SUMMARY OF RESOURCES BY PROGRAM**

(Dollars in Thousands)

Budget Activity	2022 Budget Authority	2021 Carry over Into 2022	2022 Total Resources	2022 Obligations	2023 Appropriation	2022 Carry over Into 2023	2023 Total Resources	2024 President's Budget
Lead Hazard Reduction Grant Program	195,000	185,266	380,266	47,119	195,000	333,147	528,147	160,000
Lead Hazard Reduction Demonstration Program	95,000	48,081	143,081	77,353	95,000	65,728	160,728	105,000
Technical Studies and Assistance	5,000	5,781	10,781	1,656	5,000	8,253	13,253	5,000
Lead-Risk Assessment Demonstration	25,000	-	25,000	-	25,000	25,000	50,000	-
Healthy Homes	75,000	108,995	183,995	123,654	55,000	58,232	113,232	95,000
Home Modification Grant Program	15,000	1,000	16,000	1,000	30,000	15,000	45,000	30,000
Radon Testing and Mitigation Resident Safety Demonstration	5,000	-	5,000	-	5,000	5,000	10,000	5,000
Coordinated Lead Services Line Removal	-	-	-	-	-	-	-	10,000
Lead-Based Paint Hazard Reduction Neighborhood	-	22,744	22,744	-	-	-	-	-
<b>Total</b>	<b>415,000</b>	<b>371,867</b>	<b>786,867</b>	<b>250,782</b>	<b>410,000</b>	<b>510,360</b>	<b>920,360</b>	<b>410,000</b>

a/ 2022 obligations include \$245 thousand in upward adjustments.

**LEGISLATIVE PROPOSALS AND GENERAL PROVISIONS****Appropriations Language Changes**

The 2024 President's Budget includes the following:

- **Income Eligibility Harmonization Demonstration:** This demonstration, provides that, for determining the eligibility of a family to be a beneficiary of an OLHCHH grant based on the family's income being low, the OLHCHH's grantees may use income eligibility determinations made for other HUD programs, or the Department of Energy's (DOE's) weatherization assistance program, the Department of Health and Human Services' (HHS') low income home energy assistance program, or the Department of Veterans Affairs' supportive services for veteran families program for such families who are occupying permanent housing, without duplicating the income verification process. The demonstration is derived from income



eligibility harmonization work group discussions among the Agencies above.<sup>12</sup> Its results will be used to determine if and how to expand this approach to additional programs. No additional costs are required and, as a result of the demonstration, grantee and assisted housing owner costs are expected to be reduced, allowing more housing units to have their hazards mitigated. This proposal is being made for the first time. Stakeholders, which are local jurisdictions and some States, are anticipated to support the proposal for business efficiency reasons.

- **Lead Risk Assessment Demonstration Eligible Activities:** The Budget allows the Lead Risk Assessment Demonstration, enacted by HUD’s 2022 and 2023 appropriation acts (P.L. 117-103 and 117-328), to cover the cost of a risk assessment (to identify lead-based paint hazards in paint, dust, and soil), and the control of identified lead-based paint hazards. The Budget also enables HUD to assess the effects of different strategies for assisting landlords of pre-1978 housing units that families with one or more children under six seek to rent using a housing choice voucher.
- **Coordinated Lead Service Line Replacement Demonstration:** The Budget proposes funding for grants for a demonstration of coordinated replacement of lead service lines supplying drinking water to HUD assisted housing to demonstrate if any such coordination approaches are efficient in replacing those lead service lines, and, if so, which such approaches and to what extent they enhance efficiency. Note the detailed description in the Demonstration Programs section above.

## General Provisions

The 2024 President’s Budget proposes the following new general provision:

**Expenditure Deadline Extensions:** This provision extends by two years the expenditure period for previously appropriated Lead Hazard Reduction funds. (Sec. 229)

## Legislative Proposals

The 2024 Budget supports the following legislative proposals and will seek changes through the authorization process:

- **An increased threshold for lead abatement under the Lead Safe Housing Statute (42 U.S.C. 4822(a)(1)) to reflect inflation since the 1992 enactment of that statute:** The lead abatement threshold is met when Federal rehabilitation assistance is greater than the fixed amount of \$25,000 per unit (42 U.S.C. 4822(a)(1), enacted under Section 1012 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (“Title X”). Inflation since the 1992 enactment of Title X (when the dollar threshold was established) means that a rehabilitation project of about \$11,300 at the time of enactment would cost, in 2024, over \$25,000. As a result, the abatement of units is required for projects with much less real-dollar rehabilitation assistance than Congress intended. This can induce local funding agencies to not rehabilitate many of the units they would have in previous years, leaving them to continue exposing young children to avoidable health risk. To restore the real-world meaning of the abatement threshold, adjusting

