

116TH CONGRESS  
2D SESSION

# H. R. 8021

To encourage energy efficiency, conservation, and development of renewable energy sources for housing, and to create sustainable communities.

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## IN THE HOUSE OF REPRESENTATIVES

AUGUST 11, 2020

Mr. PERLMUTTER (for himself and Mr. CASTEN of Illinois) introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To encourage energy efficiency, conservation, and development of renewable energy sources for housing, and to create sustainable communities.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Green Neighborhoods Act of 2020”.

6 (b) TABLE OF CONTENTS.—The table of contents for  
7 this Act is as follows:

Sec. 1. Short title; table of contents.

- Sec. 2. Implementation of energy efficiency participation incentives for HUD programs.
- Sec. 3. Basic HUD energy efficiency standards and standards for additional credit.
- Sec. 4. Enhanced energy efficiency underwriting.
- Sec. 5. Energy-efficient certifications for manufactured housing with mortgages.
- Sec. 6. Making it green.
- Sec. 7. Including sustainable development and transportation strategies in comprehensive housing affordability strategies.
- Sec. 8. Grant program to increase sustainable low-income community development capacity.
- Sec. 9. Benchmarking.
- Sec. 10. Workforce development.
- Sec. 11. Ensuring availability of homeowners insurance for homes not connected to electricity grid.
- Sec. 12. Definitions.

1 **SEC. 2. IMPLEMENTATION OF ENERGY EFFICIENCY PAR-**  
 2 **TICIPATION INCENTIVES FOR HUD PRO-**  
 3 **GRAMS.**

4 (a) IN GENERAL.—Not later than 180 days after the  
 5 date of the enactment of this Act, the Secretary of Hous-  
 6 ing and Urban Development shall issue such regulations  
 7 as may be necessary to establish annual energy efficiency  
 8 participation incentives consistent with this Act to encour-  
 9 age participants in programs administered by the Sec-  
 10 retary, including recipients under programs for which  
 11 HUD assistance is provided, to achieve substantial im-  
 12 provements in energy efficiency.

13 (b) REQUIREMENT FOR APPROPRIATION OF  
 14 FUNDS.—The requirement under subsection (a) for the  
 15 Secretary to provide annual energy efficiency participation  
 16 incentives pursuant to the provisions of this Act shall be  
 17 subject to the annual appropriation of necessary funds.

1 **SEC. 3. BASIC HUD ENERGY EFFICIENCY STANDARDS AND**  
2 **STANDARDS FOR ADDITIONAL CREDIT.**

3 (a) BASIC HUD STANDARD.—

4 (1) RESIDENTIAL STRUCTURES.—A residential  
5 single-family or multifamily structure shall be con-  
6 sidered to comply with the energy efficiency stand-  
7 ards under this subsection if—

8 (A) the structure complies with the appli-  
9 cable provisions of the American Society of  
10 Heating, Refrigerating, and Air-Conditioning  
11 Engineers Standard 90.1–2016, as such stand-  
12 ard or successor standard is in effect for pur-  
13 poses of this section pursuant to subsection (c);

14 (B) the structure complies with the appli-  
15 cable provisions of the 2018 International En-  
16 ergy Conservation Code, as such standard or  
17 successor standard is in effect for purposes of  
18 this section pursuant to subsection (c);

19 (C) in the case only of an existing struc-  
20 ture, where determined cost effective, the struc-  
21 ture has undergone rehabilitation or improve-  
22 ments, completed after the date of the enact-  
23 ment of this Act, and the energy consumption  
24 for the structure has been reduced by at least  
25 20 percent from the previous level of consump-  
26 tion, as determined in accordance with energy

1 audits performed both before and after any re-  
2 habilitation or improvements undertaken to re-  
3 duce such consumption; or

4 (D) the structure complies with the appli-  
5 cable provisions of such other energy efficiency  
6 requirements, standards, checklists, or ratings  
7 systems as the Secretary may adopt and apply  
8 by regulation, as may be necessary, for pur-  
9 poses of this section for specific types of resi-  
10 dential single-family or multifamily structures  
11 or otherwise, except that the Secretary shall  
12 make a determination regarding whether to  
13 adopt and apply any such requirements, stand-  
14 ards, checklists, or rating system for purposes  
15 of this section not later than the expiration of  
16 the 180-day period beginning upon the date of  
17 receipt of any written request, made in such  
18 form as the Secretary shall provide, for such  
19 adoption and application.

20 In addition to compliance with any of subparagraphs  
21 (A) through (D), the Secretary shall by regulation  
22 require, for any newly constructed residential single-  
23 family or multifamily structure to be considered to  
24 comply with the energy efficiency standards under  
25 this subsection, that the structure have appropriate

1 electrical outlets with the facility and capacity to re-  
2 charge a standard electric passenger vehicle, includ-  
3 ing an electric hybrid vehicle, where such vehicle  
4 would normally be parked.

5 (2) NONRESIDENTIAL STRUCTURES.—For pur-  
6 poses of this section, the Secretary shall identify and  
7 adopt by regulation, as may be necessary, energy ef-  
8 ficiency requirements, standards, checklists, or rat-  
9 ing systems applicable to nonresidential structures  
10 that are constructed or rehabilitated with HUD as-  
11 sistance. A nonresidential structure shall be consid-  
12 ered to comply with the energy efficiency standards  
13 under this subsection if the structure complies with  
14 the applicable provisions of any such energy effi-  
15 ciency requirements, standards, checklist, or rating  
16 systems identified and adopted by the Secretary pur-  
17 suant to this paragraph, as such standards are in ef-  
18 fect for purposes of this section pursuant to sub-  
19 section (c).

20 (3) EFFECT.—Nothing in this subsection may  
21 be construed to require any structure to comply with  
22 any standard established or adopted pursuant to this  
23 subsection, or identified in this subsection, or to pro-  
24 vide any benefit or credit under any Federal pro-

1       gram for any structure that complies with any such  
2       standard, except to the extent that—

3               (A) any provision of law other than this  
4               subsection provides a benefit or credit under a  
5               Federal program for compliance with a stand-  
6               ard established or adopted pursuant to this sub-  
7               section, or identified in this subsection; or

8               (B) the Secretary specifically provides pur-  
9               suant to subsection (c) for the applicability of  
10              such standard.

11       (b) ENHANCED ENERGY EFFICIENCY STANDARDS  
12 FOR PURPOSES OF PROVIDING ADDITIONAL CREDIT  
13 UNDER CERTAIN FEDERALLY ASSISTED HOUSING PRO-  
14 GRAMS.—

15              (1) PURPOSE AND EFFECT.—

16               (A) PURPOSE.—The purpose of this sub-  
17               section is to establish energy efficiency and con-  
18               servation standards and green building stand-  
19               ards that—

20                      (i) provide for greater energy effi-  
21                      ciency and conservation in structures than  
22                      is required for compliance with the energy  
23                      efficiency standards under subsection (a)  
24                      and then in effect;

1 (ii) provide for green and sustainable  
2 building standards not required by such  
3 standards; and

4 (iii) can be used in connection with  
5 Federal housing, housing finance, and de-  
6 velopment programs to provide incentives  
7 for greater energy efficiency and conserva-  
8 tion and for green and sustainable building  
9 methods, elements, practices, and mate-  
10 rials.

11 (B) EFFECT.—Nothing in this subsection  
12 may be construed to require any structure to  
13 comply with any standard established pursuant  
14 to this subsection or to provide any benefit or  
15 credit under any Federal program for any  
16 structure, except to the extent that any provi-  
17 sion of law other than this subsection provides  
18 a benefit or credit under a Federal program for  
19 compliance with a standard established pursu-  
20 ant to this subsection.

