

110TH CONGRESS
2D SESSION

H. R. 6078

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

IN THE HOUSE OF REPRESENTATIVES

MAY 15, 2008

Mr. PERLMUTTER (for himself, Mr. HODES, Mr. FRANK of Massachusetts, Mr. MARKEY, Mrs. MCCARTHY of New York, Mr. KAGEN, Mr. BRALEY of Iowa, Mr. MURPHY of Connecticut, Mr. BLUMENAUER, Mr. WILSON of Ohio, Mr. ELLISON, Ms. SHEA-PORTER, Mr. WELCH of Vermont, Mr. CLEAVER, Mr. OLVER, Mr. EMANUEL, Mr. SALAZAR, Mr. SARBANES, Mr. INSLEE, Mr. UDALL of Colorado, Mr. ANDREWS, and Ms. TSONGAS) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To encourage energy efficiency and conservation and development of renewable energy sources for housing, commercial structures, and other buildings, 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,*

1 **SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

2 (a) **SHORT TITLE.**—This Act may be cited as the
 3 “Green Resources for Energy Efficient Neighborhoods Act
 4 of 2008” or the “GREEN Act of 2008”.

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

- Sec. 1. Short title and table of contents.
- Sec. 2. Minimum HUD energy efficiency standards and standards for additional credit.
- Sec. 3. Energy efficiency and conservation demonstration program for multifamily housing projects assisted with project-based rental assistance.
- Sec. 4. Additional credit for Fannie Mae and Freddie Mac housing goals for energy efficient mortgages.
- Sec. 5. Authority of housing-related government-sponsored enterprises with respect to energy-efficient and location-efficient mortgages and reporting.
- Sec. 6. Energy-efficient mortgage and location-efficient mortgage goals for Fannie Mae and Freddie Mac.
- Sec. 7. FHA energy-efficient housing requirement.
- Sec. 8. Energy efficient mortgages education and outreach campaign.
- Sec. 9. Collection of information on energy-efficient and location efficient mortgages through Home Mortgage Disclosure Act.
- Sec. 10. Ensuring availability of homeowners insurance for homes not connected to electricity grid.
- Sec. 11. Mortgage incentives for energy-efficient multifamily housing.
- Sec. 12. Energy efficiency certifications for housing with mortgages insured by FHA.
- Sec. 13. Assisted housing energy loan program.
- Sec. 14. Making it green.
- Sec. 15. Residential energy efficiency block grant program.
- Sec. 16. Including sustainable development in comprehensive housing affordability strategies.
- Sec. 17. Grant program to increase sustainable low-income community development capacity.
- Sec. 18. Utilization of energy performance contracts in HOPE VI.
- Sec. 19. HOPE VI green developments requirement.
- Sec. 20. Community Reinvestment Act credits for energy efficient mortgages and green building efforts.
- Sec. 21. Consideration of energy-efficiency improvements in appraisals.
- Sec. 22. Assistance for Housing Assistance Council.
- Sec. 23. Rural housing and economic development assistance.
- Sec. 24. Revolving fund for loans to States and Indian tribes to carry out renewable energy sources activities.
- Sec. 25. Green banking centers.

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

3 (a) MINIMUM 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 require-
7 ments 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 90.1–2007, as such stand-
12 ard is in effect for purposes of this section pur-
13 suant subsection (c);

14 (B) the structure complies with the appli-
15 cable provisions of the 2006 International En-
16 ergy Conservation Code, as such standard is in
17 effect for purposes of this section pursuant sub-
18 section (c);

19 (C) in the case only of an existing struc-
20 ture, the energy consumption for the structure
21 has been reduced by at least 30 percent from
22 the previous level of consumption, as deter-
23 mined in accordance with energy audits per-
24 formed both before and after any rehabilitation
25 or improvements undertaken to reduce such
26 consumption; or

1 (D) the structure complies with the appli-
2 cable provisions of such other energy efficiency
3 requirements, standards, checklists, or ratings
4 systems as the Secretary may, by regulation,
5 adopt and apply, for purposes of this section for
6 specific types of residential single family or
7 multifamily structures or otherwise, except that
8 the Secretary shall make a determination re-
9 garding whether to adopt and apply any such
10 requirements, standards, checklists, or rating
11 system for purposes of this section not later
12 than the expiration of the 180-day period begin-
13 ning upon submission of any written request,
14 made in such form as the Secretary shall pro-
15 vide, for such adoption and application.

