

116TH CONGRESS
2D SESSION

S. 4052

To make grants to support online training of residential contractors and rebates for the energy efficiency upgrades of homes, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 24, 2020

Mr. VAN HOLLEN (for himself, Mrs. SHAHEEN, and Mr. COONS) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To make grants to support online training of residential contractors and rebates for the energy efficiency upgrades of homes, and for other purposes.

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 “HOPE for HOMES 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. Definitions.

TITLE I—HOPE TRAINING

- Sec. 101. Notice for HOPE qualification training and grants.
- Sec. 102. Course criteria.
- Sec. 103. HOPE qualification.
- Sec. 104. Grants.
- Sec. 105. Authorization of appropriations.

TITLE II—HOME ENERGY SAVINGS RETROFIT REBATE PROGRAM

- Sec. 201. Establishment of Home Energy Savings Retrofit Rebate Program.
- Sec. 202. Partial system rebates.
- Sec. 203. State-administered rebates.
- Sec. 204. Special provisions for moderate income households.
- Sec. 205. Evaluation reports to Congress.
- Sec. 206. Administration.
- Sec. 207. Treatment of rebates.
- Sec. 208. Authorization of appropriations.

TITLE III—ADMINISTRATION

- Sec. 301. Appointment of personnel.
- Sec. 302. Maintenance of funding.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) **CONTRACTOR CERTIFICATION.**—The term
 4 “contractor certification” means an industry-recog-
 5 nized certification that may be obtained by a resi-
 6 dential contractor to advance the expertise and edu-
 7 cation of the contractor in energy efficiency retrofits
 8 of a residential building, including a certification
 9 provided by—

10 (A) the Building Performance Institute;

11 (B) the Air Conditioning Contractors of
 12 America;

13 (C) the National Comfort Institute;

14 (D) the North American Technician Excel-
 15 lence;

16 (E) RESNET;

1 (F) the United States Green Building
2 Council;

3 (G) Home Innovation Research Labs; or

4 (H) any other certification body or organi-
5 zation the Secretary determines appropriate or
6 needed to support the Home Energy Savings
7 Retrofit Rebate Program in title II.

8 (2) CONTRACTOR COMPANY.—The term “con-
9 tractor company” means a company—

10 (A) that holds the licenses and insurance
11 required by the State in which the company
12 provides services;

13 (B) the business of which is to provide
14 services to residential building owners with re-
15 spect to HVAC systems, insulation, air sealing,
16 or other services that are approved by the Sec-
17 retary; and

18 (C) that provides services for which a par-
19 tial system rebate, measured performance re-
20 bate, or modeled performance rebate may be
21 provided pursuant to the Home Energy Savings
22 Retrofit Rebate Program in title II.

23 (3) ENERGY AUDIT.—The term “energy audit”
24 means an inspection, survey, and analysis of the en-

1 energy use of a building, including the building enve-
2 lope and HVAC system.

3 (4) HOME.—The term “home” means a resi-
4 dential dwelling unit in a building with no more than
5 4 dwelling units that—

6 (A) is located in the United States;

7 (B) was constructed before the date of en-
8 actment of this Act; and

9 (C) is occupied at least 6 months out of
10 the year.

11 (5) HOME ENERGY SAVINGS RETROFIT REBATE
12 PROGRAM.—The term “Home Energy Savings Ret-
13 rofit Rebate Program” means the Home Energy
14 Savings Retrofit Rebate Program established under
15 section 201.

16 (6) HOMEOWNER.—The term “homeowner”
17 means the owner of an owner-occupied home or a
18 tenant-occupied home.

19 (7) HOME VALUATION CERTIFICATION.—The
20 term “home valuation certification” means the fol-
21 lowing home assessments:

22 (A) Home Energy Score.

23 (B) PEARL Certification.

24 (C) ICC700 National Green Building
25 Standard.

1 (D) LEED.

2 (E) Any other assessment the Secretary
3 determines to be appropriate.

4 (8) HOPE QUALIFICATION.—The term “HOPE
5 qualification” means the qualification described in
6 section 103.

7 (9) HOPE TRAINING CREDIT.—The term
8 “HOPE training credit” means a HOPE training
9 task credit or a HOPE training supplemental credit.

10 (10) HOPE TRAINING TASK CREDIT.—The
11 term “HOPE training task credit” means a credit
12 described in section 102(a).