21 (2) COMPLIANCE.—A residential or nonresiden-  
22 tial structure shall be considered to comply with the  
23 enhanced energy efficiency and conservation stand-  
24 ards or the green building standards under this sub-  
25 section, to the extent that such structure is verified

1 by a third party as compliant with, or certified to,  
2 the applicable provisions of the standards under  
3 paragraph (3) or (4), respectively (as such standards  
4 are in effect for purposes of this section, pursuant  
5 to paragraph (7)), in a manner that is not required  
6 for compliance with the energy efficiency standards  
7 under subsection (a) then in effect and subject to  
8 the Secretary's determination of which standards are  
9 applicable to which structures.

10 (3) ENERGY EFFICIENCY AND CONSERVATION  
11 STANDARDS.—The energy efficiency and conserva-  
12 tion standards under this paragraph are as follows:

13 (A) RESIDENTIAL STRUCTURES.—With re-  
14 spect to residential structures:

15 (i) NEW CONSTRUCTION.—For new  
16 construction, the Energy Star for Homes  
17 certification or Energy Star for Multi-  
18 family New Construction certification  
19 standards established by the Environ-  
20 mental Protection Agency, as such stand-  
21 ards are in effect for purposes of this sub-  
22 section pursuant to paragraph (7);

23 (ii) EXISTING STRUCTURES.—For ex-  
24 isting structures, a reduction in energy  
25 consumption from the previous level of



1 consumption for the structure, as deter-  
2 mined in accordance with energy audits  
3 performed both before and after any reha-  
4 bilitation or improvements undertaken to  
5 reduce such consumption by at least 30  
6 percent or achievement of ENERGY  
7 STAR certification.

8 (B) NONRESIDENTIAL STRUCTURES.—

9 With respect to nonresidential structures, such  
10 energy efficiency and conservation require-  
11 ments, standards, checklists, or rating systems  
12 for nonresidential structures as the Secretary  
13 shall identify and adopt by regulation, as may  
14 be necessary, for purposes of this paragraph.

15 (4) GREEN BUILDING STANDARDS.—The green  
16 building standards under this paragraph are the  
17 most recent adopted versions of the following:

18 (A) The national Green Communities cri-  
19 teria checklist for residential construction that  
20 provides criteria for the design, development,  
21 and operation of affordable housing, as such  
22 checklist or successor checklist is in effect for  
23 purposes of this section pursuant to paragraph  
24 (7).

1           (B) The LEED for New Construction rat-  
2           ing system, the LEED for Homes rating sys-  
3           tem, the LEED for Core and Shell rating sys-  
4           tem, as applicable, as such systems or successor  
5           systems are in effect for purposes of this sec-  
6           tion pursuant to paragraph (7).

7           (C) The Green Globes assessment and rat-  
8           ing system of the Green Buildings Initiative.

9           (D) For manufactured housing, energy  
10          star rating with respect to fixtures, appliances,  
11          and equipment in such housing, as such stand-  
12          ard or successor standard is in effect for pur-  
13          poses of this section pursuant to paragraph (7).

14          (E) The National Green Building Stand-  
15          ard.

16          (F) Any other proven requirements, stand-  
17          ards, checklists, or rating systems for green  
18          building or sustainability as the Secretary may  
19          identify and adopt by regulation, as may be  
20          necessary for purposes of this paragraph, ex-  
21          cept that the Secretary shall make a determina-  
22          tion regarding whether to adopt and apply any  
23          such requirements, standards, checklist, or rat-  
24          ing system for purposes of this section not later  
25          than the expiration of the 180-day period begin-

1           ning upon date of receipt of any written re-  
2           quest, made in such form as the Secretary shall  
3           provide, for such adoption and application.

4           (5) GREEN BUILDING.—For purposes of this  
5           subsection, the term “green building” means, with  
6           respect to standards for structures, standards to re-  
7           quire use of sustainable design principles to reduce  
8           the use of nonrenewable resources, minimize the im-  
9           pact of development on the environment, and to im-  
10          prove indoor air quality.

11          (6) ENERGY AUDITS.—The Secretary shall es-  
12          tablish standards and requirements for energy au-  
13          dits for purposes of paragraph (3)(A)(ii).

14          (7) APPLICABILITY AND UPDATING OF STAND-  
15          ARDS.—

16                (A) APPLICABILITY.—Except as provided  
17                in subparagraph (B), the requirements, stand-  
18                ards, checklists, and rating systems referred to  
19                in this subsection that are in effect for purposes  
20                of this subsection are such requirements, stand-  
21                ards, checklists, and systems are as in existence  
22                upon the date of the enactment of this Act.

23                (B) UPDATING.—For purposes of this sec-  
24                tion, the Secretary may adopt and apply by reg-  
25                ulation, as may be necessary, future amend-

1           ments and supplements to, and editions of, the  
2           requirements, standards, checklists, and rating  
3           systems referred to in this subsection.

4           (c) AUTHORITY OF SECRETARY TO APPLY STAND-  
5 ARDS TO FEDERALLY ASSISTED HOUSING AND PRO-  
6 GRAMS.—

7           (1) HUD HOUSING AND PROGRAMS.—The Sec-  
8           retary of Housing and Urban Development may, by  
9           regulation, provide for the applicability of the energy  
10          efficiency standards under subsection (a) or the en-  
11          hanced energy efficiency and conservation standards  
12          and green building standards under subsection (b),  
13          or both, with respect to any covered federally as-  
14          sisted housing described in paragraph (3)(A) or any  
15          HUD assistance.

16          (2) RURAL HOUSING.—The Secretary of Agri-  
17          culture may, by regulation, provide for the applica-  
18          bility of the energy efficiency standards under sub-  
19          section (a) or the enhanced energy efficiency and  
20          conservation standards and green building standards  
21          under subsection (b), or both, with respect to any  
22          covered federally assisted housing described in para-  
23          graph (3)(B) or any assistance provided with respect  
24          to rural housing by the Rural Housing Service of the  
25          Department of Agriculture.

1           (3) COVERED FEDERALLY ASSISTED HOUS-  
2           ING.—For purposes of this subsection, the term  
3           “covered federally assisted housing” means—

4                   (A) any residential or nonresidential struc-  
5                   ture for which any HUD assistance is provided;  
6                   and

7                   (B) any new construction of single-family  
8                   housing (other than manufactured homes) sub-  
9                   ject to mortgages insured, guaranteed, or made  
10                  by the Secretary of Agriculture under title V of  
11                  the Housing Act of 1949 (42 U.S.C. 1471 et  
12                  seq.).

13 **SEC. 4. ENHANCED ENERGY EFFICIENCY UNDERWRITING.**

14           (a) DEFINITIONS.—In this section:

15                   (1) COVERED AGENCY.—The term “covered  
16                   agency”—

17                           (A) means—

18                                   (i) an executive agency, as that term  
19                                   is defined in section 102 of title 31, United  
20                                   States Code; and

21                                   (ii) any other agency of the Federal  
22                                   Government; and

23                   (B) includes each enterprise, as that term  
24                   is defined under section 1303 of the Federal

1           Housing Enterprises Financial Safety and  
2           Soundness Act of 1992 (12 U.S.C. 4502).

3           (2) COVERED LOAN.—The term “covered loan”  
4           means a loan secured by a home that is issued, in-  
5           sured, purchased, or securitized by a covered agency.

