

**AMENDMENT TO RULES COMMITTEE PRINT 119-**

**33**

**OFFERED BY MR. PANETTA OF CALIFORNIA**

Add at the end of subtitle B of title XXVIII, the following new section:

1 **SEC. 28\_\_.** **DEVELOPMENT AND IMPLEMENTATION OF**  
2 **MINIMUM HEALTH AND SAFETY STANDARDS**  
3 **FOR MILITARY FAMILY HOUSING.**

4 (a) **STANDARDS.—**

5 (1) **INITIAL GUIDANCE.—**

6 (A) **IN GENERAL.—**Not later than 180  
7 days after the date of the enactment of this  
8 Act, the Secretary of Defense shall issue in-  
9 terim guidance for acceptable levels of relative  
10 humidity, ventilation, dampness, and water in-  
11 trusion to be applied at all covered housing.

12 (B) **EFFECT.—**Interim guidance issued  
13 under subparagraph (A) shall remain in effect  
14 until final standards are published under para-  
15 graph (2).

16 (2) **FINAL STANDARDS.—**Not later than one  
17 year after the date of the enactment of this Act, the  
18 Secretary of Defense shall issue final standards for

1 acceptable levels of relative humidity, ventilation,  
2 dampness, and water intrusion to be applied at all  
3 covered housing, which shall include—

4 (A) acceptable levels of relative humidity  
5 indoors;

6 (B) required ventilation and moisture con-  
7 trol measures;

8 (C) environmental inspection and testing  
9 methods; and

10 (D) the standard of care for mold remedi-  
11 ation adopted under subsection (g).

12 (3) REPORTING AND AVAILABILITY OF TEST-  
13 ING.—The final standards established under para-  
14 graph (2) shall require results of environmental in-  
15 spection and testing methods under subparagraph  
16 (C) of such paragraph to be reported to the Sec-  
17 retary of Defense and made available to tenants of  
18 affected housing units not later than 10 days after  
19 sample collection.

20 (b) CERTIFICATION OF COMPLIANCE.—Not less fre-  
21 quently than annually, each housing office of the Depart-  
22 ment of Defense shall certify to Congress that the housing  
23 office is in compliance with health and safety standards  
24 for covered housing required under this section.

1 (c) ESTABLISHMENT OF INDEPENDENT INSPECTION  
2 PROTOCOL FOR PRIVATIZED MILITARY HOUSING.—

3 (1) IN GENERAL.—Not later than 180 days  
4 after the date of the enactment of this Act, the Sec-  
5 retary of Defense shall ensure that each installation  
6 of the Department of Defense conducts, using inde-  
7 pendent certified third-party inspectors, mold and  
8 environmental health inspections for all covered  
9 housing that is privatized military housing—

10 (A) upon every tenant turnover of a hous-  
11 ing unit;

12 (B) upon receipt of any tenant complaint  
13 regarding safety and habitability of a housing  
14 unit; and

15 (C) following any remediation effort, struc-  
16 tural repair, or response to an identified envi-  
17 ronmental hazard at a housing unit.

18 (2) ELEMENTS OF INSPECTIONS.—Inspections  
19 conducted under paragraph (1) shall include, at min-  
20 imum—

21 (A) evaluation of heating, ventilation, and  
22 air conditioning (HVAC) systems, plumbing,  
23 electrical systems, and structural integrity;

24 (B) inspection for signs of water intrusion,  
25 dampness, humidity, visible or non-visible mold,

1 microbial growth, and other indoor air quality  
2 concerns;

3 (C) review of current and past work order  
4 records and completion timelines; and

5 (D) review of contractor compliance with  
6 privatized military housing contract require-  
7 ments and housing regulations of the Depart-  
8 ment of Defense.

