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**AMENDMENT TO H.R. 1**  
**OFFERED BY MR. PERLMUTTER OF COLORADO**

Page 221, line 7, after “\$1,000,000,000,” insert the following: “of which not less than \$50,000,000 and not more than \$250,000,000, as determined by the Secretary of Housing and Urban Development, shall be for grants under section 123 of the Housing and Community Development Act of 1974, as added by section 12005 of this title, and of which the remainder shall be used”.

Page 237, after line 11, insert the following new section:

1 **SEC. 12005. RESIDENTIAL ENERGY EFFICIENCY BLOCK**  
2 **GRANT PROGRAM.**

3 Title I of the Housing and Community Development  
4 Act of 1974 (42 U.S.C. 5301 et seq.) is amended by add-  
5 ing at the end the following new section:

6 **“SEC. 123. RESIDENTIAL ENERGY EFFICIENCY BLOCK**  
7 **GRANT PROGRAM.**

8 “(a) IN GENERAL.—To the extent amounts are made  
9 available for grants under this section, the Secretary shall  
10 make grants under this section to States, metropolitan cit-  
11 ies and urban counties, Indian tribes, and insular areas

1 to carry out energy efficiency improvements in new and  
2 existing single-family and multifamily housing.

3 “(b) ALLOCATIONS.—

4 “(1) IN GENERAL.—Of the total amount made  
5 available for each fiscal year for grants under this  
6 section that remains after reserving amounts pursu-  
7 ant to paragraph (2), the Secretary shall allocate for  
8 insular areas, for metropolitan cities and urban  
9 counties, and for States, an amount that bears the  
10 same ratio to such total amount as the amount allo-  
11 cated for such fiscal year under section 106 for In-  
12 dian tribes, for insular areas, for metropolitan cities  
13 and urban counties, and for States, respectively,  
14 bears to the total amount made available for such  
15 fiscal year for grants under section 106.

16 “(2) SET ASIDE FOR INDIAN TRIBES.—Of the  
17 total amount made available for each fiscal year for  
18 grants under this section, the Secretary shall allo-  
19 cate not less than one percent to Indian tribes.

20 “(c) GRANT AMOUNTS.—

21 “(1) ENTITLEMENT COMMUNITIES.—From the  
22 amounts allocated pursuant to subsection (b) for  
23 metropolitan cities and urban counties for each fiscal  
24 year, the Secretary shall make a grant for such fis-  
25 cal year to each metropolitan city and urban county

1 that complies with the requirement under subsection  
2 (d), in the amount that bears the same ratio such  
3 total amount so allocated as the amount of the grant  
4 for such fiscal year under section 106 for such met-  
5 ropolitan city or urban county bears to the aggre-  
6 gate amount of all grants for such fiscal year under  
7 section 106 for all metropolitan cities and urban  
8 counties.

9 “(2) STATES.—From the amounts allocated  
10 pursuant to subsection (b) for States for each fiscal  
11 year, the Secretary shall make a grant for such fis-  
12 cal year to each State that complies with the re-  
13 quirement under subsection (d), in the amount that  
14 bears the same ratio such total amount so allocated  
15 as the amount of the grant for such fiscal year  
16 under section 106 for such State bears to the aggre-  
17 gate amount of all grants for such fiscal year under  
18 section 106 for all States. Grant amounts received  
19 by a State shall be used only for eligible activities  
20 under subsection (e) carried out in nonentitlement  
21 areas of the State.

22 “(3) INDIAN TRIBES.—From the amounts allo-  
23 cated pursuant to subsection (b) for Indian tribes,  
24 the Secretary shall make grants to Indian tribes that  
25 comply with the requirement under subsection (d) on

1 the basis of a competition conducted pursuant to  
2 specific criteria, as the Secretary shall establish by  
3 regulation, for the selection of Indian tribes to re-  
4 ceive such amount.

5 “(4) INSULAR AREAS.—From the amounts allo-  
6 cated pursuant to subsection (b) for insular areas,  
7 the Secretary shall make a grant to each insular  
8 area that complies with the requirement under sub-  
9 section (d) on the basis of the ratio of the population  
10 of the insular area to the aggregate population of all  
11 insular areas. In determining the distribution of  
12 amounts to insular areas, the Secretary may also in-  
13 clude other statistical criteria as data become avail-  
14 able from the Bureau of Census of the Department  
15 of Labor, but only if such criteria are set forth by  
16 regulation issued after notice and an opportunity for  
17 comment.