16 (2) NONRESIDENTIAL STRUCTURES.—The Sec-
17 retary of Housing and Urban Development shall, by
18 regulation, identify and adopt, for purposes of this
19 section, energy efficiency requirements, standards,
20 checklists, or rating systems applicable to nonresi-
21 dential structures. A nonresidential structure shall
22 be considered to comply with the energy efficiency
23 requirements under this subsection if the structure
24 complies with the applicable provisions of any such
25 energy efficiency requirements, standards, checklist,

1 or rating systems identified and adopted by the Sec-
2 retary pursuant to this paragraph, as such stand-
3 ards are in effect for purposes of this section pursu-
4 ant to subsection (c).

5 (b) ADDITIONAL CREDIT FOR FURTHER COMPLI-
6 ANCE WITH ENERGY EFFICIENCY AND CONSERVATION
7 OR GREEN BUILDING STANDARDS.—

8 (1) IN GENERAL.—In addition to compliance
9 with the energy efficiency requirements under sub-
10 section (a), a residential or nonresidential structure
11 shall be considered to comply with the energy effi-
12 ciency and conservation standards under this sub-
13 section, or with the green building standards under
14 this subsection, to the extent that such structure
15 complies with the applicable provisions of the stand-
16 ards under in paragraph (2) or (3), respectively (as
17 such standards are in effect for purposes of this sec-
18 tion, pursuant to subsection (c)), in a manner that
19 is not required for compliance with the energy effi-
20 ciency requirements under subsection (a).

21 (2) ENERGY EFFICIENCY AND CONSERVATION
22 STANDARDS.—The energy efficiency and conserva-
23 tion standards under this paragraph are as follows:

24 (A) RESIDENTIAL STRUCTURES.—With re-
25 spect to residential structures:

1 (i) NEW CONSTRUCTION.—For new
2 construction, the Energy Star standards
3 establish by the Environmental Protection
4 Agency, as such standards are in effect for
5 purposes of this subsection pursuant to
6 subsection (c);

7 (ii) EXISTING STRUCTURES.—For ex-
8 isting structures, a reduction in energy
9 consumption from the previous level of
10 consumption for the structure, as deter-
11 mined in accordance with energy audits
12 performed both before and after any reha-
13 bilitation or improvements undertaken to
14 reduce such consumption, that exceeds the
15 reduction necessary for compliance with
16 the energy efficiency requirement under
17 subsection (a)(1)(C).

18 (B) NONRESIDENTIAL STRUCTURES.—
19 With respect to nonresidential structures, such
20 energy efficiency and conservation require-
21 ments, standards, checklists, or rating systems
22 for nonresidential structures as the Secretary
23 shall, by regulation, identify and adopt, for pur-
24 poses of this paragraph.

1 (3) GREEN BUILDING STANDARDS.—The green
2 building standards under this paragraph are as fol-
3 lows:

4 (A) The national Green Communities cri-
5 teria checklist for residential construction that
6 provides criteria for the design, development,
7 and operation of affordable housing, as such
8 checklist is in effect for purposes of this section
9 pursuant to subsection (c).

10 (B) The Gold Version of the LEED for
11 New Construction rating system, the LEED for
12 Core and Shell rating system, the LEED for
13 Commercial Interiors rating system, as applica-
14 ble, as such systems are in effect for purposes
15 of this section pursuant to subsection (c).

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

18 (D) For manufactured housing, the most
19 recent version of the National Fire Protection
20 Association standard 501, and energy star rat-
21 ing with respect to fixtures, appliances, and
22 equipment in such housing, as such standard is
23 in effect for purposes of this section pursuant
24 to subsection (c).

1 (E) Any other requirements, standards,
2 checklists, or rating systems for green building
3 or sustainability as the Secretary may, by regu-
4 lation, identify and adopt for purposes of this
5 paragraph, except that the Secretary shall make
6 a determination regarding whether to adopt and
7 apply any such requirements, standards, check-
8 list, or rating system for purposes of this sec-
9 tion not later than the expiration of the 180-
10 day period beginning upon submission of any
11 written request, made in such form as the Sec-
12 retary shall provide, for such adoption and ap-
13 plication.