9 (3) RECORDING AND MAINTENANCE OF  
10 RECORDS.— All findings of inspections conducted  
11 under paragraph (1) shall be—

12 (A) recorded in a standardized Federal  
13 Government inspection record;

14 (B) certified by the inspector with a clear  
15 “pass” or “fail” status;

16 (C) maintained in an accessible, historical  
17 housing record for each housing unit; and

18 (D) made available to the relevant installa-  
19 tion commander and military housing office.

20 (4) DOCUMENTATION AND SUBMISSION OF RE-  
21 SULTS.—The commander of each installation of the  
22 Department shall—

23 (A) document results of inspections con-  
24 ducted under paragraph (1); and

1 (B) submit the results of such inspections  
2 to—

3 (i) the Secretary;

4 (ii) the Office of Inspector General of  
5 the Department of Defense; and

6 (iii) the Committees on Armed Serv-  
7 ices of the Senate and the House of Rep-  
8 resentatives.

9 (5) ACCESS AND TRANSPARENCY.—Inspection  
10 reports certified under paragraph (3)(B) and hous-  
11 ing history records required under paragraph (3)(C)  
12 shall be—

13 (A) provided in full to current tenants of  
14 the inspected unit;

15 (B) made available upon request to any in-  
16 coming tenants; and

17 (C) maintained in a secure portal acces-  
18 sible to staff of the relevant military housing of-  
19 fice, the Committees on Armed Services of the  
20 Senate and the House of Representatives, and  
21 military family advocacy personnel.

22 (6) REMEDIATION OR TENANT RELOCATION.—  
23 In the case of a housing unit failing inspection con-  
24 ducted under paragraph (1), the Secretary shall en-  
25 sure that the unit is remediated or the tenants of

1 such unit are relocated not later than 30 days after  
2 such failed inspection, if such tenants wish to be re-  
3 located.

4 (d) COMPLAINT AND RESPONSE MECHANISM.—

5 (1) HOTLINE AND WEBSITE.—The Secretary  
6 shall modify the Defense Housing Feedback System,  
7 or successor system, to ensure that such system con-  
8 tains a tenant complaint hotline and website that is  
9 available 24 hours per day, seven days per week for  
10 reporting humidity, water damage, or other hazards  
11 in covered housing.

12 (2) WEBSITE INFORMATION.—The website re-  
13 quired under paragraph (1) shall contain informa-  
14 tion on the complaints made under paragraph (1),  
15 disaggregated by installation and with any person-  
16 ally identifying information redacted.

17 (3) RESPONSE.—Each housing office for an in-  
18 stallation of the Department shall—

19 (A) respond to complaints of tenants of  
20 covered housing not later than five business  
21 days after the complaint;

22 (B) track progress of such response until  
23 resolution; and

24 (C) provide to tenants written confirmation  
25 of inspection findings and actions taken.

1 (e) REQUIREMENTS FOR PRIVATIZED MILITARY  
2 HOUSING.—

3 (1) HEALTH AND SAFETY STANDARDS FOR  
4 MILITARY HOUSING.—The Secretary of each military  
5 department shall ensure that all housing project  
6 agreements and renewals for privatized military  
7 housing under the jurisdiction of the Secretary con-  
8 cerned entered into on or after the date of the enact-  
9 ment of this Act are compliant with the appropriate  
10 environmental health and safety standards estab-  
11 lished by the Department of Defense.

12 (2) FUTURE CONTRACT AGREEMENTS AND RE-  
13 NEWALS.—For all housing project agreements and  
14 renewals for privatized military housing entered into  
15 on or after the date of the enactment of this Act,  
16 and to the extent practicable for agreements in place  
17 as of such date of enactment, not later than 180  
18 days after the date of the enactment of this Act, the  
19 Secretary of Defense shall incorporate enforceable  
20 provisions related to environmental hazard response,  
21 inspection, and tenant relocation protections which  
22 shall include—

23 (A) enforceable environmental health and  
24 safety clauses; and

1 (B) requirements that providers of  
2 privatized military housing bear full financial  
3 responsibility for—

4 (i) required third-party inspections;

5 (ii) maintenance;

6 (iii) mold remediation;

7 (iv) all relocation expenses for military  
8 families forced to vacate uninhabitable  
9 units;

10 (v) property loss; and

11 (vi) refunding any amounts paid  
12 through a basic allowance for housing  
13 under section 403 of title 37, United  
14 States Code, for military families forced to  
15 vacate uninhabitable units.