18 “(d) STATEMENT OF ACTIVITIES.—

19 “(1) REQUIREMENT.—Before receipt the re-  
20 cept in any fiscal year of a grant under subsection  
21 (c) by any grantee, the grantee shall have prepared  
22 a final statement of housing energy efficiency objec-  
23 tives and projected use of funds as the Secretary  
24 shall require and shall have provided the Secretary  
25 with such certifications regarding such objectives

1 and use as the Secretary may require. In the case  
2 of metropolitan cities, urban counties, units of gen-  
3 eral local government, and insular areas receiving  
4 grants, the statement of projected use of funds shall  
5 consist of proposed housing energy efficiency activi-  
6 ties. In the case of States receiving grants, the state-  
7 ment of projected use of funds shall consist of the  
8 method by which the States will distribute funds to  
9 units of general local government.

10 “(2) PUBLIC PARTICIPATION.—The Secretary  
11 may establish requirements to ensure the public  
12 availability of information regarding projected use of  
13 grant amounts and public participation in deter-  
14 mining such projected use.

15 “(e) ELIGIBLE ACTIVITIES.—

16 “(1) REQUIREMENT.—Amounts from a grant  
17 under this section may be used only to carry out ac-  
18 tivities for single-family or multifamily housing that  
19 are designed to improve the energy efficiency of the  
20 housing so that the housing complies with the en-  
21 ergy efficiency standard under subsection (f)(1), in-  
22 cluding such activities to provide energy for such  
23 housing from renewable sources, such as wind,  
24 waves, solar, biomass, and geothermal sources.

1           “(2) PREFERENCE FOR COMPLIANCE BEYOND  
2           MINIMUM REQUIREMENTS.—In selecting activities to  
3           be funded with amounts from a grant under this  
4           section, a grantee shall give more preference—

5                   “(A) to activities based on the extent to  
6                   which the activities will result in compliance by  
7                   the housing with the enhanced energy efficiency  
8                   and conservation standards, and the green  
9                   building standards, under subsection (f)(2); and

10                   “(B) to activities for which contracts can  
11                   be awarded, based on bids submitted, not later  
12                   than 120 days after amounts from a grant  
13                   under this section are made available to the  
14                   grantee.

15           “(f) MINIMUM HUD ENERGY EFFICIENCY STAND-  
16           ARDS AND STANDARDS FOR ADDITIONAL CREDIT.—

17                   “(1) MINIMUM HUD STANDARD.—

18                   “(A) RESIDENTIAL STRUCTURES.—A resi-  
19                   dential single family or multifamily structure  
20                   shall be considered to comply with the energy  
21                   efficiency requirements under this paragraph  
22                   if—

23                           “(i) the structure complies with the  
24                           applicable provisions of the American Soci-  
25                           ety of Heating, Refrigerating, and Air-

1                    Conditioning Engineers Standard 90.1–  
2                    2007, as such standard or successor stand-  
3                    ard is in effect for purposes of this sub-  
4                    section pursuant to paragraph (3);

5                    “(ii) the structure complies with the  
6                    applicable provisions of the 2006 Inter-  
7                    national Energy Conservation Code, as  
8                    such standard or successor standard is in  
9                    effect for purposes of this subsection pur-  
10                    suant paragraph (3);

11                    “(iii) in the case only of an existing  
12                    structure, where determined cost effective,  
13                    the structure has undergone rehabilitation  
14                    or improvements, completed after the date  
15                    of the enactment of this Act, and the en-  
16                    ergy consumption for the structure has  
17                    been reduced by at least 20 percent from  
18                    the previous level of consumption, as deter-  
19                    mined in accordance with energy audits  
20                    performed both before and after any reha-  
21                    bilitation or improvements undertaken to  
22                    reduce such consumption; or

23                    “(iv) the structure complies with the  
24                    applicable provisions of such other energy  
25                    efficiency requirements, standards, check-

1 lists, or ratings systems as the Secretary  
2 may adopt and apply by regulation, as may  
3 be necessary, for purposes of this section  
4 for specific types of residential single fam-  
5 ily or multifamily structures or otherwise,  
6 except that the Secretary shall make a de-  
7 termination regarding whether to adopt  
8 and apply any such requirements, stand-  
9 ards, checklists, or rating system for pur-  
10 poses of this subsection not later than the  
11 expiration of the 180-day period beginning  
12 upon the date of receipt of any written re-  
13 quest, made in such form as the Secretary  
14 shall provide, for such adoption and appli-  
15 cation.