6           (3) HOMEOWNER.—The term “homeowner”  
7           means the mortgagor under a covered loan.

8           (4) MORTGAGEE.—The term “mortgagee”  
9           means—

10                   (A) an original lender under a covered loan  
11                   or the holder of a covered loan at the time at  
12                   which that mortgage transaction is con-  
13                   summated;

14                   (B) any affiliate, agent, subsidiary, suc-  
15                   cessor, or assignee of an original lender under  
16                   a covered loan or the holder of a covered loan  
17                   at the time at which that mortgage transaction  
18                   is consummated;

19                   (C) any servicer of a covered loan; and

20                   (D) any subsequent purchaser, trustee, or  
21                   transferee of any covered loan issued by an  
22                   original lender.

23           (5) SECRETARY.—The term “Secretary” means  
24           the Secretary of Housing and Urban Development.

1           (6) SERVICER.—The term “servicer” means the  
2 person or entity responsible for the servicing of a  
3 covered loan, including the person or entity who  
4 makes or holds a covered loan if that person or enti-  
5 ty also services the covered loan.

6           (7) SERVICING.—The term “servicing” has the  
7 meaning given the term in section 6(i) of the Real  
8 Estate Settlement Procedures Act of 1974 (12  
9 U.S.C. 2605(i)).

10       (b) FINDINGS AND PURPOSES.—

11           (1) FINDINGS.—The Congress finds that—

12                   (A) energy costs for homeowners are a sig-  
13 nificant and increasing portion of their house-  
14 hold budgets;

15                   (B) household energy use can vary sub-  
16 stantially depending on the efficiency and char-  
17 acteristics of the house;

18                   (C) expected energy cost savings are im-  
19 portant to the value of the house;

20                   (D) the current test for loan affordability  
21 used by most covered agencies, commonly  
22 known as the “debt-to-income” test, is inad-  
23 equate because it does not take into account the  
24 expected energy cost savings for the homeowner  
25 of an energy efficient home; and

1           (E) another loan limitation, commonly  
2 known as the “loan-to-value” test, is tied to the  
3 appraisal, which often does not adjust for effi-  
4 ciency features of houses.

5           (2) PURPOSES.—The purposes of this section  
6 are to—

7           (A) improve the accuracy of mortgage un-  
8 derwriting by Federal mortgage agencies by en-  
9 suring that energy cost savings are included in  
10 the underwriting process as described below,  
11 and thus to reduce the amount of energy con-  
12 sumed by homes and to facilitate the creation  
13 of energy efficiency retrofit and construction  
14 jobs;

15           (B) require a covered agency to include the  
16 expected energy cost savings of a homeowner as  
17 a regular expense in the tests, such as the debt-  
18 to-income test, used to determine the ability of  
19 the loan applicant to afford the cost of home-  
20 ownership for all loan programs; and

21           (C) require a covered agency to include the  
22 value home buyers place on the energy effi-  
23 ciency of a house in tests used to compare the  
24 mortgage amount to home value, taking pre-



1           cautions to avoid double-counting and to sup-  
2           port safe and sound lending.

3           (c) ENHANCED ENERGY EFFICIENCY UNDER-  
4 WRITING CRITERIA.—

5           (1) IN GENERAL.—Not later than 1 year after  
6           the date of enactment of this Act, the Secretary  
7           shall, in consultation with the advisory group estab-  
8           lished in subsection (f)(2), develop and issue guide-  
9           lines for a covered agency to implement enhanced  
10          loan eligibility requirements, for use when testing  
11          the ability of a loan applicant to repay a covered  
12          loan, that account for the expected energy cost sav-  
13          ings for a loan applicant at a subject property, in  
14          the manner set forth in paragraphs (2) and (3).

15          (2) REQUIREMENTS TO ACCOUNT FOR ENERGY  
16 COST SAVINGS.—

17           (A) IN GENERAL.—The enhanced loan eli-  
18          gibility requirements under paragraph (1) shall  
19          require that, for all covered loans for which an  
20          energy efficiency report is voluntarily provided  
21          to the mortgagee by the mortgagor, the covered  
22          agency and the mortgagee shall take into con-  
23          sideration the estimated energy cost savings ex-  
24          pected for the owner of the subject property in  
25          determining whether the loan applicant has suf-

1           efficient income to service the mortgage debt plus  
2           other regular expenses.

3           (B) EXPENSES AS OFFSETS.—To the ex-  
4           tent that a covered agency uses a test, such as  
5           a debt-to-income test, that includes certain reg-  
6           ular expenses, such as hazard insurance and  
7           property taxes, the expected energy cost savings  
8           shall be included as an offset to these expenses.

9           (C) ASSESSED ENERGY COSTS.—Energy  
10          costs to be assessed include the cost of elec-  
11          tricity, natural gas, oil, and any other fuel regu-  
12          larly used to supply energy to the subject prop-  
13          erty.

14          (3) DETERMINATION OF ESTIMATED ENERGY  
15          COST SAVINGS.—

16                (A) IN GENERAL.—The guidelines to be  
17                issued under paragraph (1) shall include in-  
18                structions for the covered agency to calculate  
19                estimated energy cost savings using—

- 20                   (i) the energy efficiency report;
- 21                   (ii) an estimate of baseline average  
22                   energy costs; and
- 23                   (iii) additional sources of information  
24                   as determined by the Secretary.

1 (B) REPORT REQUIREMENTS.—For the  
2 purposes of subparagraph (A), an energy effi-  
3 ciency report shall—

4 (i) estimate the expected energy cost  
5 savings specific to the subject property,  
6 based on specific information about the  
7 property;

8 (ii) be prepared in accordance with  
9 the guidelines to be issued under para-  
10 graph (1); and

11 (iii) be prepared—

12 (I) in accordance with the Resi-  
13 dential Energy Service Network’s  
14 Home Energy Rating System (com-  
15 monly known as “HERS”) by an indi-  
16 vidual certified by the Residential En-  
17 ergy Service Network, unless the Sec-  
18 retary finds that the use of HERS  
19 does not further the purposes of this  
20 section; or

21 (II) by other methods approved  
22 by the Secretary, in consultation with  
23 the Secretary of Energy and the advi-  
24 sory group established in subsection  
25 (f)(2), for use under this section,

1                   which shall include a quality assur-  
2                   ance procedure approved by the Sec-  
3                   retary, in consultation with the Sec-  
4                   retary of Energy.

5                   (C) USE BY APPRAISER.—If an energy ef-  
6                   ficiency report is used under paragraph (2), the  
7                   energy efficiency report shall be provided to the  
8                   appraiser to estimate the energy efficiency of  
9                   the subject property and for potential adjust-  
10                  ments for energy efficiency.

11                  (4) REQUIRED DISCLOSURE TO CONSUMER FOR  
12                  A HOME WITH AN ENERGY EFFICIENCY REPORT.—  
13                  If an energy efficiency report is used under para-  
14                  graph (2), the guidelines to be issued under para-  
15                  graph (1) shall require the mortgagee to—

16                   (A) inform the loan applicant of the ex-  
17                   pected energy costs as estimated in the energy  
18                   efficiency report, in a manner and at a time as  
19                   prescribed by the Secretary, and if practicable,  
20                   in the documents delivered at the time of loan  
21                   application; and

22                   (B) include the energy efficiency report in  
23                   the documentation for the loan provided to the  
24                   borrower.