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<sup>12</sup> The work group was created based on direction in H. Rept. 116-83, Energy and Water Development and Related Agencies Appropriations Bill, 2020 ([www.congress.gov/congressional-report/116th-congress/house-report/83/1](http://www.congress.gov/congressional-report/116th-congress/house-report/83/1)). Efforts in this field have yielded DOE’s Program Notice 22-5, Expansion of Client Eligibility in the Weatherization Assistance Program (WAP), December 8, 2021, allowing WAP use of HUD’s means-tested programs’ income qualifications ([www.energy.gov/sites/default/files/2021-12/wpn-22-5.pdf](http://www.energy.gov/sites/default/files/2021-12/wpn-22-5.pdf)), DOE’s rule allowing WAP use of HHS’ Low Income Home Energy Assistance Program income qualifications (10 CFR 440.22(a)(3)), and, for the OLHCHH’s programs, Policy Guidance 2017-05, Income Verification Guidance, allowing their use of Community Planning and Development programs,’ and Housing Choice Voucher program’s income eligibility criteria:

[www.hud.gov/sites/dfiles/HH/documents/PG\\_2017\\_05\\_Income\\_Verification\\_Guidance\\_Revision\\_Finalrv.pdf](http://www.hud.gov/sites/dfiles/HH/documents/PG_2017_05_Income_Verification_Guidance_Revision_Finalrv.pdf).

the threshold for inflation is necessary. The proposed statutory amendment would authorize the Secretary to, annually, use a publicly available inflation index to determine the abatement threshold. No additional costs are required because the proposal pertains to how underlying assistance awards will be used; no additional assistance is being provided. This amendment has been proposed in several previous years but not enacted. With the current high emphasis on lead safety in housing, children's health advocates and low-income family advocates, as well as local and State governments and nonprofit organizations that rehabilitate older HUD-assisted housing are anticipated to support the proposal.

- Subpoena authority for the Lead Disclosure Statute (42 U.S.C. 4852d(a)): This proposal would eliminate a statutory gap and allow HUD to obtain documents from rental housing owners suspected of violating this statute and who are not cooperating with the investigation. The Lead Disclosure Statute provides information to families renting or buying older (pre-1978) homes that may have lead-based paint. This subpoena authority relates to owners of pre-1978 housing who have been recalcitrant in providing documents in response to requests from the Department. While HUD and EPA have joint authority for enforcing the statute, only EPA has the authority to issue subpoenas, which it has under the Toxic Substances Control Act (15 U.S.C. § 2610(c)), an EPA authority unavailable to HUD. This legislative proposal would provide HUD with its own subpoena authority, allow HUD to conduct these investigations in a more timely and efficient manner than it can currently, and eliminate HUD's automatically having to terminate an investigation into a disclosure violation when the owner refuses to provide relevant documents. The subpoena authority authorization is budget-neutral. HUD will consult EPA in drafting proposed authorization language. If enacted, OLHCHH will begin the regulatory development (within 24 CFR 35, subpart A, its lead disclosure rule) to implement the legislation, and will consult with EPA during regulatory development.
- Authorization for the Healthy Homes program: Currently, the Healthy Homes program relies on section 501 and 502 of the Housing and Community Development Act of 1970 (12 U.S.C. §§ 1701z-1 and 1701z-2), which provides broad authority for the Department to undertake research, studies, testing, and demonstrations relating to the mission and programs of the Department. This authorization would statutorily establish the Healthy Homes Program by amending the Residential Lead-Based Paint Hazard Reduction Act of 1992 to expand the scope of certain provisions to encompass housing-related health and safety hazards more broadly. It would give consistency to the lead hazard control and the healthy homes processes and findings and facilitate housing owners' obtaining assistance from a variety of Federal resources.

## APPROPRIATIONS LANGUAGE

The 2024 President's Budget includes proposed changes in the appropriations language listed below. New language is italicized, and language proposed for deletion is bracketed.

