

118TH CONGRESS
2D SESSION

S. _____

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

IN THE SENATE OF THE UNITED STATES

Ms. WARREN introduced the following bill; which was read twice and referred to the Committee on _____

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:

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

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

5 (3) The United States Housing Act of 1937 (42
6 U.S.C. 1437 et seq.) charges the Department of
7 Housing and Urban Development (referred to in this
8 section as “HUD”) with providing individuals with
9 a decent, safe, and affordable place to live, including
10 individuals who live in public housing.

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

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

19 (6) In enacting the United States Housing Act
20 of 1937 (42 U.S.C. 1437 et seq.), Congress sought
21 to address the needs of low-income individuals
22 through public housing. At the time of enactment of
23 that Act, the housing stock of the United States was
24 of very poor quality. Public housing was a signifi-

1 cant improvement for individuals who had access to
2 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 rent contributions of residents.

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; 112 Stat. 2518) prohib-
16 ited public housing authorities from using any Fed-
17 eral capital funding or operating funding to develop
18 net new housing.

19 (10) More than a decade after the enactment of
20 the Quality Housing and Work Responsibility Act of
21 1998 (title V of Public Law 105–276; 112 Stat.
22 2518), the number of public housing units in the
23 United States began to steadily decline, as more
24 units were torn down than rebuilt.

1 (11) With the exception of an infusion of fund-
2 ing from the economic stimulus legislation in 2009—
3 the American Recovery and Reinvestment Act (Pub-
4 lic Law 111–5; 123 Stat. 115)—Federal capital
5 funding has remained relatively level for more than
6 a decade, despite an increasing backlog in unmet
7 capital needs.

8 (12) Today, there are approximately 1,200,000
9 units of public housing across the United States re-
10 ceiving Federal funding. The largest public housing
11 authority in the United States, the New York City
12 Housing Authority, houses approximately 362,000
13 residents in 302 developments across New York
14 City.

15 (13) The Public Housing Capital Fund of the
16 Department of Housing and Urban Development re-
17 mains the primary source of funding public housing
18 authorities rely on to address necessary infrastruc-
19 ture upgrades and repairs.

20 (14) As of October 2019, the national public
21 housing capital repairs backlog was estimated to
22 stand at more than \$70,000,000,000.

23 (15) Federal disinvestment in public housing
24 has forced many residents to live in accelerating sub-
25 standard living conditions. For example, the New

1 York City Housing Authority has a capital repair
2 backlog currently estimated at more than
3 \$40,000,000,000. New York City Housing Authority
4 residents suffer from a consistent lack of hot water,
5 insufficient heat during the winter months, rodent
6 and insect infestations, broken elevators, and wide-
7 spread and recurring lead and mold problems.

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

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

1 (18) Exposure to cold indoor temperatures is
2 associated with increased risk of cardiovascular dis-
3 ease.

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

9 (20) For example, one leading study found that
10 children living in public housing have higher odds of
11 asthma than children living in all types of private
12 housing, even after adjusting for individual risk fac-
13 tors, including ethnicity and race, living in a low-in-
14 come household, and living in a low-income commu-
15 nity.

16 (21) The rise of the COVID–19 pandemic has
17 introduced a new level of risk into society in the
18 United States.

19 (22) Poor housing conditions have been linked
20 with worse health outcomes and infectious disease
21 spread. One leading study found that counties with
22 a higher percentage of households with poor housing
23 had a higher incidence of, and mortality associated
24 with, COVID–19 and recommended targeted health
25 policies to support individuals living in poor housing

1 conditions in order to mitigate adverse outcomes as-
2 sociated with COVID–19.

3 (23) This is a fixable public health crisis. Fed-
4 eral disinvestment in public housing has con-
5 sequences, and aging infrastructure is, in many
6 cases, the root cause of many of the health issues
7 described in this section for residents.

8 (24) Therefore, it is necessary to reinvest in
9 public housing, provide the money needed to fulfill
10 outstanding capital needs, and to again ensure that
11 all people of the United States have a decent home
12 and suitable living environment, as is the charge of
13 HUD.

14 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

15 There are authorized to be appropriated for assist-
16 ance from the Public Housing Capital Fund under section
17 9(d) of the United States Housing Act of 1937 (42 U.S.C.
18 1437g(d)) \$70,000,000,000, which—

19 (1) shall remain available until expended; and

20 (2) notwithstanding subsections (c)(1) and
21 (d)(2) of such section 9, shall be allocated to public
22 housing agencies based on the extent of the capital
23 needs of those public housing agencies, as deter-
24 mined according to the most recent physical needs
25 assessment required under section 905.300(a) of

- 1 title 24, Code of Federal Regulations, of each public
- 2 housing agency.