

Revised # 6

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 4785
OFFERED BY MR. HOLDEN OF PENNSYLVANIA**

Page 1, line 17, strike "and".

Page 1, after line 17, insert the following new sub-
paragraph:

1 (B) is not an entity that has an ongoing
2 capital repayment obligation to the Department
3 of the Treasury pursuant to the Troubled Asset
4 Relief Program (Public Law 110-343, 122
5 Stat. 3765); and

Page 2, line 1, redesignate subparagraph (B) as
subparagraph (C).

Page 6, after line 18, insert the following new para-
graph (and redesignate the subsequent paragraphs ac-
cordingly):

6 (2) will use the funds provided under this sec-
7 tion to supplement and not supplant any prior or
8 planned Federal and State funding provided to carry
9 out energy efficiency programs, on the condition
10 that, to the extent the Secretary finds that a State

1 has supplanted other such programs with funding
2 under this section, the Secretary may with hold an
3 equivalent amount of funding from allocations for
4 the State under this section;

Page 10, strike lines 5 through 7.

Page 10, line 8, strike "(5)" and insert "(4)".

Page 10, line 12, strike "(6)" and insert "(5)".

Page 10, line 17, after "this section" insert ", provided that enactment of this Act would not increase direct spending,".

Page 18, strike lines 3 through 8 and insert the following:

- 5 (C) shall not be used to fund—
- 6 (i) the purchase of a manufactured
- 7 home; or
- 8 (ii) the purchase of any other personal
- 9 property unless the personal property is or
- 10 becomes attached to real property as a fix-
- 11 ture;
- 12 (D) shall not be used to fund modifications
- 13 to personal property unless the personal prop-
- 14 erty—

- 1 (i) is or becomes attached to real
- 2 property as a fixture; or
- 3 (ii) is a manufactured home;

Page 18, line 9, strike “(D)” and insert “(E)”.

Page 18, line 24, strike “(E)” and insert “(F)”.

Page 20, line 8, strike “(j)” and insert “(i)”.

Page 25, line 19, after “this section” insert “, provided that enactment of this Act would not increase direct spending,”.

At the end, add the following:

4 **SEC. 3. PROHIBITION.**

5 Neither the Secretary of Energy nor the Secretary
6 of Agriculture shall provide any funds authorized by this
7 Act to any contractor that employs an employee to work
8 in a consumer’s home if that employee has been convicted
9 of, or plead guilty to, a crime of child molestation, rape,
10 or any other form of sexual assault.

11 **SEC. 4. FEDERAL EMPLOYEES.**

12 (a) A loan shall not be provided to a Federal em-
13 ployee under this Act if any of the following apply to the
14 employee:

- 15 (1) The employee has a seriously delinquent tax
- 16 debt (as determined under subsection (b)).

1 (2) The employee received a payment under the
2 Low-Income Home Energy Assistance Act of 1981
3 (42 U.S.C. 8621 et seq.) but was ineligible to receive
4 the payment under the criteria described in section
5 2605(b)(2) of such Act (42 U.S.C. 8624(b)(2)).

6 (3) The employee has been officially disciplined
7 for violations of subpart G of the Standards of Eth-
8 ical Conduct for Employees of the Executive Branch
9 for viewing, downloading, or exchanging pornog-
10 raphy, including child pornography, on a Federal
11 Government computer or while performing official
12 Federal Government duties.

13 (b) For purposes of subsection (a)(1), a “seriously
14 delinquent tax debt” means an outstanding debt under the
15 Internal Revenue Code of 1986 for which a notice of lien
16 has been filed in public records pursuant to section 6323
17 of such Code, except that such term does not include—

18 (1) a debt that is being paid in a timely manner
19 pursuant to an agreement under section 6159 or
20 section 7122 of such Code; or

21 (2) a debt with respect to which a collection due
22 process hearing under section 6330 of such Code is
23 requested, pending, or completed and no payment is
24 required.

1 **SEC. 5. WRONGFUL USE OR DIVERSION OF PROGRAM**
2 **FUNDS.**

3 The Secretary of Energy and the Secretary of Agri-
4 culture shall take such steps as are necessary and appro-
5 priate, including requirements for the immediate repay-
6 ment of Federal assistance, to ensure that none of the
7 funds authorized in this Act are used—

8 (1) in violation of law;

9 (2) in a manner that creates a significant
10 threat to human health or safety;

11 (3) in a manner that undercuts the integrity
12 and accountability of the program under this Act; or

13 (4) for purposes other than those serving the
14 objectives of this Act.