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4852), the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z-1 and 1701z-2), and for related activities and assistance, \$410,000,000, to remain available until September 30, [2025] *2026: Provided*, That the amounts made available under this heading are provided as follows: (1) [\$290,000,000] *\$265,000,000* shall be for the award of grants pursuant to such section 1011, of which not less than [\$95,000,000] *\$105,000,000* shall be provided to areas with the highest lead-based paint abatement needs; (2) [\$85,000,000] *\$125,000,000* shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970, which shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards, and mitigating housing-related health and safety hazards in housing of low-income

families, of which— (A) \$5,000,000 shall be for the implementation of projects in [up to five] communities that are served by both the Healthy Homes Initiative and the Department of Energy weatherization programs to demonstrate whether the coordination of Healthy Homes remediation activities with weatherization activities achieves cost savings and better outcomes in improving the safety and quality of homes; and (B) \$30,000,000 shall be for grants to experienced non-profit organizations, States, local governments, or public housing agencies for safety and functional home modification repairs and renovations to meet the needs of low-income seniors to enable them to remain in their primary residence: *Provided*, That of the total amount made available under this subparagraph no less than \$10,000,000 shall be available to meet such needs in communities with substantial rural populations; (3) \$5,000,000 shall be for the award of grants and contracts for research pursuant to sections 1051 and 1052 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4854, 4854a); (4) Up to \$2,000,000 in total of the amounts made available under paragraphs (2) and (3) may be transferred to the heading "Research and Technology" for the purposes of conducting research and studies and for use in accordance with the provisos under that heading for non-competitive agreements; [(5) \$25,000,000 shall be for a lead-risk assessment demonstration for public housing agencies to conduct lead hazard screenings or lead-risk assessments during housing quality standards inspections of units in which a family receiving assistance under section 8(o) of the U.S. Housing Act of 1937 (42 U.S.C. 1437f(o)) resides or expects to reside, and has or expects to have a child under age 6 residing in the unit, while preserving rental housing availability and affordability; and] [(6) ] (5) \$5,000,000 shall be for grants for a radon testing and mitigation safety demonstration program (the radon demonstration) in public housing: *Provided*, That the testing method, mitigation method, or action level used under the radon demonstration shall be as specified by applicable State or local law, if such law is more protective of human health or the environment than the method or level specified by the Secretary; *and* (6) \$10,000,000 shall be for grants to communities for a demonstration to replace lead service lines to HUD-assisted housing: *Provided*, That up to \$1,000,000 of the amounts made available under this paragraph shall be for an evaluation of such demonstration: *Provided further*, That for purposes of environmental review, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of law that further the purposes of such Act, a grant under the Healthy Homes Initiative, or the Lead Technical Studies program, or other demonstrations or programs under this heading or under prior appropriations Acts for such purposes under this heading, or under the heading "Housing for the Elderly" under prior Appropriations Acts, shall be considered to be funds for a special project for purposes of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994: *Provided further*, That each applicant for a grant or cooperative agreement under this heading shall certify adequate capacity that is acceptable to the Secretary to carry out the proposed use of funds pursuant to a notice of funding opportunity: *Provided further*, That the Secretary shall conduct a demonstration to harmonize income eligibility criteria for grants under this heading in this and prior Acts with the income eligibility criteria of certain other Federal programs: *Provided further*, That, for purposes of such demonstration, the Secretary may establish income eligibility criteria for such grants using income eligibility criteria of any program administered by the Secretary, the Department of Energy weatherization assistance program (42 U.S.C. 6851 et seq.), the Department of Health and Human Services low income home energy assistance program (42 U.S.C. 8621 et seq.), and the Department of Veterans Affairs supportive services for veteran families program (38 U.S.C. 2044): *Provided further*, That amounts made available in paragraph (5) under this heading in prior Acts for a lead-risk assessment demonstration may be available for interim control and abatement of lead-based paint hazards identified by screenings or assessments funded under such demonstration: *Provided further*, That of the amounts made available in paragraph (3) under this heading in this and prior Acts for research, an aggregate amount of not more than \$2,000,000 may be used for an evaluation of such demonstration: *Provided further*, That amounts made available under this heading, except for amounts in paragraph (2)(B) for home modification repairs and renovations, in this or prior appropriations Acts, still remaining available, may be used for any purpose under this heading notwithstanding the purpose for which such amounts were appropriated if a program competition is undersubscribed and there are other program competitions under this heading that are oversubscribed. (*Department of Housing and Urban Development Appropriations Act, 2023.*)