13 (11) HOPE TRAINING SUPPLEMENTAL CRED-
14 IT.—The term “HOPE training supplemental cred-
15 it” means a credit described in section 102(b).

16 (12) HVAC SYSTEM.—The term “HVAC sys-
17 tem” means a system—

18 (A) consisting of a heating component, a
19 ventilation component, and an air-conditioning
20 component; and

21 (B) which components may include central
22 air conditioning, a heat pump, a furnace, a boil-
23 er, a rooftop unit, or a window unit.

24 (13) MEASURED PERFORMANCE REBATE.—The
25 term “measured performance rebate” means a re-

1 bate provided in accordance with section 203 and
2 described in subsection (e) of that section.

3 (14) MODELED PERFORMANCE REBATE.—The
4 term “modeled performance rebate” means a rebate
5 provided in accordance with section 203 and de-
6 scribed in subsection (d) of that section.

7 (15) MODERATE INCOME.—The term “mod-
8 erate income”, with respect to a household, means a
9 household with an annual income less than 80 per-
10 cent of the area median income as determined annu-
11 ally by the Department of Housing and Urban De-
12 velopment.

13 (16) PARTIAL SYSTEM REBATE.—The term
14 “partial system rebate” means a rebate provided in
15 accordance with section 202.

16 (17) SECRETARY.—The term “Secretary”
17 means the Secretary of Energy.

18 (18) STATE.—The term “State” includes—

19 (A) a State;

20 (B) the District of Columbia;

21 (C) the Commonwealth of Puerto Rico;

22 (D) Guam;

23 (E) American Samoa;

24 (F) the Commonwealth of the Northern
25 Mariana Islands;

1 (G) the United States Virgin Islands; and

2 (H) any other territory or possession of the
3 United States.

4 (19) STATE ENERGY OFFICE.—The term “State
5 energy office” means the office or agency of a State
6 responsible for developing the State energy conserva-
7 tion plan for the State under section 362 of the En-
8 ergy Policy and Conservation Act (42 U.S.C. 6322).

9 **TITLE I—HOPE TRAINING**

10 **SEC. 101. NOTICE FOR HOPE QUALIFICATION TRAINING** 11 **AND GRANTS.**

12 Not later than 30 days after the date of enactment
13 of this Act, the Secretary, acting through the Building
14 Technologies Office of the Department of Energy, shall
15 issue a notice that includes—

16 (1) criteria established under section 102 for
17 approval by the Secretary of courses for which cred-
18 its may be issued for purposes of a HOPE Qualifica-
19 tion;

20 (2) a list of courses that meet such criteria and
21 are so approved; and

22 (3) information on how individuals and entities
23 may apply for grants under this title.

24 **SEC. 102. COURSE CRITERIA.**

25 (a) HOPE TRAINING TASK CREDIT.—

1 (1) CRITERIA.—The Secretary shall establish
2 criteria for approval of a course for which a credit,
3 to be known as a “HOPE training task credit”, may
4 be issued, including that such course—

5 (A) is equivalent to at least 30 hours in
6 total course time;

7 (B) is accredited by the Interstate Renew-
8 able Energy Council or is determined to be
9 equivalent by the Secretary;

10 (C) is, with respect to a particular job,
11 aligned with the relevant National Renewable
12 Energy Laboratory Job Task Analysis, or other
13 credentialing program foundation that helps
14 identify the necessary core knowledge areas,
15 critical work functions, or skills, as approved by
16 the Secretary;

17 (D) has established learning objectives;
18 and

19 (E) includes, as the Secretary determines
20 appropriate, an appropriate assessment of such
21 learning objectives that may include a final
22 exam, to be proctored on-site or through remote
23 proctoring, or an in-person field exam.

1 (2) INCLUDED COURSES.—The Secretary shall
2 approve one or more courses that meet the criteria
3 described in paragraph (1) for training related to—

4 (A) contractor certification;

5 (B) energy auditing or assessment;

6 (C) home energy systems (including HVAC
7 systems);

8 (D) insulation installation and air leakage
9 control;

10 (E) health and safety regarding the instal-
11 lation of energy efficiency measures or health
12 and safety impacts associated with energy effi-
13 ciency retrofits; and

14 (F) indoor air quality.

