

117TH CONGRESS
2D SESSION

S. 4047

To improve the removal of lead from drinking water in public housing.

IN THE SENATE OF THE UNITED STATES

APRIL 7, 2022

Ms. DUCKWORTH (for herself and Mr. YOUNG) introduced the following bill;
which was read twice and referred to the Committee on Banking, Housing,
and Urban Affairs

A BILL

To improve the removal of lead from drinking water in
public housing.

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 “Get the Lead Out of
5 Assisted Housing Act of 2022”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) ADMINISTRATOR.—The term “Adminis-
9 trator” means the Administrator of the Environ-
10 mental Protection Agency.

1 (2) DEPARTMENT.—The term “Department”
2 means the Department of Housing and Urban De-
3 velopment.

4 (3) LEAD SERVICE LINE.—The term “lead serv-
5 ice line” has the meaning given the term in section
6 1459B(a) of the Safe Drinking Water Act (42
7 U.S.C. 300j–19b(a)).

8 (4) PILOT PROGRAM.—The term “pilot pro-
9 gram” means the program for providing grants es-
10 tablished under section 6(a).

11 (5) SECRETARY.—The term “Secretary” means
12 the Secretary of Housing and Urban Development.

13 **SEC. 3. SENSE OF CONGRESS.**

14 It is the sense of Congress that—

15 (1) lead is a dangerous neurotoxin that can per-
16 manently impact brain development, especially in
17 young children;

18 (2) the Centers for Disease Control and Preven-
19 tion, the Environmental Protection Agency, the
20 American Association of Pediatrics, and many other
21 entities have determined that there is no safe level
22 of lead exposure;

23 (3) for vulnerable populations like young chil-
24 dren, pregnant mothers, and the elderly, exposure to
25 lead can be life altering;

1 (4) evidence is mounting that the lead in drink-
 2 ing water problem in the United States is grossly
 3 underestimated and inadequately addressed;

4 (5) according to the Environmental Protection
 5 Agency, lead service lines are the single largest
 6 source of lead in drinking water; and

7 (6) partial lead service line replacement, where
 8 only a portion of a lead service line is replaced, can
 9 increase lead exposure.

10 **SEC. 4. UNIFORM PHYSICAL CONDITION STANDARDS.**

11 The Secretary, in consultation with the Adminis-
 12 trator, shall amend the physical condition standards set
 13 forth in section 5.703 of title 24, Code of Federal Regula-
 14 tions, to require that—

15 (1) the entities responsible for maintaining
 16 housing inspect building systems to determine, using
 17 tests that incorporate the best available technology
 18 and science, if—

19 (A) there are lead service lines; or

20 (B) there is lead in the interior plumbing;

21 and

22 (2) if a lead service line is found or lead is
 23 found in a service line that connects to the interior
 24 plumbing of the housing at the water meter, the en-
 25 tity responsible for maintaining the housing shall—

1 (A) not later than 1 day after the date on
2 which the lead is found, notify each tenant of
3 the housing that the lead was found and of pre-
4 cautions that should be taken to reduce expo-
5 sure;

6 (B) disclose that information within 30
7 days to any drinking water provider relevant to
8 the housing;

9 (C) provide necessary interim measures to
10 reduce exposure to the lead, such as water fil-
11 ters designed to remove lead and other innova-
12 tive technologies, based on guidance from the
13 Administrator; and

14 (D) prohibit the partial replacement of
15 lead service lines.

16 **SEC. 5. AUTHORITY TO INSPECT ALL SOURCES OF LEAD.**

17 The Secretary may inspect all sources of lead con-
18 tamination in housing assisted by a program of the De-
19 partment and work in coordination with the Environ-
20 mental Protection Agency to mitigate sources of lead expo-
21 sure, including as a result of water from the public water
22 supply, and ambient air levels, or industrial emissions.

23 **SEC. 6. HEALTHY HOMES LEAD IN DRINKING WATER PILOT**
24 **PROGRAM.**

25 (a) ESTABLISHMENT.—

1 (1) IN GENERAL.—Not later than 2 years after
2 the date of enactment of this Act, the Secretary
3 shall begin providing grants to State and local gov-
4 ernments responsible for developing consolidated
5 plans under part 91 of title 24, Code of Federal
6 Regulations.

7 (2) PURPOSE.—The Secretary shall design the
8 grants under the pilot program to—

9 (A) identify lead service lines and other
10 sources of lead in drinking water serving hous-
11 ing units and take steps to remediate those
12 threats; and

13 (B) optimize corrosion control treatment in
14 public water systems serving housing units.

15 (b) ACTIVITIES.—A State or local government receiv-
16 ing a grant under the pilot program shall prioritize the
17 following activities:

18 (1) Creating an inventory of lead service lines,
19 which shall—

20 (A) be published on the website of the
21 State or local government; and

22 (B) involve—

23 (i) working with public water systems
24 (as defined in section 1401 of the Safe

1 Drinking Water Act (42 U.S.C. 300f))

2 that may have a similar inventory;

3 (ii) inspecting for lead service lines at
4 their entry point into a building using
5 methods that do not disturb the pipe;

6 (iii) conducting an inspection of visi-
7 ble pipes at all access points; and

8 (iv) prioritizing buildings based on the
9 age of the building, historical records, and
10 the size of the service line.

11 (2) Testing for lead in the drinking water at
12 child care facilities and schools, providing interim
13 measures to reduce exposure to the lead, and pro-
14 viding remediation, when appropriate.

15 (3) Testing for lead in the drinking water at
16 water fountains in public facilities, providing interim
17 measures to reduce exposure to the lead, and pro-
18 viding remediation, when appropriate.

19 **SEC. 7. HEALTHY HOMES AND LEAD HAZARD CONTROL OF-**
20 **FICE.**

21 (a) IN GENERAL.—The Office of Lead Hazard Con-
22 trol and Healthy Homes of the Department shall, when
23 providing grants for lead-based paint hazard reduction in
24 target housing under section 1011 of the Residential

1 Lead-Based Paint Hazard Reduction Act of 1992 (42
2 U.S.C. 4852)—

3 (1) ensure that testing for lead in drinking
4 water is conducted;

5 (2) require notification of tenants of the level of
6 lead in drinking water found; and

7 (3) offer interim controls, such as the installa-
8 tion of water filters known to remove lead.

9 (b) USE OF FUNDS FOR REPLACEMENT.—The Sec-
10 retary shall allow recipients of assistance from the Office
11 of Lead Hazard Control and Healthy Homes of the De-
12 partment or another program of the Department to use
13 the funds to replace leaded water fixtures and lead service
14 lines.

15 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

16 There are authorized to be appropriated to the Sec-
17 retary such sums as may be necessary to carry out this
18 Act.

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