14 (4) GREEN BUILDING.—For purposes of this
15 subsection, the term “green building” means, with
16 respect to standards for structures, standards to re-
17 quire use of sustainable design principles to reduce
18 the use of nonrenewable resources, minimize the im-
19 pact of development on the environment, and to im-
20 prove indoor air quality.

21 (5) ENERGY AUDITS.—The Secretary of Hous-
22 ing and Urban Development, in consultation with
23 any advisory committees established pursuant to sec-
24 tion 3(c)(2) of this Act, shall establish standards

1 and requirements for energy audits for purposes of
2 paragraph (2)(A)(ii).

3 (c) APPLICABILITY AND UPDATING OF STAND-
4 ARDS.—

5 (1) APPLICABILITY.—Except as provided in
6 paragraph (2), the requirements, standards, check-
7 lists, and rating systems referred to in subsections
8 (a) and (b) that are in effect for purposes of this
9 section are such requirements, standards, checklists,
10 and systems are as in existence upon the date of the
11 enactment of this Act.

12 (2) UPDATING.—The Secretary may, by regula-
13 tion, adopt and apply, for purposes of this section,
14 future amendments and supplements to, and editions
15 of, the requirements, standards, checklists, and rat-
16 ing systems referred to in subsections (a) and (b).

17 **SEC. 3. ENERGY EFFICIENCY AND CONSERVATION DEM-**
18 **ONSTRATION PROGRAM FOR MULTIFAMILY**
19 **HOUSING PROJECTS ASSISTED WITH**
20 **PROJECT-BASED RENTAL ASSISTANCE.**

21 (a) AUTHORITY.—The Secretary of Housing and
22 Urban Development shall conduct a program to dem-
23 onstrate the effectiveness of funding a portion of the costs
24 of carrying out energy efficiency and conservation and
25 green building measures for multifamily housing projects

1 for which project-based rental assistance is provided under
2 a covered multifamily assistance program by providing ad-
3 ditional adjustments in maximum monthly rents, addi-
4 tional project rental assistance, or additional assistance
5 under the Native American Housing Assistance and Self-
6 Determination Act of 1996, for dwelling units in such
7 projects that are provided such assistance.

8 (b) GOALS.—The demonstration program under this
9 section shall be carried out in a manner that—

10 (1) protects the financial interests of the Fed-
11 eral Government;

12 (2) reduces the proportion of funds provided by
13 the Federal Government and by owners and resi-
14 dents of multifamily housing projects that are used
15 for costs of utilities for the projects;

16 (3) encourages energy efficiency and conserva-
17 tion by owners and residents of multifamily housing
18 projects and installation of renewable energy im-
19 provements, such as improvements providing for use
20 of solar, wind, geothermal, or biomass energy
21 sources;

22 (4) creates incentives for project owners to
23 carry out such energy efficiency renovations and im-
24 provements by allowing a portion of the savings in
25 operating costs resulting from such renovations and

1 improvements to be retained by the project owner,
2 notwithstanding otherwise applicable limitations on
3 dividends;

4 (5) promotes the installation, in existing resi-
5 dential buildings, of energy-efficient and cost-effec-
6 tive improvements and renewable energy improve-
7 ments, such as improvements providing for use of
8 solar, wind, geothermal, or biomass energy sources;

9 (6) tests the efficacy of a variety of energy effi-
10 ciency measures for multifamily housing projects of
11 various sizes and in various geographic locations;

12 (7) tests methods for addressing the various,
13 and often competing, incentives that impede owners
14 and residents of multifamily housing projects from
15 working together to achieve energy efficiency or con-
16 servation; and

17 (8) creates a database of energy efficiency and
18 conservation, and renewable energy, techniques, en-
19 ergy savings management practices, and energy effi-
20 ciency and conservation financing vehicles.

