Summary of H.R. XXXX - Environmental Housing Act of 2023

This legislation aims to address the housing needs of individuals with Environmental Illness/Multiple Chemical Sensitivity (EI/MCS) by creating innovative and urgent housing solutions. The key points of this legislation include:

1. Disability Access and Federal Funding: The legislation recognizes EI/MCS as a disability. It mandates the inclusion of EI/MCS in federal disability access and anti-discrimination programs. HUD is directed to ensure individuals with EI/MCS have equal access to HUD vouchers and special accommodations.

2. Trial Period Housing: Individuals with EI/MCS are eligible for a trial period in specific housing units to assess their tolerance to air quality. The trial period must be a minimum of two weeks, allowing individuals to terminate the housing agreement without penalties beyond prorated rent.

3. Special Home Loan Programs: The federal government will establish separate home loan programs tailored for individuals with environmental sensitivities. These programs will provide funding without significant self-payments, offer longer repayment terms.

4. Subcommittee and Office of Environmental Sensitivities: A subcommittee will be established to advocate for the needs of individuals with environmental sensitivities. The Office of Environmental Sensitivities will oversee funding, research, and coordination efforts to improve housing accessibility. It will develop guidelines, standards, and a safe housing template, collaborate with stakeholders, and report progress to Congress.

5. Segregated Housing Communities: The federal government will support the creation of safe and segregated housing communities specifically designed for individuals with EI/MCS. These communities will prioritize safe living locations, materials, and strict living rules and requirements, managed by experts in environmental sensitivities.

6. Safe Housing Template: The federal government, in collaboration with experts and the Office of Environmental Sensitivities, will develop a standardized safe housing template based on scientific evidence. The template will be disseminated, accompanied by guidance, and regularly updated.

H.R. XXXX

To fund and authorize the Secretary of Housing and Urban Development to award grants for creating innovative and urgent housing solutions for Environmental Illness.

IN THE HOUSE OF REPRESENTATIVES

July 10, 2023

A BILL

To fund and authorize the Secretary of Housing and Urban Development to award grants for creating innovative and urgent housing solutions for Environmental Illness.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Environmental Housing Act of 2023" or the "Safe Housing Act of 2023".

SEC. 2. DEFINITIONS.

In this Act:

(1) ENVIRONMENTAL ILLNESS (EI).—A chronic, multisystemic condition characterized by an individual's heightened sensitivity to environmental factors. Environmental illness has been diagnosed using various names, including but not limited to: chemical sensitivities, chemically harmed, chemical allergies, chemical autoimmune illness, and toxicant-induced loss of tolerance (TILT), sick building syndrome (SBS), and idiopathic environmental intolerance (IEI).

(2) MULTIPLE CHEMICAL SENSITIVITY (MCS).—A specific type of environmental illness wherein individuals experience significant adverse, and

occasionally fatal, health effects from exposure to common or household chemicals.

(3) SAFE HOUSING.—Housing that has been constructed or retrofitted to minimize the exposure of occupants to chemicals, toxins, and electromagnetic radiation. Because of the substantial medical need for a safe and accommodating environment, safe housing shall be considered a medical device for individuals with EI/MCS.

SEC. 3. DISABILITY ACCESS AND FEDERAL FUNDING.

(a) ENVIRONMENTAL ILLNESS AS A RECOGNIZED DISABILITY.—Environmental illness (EI), Multiple Chemical Sensitivity (MCS), and related terms shall be recognized as a disability under the Americans with Disabilities Act (ADA), The Civil Rights Act of 1964, and other relevant legislation.

(b) INCLUSION IN FEDERAL PROGRAMS.—EI/MCS shall be explicitly included in all federal disability access and anti-discrimination programs.

(c) ENHANCED ACCESS TO HUD VOUCHERS.—The Department of Housing and Urban Development (HUD) shall ensure that individuals with EI/MCS have access to HUD vouchers for both low income and safe housing with accommodations, and without discrimination or exclusion. Because housing is a medical device for those with EI/MCS, this urgent medical need shall be reflected in their priority for housing vouchers, and special accommodations shall be provided under their healthcare policies.

SEC. 4. TRIAL PERIOD HOUSING TO IMPROVE ACCESSIBILITY.

a) IN GENERAL.—Individuals with EI/MCS shall be eligible for a trial period to assess their tolerance to air quality in specific housing units. Housing providers shall not discriminate against individuals based on their medical condition if accompanied by valid medical documentation. This trial period is an obligation to housing providers only in instances of vacancy of the unit.

b) TRIAL PERIOD DURATION AND FEES.—Individuals with EI/MCS shall be provided a trial period of a minimum of two weeks in duration, to stay at a prospective housing unit, unbound by penalties or fees from breaking lease term duration, other than a rent payment prorated from the year lease time rate. In instances of the full purchase of housing unit, the fee for a 2 week stay shall not exceed 1% of the asking price of the home.