1           (5) REQUIRED DISCLOSURE TO CONSUMER FOR  
2           A HOME WITHOUT AN ENERGY EFFICIENCY RE-  
3           PORT.—If an energy efficiency report is not used  
4           under paragraph (2), the guidelines to be issued  
5           under paragraph (1) shall require the mortgagee to  
6           inform the loan applicant in a manner and at a time  
7           as prescribed by the Secretary, and if practicable, in  
8           the documents delivered at the time of loan applica-  
9           tion of—

10                   (A) typical energy cost savings that would  
11                   be possible from a cost-effective energy upgrade  
12                   of a home of the size and in the region of the  
13                   subject property;

14                   (B) the impact the typical energy cost sav-  
15                   ings would have on monthly ownership costs of  
16                   a typical home;

17                   (C) the impact on the size of a mortgage  
18                   that could be obtained if the typical energy cost  
19                   savings were reflected in an energy efficiency  
20                   report; and

21                   (D) resources for improving the energy ef-  
22                   ficiency of a home.

23           (6) PRICING OF LOANS.—

24                   (A) IN GENERAL.—A covered agency may  
25                   price covered loans originated under the en-

1           hanced loan eligibility requirements required  
2           under this section in accordance with the esti-  
3           mated risk of the loans.

4           (B) IMPOSITION OF CERTAIN MATERIAL  
5           COSTS, IMPEDIMENTS, OR PENALTIES.—In the  
6           absence of a publicly disclosed analysis that  
7           demonstrates significant additional default risk  
8           or prepayment risk associated with the loans, a  
9           covered agency shall not impose material costs,  
10          impediments, or penalties on covered loans  
11          merely because the loan uses an energy effi-  
12          ciency report or the enhanced loan eligibility re-  
13          quirements required under this section.

14          (7) LIMITATIONS.—

15           (A) IN GENERAL.—A covered agency may  
16           price covered loans originated under the en-  
17           hanced loan eligibility requirements required  
18           under this section in accordance with the esti-  
19           mated risk of those loans.

20           (B) PROHIBITED ACTIONS.—A covered  
21           agency shall not—

22                   (i) modify existing underwriting cri-  
23                   teria or adopt new underwriting criteria  
24                   that intentionally negate or reduce the im-  
25                   pact of the requirements or resulting bene-

1 fits that are set forth or otherwise derived  
2 from the enhanced loan eligibility require-  
3 ments required under this subsection; or

4 (ii) impose greater buy back require-  
5 ments, credit overlays, or insurance re-  
6 quirements, including private mortgage in-  
7 surance, on covered loans merely because  
8 the loan uses an energy efficiency report or  
9 the enhanced loan eligibility requirements  
10 required under this subsection.

11 (8) APPLICABILITY AND IMPLEMENTATION  
12 DATE.—Not later than 3 years after the date of en-  
13 actment of this Act, and before December 31, 2023,  
14 the enhanced loan eligibility requirements required  
15 under this subsection shall be implemented by each  
16 covered agency to—

17 (A) apply to any covered loan for the sale,  
18 or refinancing of any loan for the sale, of any  
19 home;

20 (B) be available on any residential real  
21 property (including individual units of con-  
22 dominiums and cooperatives) that qualifies for  
23 a covered loan; and

1           (C) provide prospective mortgagees with  
2           sufficient guidance and applicable tools to im-  
3           plement the required underwriting methods.

4           (d) ENHANCED ENERGY EFFICIENCY UNDER-  
5 WRITING VALUATION GUIDELINES.—

6           (1) IN GENERAL.—Not later than 1 year after  
7           the date of enactment of this Act, the Secretary  
8           shall—

9           (A) in consultation with the Federal Fi-  
10           nancial Institutions Examination Council and  
11           the advisory group established in subsection  
12           (f)(2), develop and issue guidelines for a cov-  
13           ered agency to determine the maximum per-  
14           mitted loan amount based on the value of the  
15           property for all covered loans made on prop-  
16           erties with an energy efficiency report that  
17           meets the requirements of subsection (e)(3)(B);  
18           and

19           (B) in consultation with the Secretary of  
20           Energy, issue guidelines for a covered agency to  
21           determine the estimated energy savings under  
22           paragraph (3) for properties with an energy ef-  
23           ficiency report.



1           (2) REQUIREMENTS.—The enhanced energy ef-  
2           ficiency underwriting valuation guidelines required  
3           under paragraph (1) shall include—

4                   (A) a requirement that if an energy effi-  
5                   ciency report that meets the requirements of  
6                   subsection (c)(3)(B) is voluntarily provided to  
7                   the mortgagee, such report shall be used by the  
8                   mortgagee or covered agency to determine the  
9                   estimated energy savings of the subject prop-  
10                  erty; and

11                   (B) a requirement that the estimated en-  
12                   ergy savings of the subject property be added to  
13                   the appraised value of the subject property by  
14                   a mortgagee or covered agency for the purpose  
15                   of determining the loan-to-value ratio of the  
16                   subject property, unless the appraisal includes  
17                   the value of the overall energy efficiency of the  
18                   subject property, using methods to be estab-  
19                   lished under the guidelines issued under para-  
20                  graph (1).

21           (3) DETERMINATION OF ESTIMATED ENERGY  
22           SAVINGS.—

23                   (A) AMOUNT OF ENERGY SAVINGS.—The  
24                   amount of estimated energy savings shall be de-  
25                  termined by calculating the difference between

1 the estimated energy costs for the average com-  
2 parable houses, as determined in guidelines to  
3 be issued under paragraph (1), and the esti-  
4 mated energy costs for the subject property  
5 based upon the energy efficiency report.

6 (B) DURATION OF ENERGY SAVINGS.—The  
7 duration of the estimated energy savings shall  
8 be based upon the estimated life of the applica-  
9 ble equipment, consistent with the rating sys-  
10 tem used to produce the energy efficiency re-  
11 port.

12 (C) PRESENT VALUE OF ENERGY SAV-  
13 INGS.—The present value of the future savings  
14 shall be discounted using the average interest  
15 rate on conventional 30-year mortgages, in the  
16 manner directed by guidelines issued under  
17 paragraph (1).

18 (4) ENSURING CONSIDERATION OF ENERGY EF-  
19 FICIENT FEATURES.—Section 1110 of the Financial  
20 Institutions Reform, Recovery, and Enforcement Act  
21 of 1989 (12 U.S.C. 3339) is amended—

22 (A) in paragraph (2), by striking “and” at  
23 the end;

24 (B) in paragraph (3), by striking the pe-  
25 riod at the end and inserting “; and”; and

1 (C) by inserting after paragraph (3) the  
2 following:

3 “(4) that State certified and licensed appraisers  
4 have timely access, whenever practicable, to informa-  
5 tion from the property owner and the lender that  
6 may be relevant in developing an opinion of value re-  
7 garding the energy- and water-saving improvements  
8 or features of a property, such as—

9 “(A) labels or ratings of buildings;

10 “(B) installed appliances, measures, sys-  
11 tems or technologies;

12 “(C) blueprints;

13 “(D) construction costs;

14 “(E) financial or other incentives regard-  
15 ing energy- and water-efficient components and  
16 systems installed in a property;

17 “(F) utility bills;

18 “(G) energy consumption and  
19 benchmarking data; and

20 “(H) third-party verifications or represen-  
21 tations of energy and water efficiency perform-  
22 ance of a property, observing all financial pri-  
23 vacy requirements adhered to by certified and  
24 licensed appraisers, including section 501 of the  
25 Gramm-Leach-Bliley Act (15 U.S.C. 6801).

1 Unless a property owner consents to a lender, an ap-  
2 praiser, in carrying out the requirements of para-  
3 graph (4), shall not have access to the commercial  
4 or financial information of the owner that is privi-  
5 leged or confidential.”.