16 “(B) NONRESIDENTIAL STRUCTURES.—  
17 For purposes of this subsection, the Secretary  
18 shall identify and adopt by regulation, as may  
19 be necessary, energy efficiency requirements,  
20 standards, checklists, or rating systems applica-  
21 ble to nonresidential structures that are con-  
22 structed or rehabilitated with HUD assistance.  
23 A nonresidential structure shall be considered  
24 to comply with the energy efficiency require-  
25 ments under this subsection if the structure

1           complies with the applicable provisions of any  
2           such energy efficiency requirements, standards,  
3           checklist, or rating systems identified and  
4           adopted by the Secretary pursuant to this para-  
5           graph, as such standards are in effect for pur-  
6           poses of this subsection pursuant to paragraph  
7           (3).

8           “(2) ADDITIONAL CREDIT FOR COMPLIANCE  
9           WITH ENHANCED ENERGY EFFICIENCY STAND-  
10          ARDS.—

11                 “(A) IN GENERAL.—In addition to compli-  
12           ance with the energy efficiency requirements  
13           under paragraph (1), a residential or nonresi-  
14           dential structure shall be considered to comply  
15           with the enhanced energy efficiency and con-  
16           servation standards or the green building stand-  
17           ards under this paragraph, to the extent that  
18           such structure complies with the applicable pro-  
19           visions of the standards under subparagraph  
20           (B) or (C), respectively (as such standards are  
21           in effect for purposes of this subsection, pursu-  
22           ant to paragraph (3)), in a manner that is not  
23           required for compliance with the energy effi-  
24           ciency requirements under paragraph (1) and  
25           subject to the Secretary’s determination of

1           which standards are applicable to which struc-  
2           tures.

3                   “(B) ENERGY EFFICIENCY AND CON-  
4           SERVATION STANDARDS.—The energy efficiency  
5           and conservation standards under this subpara-  
6           graph are as follows:

7                           “(i) RESIDENTIAL STRUCTURES.—

8                   With respect to residential structures:

9                                   “(I) NEW CONSTRUCTION.—For  
10           new construction, the Energy Star  
11           standards established by the Environ-  
12           mental Protection Agency, as such  
13           standards are in effect for purposes of  
14           this paragraph pursuant to paragraph  
15           (3);

16                                   “(II) EXISTING STRUCTURES.—  
17           For existing structures, a reduction in  
18           energy consumption from the previous  
19           level of consumption for the structure,  
20           as determined in accordance with en-  
21           ergy audits performed both before and  
22           after any rehabilitation or improve-  
23           ments undertaken to reduce such con-  
24           sumption, that exceeds the reduction  
25           necessary for compliance with the en-

1                   energy efficiency requirement under  
2                   paragraph (1)(A)(iii).

3                   “(ii)     NONRESIDENTIAL     STRUC-  
4                   TURES.—With respect to nonresidential  
5                   structures, such energy efficiency and con-  
6                   servation requirements, standards, check-  
7                   lists, or rating systems for nonresidential  
8                   structures as the Secretary shall identify  
9                   and adopt by regulation, as may be nec-  
10                  essary, for purposes of this subparagraph.

11                  “(C) GREEN BUILDING STANDARDS.—The  
12                  green building standards under this subpara-  
13                  graph are as follows:

14                         “(i) The national Green Communities  
15                         criteria checklist for residential construc-  
16                         tion that provides criteria for the design,  
17                         development, and operation of affordable  
18                         housing, as such checklist or successor  
19                         checklist is in effect for purposes of this  
20                         section pursuant to paragraph (3).