16 (f) CERTIFICATION REQUIREMENTS FOR MOLD AS-  
17 SESSMENT AND REMEDIATION.—The Secretary shall en-  
18 sure that all maintenance personnel, contracted mold as-  
19 sessors, indoor environmental professionals, and mold re-  
20 mediators responsible for assessing or remediating mold  
21 and water damage in covered housing shall possess and  
22 maintain current certifications issued by a nationally rec-  
23 ognized, third-party, nonprofit certifying body, which may  
24 include the following:

1           (1) The Institute of Inspection Cleaning and  
2 Restoration Certification.

3           (2) The National Organization of Remediators  
4 and Microbial Inspectors.

5           (3) The American Council for Accredited Cer-  
6 tification.

7           (g) STANDARD OF CARE FOR MOLD REMEDI-  
8 ATION.—All mold remediation activities conducted in cov-  
9 ered housing shall comply with the American National  
10 Standards Institute and Institute of Inspection Cleaning  
11 and Restoration Certification S520 Standard for Profes-  
12 sional Mold Remediation, Fourth Edition, or any subse-  
13 quent edition published by the Institute of Inspection  
14 Cleaning and Restoration Certification or successor orga-  
15 nization.

16          (h) ISSUANCE OF GUIDANCE.—Not later than 180  
17 days after the date of the enactment of this Act, the Sec-  
18 retary shall—

19           (1) issue guidance with respect to the imple-  
20 mentation of this section; and

21           (2) provide written notification to all providers  
22 of privatized military housing regarding the require-  
23 ments of this section.

24          (i) QUARTERLY REPORTING REQUIREMENT.—

1           (1) DESIGNATION OF CHIEF HOUSING OFFI-  
2           CER.—The Assistant Secretary of Defense for En-  
3           ergy, Installations, and Environment shall serve as  
4           Chief Housing Officer and shall receive, review, and  
5           compile reports from military housing offices across  
6           all installations of the Department of Defense.

7           (2) MILITARY HOUSING OFFICE REPORTING.—  
8           Not less frequently than quarterly, each chief of a  
9           military housing office shall submit to the Chief  
10          Housing Officer designated under paragraph (1) a  
11          report that includes, at a minimum—

12                 (A) the number and type of tenant com-  
13                 plaints received;

14                 (B) an assessment of work order volume  
15                 and average completion time;

16                 (C) an identification of instances of unre-  
17                 solved or recurring maintenance issues;

18                 (D) an identification of environmental haz-  
19                 ard notifications and the status of the remedi-  
20                 ation of such hazards;

21                 (E) a summary of compliance by contrac-  
22                 tors with requirements of the Department and  
23                 any violations of those requirements;

24                 (F) any reports of retaliation, discrimina-  
25                 tion, displacement, or housing-related medical

1 concerns (with personal information redacted if  
2 requested); and

3 (G) a summary of command-level aware-  
4 ness or action on housing issues.

5 (3) COMPILATION AND CONGRESSIONAL SUB-  
6 MISSION.—

7 (A) IN GENERAL.—The Chief Housing Of-  
8 ficer shall—

9 (i) compile the reports received under  
10 paragraph (2);

11 (ii) submit to the Committees on  
12 Armed Services of the Senate and the  
13 House of Representatives such compiled  
14 reports not less frequently than quarterly  
15 and not less frequently than annually for  
16 the quarter or year covered by the report,  
17 as the case may be; and

18 (iii) provide to the Committees on  
19 Armed Services of the Senate and the  
20 House of Representatives briefings regard-  
21 ing each report submitted under clause  
22 (ii).

