

91ST CONGRESS
2D SESSION

H. R. 19172

IN THE SENATE OF THE UNITED STATES

OCTOBER 6 (legislative day, OCTOBER 5), 1970

Read twice and referred to the Committee on Labor and Public Welfare

AN ACT

To provide Federal financial assistance to help cities and communities to develop and carry out intensive local programs to eliminate the causes of lead-based paint poisoning and local programs to detect and treat incidents of such poisoning, to establish a Federal demonstration and research program to study the extent of the lead-based paint poisoning problem and the methods available for lead-based paint removal, and to prohibit future use of lead-based paint in Federal or federally assisted construction or rehabilitation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Lead-Based Paint Elimination Act of 1970".

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0007-SWP-000005885

1 GRANTS FOR LOCAL ELIMINATION OF LEAD-BASED PAINT

2 SEC. 2. (a) The Secretary of Housing and Urban De-
3 velopment is authorized to make grants to units of general
4 local government in any State for the purpose of assisting
5 such units in developing and carrying out local lead-based
6 paint elimination programs.

7 (b) The amount of any such grant shall not exceed 75
8 per centum of the cost of developing and carrying out a
9 local program, as approved by the Secretary, during a period
10 of three years.

11 (c) A local program should include—

12 (1) the development and carrying out of compre-
13 hensive testing programs to detect the presence of lead-
14 based paints in interior surfaces of residential housing;

15 (2) the development and carrying out of a com-
16 prehensive program requiring that owners or landlords
17 of residential housing units promptly eliminate lead-based
18 paints from all physical structures or interior surfaces
19 on which lead-based paints have been used as a surface
20 covering, including those structures or interior surfaces
21 on which non-lead-based paints have been used to cover
22 surfaces to which lead-based paints were previously
23 applied; and

24 (3) any other actions which will reduce or elimi-
25 nate lead-based paint poisoning.

26 (d) Each such program shall afford, to the maximum

1 extent feasible, opportunities for employing the residents of
2 communities or neighborhoods affected by lead-based paint
3 poisoning, and for providing appropriate training and educa-
4 tion and any information which may be necessary to inform
5 such residents of opportunities for employment in lead-based
6 paint elimination programs.

7 FEDERAL DEMONSTRATION AND RESEARCH PROGRAM

8 SEC. 3. The Secretary of Housing and Urban Devel-
9 opment, in consultation with the Secretary of Health,
10 Education, and Welfare, shall develop and carry out a dem-
11 onstration and research program to determine the nature and
12 extent of the problem of lead-based paint poisoning in the
13 United States, particularly in urban areas, and the methods
14 by which lead-based paint can most effectively be removed
15 from existing buildings, structures, and surfaces. Within one
16 year after the date of the enactment of this Act the Secre-
17 tary shall submit to the Congress a full and complete report
18 of his findings and recommendations as developed pursuant
19 to such program, together with a statement of any legislation
20 which should be enacted, and any changes in existing
21 law which should be made, in order to carry out such
22 recommendations.

23 PROHIBITION AGAINST USE OF LEAD-BASED PAINT IN
24 FUTURE CONSTRUCTION AND REHABILITATION

25 SEC. 4. The Secretary of Housing and Urban Develop-
ment shall take such steps and impose such conditions as may

1 be necessary or appropriate to prohibit the use of lead-based
2 paint in all future Federal construction and rehabilitation and
3 in the construction or rehabilitation, after the date of the
4 enactment of this Act, of any building or structure with
5 Federal assistance in any form.

6 GRANTS FOR LOCAL DETECTION AND TREATMENT OF
7 LEAD-BASED PAINT POISONING

8 SEC. 5. (a) The Secretary of Health, Education, and
9 Welfare is authorized to make grants to units of general
10 local government in any State for the purpose of assisting
11 such units in developing and carrying out local programs to
12 detect and treat incidents of lead-based paint poisoning. The
13 amount of any such grant shall not exceed 75 per centum of
14 the cost of developing and carrying out a local program for
15 the detection and treatment of lead-based paint poisoning, as
16 approved by the Secretary, during a period of two years.

17 (b) A local program for the detection and treatment of
18 lead-based paint poisoning should include (1) educational
19 programs intended to communicate the health danger and
20 prevalence of lead-based paint poisoning among children of
21 inner city areas, to parents, educators, and local health
22 officials; (2) development and carrying out of intensive
23 community testing programs designed to detect incidents
24 of lead-based paint poisoning among community residents,
25 and to insure prompt medical treatment for such afflicted

1 individuals: (3) development and carrying out of intensive
2 followup programs to insure that identified cases of lead-
3 based paint poisoning are protected against further exposure
4 to lead-based paints in their living environment; and (4) any
5 other actions which will reduce or eliminate lead-based paint
6 poisoning.

7 (c) Each local program for the detection and treatment
8 of lead-based paint poisoning shall afford opportunities for
9 employing the residents of communities or neighborhoods
10 affected by lead-based paint poisoning, and for providing
11 appropriate training, education, and any information which
12 may be necessary to inform such residents of opportunities
13 for employment in local programs for the detection and treat-
14 ment of lead-based paint poisoning.

15 CONSULTATION WITH OTHER DEPARTMENTS AND
16 AGENCIES

17 SEC. 6. In carrying out his authority under this Act,
18 the Secretary of Housing and Urban Development and the
19 Secretary of Health, Education, and Welfare shall cooperate
20 with and seek the advice of the heads of other departments
21 or agencies regarding any program under their respective
22 responsibilities which are related to, or would be affected
23 by, such authority.

24 DEFINITIONS

25 SEC. 7. As used in this Act—

1 (1) the term "State" means the several States,
 2 the District of Columbia, the Commonwealth of Puerto
 3 Rico, and the territories and possessions of the United
 4 States:

5 (2) the term "unit of general local government"
 6 means (A) any city, county, township, town, borough,
 7 parish, village, or other general purpose political sub-
 8 division of a State, (B) any combination of units of
 9 general local government in one or more States, (C)
 10 an Indian tribe, and (D) with respect to lead-based
 11 paint elimination, detection, and treatment activities in
 12 their urban areas, the territories and possessions of the
 13 United States; and

14 (3) the term "lead-based paint" means any paint
 15 containing basic white lead, leaded zinc oxide, red lead,
 16 litharge, lead acetate, and lead driers, singly or in com-
 17 bination, in excess 1 per centum lead as metal in total
 18 nonvolatile

19 APPROPRIATIONS

20 Sec. 8. () There is hereby authorized to be appro-
 21 priated to carry out this Act (except section 5) not to
 22 exceed \$10,000,000 for the fiscal year 1971 and \$10,000,-
 23 000 for the fiscal year 1972. Not less than 25 per centum
 24 of the amount available to carry out this Act as provided
 25 in the preceding sentence during each of such fiscal years

1 shall be for the demonstration and research program under
2 section 3.

3 (b) There is hereby authorized to be appropriated to
4 carry out section 3 not to exceed \$5,000,000 for the fiscal
5 year 1971 and \$5,000,000 for fiscal year 1972.

6 (c) Any amount appropriated under this section shall
7 remain available until expended when so provided in appro-
8 priation Acts. Any amounts authorized for the fiscal year
9 1971 but not appropriated may be appropriated for the
10 fiscal year 1972.

Passed the House of Representatives October 5, 1970.

Attest:

W. PAT JENNINGS,

Clerk.

Federal Register

Proposed Rule Making: Use of lead-based paint is prohibited in residential structures with Federal assistance in any form.

"Lead-based paint means paint containing more than one percent lead or lead compound by weight in the total non-volatile content of the dried film.

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