

117TH CONGRESS
1ST SESSION

H. R. 235

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

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2021

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

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 362,000 residents in
9 302 developments across New York City.

10 (13) The Public Housing Capital Fund of the
11 Department of Housing and Urban Development re-
12 mains the primary source of funding public housing
13 authorities rely on to address necessary infrastruc-
14 ture upgrades and repairs.

15 (14) As of October 2019, the national public
16 housing capital repairs backlog was estimated to
17 stand at more than \$70 billion.

18 (15) Federal disinvestment in public housing
19 has forced many residents to live in accelerating sub-
20 standard living. For example, the New York City
21 Housing Authority has a capital repair backlog cur-
22 rently estimated at more than \$40 billion. New York
23 City Housing Authority residents suffer from a con-
24 sistent lack of hot water, insufficient heat during the
25 winter months, rodent and insect infestations, bro-

1 ken elevators, and widespread and recurring lead
2 and mold problems.

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

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

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

23 (19) Due to its aging infrastructure, the living
24 conditions in public housing are causing severe
25 health consequences for public housing residents

1 throughout the Nation, including asthma, res-
2 piratory illness, and elevated blood lead levels.

3 (20) For example, one leading study found that
4 children living in public housing have higher odds of
5 asthma than children living in all types of private
6 housing, even after adjusting for individual risk fac-
7 tors such as minority ethnicity and race, living in a
8 low-income household, and living in a low-income
9 community.

10 (21) The rise of the COVID-19 pandemic has
11 introduced a new level of risk into our society.

12 (22) Poor housing conditions have been linked
13 with worse health outcomes and infectious disease
14 spread. One leading study found that counties with
15 a higher percentage of households with poor housing
16 had a higher incidence of, and mortality associated
17 with, COVID-19 and recommended targeted health
18 policies to support individuals living in poor housing
19 conditions in order to mitigate adverse outcomes as-
20 sociated with COVID-19.

21 (23) This is a fixable public health crisis. Fed-
22 eral disinvestment in public housing has con-
23 sequences and aging infrastructure is, in many
24 cases, the root cause of many of these health issues
25 for residents.

1 (24) Therefore, it is necessary to reinvest in
2 public housing, provide the money needed to fulfill
3 outstanding capital needs, and to again ensure that
4 all Americans have a decent home and suitable living
5 environment, as is HUD's charge.

6 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

7 There is authorized to be appropriated for assistance
8 from the Public Housing Capital Fund under section 9(d)
9 of the United States Housing Act of 1937 (42 U.S.C.
10 1437g(d)) \$70,000,000,000, which amount shall remain
11 available until expended and, notwithstanding subsections
12 (c)(1) and (d)(2) of such section 9, shall be allocated to
13 public housing agencies based upon the extent of such
14 agencies' capital need, as determined according to the
15 agencies' most recent Physical Needs Assessment.

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