15 (b) HOPE TRAINING SUPPLEMENTAL CREDIT CRI-
16 TERIA.—The Secretary shall establish criteria for approval
17 of a course for which a credit, to be known as a “HOPE
18 training supplemental credit”, may be issued, including
19 that such course provides—

20 (1) training related to—

21 (A) small business success, including man-
22 agement, home energy efficiency software, or
23 general accounting principles;

24 (B) the issuance of a home valuation cer-
25 tification as defined in section 2(7);

1 (C) the use of wifi-enabled technology in
2 an energy efficiency upgrade; or

3 (D) understanding and being able to par-
4 ticipate in the Home Energy Savings Retrofit
5 Rebate Program in title II; and

6 (2) as the Secretary determines appropriate, an
7 appropriate assessment of such training that may in-
8 clude a final exam, to be proctored on-site or
9 through remote proctoring, or an in-person field
10 exam.

11 (c) EXISTING APPROVED COURSES.—The Secretary
12 may approve a course that meets the applicable criteria
13 established under this section that is approved by the ap-
14 plicable State energy office or relevant State agency with
15 oversight authority for residential energy efficiency pro-
16 grams.

17 (d) IN-PERSON AND ONLINE TRAINING.—An online
18 course approved pursuant to this section may be con-
19 ducted in person or online as long as the training can be
20 done remotely.

21 **SEC. 103. HOPE QUALIFICATION.**

22 (a) ISSUANCE OF CREDITS.—

23 (1) IN GENERAL.—The Secretary, or an entity
24 authorized by the Secretary pursuant to paragraph

25 (2), may issue—

1 (A) a HOPE training task credit to any
2 individual that completes a course that meets
3 applicable criteria under section 102; and

4 (B) a HOPE training supplemental credit
5 to any individual that completes a course that
6 meets the applicable criteria under section 102.

7 (2) OTHER ENTITIES.—The Secretary may au-
8 thorize a State energy office, an organization de-
9 scribed in section 104(b), and any other entity the
10 Secretary determines appropriate, to issue HOPE
11 training credits in accordance with paragraph (1).

12 (b) HOPE QUALIFICATION.—

13 (1) IN GENERAL.—The Secretary may certify
14 that an individual has achieved a qualification, to be
15 known as a “HOPE qualification”, that indicates
16 that the individual has received at least 3 HOPE
17 training credits, of which at least 2 shall be HOPE
18 training task credits.

19 (2) STATE ENERGY OFFICES.—The Secretary
20 may approve a program run by a State energy office
21 to provide HOPE qualifications.

22 **SEC. 104. GRANTS.**

23 (a) IN GENERAL.—The Secretary shall, to the extent
24 amounts are made available in appropriations Acts for
25 such purposes, provide grants to support the training of

1 individuals toward the completion of a HOPE qualifica-
2 tion.

3 (b) PROVIDER ORGANIZATIONS.—

4 (1) IN GENERAL.—The Secretary may provide a
5 grant of up to \$20,000 under this section to an or-
6 ganization to provide training online, including es-
7 tablishing, modifying, or maintaining the online sys-
8 tems, staff time, and software and online program
9 management, through a course that meets the appli-
10 cable criteria established under section 102.

11 (2) CRITERIA.—In order to receive a grant
12 under this subsection, an organization shall be—

13 (A) a nonprofit organization;

14 (B) an educational institution; or

15 (C) an organization that has experience
16 providing training to contractors that work with
17 the weatherization assistance program imple-
18 mented under part A of title IV of the Energy
19 Conservation and Production Act (42 U.S.C.
20 6861 et seq.) or equivalent experience, as deter-
21 mined by the Secretary.

22 (3) ADDITIONAL CERTIFICATIONS.—In addition
23 to any grant provided under paragraph (1), the Sec-
24 retary may provide an organization up to \$5,000 for
25 each additional course for which a HOPE training

1 credit may be issued that is offered by the organiza-
2 tion.

3 (c) CONTRACTOR COMPANY.—The Secretary may
4 provide a grant of \$1,000 per employee under this section
5 to a contractor company, up to a maximum of \$10,000,
6 to reimburse the company for training costs for employees
7 and any home technology support needed for an employee
8 to receive training pursuant to this section. These funds
9 may be used to support wages of employees during train-
10 ing.

11 (d) TRAINEES.—The Secretary may provide a grant
12 of up to \$1,000 under this section to an individual who
13 receives a HOPE qualification.

