

LEGISLATIVE HISTORY OF LEAD-BASED PAINT

- ❑ Historically, approaches to lead-based paint have been reactive — responding to a lead-poisoned child — rather than the current preventive focus. Further, they focused on the ingestion of paint chips, ignoring lead-contaminated dust and soil.
- ❑ While some cities enacted legislation on lead-based paint as early as the 1950s, it was not until 1971 that there was national legislation. During this period, there was little understanding about the effects of lead dust.
- ❑ Early legislation evolved around the following concepts:
 - React — take action when a lead-poisoned child is identified;
 - Test and treat chewable surfaces (fixtures, window sills, etc.); and
 - Cover defective paint.
- ❑ Key legislation from the period prior to Title X is described in the box on the following page.

TITLE X (TITLE TEN) OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1992

- ❑ Title X represents a new strategy to reduce lead-based paint hazards that affects all HUD and other Federal housing programs. Some of the key features of Title X are that it:
 - Emphasizes the prevention of lead-based paint hazards *before* children are poisoned;
 - Shifts focus away from abating intact lead-based paint to controlling lead-based paint hazards and allows for new technology for evaluating and reducing those hazards;
 - Redefines the concept of lead-based paint hazards to include lead-contaminated dust and soil;
 - Acknowledges that some lead-based paint hazards are of more immediate concern than others; and
 - Recognizes that resources are limited and allows for the tailoring of lead-based paint hazard programs to fit the financial and environmental conditions of specific properties.

MAJOR PLAYERS AND THEIR RESPONSIBILITIES

- ❑ To facilitate the change in our nation's approach to addressing lead-based paint, Title X requires several Federal agencies to establish new standards and requirements that will aid in identifying and reducing lead-based paint hazards. These new requirements are described in detail in Attachment 3-F.

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Year	Legislation	Focus
1971	Lead-Based Paint Poisoning Prevention Act (LBPPPA)	<p>Required the Secretary of Health, Education, and Welfare (now Health and Human Services) to prohibit lead-based paint in residential structures constructed or rehabilitated by the Federal government or with Federal assistance. Major components included:</p> <ul style="list-style-type: none"> Defining lead-based paint chips as the primary health hazard of lead-based paint; Setting the level of lead in blood warranting concern at 60 µg/dL; Requiring abatement standards that were less rigorous compared to today's standards; and Defining lead-based paint as paint containing more than 1 percent lead by weight.
1973	Amendment to the LBPPPA	<p>Mandated that HUD eliminate, to the extent practicable, the hazards of lead-based paint in pre-1950 housing covered by housing subsidies and applications for mortgage insurance, and in all pre-1950 Federally-owned housing prior to sale. These amendments lowered the allowable lead content in paint to 0.5 percent until December 31, 1974 and to 0.06 percent after.</p>
1978	Consumer Product Safety Commission	<p>Banned the residential use of lead-based paint that contained greater than or equal to .06 percent or 600 ppm of lead.</p>
1987-1988	Significant Amendments to LBPPPA	<p>Section 566 of the Housing and Community Development Act of 1987 amendments required:</p> <ul style="list-style-type: none"> Inclusion of intact paint in the definition of an immediate hazard; Targeted lead-based paint requirements to pre-1978 housing; Changes to lead-based paint requirements in public housing; Extensive research and demonstration programs; and HUD to "prepare a comprehensive plan for the prompt and cost-effective inspection and abatement of privately-owned single family and multifamily housing, including housing assisted with Section 8." This report became the Comprehensive and Workable Plan for the Abatement of Lead-Based Paint in Privately Owned Housing, 1990.
1992	Title X (Title Ten) of the Housing and Community Development Act	<p>Amends the LBPPPA as described in Attachment 3-F. It enacts a number of important changes that shift the focus of Federal requirements from responding to lead-poisoned children to actions that address lead-based paint hazards and reduce the risk that children will be poisoned.</p>