21 (c) APPROACHES.—In carrying out the demonstra-
22 tion program under this section, the Secretary may—

23 (1) enter into agreements with the Building
24 America Program of the Department of Energy, the
25 Partnership for Advancing Technology in Housing of

1 the Department of Housing and Urban Develop-
2 ment, and other consensus committees under which
3 such programs, partnerships, or committees assume
4 some or all of the functions, obligations, and benefits
5 of the Secretary with respect to energy savings;

6 (2) establish advisory committees to advise the
7 Secretary and any such third party partners on tech-
8 nological and other developments in the area of en-
9 ergy efficiency and the creation of an energy effi-
10 ciency and conservation credit facility and other fi-
11 nancing opportunities, which committees shall in-
12 clude representatives of homebuilders, realtors, non-
13 profit housing organizations, environmental protec-
14 tion organizations, renewable energy organizations,
15 and advocacy organizations for the elderly and per-
16 sons with disabilities;

17 (3) approve, for a period not to exceed 10
18 years, additional adjustments in the maximum
19 monthly rents, additional project rental assistance,
20 or additional assistance under the Native American
21 Housing Assistance and Self-Determination Act of
22 1996, as applicable, for dwelling units in multifamily
23 housing projects that are provided project-based
24 rental assistance under a covered multifamily assist-
25 ance program, in such amounts as may be necessary

1 to amortize a portion of the cost of energy efficiency
2 and conservation measures for such projects;

3 (4) develop a competitive process for the award
4 of such additional assistance for multifamily housing
5 projects seeking to implement energy efficiency, re-
6 newable energy sources, or conservation measures;
7 and

8 (5) waive or modify any existing statutory or
9 regulatory provision that would otherwise impair the
10 implementation or effectiveness of the demonstration
11 program under this section, including provisions re-
12 lating to methods for rent adjustments, com-
13 parability standards, maximum rent schedules, and
14 utility allowances, except that the Secretary may not
15 waive any statutory or regulatory requirement relat-
16 ing to fair housing, nondiscrimination, labor stand-
17 ards, or the environment.

18 (d) REQUIREMENT.—During the 3-year period begin-
19 ning upon the date of the enactment of this Act, the Sec-
20 retary shall carry out demonstration programs under this
21 section with respect to not fewer than 50,000 dwelling
22 units.

23 (e) SELECTION.—

24 (1) SCOPE.—In order to provide a broad and
25 representative profile for use in designing a program

1 which can become operational and effective nation-
2 wide, the Secretary shall carry out the demonstra-
3 tion program under this section with respect to
4 dwelling units located in a wide variety of geographic
5 areas and project types assisted by the various cov-
6 ered multifamily assistance programs and using a
7 variety of energy efficiency and conservation and
8 funding techniques to reflect differences in climate,
9 types of dwelling units and technical and scientific
10 methodologies, and financing options. The Secretary
11 shall ensure that the geographic areas included in
12 the demonstration program include dwelling units on
13 Indian lands (as such term is defined in section
14 2601 of the Energy Policy Act of 1992 (25 U.S.C.
15 3501).

16 (2) PRIORITY.—The Secretary shall provide pri-
17 ority for selection for participation in the program
18 under this section based on the extent to which, as
19 a result of assistance provided under the program
20 for the multifamily housing project, the project will
21 comply with—

22 (A) the energy efficiency standard under
23 section 2(a); and

1 (B) the energy efficiency and conservation
2 standards, and the green building standards,
3 under section 2(b) of such Act.

4 (f) USE OF EXISTING PARTNERSHIPS.—The Sec-
5 retary shall—

6 (1) utilize the Partnership for Advancing Tech-
7 nology in Housing of the Department of Housing
8 and Urban Development to the extent feasible in
9 carrying out this section and to provide education
10 and outreach regarding the program under this sec-
11 tion; and

12 (2) consult with the Secretary of Energy, the
13 Administrator of the Environmental Protection
14 Agency, and the Secretary of the Army regarding
15 utilizing the Building America Program of the De-
16 partment of Energy, the Energy Star Program, and
17 the Army Corps of Engineers, respectively, to the ex-
18 tent feasible in carrying out this section and to pro-
19 vide education and outreach regarding the program
20 under this section.

21 (g) REPORTS.—

22 (1) ANNUAL.—During the 3-year period begin-
23 ning upon the date of the enactment of this Act, the
24 Secretary shall submit a report to the Congress an-

1 nually that describes and assesses the demonstration
2 program under this section.