c) LANDLORD OBLIGATIONS.—Landlords and housing providers shall comply with requests for trial period housing made by individuals with EI/MCS, provided they submit valid medical documentation. Landlords shall not discriminate against individuals with EI/MCS during the selection process or during the trial period based on their medical condition. Housing providers shall ensure that the designated housing units meet air quality standards conducive to the needs of individuals with EI/MCS.

d) TENANT RIGHTS AND

RESPONSIBILITIES.—Individuals with EI/MCS participating in the trial period shall have the right to reside in the designated housing unit without being bound by the penalties of the lease agreement for breaking the lease duration. During the trial period, individuals shall be responsible for their own living expenses, including rent, utilities, and any damages caused to the housing unit. Individuals shall adhere to the rules and regulations set forth by the housing provider or landlord.

e) EVALUATION AND LEASE AGREEMENT.—At the conclusion of the trial period, individuals determine whether they can tolerate the air quality. The tenant is responsible for notifying the housing provider of termination of housing agreement within the 2-week trial period, vacate the housing unit, and seek alternative housing options. If the housing provider is not notified, the terms of the full lease duration will take effect.

f) COMPLIANCE AND ENFORCEMENT.—The [relevant government agency or department] shall oversee the compliance of housing providers with the provisions outlined in this legislation. Complaints regarding discrimination or failure to comply with trial

period housing requests shall be investigated, and appropriate actions shall be taken to ensure compliance with the law.

SEC. 5. SPECIAL HOME LOAN PROGRAMS.

(a) IN GENERAL.—The federal government shall establish separate home loan programs tailored for people with environmental sensitivities to build their own housing to meet their personal safe housing needs. These programs shall ensure that those with EI/MCS have access to suitable housing option, while attempting to minimize their financial burden. To achieve this, the special home loan programs will offer the following provisions:

i) Loans without self-payments: The loan programs will provide funding without requiring individuals with environmental sensitivities to make significant self-payments beyond the vouchers provided.

ii) Longer repayment terms: Recognizing the unique challenges that those with EI/MCS face as they struggle to recover and lead a normal life, the

loan programs will offer longer repayment terms to allow borrowers to manage their loan payments more effectively.

(b) COLLABORATION WITH FINANCIAL INSTITUTIONS.—The federal government shall collaborate with financial institutions to facilitate the implementation of these specialized home loan programs. The federal government will act as a guarantor for individuals with EI/MCS to help them secure more flexible/favorable loans.

SEC. 6. SUBCOMMITTEE AND OFFICE OF ENVIRONMENTAL SENSITIVITIES.

(a) ESTABLISHMENT OF SUBCOMMITTEE AND OFFICE.—A subcommittee, called the Subcommittee on Environmental Sensitivities, shall be created to advocate for the needs and concerns of individuals with environmental sensitivities, including EI/MCS.

(b) SUBCOMMITTEE COMPOSITION.—The Subcommittee shall consist of experts, advocates, and

individuals diagnosed with EI/MCS, ensuring representation from diverse perspectives.

(c) DUTIES AND RESPONSIBILITIES.—The Subcommittee shall be responsible for developing policies, guidelines, and recommendations to regularly advise HUD's directors to improve housing accessibility and promote the rights and needs of individuals with EI/MCS. The Office shall oversee the funding, design, and implementation of safe housing for individuals with EI/MCS within HUD.

(d) RESEARCH AND COORDINATION.—The Office shall conduct research, coordinate initiatives, and collaborate with relevant federal agencies, research institutions, and stakeholders to reduce chemical exposures, promote the use of safer building materials, and understanding of environmental sensitivities to housing providers.

(e) GUIDELINES AND STANDARDS.—The Subcommittee shall develop comprehensive guidelines and standards for construction, retrofitting, and

management of safe housing for individuals with environmental sensitivities. These guidelines shall be based on scientific evidence and regularly updated to reflect advancements in the field.

(f) COLLABORATION AND PARTNERSHIPS.—The Office shall collaborate with EI/MCS advocacy organizations, housing providers, and other relevant stakeholders to foster partnerships, gain feedback and modify effective strategies, policies, and guidelines to and enhance housing accessibility and accommodations for those with EI/MCS.

(g) REPORTING AND EVALUATION.—The Office shall provide regular reports to Congress on the progress of their initiatives, including updates on research findings, policy developments, and the impact of their efforts on improving housing accessibility and the well-being of individuals with EI/MCS.

(h) FUNDING AND SUPPORT.—The federal government shall allocate necessary resources to the Office to ensure effective implementation of their duties

and responsibilities, including the provision of necessary staff, research funding, and support for collaborations with external entities.

(i) PUBLIC OUTREACH AND EDUCATION.—The Office shall engage in public outreach and educational initiatives to increase awareness and understanding of environmental sensitivities, promoting inclusivity and fostering a supportive environment for individuals with EI/MCS.