14 (e) STATE ENERGY OFFICE.—The Secretary may
15 provide a grant of up to \$50,000 under this section to
16 a State energy office, of which—

17 (1) not more than \$25,000 may be provided to
18 implement a program that is approved by the Sec-
19 retary to provide HOPE qualifications; and

20 (2) not more than \$25,000 may be provided to
21 support the Home Energy Savings Retrofit Rebate
22 Program established under section 201.

1 **SEC. 105. AUTHORIZATION OF APPROPRIATIONS.**

2 There is authorized to be appropriated to carry out
3 this title \$500,000,000 for the period of fiscal years 2020
4 through 2025.

5 **TITLE II—HOME ENERGY SAV-**
6 **INGS RETROFIT REBATE PRO-**
7 **GRAM**

8 **SEC. 201. ESTABLISHMENT OF HOME ENERGY SAVINGS**
9 **RETROFIT REBATE PROGRAM.**

10 The Secretary shall establish a program, to be known
11 as the “Home Energy Savings Retrofit Rebate Program”,
12 to—

13 (1) provide rebates in accordance with section
14 202; and

15 (2) provide grants to States to carry out pro-
16 grams to provide rebates in accordance with section
17 203.

18 **SEC. 202. PARTIAL SYSTEM REBATES.**

19 (a) AMOUNT OF REBATE.—In carrying out the Home
20 Energy Savings Retrofit Rebate Program, and subject to
21 the availability of appropriations for such purpose, the
22 Secretary shall provide a homeowner a rebate, to be known
23 as a “partial system rebate”, of up to—

24 (1) \$800 for the purchase and installation of
25 insulation and air sealing within a home of the
26 homeowner, except as provided in section 204; and

1 (2) \$1,500 for the purchase and installation of
 2 insulation and air sealing within a home of the
 3 homeowner and replacement of an HVAC system,
 4 the heating component of an HVAC system, or the
 5 cooling component of an HVAC system, of such
 6 home, except as provided in section 204.

7 (b) SPECIFICATIONS.—

8 (1) COST.—Except as provided in section 204,
 9 the amount of a partial system rebate provided
 10 under this section shall not exceed 30 percent of cost
 11 of the purchase and installation of insulation and air
 12 sealing under subsection (a)(1), or installation of in-
 13 sulation and air sealing and replacement of an
 14 HVAC system, the heating component of an HVAC
 15 system, or the cooling component of an HVAC sys-
 16 tem, under subsection (a)(2). Labor may be included
 17 in such cost, but may not exceed—

18 (A) in the case of a rebate under sub-
 19 section (a)(1), 50 percent of such cost; and

20 (B) in the case of a rebate under sub-
 21 section (a)(2), 25 percent of such cost.

22 (2) REPLACEMENT OF AN HVAC SYSTEM, THE
 23 HEATING COMPONENT OF AN HVAC SYSTEM, OR THE
 24 COOLING COMPONENT OF AN HVAC SYSTEM.—In

1 order to qualify for a partial system rebate described
2 in subsection (a)(2)—

3 (A) any HVAC system, heating component
4 of an HVAC system, or cooling component of
5 an HVAC system installed shall be Energy Star
6 Most Efficient certified;

7 (B) installation of such an HVAC system,
8 the heating component of an HVAC system, or
9 the cooling component of an HVAC system,
10 shall be completed in accordance with standards
11 specified by the Secretary that are at least as
12 stringent as the applicable guidelines of the Air
13 Conditioning Contractors of America that are in
14 effect on the date of enactment of this Act;

15 (C) if ducts are present, replacement of an
16 HVAC system, the heating component of an
17 HVAC system, or the cooling component of an
18 HVAC system shall include duct sealing; and

19 (D) the installation of insulation and air
20 sealing shall occur within 6 months of the re-
21 placement of the HVAC system, the heating
22 component of an HVAC system, or the cooling
23 component of an HVAC system.