3 (2) FINAL.—Not later than six months after
4 the expiration of the 3-year period described in sub-
5 section (d), the Secretary shall submit a final report
6 to the Congress assessing the demonstration pro-
7 gram, which—

8 (A) shall assess the potential for expanding
9 the demonstration program on a nationwide
10 basis; and

11 (B) shall include descriptions of—

12 (i) the size of each multifamily hous-
13 ing project for which assistance was pro-
14 vided under the program;

15 (ii) the geographic location of each
16 project assisted, by State and region;

17 (iii) the criteria used to select the
18 projects for which assistance is provided
19 under the program;

20 (iv) the energy efficiency and con-
21 servation measures and financing sources
22 used for each project that is assisted under
23 the program;

24 (v) the difference, before and during
25 participation in the demonstration pro-

1 gram, in the amount of the monthly assist-
2 ance payments under the covered multi-
3 family assistance program for each project
4 assisted under the program;

5 (vi) the average length of the term of
6 the such assistance provided under the
7 program for a project;

8 (vii) the aggregate amount of savings
9 generated by the demonstration program
10 and the amount of savings expected to be
11 generated by the program over time on a
12 per-unit and aggregate program basis;

13 (viii) the functions performed in con-
14 nection with the implementation of the
15 demonstration program that were trans-
16 ferred or contracted out to any third par-
17 ties;

18 (ix) an evaluation of the overall suc-
19 cesses and failures of the demonstration
20 program; and

21 (x) recommendations for any actions
22 to be taken as a result of the such suc-
23 cesses and failures.

1 (3) CONTENTS.—Each annual report pursuant
2 to paragraph (1) and the final report pursuant to
3 paragraph (2) shall include—

4 (A) a description of the status of each mul-
5 tifamily housing project selected for participa-
6 tion in the demonstration program under this
7 section; and

8 (B) findings from the program and rec-
9 ommendations for any legislative actions.

10 (h) DEFINITIONS.—For purposes of this section, the
11 following definitions shall apply:

12 (1) COVERED MULTIFAMILY ASSISTANCE PRO-
13 GRAM.—The term “covered multifamily assistance
14 program” means—

15 (A) the program under section 8 of the
16 United States Housing Act of 1937 (42 U.S.C.
17 1437f) for project-based rental assistance;

18 (B) the program under section 202 of the
19 Housing Act of 1959 (12 U.S.C. 1701q) for as-
20 sistance for supportive housing for the elderly;

21 (C) the program under section 811 of the
22 Cranston-Gonzalez National Affordable Hous-
23 ing Act (42 U.S.C. 8013) for supportive hous-
24 ing for persons with disabilities; and

1 (D) the program for assistance under the
 2 Native American Housing Assistance and Self-
 3 Determination Act of 1996 (25 U.S.C. 4111).

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

6 (i) REGULATIONS.—Not later than the expiration of
 7 the 180-day period beginning on the date of the enactment
 8 of this Act, the Secretary shall issue any regulations nec-
 9 essary to carry out this section.

10 **SEC. 4. ADDITIONAL CREDIT FOR FANNIE MAE AND**
 11 **FREDDIE MAC HOUSING GOALS FOR ENERGY**
 12 **EFFICIENT MORTGAGES.**

13 Section 1336(a) of the Housing and Community De-
 14 velopment Act of 1992 (12 U.S.C. 4566(a)) is amended—

15 (1) in paragraph (2), by inserting “, except as
 16 provided in paragraph (4),” after “which”; and

17 (2) by adding at the end the following new
 18 paragraph:

19 “(5) ADDITIONAL CREDIT.—

20 “(A) IN GENERAL.—In assigning credit to-
 21 ward achievement under this section of the
 22 housing goals for mortgage purchase activities
 23 of the enterprises, the Director shall assign—

24 “(i) more than 125 percent credit, for
 25 such purchases that both—

1 “(I) comply with the require-
2 ments of such goals; and

3 “(II) support housing that meets
4 the energy efficiency standards under
5 section 2(a) of the Green Resources
6 for Energy Efficient Neighborhoods
7 Act of 2008; and

8 “(ii) credit in addition to credit under
9 clause (i), for purchases that both—

10 “(I) comply with the require-
11 ments of such goals, and

12 “(II) support housing that com-
13 plies with the energy efficiency and
14 conservation standards, or the green
15 building standards, under section 2(b)
16 of such Act, or both,

17 and such additional credit shall be given
18 based on the extent to which the housing
19 supported with such purchases complies
20 with such standards.