23 (B) BRIEFINGS.—Briefings required under  
24 subparagraph (A)(iii) shall include trend anal-

1           ysis, contractor performance insights, and risk  
2           flags based on installation-level conditions.

3           (4) DATA TRANSPARENCY AND RETENTION.—

4                 (A) FORMAT.—The Secretary shall ensure  
5           that all reporting required under this subsection  
6           follows a standardized Federal format.

7                 (B) RETENTION OF INFORMATION.—The  
8           Secretary shall ensure that all raw data, logs,  
9           and supporting documentation for reports re-  
10          quired under this subsection are retained for a  
11          period of not less than five years.

12                (C) AVAILABILITY OF DATA SETS.—The  
13          Secretary may make available to tenant om-  
14          budsmen or Federal housing liaison offices data  
15          sets used to prepare reports under this sub-  
16          section with personally identifiable information  
17          redacted.

18           (5) ENFORCEMENT.—In the case of a landlord  
19          (as defined in section 2871 of title 10, United States  
20          Code) or other private sector entity that fails to  
21          comply with any requirement established to comply  
22          with this subsection, the Secretary may—

23                 (A) notify command leadership of the rel-  
24          evant installation of the Department;

1 (B) conduct an audit or performance re-  
2 view; and

3 (C) in the case of systemic failure to com-  
4 ply with any such requirement, suspend eligi-  
5 bility of such landlord or entity for housing-re-  
6 lated bonuses.

7 (j) PUBLIC REPORTING REQUIREMENTS.—Not later  
8 than one year after the date of the enactment of this Act,  
9 and annually thereafter, the Secretary shall submit to the  
10 Committees on Armed Services of the Senate and the  
11 House of Representatives and publish on a publicly avail-  
12 able website of the Department of Defense, with respect  
13 to covered housing—

14 (1) the number of mold complaints received,  
15 disaggregated by installation of the Department;

16 (2) the results of inspections under this section  
17 and compliance rates;

18 (3) remediation timelines and costs; and

19 (4) the number of relocations made.

20 (k) SENSE OF CONGRESS ON HEALTH RISKS ASSOCI-  
21 ATED WITH MOLD.—It is the sense of Congress that the  
22 Secretary of Defense, in collaboration with the Secretary  
23 of Health and Human Services, should evaluate the health  
24 impacts of mold exposure in military housing and consider

1 appropriate medical responses and coverage under existing  
2 health care systems.

3 (l) DEFINITIONS.—In this section:

4 (1) ACCEPTABLE LEVELS OF RELATIVE HUMID-  
5 ITY.—The term “acceptable levels of *relative* humid-  
6 ity”, with respect to an area, means an area with  
7 humidity levels that are less than 50 percent.

8 (2) COVERED HOUSING.—The term “covered  
9 housing” means any military family housing owned,  
10 leased, or managed by the Department of Defense,  
11 including privatized military housing.

12 (3) ENVIRONMENTAL INSPECTION AND TEST-  
13 ING METHODS.—The term “environmental *inspection*  
14 *and* testing methods” means detailed visual inspec-  
15 tion substantiated by mold testing measures that in-  
16 clude air sampling, tape lifts, swabs, and carpet  
17 samples, and official laboratory analysis of such  
18 samples.

19 (4) MOLD.—The term “mold” means any form  
20 of multi-cellular fungi found in water-damaged in-  
21 door environments and building materials, including,  
22 cladosporium, penicillium, alternaria, aspergillus, fu-  
23 sarium, chaetomium, trichoderma, memnoniella,  
24 mucor, stachybotrys chartarum, streptomyces, and  
25 epicoccumoften.

1           (5) PRIVATIZED MILITARY HOUSING.—The  
2           term “privatized military housing” means military  
3           housing under subchapter IV of chapter 169 of title  
4           10, United States Code.