24 (c) ADDITIONAL INCENTIVES FOR CONTRACTORS.—

25 In carrying out the Home Energy Savings Retrofit Rebate

1 Program, the Secretary may provide a \$250 payment to
2 a contractor per home for which—

3 (1) a partial system rebate is provided under
4 this section for the installation of insulation and air
5 sealing, or installation of insulation and air sealing
6 and replacement of an HVAC system, the heating
7 component of an HVAC system, or the cooling com-
8 ponent of an HVAC system, by the contractor;

9 (2) the applicable homeowner has signed and
10 submitted to the Secretary a release form made
11 available pursuant to section 206(b) authorizing the
12 contractor access to information in the utility bills of
13 the homeowner; and

14 (3) the contractor inputs, into the Department
15 of Energy's Building Performance Database—

16 (A) the energy usage for the home for the
17 12 months preceding, and the 24 months fol-
18 lowing, the installation of insulation and air
19 sealing or installation of insulation and air seal-
20 ing and replacement of an HVAC system, the
21 heating component of an HVAC system, or the
22 cooling component of an HVAC system;

23 (B) a description of such installation or in-
24 stallation and replacement; and

1 (C) the total cost to the homeowner for
2 such installation or installation and replace-
3 ment.

4 (d) PROCESS.—

5 (1) FORMS; REBATE PROCESSING SYSTEM.—

6 Not later than 90 days after the date of enactment
7 of this Act, the Secretary, in consultation with the
8 Secretary of the Treasury, shall—

9 (A) develop and make available rebate
10 forms required to receive a partial system re-
11 bate under this section;

12 (B) establish a Federal rebate processing
13 system which shall serve as a database and in-
14 formation technology system that will allow
15 homeowners to submit required rebate forms;
16 and

17 (C) establish a website that provides infor-
18 mation on partial system rebates provided
19 under this section, including how to determine
20 whether particular measures qualify for a re-
21 bate under this section and how to receive such
22 a rebate.

23 (2) SUBMISSION OF FORMS.—In order to re-
24 ceive a partial system rebate under this section, a
25 homeowner shall submit the required rebate forms,

1 and any other information the Secretary determines
2 appropriate, to the Federal rebate processing system
3 established pursuant to paragraph (1).

4 (e) FUNDING.—

5 (1) LIMITATION.—For each fiscal year, the Sec-
6 retary may not use more than 50 percent of the
7 amounts made available to carry out this title to
8 carry out this section.

9 (2) ALLOCATION.—The Secretary shall allocate
10 amounts made available to carry out this section for
11 partial system rebates among the States using the
12 same formula as is used to allocate funds for States
13 under part D of title III of the Energy Policy and
14 Conservation Act (42 U.S.C. 6321 et seq.).

15 **SEC. 203. STATE-ADMINISTERED REBATES.**

16 (a) FUNDING.—In carrying out the Home Energy
17 Savings Retrofit Rebate Program, and subject to the
18 availability of appropriations for such purpose, the Sec-
19 retary shall provide grants to States to carry out programs
20 to provide rebates in accordance with this section.

21 (b) STATE PARTICIPATION.—

22 (1) PLAN.—In order to receive a grant under
23 this section, a State shall submit to the Secretary an
24 application that includes a plan to implement a

1 State program that meets the minimum criteria
2 under subsection (c).

3 (2) APPROVAL.—Not later than 60 days after
4 receipt of a completed application for a grant under
5 this section, the Secretary shall either approve the
6 application or provide to the applicant an expla-
7 nation for denying the application.

8 (c) MINIMUM CRITERIA FOR STATE PROGRAMS.—
9 Not later than 6 months after the date of enactment of
10 this Act, the Secretary shall establish and publish min-
11 imum criteria for a State program to meet to qualify for
12 funding under this section, including—

13 (1) that the State program be carried out by
14 the applicable State energy office or its designee;

15 (2) that a rebate be provided under a State pro-
16 gram only for a home energy efficiency retrofit
17 that—

18 (A) is completed by a contractor who
19 meets minimum training requirements and cer-
20 tification requirements set forth by the Sec-
21 retary;

22 (B) includes installation of one or more
23 home energy efficiency retrofit measures for a
24 home that together are modeled to achieve, or
25 are shown to achieve, a reduction in home en-

1 energy use of 20 percent or more from the base-
2 line energy use of the home;

3 (C) does not include installation of any
4 measure that the Secretary determines does not
5 improve the thermal energy performance of the
6 home, such as a pool pump, pool heater, spa, or
7 EV charger; and

8 (D) includes, after installation of the appli-
9 cable home energy efficiency retrofit measures,
10 a test-out procedure conducted in accordance
11 with guidelines issued by the Secretary of such
12 measures to ensure—

13 (i) the safe operation of all systems
14 post retrofit; and

15 (ii) that all improvements are included
16 in, and have been installed according to—