21                         “(ii) The gold certification level for  
22                         the LEED for New Construction rating  
23                         system, the LEED for Homes rating sys-  
24                         tem, the LEED for Core and Shell rating  
25                         system, as applicable, as such systems or

1 successor systems are in effect for pur-  
2 poses of this section pursuant to para-  
3 graph (3).

4 “(iii) The Green Globes assessment  
5 and rating system of the Green Buildings  
6 Initiative.

7 “(iv) For manufactured housing, en-  
8 ergy star rating with respect to fixtures,  
9 appliances, and equipment in such housing,  
10 as such standard or successor standard is  
11 in effect for purposes of this subsection  
12 pursuant to paragraph (3).

13 “(v) The National Green Building  
14 Standard, but such standard shall apply  
15 for purposes of this subparagraph only—

16 “(I) if such standard is ratified  
17 under the American National Stand-  
18 ards Institute process;

19 “(II) upon expiration of the 180-  
20 day period beginning upon such ratifi-  
21 cation; and

22 “(III) if, during such 180-day pe-  
23 riod, the Secretary of Housing and  
24 Urban Development does not reject

1 the applicability of such standard for  
2 purposes of this subparagraph.

3 “(vi) Any other requirements, stand-  
4 ards, checklists, or rating systems for  
5 green building or sustainability as the Sec-  
6 retary may identify and adopt by regula-  
7 tion, as may be necessary for purposes of  
8 this subparagraph, except that the Sec-  
9 retary shall make a determination regard-  
10 ing whether to adopt and apply any such  
11 requirements, standards, checklist, or rat-  
12 ing system for purposes of this section not  
13 later than the expiration of the 180-day  
14 period beginning upon date of receipt of  
15 any written request, made in such form as  
16 the Secretary shall provide, for such adop-  
17 tion and application.

18 “(D) GREEN BUILDING.—For purposes of  
19 this subsection, the term ‘green building’  
20 means, with respect to standards for structures,  
21 standards to require use of sustainable design  
22 principles to reduce the use of nonrenewable re-  
23 sources, minimize the impact of development on  
24 the environment, and to improve indoor air  
25 quality.

1           “(E) ENERGY AUDITS.—The Secretary  
2           shall establish standards and requirements for  
3           energy audits for purposes of subparagraph  
4           (B)(i)(II).

5           “(3) APPLICABILITY AND UPDATING OF STAND-  
6           ARDS.—

7           “(A) APPLICABILITY.—Except as provided  
8           in subparagraph (B), the requirements, stand-  
9           ards, checklists, and rating systems referred to  
10          in paragraphs (1) and (2) that are in effect for  
11          purposes of this subsection are such require-  
12          ments, standards, checklists, and systems are  
13          as in existence upon the date of the enactment  
14          of this Act.

15          “(B) UPDATING.—For purposes of this  
16          subsection, the Secretary may adopt and apply  
17          by regulation, as may be necessary, future  
18          amendments and supplements to, and editions  
19          of, the requirements, standards, checklists, and  
20          rating systems referred to in paragraphs (1)  
21          and (2).

22          “(g) REPORTS.—Each grantee of a grant under this  
23          section for a fiscal year shall submit to the Secretary, at  
24          a time determined by the Secretary, a performance and  
25          evaluation report concerning the use of grant amounts,

1 which shall contain an assessment by the grantee of the  
2 relationship of such use to the objectives identified in the  
3 grantees statement under subsection (d).

4 “(h) APPLICABILITY OF CDBG PROVISIONS.—Sec-  
5 tions 109, 110, and 111 of the Housing and Community  
6 Development Act of 1974 (42 U.S.C. 5309, 5310, 5311)  
7 shall apply to assistance received under this section to the  
8 same extent and in the same manner that such sections  
9 apply to assistance received under title I of such Act.

10 “(i) INAPPLICABILITY OF CERTAIN PROVISIONS.—  
11 Notwithstanding any provision of the American Recovery  
12 and Reinvestment Act of 2009, the provisions under the  
13 paragraph ‘DEPARTMENT OF HOUSING AND  
14 URBAN DEVELOPMENT—Community Planning and  
15 Development—Community Development Fund’ in title  
16 XII of such Act that are specifically applicable to amounts  
17 appropriated in that paragraph shall not apply to amounts  
18 made available for grants under this section.”.

