

116TH CONGRESS  
1ST SESSION

# H. R. 4546

To authorize additional monies to the Public Housing Capital Fund of the Department of Housing and Urban Development, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 27, 2019

Ms. VELÁZQUEZ (for herself, Mr. NADLER, Mrs. CAROLYN B. MALONEY of New York, Ms. CLARKE of New York, Mr. ROSE of New York, Ms. MENG, Mr. ENGEL, Mr. ESPAILLAT, Mr. SERRANO, Mr. JEFFRIES, Miss RICE of New York, Mr. CÁRDENAS, Mr. MEEKS, and Mr. SUOZZI) introduced the following bill; which was referred to the Committee on Financial Services

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## A BILL

To authorize additional monies to the Public Housing Capital Fund of the Department of Housing and Urban Development, 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 “Public Housing Emer-  
5 gency Response Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

1           (1) Housing is a foundational determinant of  
2 health and has been recognized as such since the  
3 early days of public health.

4           (2) Poor housing conditions contribute to a  
5 broad range of infectious diseases, chronic diseases,  
6 injuries, childhood development complications, nutri-  
7 tion issues, and mental health challenges.

8           (3) The United States Housing Act of 1937  
9 (Public Law 75–412) charges the Department of  
10 Housing and Urban Development (HUD) with pro-  
11 viding residents with a decent, safe, and affordable  
12 place to live, including those that live in public hous-  
13 ing.

14           (4) While public housing is a federally created  
15 program overseen by HUD, the properties are owned  
16 and managed at the local level by quasi-govern-  
17 mental public housing authorities under contract  
18 with the Federal Government.

19           (5) Thus, the public housing program is gov-  
20 erned in part by Federal rules and regulations and  
21 in part by policies enacted at the local level.

22           (6) Passage of the United States Housing Act  
23 of 1937 sought to address the needs of low-income  
24 people through public housing. At the time of pas-  
25 sage of such Act, the Nation’s housing stock was of

1 very poor quality. Public housing was a significant  
2 improvement for those who had access to it.

3 (7) However, over the years the living condi-  
4 tions in public housing began to deteriorate as the  
5 operational needs of the units and costs necessary to  
6 remedy major capital deficiencies began to outpace  
7 the level of funding provided by the Federal Govern-  
8 ment and the residents' rent contributions.

9 (8) By 1990, no significant investment in hous-  
10 ing affordable to the lowest-income individuals had  
11 been made by the Federal Government in more than  
12 30 years.

13 (9) In 1998, the enactment of the Quality  
14 Housing and Work Responsibility Act of 1998 (title  
15 V of Public Law 105–276) prohibited public housing  
16 authorities from using any Federal capital funding  
17 or operating funding to develop net new housing.

18 (10) More than a decade after the enactment of  
19 the Quality Housing and Work Responsibility Act of  
20 1998, the number of public housing units nationally  
21 began to steadily decline, as more units were torn  
22 down than rebuilt.

23 (11) With the exception of an infusion of fund-  
24 ing from the economic stimulus legislation in 2009—  
25 the American Recovery and Reinvestment Act (Pub-

1       lic Law 111–5)—Federal capital funding has re-  
2       mained relatively level for more than a decade, de-  
3       spite an increasing backlog in unmet capital needs.

4           (12) Today, there are approximately 1.2 million  
5       units of public housing across the country receiving  
6       Federal funding. The Nation’s largest public housing  
7       authority, the New York City Public Housing Au-  
8       thority, houses approximately 380,000 residents in  
9       316 developments across New York City.

10          (13) As of April 2019, the national public hous-  
11       ing capital repair backlog stood at more than \$70  
12       billion.

13          (14) In his Budget Request for fiscal year 2020  
14       for the Department of Housing and Urban Develop-  
15       ment, President Donald Trump requested \$0 for the  
16       Department’s Public Housing Capital Fund, which  
17       continues to be the primary source of funding public  
18       housing authorities rely on to address necessary in-  
19       frastructure upgrades and repairs.

20          (15) Federal disinvestment in public housing  
21       has forced many residents to live in accelerating sub-  
22       standard living. For example, the New York City  
23       Housing Authority has a capital repair backlog of  
24       approximately \$32 billion. New York City Housing  
25       Authority residents suffer from a consistent lack of

1 hot water, insufficient heat during the winter  
2 months, rodent and insect infestations, broken ele-  
3 vators, and widespread and recurring lead and mold  
4 problems.

5 (16) Substandard housing conditions, such as  
6 poor ventilation, pest infestations, and water leaks,  
7 are directly associated with the development and ex-  
8 acerbation of respiratory diseases like asthma.

9 (17) The Centers for Disease Control and Pre-  
10 vention has made clear that no level of lead poi-  
11 soning is safe. Lead poisoning can result in irrevers-  
12 ible brain damage and affects every major bodily  
13 system. At high levels, lead poisoning can cause ane-  
14 mia, multi-organ damage, seizures, coma, and death  
15 in children. Even with the lowest levels of lead expo-  
16 sure, children experience physical, cognitive, and  
17 neurobehavioral impairment as well as lower IQ lev-  
18 els, lower class standing in high school, greater ab-  
19 senteeism, lower vocabulary and grammatical rea-  
20 soning scores, and poorer hand-eye coordination rel-  
21 ative to other children.

22 (18) Exposure to cold indoor temperatures is  
23 associated with increased risk of cardiovascular dis-  
24 ease.

1           (19) Due to its aging infrastructure, the living  
2           conditions in public housing are causing severe  
3           health consequences for public housing residents  
4           throughout the Nation, including asthma, res-  
5           piratory illness, and elevated blood lead levels.

6           (20) This is a fixable public health crisis. Fed-  
7           eral disinvestment in public housing has con-  
8           sequences and aging infrastructure is, in many  
9           cases, the root cause of many of these health issues  
10          for residents.

11          (21) For example, one leading study found that  
12          children living in public housing have higher odds of  
13          asthma than children living in all types of private  
14          housing, even after adjusting for individual risk fac-  
15          tors such as minority ethnicity and race, living in a  
16          low-income household, and living in a low-income  
17          community.

18          (22) Therefore, it is necessary to reinvest in  
19          public housing, provide the money needed to fulfill  
20          outstanding capital needs, and to again ensure that  
21          all Americans have a decent home and suitable living  
22          environment, as is HUD's charge.

23 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

24          There is authorized to be appropriated for assistance  
25          from the Public Housing Capital Fund under section 9(d)

1 of the United States Housing Act of 1937 (42 U.S.C.  
2 1437g(d)) \$70,000,000,000, which amount shall remain  
3 available until expended and, notwithstanding subsections  
4 (c)(1) and (d)(2) of such section 9, shall be allocated to  
5 public housing agencies based upon the extent of such  
6 agencies' capital need, as determined according to the  
7 agencies' most recent Physical Needs Assessment.

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