17 (I) manufacturers installation
18 specifications; and

19 (II) all applicable State and local
20 codes or equivalent standards ap-
21 proved by the Secretary;

22 (3) that the State program utilize—

23 (A) for purposes of modeled performance
24 rebates, modeling software approved by the Sec-
25 retary for determining and documenting the

1 baseline energy use of a home and the reduc-
2 tions in home energy use resulting from the im-
3 plementation of a home energy efficiency ret-
4 rofit; and

5 (B) for purposes of measured performance
6 rebates, methods and procedures approved by
7 the Secretary for determining and documenting
8 the baseline energy use of a home and the re-
9 ductions in home energy use resulting from the
10 implementation of a home energy efficiency ret-
11 rofit, including methods and procedures for use
12 of advanced metering infrastructure, weather-
13 normalized data, and open source standards, to
14 measure such baseline energy use and such re-
15 ductions in home energy use;

16 (4) that the State program include implementa-
17 tion of a quality assurance program—

18 (A) to ensure that home energy efficiency
19 retrofits are achieving the stated level of energy
20 savings, that efficiency measures were installed
21 correctly, and that work is performed in accord-
22 ance with procedures developed by the Sec-
23 retary, including through quality-control inspec-
24 tions for a portion of home energy efficiency

1 retrofits completed by each applicable con-
2 tractor; and

3 (B) under which a quality-control inspec-
4 tion of a home energy efficiency retrofit is per-
5 formed by a quality assurance provider who—

6 (i) is independent of the contractor
7 for such retrofit; and

8 (ii) will confirm that such contractor
9 is a contractor who meets minimum train-
10 ing requirements and certification require-
11 ments set forth by the Secretary;

12 (5) that the State program include require-
13 ments for a homeowner, contractor, or rebate
14 aggregator to claim a rebate, including that the
15 homeowner, contractor, or rebate aggregator submit
16 any applicable forms approved by the Secretary to
17 the State, including a copy of the certificate pro-
18 vided by the applicable contractor certifying pro-
19 jected or measured reduction of home energy use;

20 (6) that the State program may include require-
21 ments for an entity to be eligible to serve as a rebate
22 aggregator to facilitate the delivery of rebates to
23 homeowners or contractors;

24 (7) that the State program include procedures
25 for a homeowner to transfer the right to claim a re-

1 bate to the contractor performing the applicable
2 home energy efficiency retrofit or to a rebate
3 aggregator that works with the contractor; and

4 (8) that the State program provide that a
5 homeowner, contractor, or rebate aggregator may
6 claim more than one rebate under the State pro-
7 gram, and may claim a rebate under the State pro-
8 gram after receiving a partial system rebate under
9 section 202, provided that no 2 rebates may be pro-
10 vided with respect to a home using the same baseline
11 energy use of such home.

12 (d) MODELED PERFORMANCE REBATES.—

13 (1) IN GENERAL.—In carrying out a State pro-
14 gram under this section, a State may provide a
15 homeowner, contractor, or rebate aggregator a re-
16 bate, to be known as a modeled performance rebate,
17 for an energy audit of a home and a home energy
18 efficiency retrofit that is projected, using modeling
19 software approved by the Secretary, to reduce home
20 energy use by at least 20 percent.

21 (2) AMOUNT.—

22 (A) IN GENERAL.—Except as provided in
23 section 204, subject to subparagraph (B), the
24 amount of a modeled performance rebate pro-
25 vided under a State program shall be equal to

1 50 percent of the cost of the applicable energy
2 audit of a home and home energy efficiency ret-
3 rofit, including the cost of diagnostic proce-
4 dures, labor, reporting, and modeling.

5 (B) LIMITATION.—Except as provided in
6 section 204, with respect to an energy audit
7 and home energy efficiency retrofit that is pro-
8 jected to reduce home energy use by—

9 (i) at least 20 percent, but less than
10 40 percent, the maximum amount of a
11 modeled performance rebate shall be
12 \$2,000; and

13 (ii) at least 40 percent, the maximum
14 amount of a modeled performance rebate
15 shall be \$4,000.

16 (e) MEASURED PERFORMANCE REBATES.—

17 (1) IN GENERAL.—In carrying out a State pro-
18 gram under this section, a State may provide a
19 homeowner, contractor, or rebate aggregator a re-
20 bate, to be known as a “measured performance re-
21 bate”, for a home energy efficiency retrofit that re-
22 duces home energy use by at least 20 percent as
23 measured using methods and procedures approved
24 by the Secretary.