6 (5) TRANSACTIONS REQUIRING STATE CER-  
7 TIFIED AND COMPETENT APPRAISERS.—Section  
8 1113 of the Financial Institutions Reform, Recov-  
9 ery, and Enforcement Act of 1989 (12 U.S.C. 3342)  
10 is amended—

11 (A) in paragraph (1), by inserting before  
12 the semicolon the following: “, or any real prop-  
13 erty on which the appraiser makes adjustments  
14 using an energy efficiency report”; and

15 (B) in paragraph (2), by inserting after  
16 “atypical” the following: “, or an appraisal on  
17 which the appraiser makes adjustments using  
18 an energy efficiency report.”.

19 (6) APPRAISER COMPETENCY REQUIREMENT.—  
20 Mortgagee shall require that the appraiser con-  
21 ducting an appraisal of any real property for which  
22 an energy report is provided shall have the requisite  
23 knowledge required to perform a professional quality  
24 appraisal, as evidenced by professional certification  
25 approved by the Secretary.

## 1 (7) PROTECTIONS.—

2 (A) AUTHORITY TO IMPOSE LIMITA-  
3 TIONS.—The guidelines to be issued under  
4 paragraph (1) shall include such limitations and  
5 conditions as determined by the Secretary to be  
6 necessary to protect against meaningful under  
7 or over valuation of energy cost savings or du-  
8 plicative counting of energy efficiency features  
9 or energy cost savings in the valuation of any  
10 subject property that is used to determine a  
11 loan amount.

12 (B) ADDITIONAL AUTHORITY.—At the end  
13 of the 7-year period following the implementa-  
14 tion of enhanced eligibility and underwriting  
15 valuation requirements under this section, the  
16 Secretary may modify or apply additional ex-  
17 ceptions to the approach described in paragraph  
18 (2), where the Secretary finds that the  
19 unadjusted appraisal will reflect an accurate  
20 market value of the efficiency of the subject  
21 property or that a modified approach will better  
22 reflect an accurate market value.

23 (8) APPLICABILITY AND IMPLEMENTATION  
24 DATE.—Not later than 3 years after the date of en-  
25 actment of this Act, and before December 31, 2023,

1 each covered agency shall implement the guidelines  
2 required under this subsection, which shall—

3 (A) apply to any covered loan for the sale,  
4 or refinancing of any loan for the sale, of any  
5 home; and

6 (B) be available on any residential real  
7 property, including individual units of con-  
8 dominiums and cooperatives, that qualifies for a  
9 covered loan.

10 (e) MONITORING.—Not later than 1 year after the  
11 date on which the enhanced eligibility and underwriting  
12 valuation requirements are implemented under this sec-  
13 tion, and every year thereafter, each covered agency with  
14 relevant activity shall issue and make available to the pub-  
15 lic a report that—

16 (1) enumerates the number of covered loans of  
17 the agency for which there was an energy efficiency  
18 report, and that used energy efficiency appraisal  
19 guidelines and enhanced loan eligibility require-  
20 ments;

21 (2) includes the default rates and rates of fore-  
22 closures for each category of loans; and

23 (3) describes the risk premium, if any, that the  
24 agency has priced into covered loans for which there  
25 was an energy efficiency report.

1 (f) RULEMAKING.—

2 (1) IN GENERAL.—The Secretary shall pre-  
3 scribe regulations to carry out this section, in con-  
4 sultation with the Secretary of Energy and the advi-  
5 sory group established in paragraph (2), which may  
6 contain such classifications, differentiations, or other  
7 provisions, and may provide for such proper imple-  
8 mentation and appropriate treatment of different  
9 types of transactions, as the Secretary determines  
10 are necessary or proper to effectuate the purposes of  
11 this section, to prevent circumvention or evasion  
12 thereof, or to facilitate compliance therewith.

13 (2) ADVISORY GROUP.—To assist in carrying  
14 out this section, the Secretary shall establish an ad-  
15 visory group, consisting of individuals representing  
16 the interests of—

17 (A) mortgage lenders;

18 (B) appraisers;

19 (C) energy raters and residential energy  
20 consumption experts;

21 (D) energy efficiency organizations;

22 (E) real estate agents;

23 (F) home builders and remodelers;

24 (G) State energy officials; and

25 (H) others as determined by the Secretary.

1 (g) ADDITIONAL STUDY.—

2 (1) IN GENERAL.—Not later than 18 months  
3 after the date of enactment of this Act, the Sec-  
4 retary shall reconvene the advisory group established  
5 in subsection (f)(2), in addition to water and loca-  
6 tional efficiency experts, to advise the Secretary on  
7 the implementation of the enhanced energy efficiency  
8 underwriting criteria established in subsections (c)  
9 and (d).

10 (2) RECOMMENDATIONS.—

11 (A) IN GENERAL.—The advisory group es-  
12 tablished in subsection (f)(2) shall provide rec-  
13 ommendations to the Secretary on any revisions  
14 or additions to the enhanced energy efficiency  
15 underwriting criteria deemed necessary by the  
16 group, which may include alternate methods to  
17 better account for home energy costs and addi-  
18 tional factors to account for substantial and  
19 regular costs of homeownership such as loca-  
20 tion-based transportation costs and water costs.

21 (B) LEGISLATIVE RECOMMENDATIONS.—

22 The Secretary shall forward any legislative rec-  
23 ommendations from the advisory group to Con-  
24 gress for consideration.



1 **SEC. 5. ENERGY-EFFICIENT CERTIFICATIONS FOR MANU-**  
2 **FACTURED HOUSING WITH MORTGAGES.**

3 Section 526 of the National Housing Act (12 U.S.C.  
4 1735f-4(a)) is amended—

5 (1) in subsection (a)—

6 (A) by striking “, other than manufactured  
7 homes,” each place such term appears;

8 (B) by inserting after the period at the end  
9 the following: “The energy performance require-  
10 ments developed and established by the Sec-  
11 retary under this section for manufactured  
12 homes shall require energy star rating for wall  
13 fixtures, appliances, and equipment in such  
14 housing.”;

15 (C) by inserting “(1)” after “(a)”; and

16 (D) by adding at the end the following new  
17 paragraphs:

18 “(2) The Secretary shall require, with respect  
19 to any single- or multi-family residential housing  
20 subject to a mortgage insured under this Act, that  
21 any approval or certification of the housing for  
22 meeting any energy efficiency or conservation cri-  
23 teria, standards, or requirements pursuant to this  
24 title and any approval or certification required pur-  
25 suant to this title with respect to energy-conserving  
26 improvements or any renewable energy sources, such

1 as wind, solar energy geothermal, or biomass, shall  
2 be conducted only by an individual certified by a  
3 home energy rating system provider who has been  
4 accredited to conduct such ratings by the Home En-  
5 ergy Ratings System Council, the Residential En-  
6 ergy Services Network, or such other appropriate  
7 national organization, as the Secretary may provide,  
8 or by licensed professional architect or engineer. If  
9 any organization makes a request to the Secretary  
10 for approval to accredit individuals to conduct en-  
11 ergy efficiency or conservation ratings, the Secretary  
12 shall review and approve or disapprove such request  
13 not later than the expiration of the 6-month period  
14 beginning upon receipt of such request.

15 “(3) The Secretary shall periodically examine  
16 the method used to conduct inspections for compli-  
17 ance with the requirements under this section, ana-  
18 lyze various other approaches for conducting such  
19 inspections, and review the costs and benefits of the  
20 current method compared with other methods.”; and

21 (2) in subsection (b), by striking “, other than  
22 a manufactured home,”.