(j) TIMELINES AND DEADLINES.—The Office shall establish timelines and deadlines for the completion of their tasks and deliverables, ensuring efficient progress in addressing the critical needs of individuals with EI/MCS and advancing safe housing accessibility.

(k) REPORTABILITY AND ENFORCING.—The Office shall establish a dedicated hotline or contact number to address EI/MCS-related complaints and concerns regarding infringement of building rules and lease terms by landlords or other tenants, allowing

individuals to seek assistance and guidance in resolving such issues.

SEC. 7. SEGREGATED HOUSING COMMUNITIES.

(a) NEED FOR SEGREGATED HOUSING.—Recognizing the unique needs and challenges faced by individuals with EI/MCS, the federal government shall support the creation of safe and segregated housing communities specifically designed and managed for individuals with environmental sensitivities.

(b) SAFE HOUSING REQUIREMENTS.—These EI/MCS safe communities will be constructed in safe living locations (away from heavy traffic, manufacturing plants, cell towers, airports, military sites, etc.), using safe building materials, and run with strict safe living rules and requirements all tenants must abide by. The Office of Environmental Sensitivities shall consult with the subcommittee on what constitutes safe locations, building materials, and living requirements.

(c) UTILIZATION OF EXISTING PROGRAMS.—The federal government may allocate

resources from existing subsidized housing programs, such as 811/202 housing, to support the development of these segregated communities.

(d) CREATION OF NEW PROGRAMS.—The federal government will create a new program, specifically to fund the creation of living communities for people with EI/MCS, in order to supplement the necessary housing funding from existing programs.

(e) MANAGEMENT.—The management of these housing communities shall include individuals with expertise and experience in environmental sensitivities to ensure appropriate accommodation and support services.

SEC. 8. TEMPLATE FOR SAFE HOUSING.

(a) DEVELOPMENT OF SAFE HOUSING TEMPLATE.—The federal government, in collaboration with experts in environmental sensitivities and the Office of Environmental Sensitivities, shall create a standardized template for safe housing design, construction, and materials that mitigate exposure to environmental triggers. The template shall be based on

the best available scientific evidence and shall prioritize the health and well-being of individuals with environmental sensitivities, including EI/MCS.

i) In addition to the design of a template for safe housing for those with EI/MCS, the federal government and the Office of Environmental Sensitivities shall assess these safe housing materials and designs for feasibility, cost, and reproducibility to incorporate into all American housing construction going forward. The purpose of this is to create safer and more ecological living spaces for all Americans to maximize their health and well-being.

(b) DISSEMINATION AND GUIDANCE.—The Office of Environmental Sensitivities, in coordination with relevant agencies and stakeholders, shall be responsible for disseminating the safe housing template to home builders, architects, and individuals seeking to create their own safe housing. Accompanying the template, comprehensive guidance on best practices,

accessibility requirements, and recommended materials shall be provided to ensure the effective implementation of the safe housing standards.

(c) COLLABORATION WITH STAKEHOLDERS.—The federal government, through the Office of Environmental Sensitivities, shall actively collaborate with the subcommittee, home builders, architects, and EI/MCS advocacy organizations to ensure that the safe housing template reflects diverse perspectives and incorporates innovative approaches to meet the unique needs of individuals with environmental sensitivities.

(d) EVALUATION AND IMPROVEMENTS.—The Office of Environmental Sensitivities shall establish a monitoring and evaluation framework to assess the effectiveness and impact of the safe housing template and identify areas for improvement. The Office shall regularly update the safe housing template based on advancements in scientific research, technological innovations, and feedback from individuals with

environmental sensitivities. These updates shall be made publicly available to ensure that the template remains up-to-date and aligned with the latest knowledge and practices.

(h) REPORTING TO CONGRESS.—The Office of Environmental Sensitivities shall provide regular reports to Congress on the progress, challenges, and outcomes of the safe housing template implementation. These reports shall include updates on the dissemination efforts, adoption rates, training programs, and the overall impact on enhancing housing accessibility and promoting the health and well-being of individuals with environmental sensitivities.

SEC. 9. FUNDING AND IMPLEMENTATION.

(a) AUTHORIZATION OF APPROPRIATIONS.—Subject to the availability of funds, necessary appropriations shall be authorized to implement the provisions outlined in this legislation.

(b) TIMELY IMPLEMENTATION.—HUD and other relevant federal agencies shall promptly develop

and implement regulations, guidelines, and programs required to fulfill the objectives of this legislation.

SEC. 10. SEVERABILITY.

If any provision of this act, or its application to any person or circumstances, is held invalid, the remainder of the act or the application of the provisions to other persons or circumstances shall not be affected.

SEC. 11. EFFECTIVE DATE.

This legislation shall take effect ninety (90) days after its enactment.

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