25 (2) AMOUNT.—

1 (A) IN GENERAL.—Except as provided in
2 section 204, subject to subparagraph (B), the
3 amount of a measured performance rebate pro-
4 vided under a State program shall be equal to
5 50 percent of the cost, including the cost of di-
6 agnostic procedures, labor, reporting, and en-
7 ergy measurement, of the applicable home en-
8 ergy efficiency retrofit.

9 (B) LIMITATION.—Except as provided in
10 section 204, with respect to a home energy effi-
11 ciency retrofit that is measured as reducing
12 home energy use by—

13 (i) at least 20 percent, but less than
14 40 percent, the maximum amount of a
15 measured performance rebate shall be
16 \$2,000; and

17 (ii) at least 40 percent, the maximum
18 amount of a measured performance rebate
19 shall be \$4,000.

20 (f) COORDINATION OF REBATE AND EXISTING
21 STATE-SPONSORED OR UTILITY-SPONSORED PRO-
22 GRAMS.—A State that receives a grant under this section
23 is encouraged to work with State agencies, energy utilities,
24 nonprofits, and other entities—

1 (1) to assist in marketing the availability of the
2 rebates under the applicable State program;

3 (2) to coordinate with utility or State managed
4 financing programs;

5 (3) to assist in implementation of the applicable
6 State program, including installation of home energy
7 efficiency retrofits; and

8 (4) to coordinate with existing quality assur-
9 ance programs.

10 (g) ADMINISTRATION AND OVERSIGHT.—

11 (1) REVIEW OF APPROVED MODELING SOFT-
12 WARE.—The Secretary shall, on an annual basis, list
13 and review all modeling software approved for use in
14 determining and documenting the reductions in
15 home energy use for purposes of modeled perform-
16 ance rebates under subsection (d). In approving such
17 modeling software each year, the Secretary shall en-
18 sure that modeling software approved for a year will
19 result in modeling of energy efficiency gains for any
20 type of home energy efficiency retrofit that is at
21 least as substantial as the modeling of energy effi-
22 ciency gains for such type of home energy efficiency
23 retrofit using the modeling software approved for
24 the previous year.

1 (2) OVERSIGHT.—If the Secretary determines
2 that a State is not implementing a State program
3 that was approved pursuant to subsection (b) and
4 that meets the minimum criteria under subsection
5 (c), the Secretary may, after providing the State a
6 period of at least 90 days to meet such criteria,
7 withhold grant funds under this section from the
8 State.

9 **SEC. 204. SPECIAL PROVISIONS FOR MODERATE INCOME**
10 **HOUSEHOLDS.**

11 (a) CERTIFICATIONS.—The Secretary shall establish
12 procedures for certifying that the household of a home-
13 owner is moderate income for purposes of this section.

14 (b) PERCENTAGES.—Subject to subsection (c), for
15 households of homeowners that are certified pursuant to
16 the procedures established under subsection (a) as mod-
17 erate income the—

18 (1) amount of a partial system rebate under
19 section 202 shall not exceed 60 percent of the appli-
20 cable purchase and installation costs described in
21 section 202(b)(1); and

22 (2) amount of—

23 (A) a modeled performance rebate under
24 section 203 provided shall be equal to 80 per-

1 cent of the applicable costs described in section
2 203(d)(2)(A); and

3 (B) a measured performance rebate under
4 section 203 provided shall be equal to 80 per-
5 cent of the applicable costs described in section
6 203(e)(2)(A).

7 (c) MAXIMUM AMOUNTS.—For households of home-
8 owners that are certified pursuant to the procedures estab-
9 lished under subsection (a) as moderate income the max-
10 imum amount—

11 (1) of a partial system rebate—

12 (A) under section 202(a)(1) for the pur-
13 chase and installation of insulation and air seal-
14 ing within a home of the homeowner shall be
15 \$1,600; and

16 (B) under section 202(a)(2) for the pur-
17 chase and installation of insulation and air seal-
18 ing within a home of the homeowner and re-
19 placement of an HVAC system, the heating
20 component of an HVAC system, or the cooling
21 component of an HVAC system, of such home,
22 shall be \$3,000;

23 (2) of a modeled performance rebate under sec-
24 tion 203 for an energy audit and home energy effi-

1 ciency retrofit that is projected to reduce home en-
2 ergy use as described in—

3 (A) section 203(d)(2)(B)(i) shall be
4 \$4,000; and

5 (B) section 203(d)(2)(B)(ii) shall be
6 \$8,000; and

7 (3) of a measured performance rebate under
8 section 203 for a home energy efficiency retrofit that
9 reduces home energy use as described in—

10 (A) section 203(e)(2)(B)(i) shall be
11 \$4,000; and

12 (B) section 203(e)(2)(B)(ii) shall be
13 \$8,000.