23 **SEC. 6. MAKING IT GREEN.**

24 (a) PARTNERSHIPS WITH TREE-PLANTING ORGANI-  
25 ZATIONS.—The Secretary shall establish and provide in-

1 centives for developers of housing for which any HUD fi-  
2 nancial assistance, as determined by the Secretary, is pro-  
3 vided for development, maintenance, operation, or other  
4 costs, to enter into agreements and partnerships with tree-  
5 planting organizations, nurseries, and landscapers to cer-  
6 tify that trees, shrubs, grasses, and other plants are plant-  
7 ed in the proper manner, are provided adequate mainte-  
8 nance, and survive for at least 3 years after planting or  
9 are replaced. The financial assistance determined by the  
10 Secretary as eligible under this section shall take into con-  
11 sideration such factors as cost effectiveness and afford-  
12 ability.

13 (b) MAKING IT GREEN PLAN.—In the case of any  
14 new or substantially rehabilitated housing for which HUD  
15 financial assistance, as determined in accordance with  
16 subsection (a), is provided by the Secretary for the devel-  
17 opment, construction, maintenance, rehabilitation, im-  
18 provement, operation, or costs of the housing, including  
19 financial assistance provided through the Community De-  
20 velopment Block Grant program under title I of the Hous-  
21 ing and Community Development Act of 1974 (42 U.S.C.  
22 5301 et seq.), the Secretary shall require the development  
23 of a plan that provides for—

24 (1) in the case of new construction and im-  
25 provements, siting of such housing and improve-

1       ments in a manner that provides for energy effi-  
2       ciency and conservation to the extent feasible, taking  
3       into consideration location and project type;

4               (2) minimization of the effects of construction,  
5       rehabilitation, or other development on the condition  
6       of existing trees;

7               (3) selection and installation of indigenous  
8       trees, shrubs, grasses, and other plants based upon  
9       applicable design guidelines and standards of the  
10      International Society for Arboriculture;

11              (4) post-planting care and maintenance of the  
12      landscaping relating to or affected by the housing in  
13      accordance with best management practices; and

14              (5) establishment of a goal for minimum  
15      greenspace or tree canopy cover for the housing site  
16      for which such financial assistance is provided, in-  
17      cluding guidelines and timetables within which to  
18      achieve compliance with such minimum require-  
19      ments.

20      (c) PARTNERSHIPS.—In carrying out this section, the  
21      Secretary is encouraged to consult, as appropriate, with  
22      national organizations dedicated to providing housing as-  
23      sistance and related services to low-income families, such  
24      as the Alliance for Community Trees and its affiliates, the  
25      American Nursery and Landscape Association, the Amer-

1 ican Society of Landscape Architects, and the National  
2 Arbor Day Foundation.

3 **SEC. 7. INCLUDING SUSTAINABLE DEVELOPMENT AND**  
4 **TRANSPORTATION STRATEGIES IN COM-**  
5 **PREHENSIVE HOUSING AFFORDABILITY**  
6 **STRATEGIES.**

7 Section 105(b) of the Cranston-Gonzalez National  
8 Affordable Housing Act (42 U.S.C. 12705(b)) is amend-  
9 ed—

10 (1) by striking “and” at the end of paragraph  
11 (19);

12 (2) by striking the period at the end of para-  
13 graph (20) and inserting “; and”;

14 (3) and by inserting after paragraph (20) the  
15 following new paragraphs:

16 “(21) describe the jurisdiction’s strategies to  
17 encourage sustainable development for affordable  
18 housing, including single-family and multifamily  
19 housing, as measured by—

20 “(A) greater energy efficiency and use of  
21 renewable energy sources, including any strate-  
22 gies regarding compliance with the energy effi-  
23 ciency standards under section 3(a) of the  
24 Green Neighborhoods Act of 2020 and with the  
25 enhanced energy efficiency and conservation

1 standards, and the green building standards,  
2 under section 3(b) of such Act;

3 “(B) increased conservation, recycling, and  
4 reuse of resources;

5 “(C) more effective use of existing infra-  
6 structure;

7 “(D) use of building materials and meth-  
8 ods that are healthier for residents of the hous-  
9 ing, including use of building materials that are  
10 free of added known carcinogens that are classi-  
11 fied as Group 1 Known Carcinogens by the  
12 International Agency for Research on Cancer;  
13 and

14 “(E) such other criteria as the Secretary  
15 determines, in consultation with the Secretary  
16 of Energy, the Secretary of Agriculture, and the  
17 Administrator of the Environmental Protection  
18 Agency, are in accordance with the purposes of  
19 this paragraph; and

20 “(22) describe the jurisdiction’s efforts to co-  
21 ordinate its housing strategy with its transportation  
22 planning strategies to ensure to the extent prac-  
23 ticable that residents of affordable housing have ac-  
24 cess to public transportation.”.

1 **SEC. 8. GRANT PROGRAM TO INCREASE SUSTAINABLE LOW-**  
2 **INCOME COMMUNITY DEVELOPMENT CAPAC-**  
3 **ITY.**

4 (a) IN GENERAL.—The Secretary may make grants  
5 to nonprofit organizations to use for any of the following  
6 purposes:

7 (1) Training, educating, supporting, or advising  
8 an eligible community development organization or  
9 qualified youth service and conservation corps in im-  
10 proving energy efficiency, resource conservation and  
11 reuse, design strategies to maximize energy effi-  
12 ciency, installing or constructing renewable energy  
13 improvements (such as wind, wave, solar, biomass,  
14 and geothermal energy sources), and effective use of  
15 existing infrastructure in affordable housing and  
16 economic development activities in low-income com-  
17 munities, taking into consideration energy efficiency  
18 standards under section 3(a) of this Act and with  
19 the enhanced energy efficiency and conservation  
20 standards, and the green building standards, under  
21 section 3(b) of this Act.

22 (2) Providing loans, grants, or predevelopment  
23 assistance to eligible community development organi-  
24 zations or qualified youth service and conservation  
25 corps to carry out energy efficiency improvements  
26 that comply with the energy efficiency standards

1 under section 3(a) of this Act, resource conservation  
2 and reuse, and effective use of existing infrastruc-  
3 ture in affordable housing and economic develop-  
4 ment activities in low-income communities. In pro-  
5 viding assistance under this paragraph, the Sec-  
6 retary shall give more preference to activities based  
7 on the extent to which the activities will result in  
8 compliance with the enhanced energy efficiency and  
9 conservation standards, and the green building  
10 standards, under section 3(b) of this Act.

11 (3) Such other purposes as the Secretary deter-  
12 mines are in accordance with the purposes of this  
13 subsection.

14 (b) APPLICATION REQUIREMENT.—To be eligible for  
15 a grant under this section, a nonprofit organization shall  
16 prepare and submit to the Secretary an application at  
17 such time, in such manner, and containing such informa-  
18 tion as the Secretary may require.

19 (c) AWARD OF CONTRACTS.—Contracts for architec-  
20 tural or engineering services funded with amounts from  
21 grants made under this section shall be awarded in accord-  
22 ance with chapter 11 of title 40, United States Code (re-  
23 lating to selection of architects and engineers).

24 (d) MATCHING REQUIREMENT.—A grant made under  
25 this section may not exceed the amount that the nonprofit



1 organization receiving the grant certifies, to the Secretary,  
2 will be provided (in cash or in-kind) from nongovernmental  
3 sources to carry out the purposes for which the grant is  
4 made.