14 (d) OUTREACH.—The Secretary shall establish proce-
15 dures to—

16 (1) provide information to households of home-
17 owners that are certified pursuant to the procedures
18 established under subsection (a) as moderate income
19 regarding other programs and resources relating to
20 assistance for energy efficiency upgrades of homes,
21 including the weatherization assistance program im-
22 plemented under part A of title IV of the Energy
23 Conservation and Production Act (42 U.S.C. 6861
24 et seq.); and

1 (2) refer such households, as applicable, to such
2 other programs and resources.

3 **SEC. 205. EVALUATION REPORTS TO CONGRESS.**

4 (a) IN GENERAL.—Not later than 3 years after the
5 date of enactment of this Act and annually thereafter until
6 the termination of the Home Energy Savings Retrofit Re-
7 bate Program, the Secretary shall submit to Congress a
8 report on the use of funds made available to carry out
9 this title.

10 (b) CONTENTS.—Each report submitted under sub-
11 section (a) shall include—

12 (1) how many home energy efficiency retrofits
13 have been completed during the previous year under
14 the Home Energy Savings Retrofit Rebate Program;

15 (2) an estimate of how many jobs have been
16 created through the Home Energy Savings Retrofit
17 Rebate Program, directly and indirectly;

18 (3) a description of what steps could be taken
19 to promote further deployment of energy efficiency
20 and renewable energy retrofits;

21 (4) a description of the quantity of verifiable
22 energy savings, homeowner energy bill savings, and
23 other benefits of the Home Energy Savings Retrofit
24 Rebate Program;

1 (5) a description of any waste, fraud, or abuse
2 with respect to funds made available to carry out
3 this title; and

4 (6) any other information the Secretary con-
5 siders appropriate.

6 **SEC. 206. ADMINISTRATION.**

7 (a) IN GENERAL.—The Secretary shall provide such
8 administrative and technical support to contractors, rebate
9 aggregators, States, and Indian Tribes as is necessary to
10 carry out this title.

11 (b) INFORMATION COLLECTION.—The Secretary
12 shall establish, and make available to a homeowner, or the
13 homeowner’s designated representative, seeking a rebate
14 under this title, release forms authorizing access by the
15 Secretary, or a designated third-party representative to in-
16 formation in the utility bills of the homeowner with appro-
17 priate privacy protections in place.

18 **SEC. 207. TREATMENT OF REBATES.**

19 For purposes of the Internal Revenue Code of 1986,
20 gross income shall not include any rebate received under
21 this title.

22 **SEC. 208. AUTHORIZATION OF APPROPRIATIONS.**

23 (a) IN GENERAL.—There are authorized to be appro-
24 priated to the Secretary to carry out this title

1 \$1,000,000,000 for each of fiscal years 2020 through
2 2025, to remain available until expended.

3 (b) TRIBAL ALLOCATION.—Of the amounts made
4 available pursuant to subsection (a) for a fiscal year, the
5 Secretary shall work with Indian Tribes and use 2 percent
6 of such amounts to carry out a program or programs that
7 as close as possible reflect the goals, requirements, and
8 provisions of this title, taking into account any factors
9 that the Secretary determines to be appropriate.

10 **TITLE III—ADMINISTRATION**

11 **SEC. 301. APPOINTMENT OF PERSONNEL.**

12 Notwithstanding the provisions of title 5, United
13 States Code, regarding appointments in the competitive
14 service and General Schedule classifications and pay rates,
15 the Secretary may appoint such professional and adminis-
16 trative personnel as the Secretary considers necessary to
17 carry out this Act.

18 **SEC. 302. MAINTENANCE OF FUNDING.**

19 Each State receiving Federal funds pursuant to this
20 Act shall provide reasonable assurances to the Secretary
21 that it has established policies and procedures designed
22 to ensure that Federal funds provided under this Act will
23 be used to supplement, and not to supplant, State and
24 local funds.

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