5 (e) DEFINITIONS.—For purposes of this section, the  
6 following definitions shall apply:

7 (1) NONPROFIT ORGANIZATION.—The term  
8 “nonprofit organization” has the meaning given  
9 such term in section 104 of the Cranston-Gonzalez  
10 National Affordable Housing Act (42 U.S.C.  
11 12704).

12 (2) ELIGIBLE COMMUNITY DEVELOPMENT OR-  
13 GANIZATION.—The term “eligible community devel-  
14 opment organization” means—

15 (A) a unit of general local government (as  
16 defined in section 104 of the Cranston-Gonzalez  
17 National Affordable Housing Act (42 U.S.C.  
18 12704));

19 (B) a community housing development or-  
20 ganization (as defined in section 104 of the  
21 Cranston-Gonzalez National Affordable Hous-  
22 ing Act (42 U.S.C. 12704));

23 (C) an Indian tribe or tribally designated  
24 housing entity (as such terms are defined in  
25 section 4 of the Native American Housing As-

1           sistance and Self-Determination Act of 1996  
2           (25 U.S.C. 4103)); or

3           (D) a public housing agency, as such term  
4           is defined in section 3(b) of the United States  
5           Housing Act of 1937 (42 U.S.C. 1437(b)).

6           (3) LOW-INCOME COMMUNITY.—The term “low-  
7           income community” means a census tract in which  
8           50 percent or more of the households have an in-  
9           come which is less than 80 percent of the greater  
10          of—

11           (A) the median gross income for such year  
12           for the area in which such census tract is lo-  
13           cated; or

14           (B) the median gross income for such year  
15           for the State in which such census tract is lo-  
16           cated.

17          (f) AUTHORIZATION OF APPROPRIATIONS.—There  
18          are authorized to be appropriated to the Secretary to carry  
19          out this section \$20,000,000 for each of fiscal years 2021  
20          through 2025.

21          **SEC. 9. BENCHMARKING.**

22          (a) DEFINITIONS.—For purposes of this section, the  
23          following definitions shall apply:

24                  (1) SECRETARY.—The term “Secretary” means  
25                  the Secretary of Housing and Urban Development.

1           (2) HUD-ASSISTED PROPERTY.—The term  
2 “HUD-assisted property” means a property assisted  
3 by any of the following programs:

4           (A) The program under section 202 of the  
5 Housing Act of 1959 (12 U.S.C. 1701q) for  
6 supportive housing for the elderly.

7           (B) The program under section 811 of the  
8 Cranston-Gonzalez National Affordable Hous-  
9 ing Act (42 U.S.C. 8013) for supportive hous-  
10 ing for persons with disabilities.

11           (C) Any program under section 8 of the  
12 United States Housing Act of 1937 (42 U.S.C.  
13 1437f) for rental assistance for low-income fam-  
14 ilies.

15           (D) Any program for mortgage insurance  
16 for single-family housing under title II of the  
17 National Housing Act (12 U.S.C. 1707 et seq.).

18           (E) The programs under section 223(a)(7),  
19 223(f), or 241(a) of the National Housing Act  
20 (12 U.S.C. 1715n(a), 1715n(f), 1715z–6(a)).

21           (3) BENCHMARKED HUD-ASSISTED PROP-  
22 erty.—The term “benchmarking HUD-assisted  
23 property” means a HUD-assisted property with re-  
24 spect to which energy and water benchmarking data  
25 is required by a State or local authority to be re-

1 ported through the ENERGY STAR Portfolio Man-  
2 ager.

3 (4) CLIMATE ZONE.—The term “Climate Zone”  
4 means a region of the United States as defined by  
5 the Environmental Protection Agency under the EN-  
6 ERGY STAR program or the Office of Energy Effi-  
7 ciency and Renewable Energy of the Department of  
8 Energy.

9 (b) BENCHMARKING REPORT.—

10 (1) IN GENERAL.—Not later than the expira-  
11 tion of the 1-year period beginning on the date of  
12 the enactment of this Act, the Secretary shall submit  
13 to the Committee on Financial Services of the House  
14 of Representatives and the Committee on Banking,  
15 Housing, and Urban Affairs of the Senate, a report  
16 that includes—

17 (A) an assessment of the current state of  
18 energy and water use benchmarking in the mul-  
19 tifamily property sector;

20 (B) data identifying the number and  
21 square footage of multifamily properties that  
22 are required by State or local authorities to re-  
23 port benchmarking data, the proportion that  
24 are HUD-assisted properties, and the propor-

1           tion of all HUD-assisted properties that are  
2           subject to such requirements;

3           (C) data identifying multifamily properties  
4           that participate in each pathway in the HUD  
5           Green Mortgage Insurance Premium program,  
6           including the number and square footage of  
7           participating properties and the proportion of  
8           eligible properties participating;

9           (D) data identifying multifamily properties  
10          that participate in the HUD Better Buildings  
11          Challenge, including the number and square  
12          footage of participating properties;

13          (E) estimates of the extent of HUD-as-  
14          sisted properties that are not conducting energy  
15          and water benchmarking;

16          (F) estimates of potential energy and Fed-  
17          eral cost savings if various levels of efficiency  
18          were implemented in HUD-assisted properties;

19          (G) information identifying the typical  
20          costs of multifamily benchmarking and re-  
21          sources available to support multifamily owners  
22          and operators in benchmarking; and

23          (H) information relevant to the impact of  
24          multifamily benchmarking, including published  
25          research studies.

1           (2) PUBLIC AVAILABILITY.—The Secretary  
2 shall make the report publicly available on the  
3 website of HUD.

4           (c) PROVISION OF EXISTING BENCHMARKING  
5 DATA.—

6           (1) POLICIES.—Not later than the expiration of  
7 the 6-month period beginning on the date of the en-  
8 actment of this Act, the Secretary shall issue such  
9 regulations as may be necessary to ensure that own-  
10 ers of benchmarked HUD-assisted properties provide  
11 to the Secretary-selected ENERGY STAR Portfolio  
12 Manager data for the property. In developing such  
13 regulations, the Secretary shall—

14                   (A) provide for data to be released in a  
15 manner that protects information that identifies  
16 particular properties, but retains essential geo-  
17 graphical and building characteristics to enable  
18 aggregate analysis;

19                   (B) require data sharing not less often  
20 than every three years;

21                   (C) identifies the minimum data to be  
22 shared; and

23                   (D) develop mechanisms to streamline data  
24 requests and sharing in collaboration with the

1 Environmental Protection Agency ENERGY  
2 STAR program.

3 (2) ANALYSIS.—Not later than the expiration  
4 of the 2-year period beginning on the date of the en-  
5 actment of this Act and annually thereafter, the Sec-  
6 retary shall conduct an analysis of the data received  
7 under this subsection and shall make the findings  
8 publicly available on the website of HUD.

9 (d) ENERGY USE TARGETS BY CLIMATE ZONE.—

10 (1) IN GENERAL.—Not later than the expira-  
11 tion of the 1-year period beginning on the date of  
12 the enactment of this Act, the Secretary shall—

13 (A) compile energy consumption and bill  
14 data from multifamily properties that is pro-  
15 vided to HUD in connection with utility allow-  
16 ance determination and capital needs assess-  
17 ment activities;

18 (B) analyze the data in order to better un-  
19 derstand energy consumption patterns and  
20 trends throughout the portfolio of properties  
21 represented, including relevant subcategory  
22 types of multifamily properties;

23 (C) using the data from subparagraphs (A)  
24 and (B), develop energy intensity statistics for

1 each climate zone and multifamily subcategory;  
2 and

3 (D) using the data from subparagraphs  
4 (A) and (B), develop energy intensity targets  
5 for each climate zone and multifamily sub-  
6 category reflecting energy efficiency perform-  
7 ance of at least 25 percent below the baseline  
8 and related to ENERGY STAR performance  
9 scores for each respective climate zone and mul-  
10 tifamily subcategory.

11 (2) PUBLIC AVAILABILITY.—The Secretary  
12 shall make the analysis and energy intensity targets  
13 publicly available on the website of HUD.

14 (e) MULTIFAMILY UTILITY BENCHMARKING TOOL-  
15 KIT.—The Secretary shall maintain and update, from time  
16 to time, the Multifamily Utility Benchmarking Toolkit.

17 (f) STAKEHOLDER ENGAGEMENT.—In carrying out  
18 this section, the Secretary shall—

19 (1) engage with stakeholders regarding multi-  
20 family sustainability, including providing education  
21 and opportunities for robust stakeholder input; and

22 (2) conduct targeted outreach to representatives  
23 of public housing agencies, housing and tenant advo-  
24 cates, multifamily property owners and managers,  
25 energy efficiency organizations, State and local gov-



1 ernments, multifamily finance entities, and other in-  
2 terested groups.

3 **SEC. 10. WORKFORCE DEVELOPMENT.**

4 Subtitle D of title I of the Workforce Innovation and  
5 Opportunity Act (29 U.S.C. 3221 et seq.) is amended by  
6 adding at the end the following:

7 **“SEC. 173. GRANTS FOR REGISTERED APPRENTICESHIP**  
8 **PROGRAMS IN CERTAIN INDUSTRIES.**

9 “(a) IN GENERAL.—The Secretary shall provide  
10 grants to workforce development boards, labor organiza-  
11 tions, nonprofit organizations, and businesses for the pur-  
12 pose of establishing training and registered apprenticeship  
13 programs with respect to the following industries:

14 “(1) Energy-efficient building, construction,  
15 and retrofit industries.

16 “(2) Deconstruction and materials use indus-  
17 tries.

18 “(3) Energy efficiency assessment industry  
19 serving residential, commercial, or industrial sectors.

20 “(4) Manufacturers that produce sustainable  
21 processes and materials.

22 “(5) Building maintenance and management.

23 “(b) REQUIREMENTS.—The Secretary shall require a  
24 recipient of a grant under this section, as a condition of  
25 receipt of such grant—

1           “(1) to advertise opportunities available as a re-  
2           sult of such grant—

3                   “(A) on a publicly available website; and

4                   “(B) to dislocated workers;

5           “(2) to coordinate such program with related  
6           efforts of—

7                   “(A) local governments and subdivisions  
8                   thereof; and

9                   “(B) labor, industry, and environmental  
10                  advocacy groups;

11           “(3) on an annual basis, to submit to the Sec-  
12           retary a report with respect to the area served by  
13           the recipient on—

14                   “(A) the availability of employment oppor-  
15                   tunities in the relevant field;

16                   “(B) the risk of an increase in unemploy-  
17                   ment in such field; and

18                   “(C) other employment trends in such  
19                   field.

20           “(c) ELIGIBLE USE OF FUNDS.—A recipient of a  
21           grant under this section may use such funds to cover the  
22           costs associated with an employee participating in a Reg-  
23           istered Apprenticeship Program, including wages of, or  
24           stipends for, employees for the duration of the Registered  
25           Apprenticeship Program.

1 “(d) REPORT.—Not later than 1 year after the date  
2 of the enactment of this Act, and annually thereafter, the  
3 Secretary shall submit to Congress a report on the effects  
4 of grants issued under this section, including a description  
5 of—

6 “(1) the number of individuals who are em-  
7 ployed upon completion of a registered apprentice-  
8 ship program funded under this section;

9 “(2) a description of the wages, benefits, and  
10 quality of employment that such individuals receive  
11 upon completion of such program;

12 “(3) a description of the demographics of indi-  
13 viduals who receive such employment; and

14 “(4) the retention rate of individuals who are  
15 employed upon completion of a registered appren-  
16 ticeship program funded under this section.

17 “(e) AUTHORIZATION.—There is authorized to be ap-  
18 propriated to carry out this section \$100,000,000 for each  
19 of fiscal years 2021 through 2025.”.

20 **SEC. 11. ENSURING AVAILABILITY OF HOMEOWNERS IN-**  
21 **SURANCE FOR HOMES NOT CONNECTED TO**  
22 **ELECTRICITY GRID.**

23 (a) CONGRESSIONAL INTENT.—The Congress intends  
24 that—

1           (1) consumers shall not be denied homeowners  
2 insurance for a dwelling (as such term is defined in  
3 subsection (c)) based solely on the fact that the  
4 dwelling is not connected to or able to receive elec-  
5 tricity service from any wholesale or retail electric  
6 power provider;

7           (2) States should ensure that consumers are  
8 able to obtain homeowners insurance for such dwell-  
9 ings;

10           (3) States should support insurers that develop  
11 voluntary incentives to provide such insurance; and

12           (4) States may not prohibit insurers from offer-  
13 ing a homeowners insurance product specifically de-  
14 signed for such dwellings.

15       (b) INSURING HOMES AND RELATED PROPERTY IN  
16 INDIAN AREAS.—Notwithstanding any other provision of  
17 law, dwellings located in Indian areas (as such term is de-  
18 fined in section 4 of the Native American Housing Assist-  
19 ance and Self-Determination Act of 1996 (25 U.S.C.  
20 4103)) and constructed or maintained using assistance,  
21 loan guarantees, or other authority under the Native  
22 American Housing Assistance and Self-Determination Act  
23 of 1996 may be insured by any tribally owned self-insur-  
24 ance risk pool approved by the Secretary of Housing and  
25 Urban Development.

1 (c) DWELLING DEFINED.—For purposes of this sec-  
2 tion, the term “dwelling” means a residential structure  
3 that—

4 (1) consists of one to four dwelling units;

5 (2) is provided electricity from renewable en-  
6 ergy sources; and

7 (3) is not connected to any wholesale or retail  
8 electrical power grid.

9 **SEC. 12. DEFINITIONS.**

10 For purposes of this Act, the following definitions  
11 shall apply:

12 (1) GREEN BUILDING STANDARDS.—The term  
13 “green building standards” means standards to re-  
14 quire use of sustainable design principles to reduce  
15 the use of nonrenewable resources, encourage en-  
16 ergy-efficient construction and rehabilitation and the  
17 use of renewable energy resources, minimize the im-  
18 pact of development on the environment, and im-  
19 prove indoor air quality.

20 (2) HUD.—The term “HUD” means the De-  
21 partment of Housing and Urban Development.

22 (3) HUD ASSISTANCE.—The term “HUD as-  
23 sistance” means financial assistance that is awarded,  
24 competitively or noncompetitively, allocated by for-

1       mula, or provided by HUD through loan insurance  
2       or guarantee.

3               (4) NONRESIDENTIAL STRUCTURE.—The term  
4       “nonresidential structures” means only nonresiden-  
5       tial structures that are appurtenant to single-family  
6       or multifamily housing residential structures, or  
7       those that are funded by the Secretary of Housing  
8       and Urban Development through the HUD Commu-  
9       nity Development Block Grant program.

10              (5) SECRETARY.—The term “Secretary”, unless  
11       otherwise specified, means the Secretary of Housing  
12       and Urban Development.

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