21 “(B) TREATMENT OF ADDITIONAL CRED-
22 IT.—The availability of additional credit under
23 this paragraph shall not be used to increase any
24 housing goal, subgoal, or target established
25 under this subpart.”.

1 **SEC. 5. AUTHORITY OF HOUSING-RELATED GOVERNMENT-**
2 **SPONSORED ENTERPRISES WITH RESPECT**
3 **TO ENERGY-EFFICIENT AND LOCATION-EFFI-**
4 **CIENT MORTGAGES AND REPORTING.**

5 (a) FANNIE MAE PURCHASE AUTHORITY.—The Fed-
6 eral National Mortgage Association Charter Act is amend-
7 ed—

8 (1) in section 302(b) (12 U.S.C. 1717(b)), by
9 adding at the end the following new paragraph:

10 “(7) The mortgages specified in this subsection that
11 the corporation is authorized to purchase, sell, service,
12 lend on the security of, and otherwise deal in, shall include
13 any such mortgages that are energy-efficient mortgages
14 or location-efficient mortgages (as such terms are defined
15 in section 1334A of Housing and Community Develop-
16 ment Act of 1992).”; and

17 (2) in section 309 (12 U.S.C. 1723a)—

18 (A) in subsection (m)—

19 (i) in paragraph (1)—

20 (I) by redesignating subpara-
21 graphs (D) and (E) as subparagraphs
22 (E) and (F), respectively; and

23 (II) by inserting after subpara-
24 graph (C) the following new subpara-
25 graph:

1 “(D) whether a particular mortgage purchased
2 is an energy-efficient or location-efficient mortgage
3 (as such terms are defined in section 1334A of
4 Housing and Community Development Act of
5 1992);” and

6 (ii) in paragraph (2)(D), by inserting
7 before the closing parenthesis the fol-
8 lowing: “, and whether the mortgage is an
9 energy-efficient or location-efficient mort-
10 gage (as such terms are defined in section
11 1334A of Housing and Community Devel-
12 opment Act of 1992)” and

13 (B) in subsection (n)(2)(C), by inserting
14 before the semicolon the following: “and the ex-
15 tent to which the mortgages on single family
16 and multifamily housing purchased by the cor-
17 poration are energy-efficient or location efficient
18 mortgages (as such terms are defined in section
19 1334A of Housing and Community Develop-
20 ment Act of 1992)”.

21 (b) FREDDIE MAC PURCHASE AUTHORITY.—The
22 Federal Home Loan Mortgage Corporation Act is amend-
23 ed—

24 (1) in section 305(a) (12 U.S.C. 1454), by add-
25 ing at the end the following new paragraph:

1 “(6) The mortgages specified in this subsection that
2 the Corporation is authorized to purchase, sell, service,
3 lend on the security of, and otherwise deal in, shall include
4 any such mortgages that are energy-efficient mortgages
5 or location-efficient mortgages (as such terms are defined
6 in section 1334A of Housing and Community Develop-
7 ment Act of 1992).”; and

8 (2) in section 307 (12 U.S.C. 1456)—

9 (A) in subsection (e)—

10 (i) in paragraph (1)—

11 (I) by redesignating subpara-
12 graphs (D) and (E) as subparagraphs
13 (E) and (F), respectively; and

14 (II) by inserting after subpara-
15 graph (C) the following new subpara-
16 graph:

17 “(D) whether a particular mortgage purchased
18 is an energy-efficient or location-efficient mortgage
19 (as such terms are defined in section 1334A of
20 Housing and Community Development Act of
21 1992);”; and

22 (ii) in paragraph (2)(D), by inserting
23 before the closing parenthesis the fol-
24 lowing: “, and whether the mortgage is an
25 energy-efficient or location-efficient mort-

1 gage (as such terms are defined in section
2 1334A of Housing and Community Devel-
3 opment Act of 1992)”; and
4 (B) in subsection (f)(2)(C), by inserting
5 before the semicolon the following: “and the ex-
6 tent to which the mortgages on single family
7 and multifamily housing purchased by the Cor-
8 poration are energy-efficient or location efficient
9 mortgages (as such terms are defined in section
10 1334A of Housing and Community Develop-
11 ment Act of 1992)”.

12 (c) FEDERAL HOME LOAN BANK ADVANCE AUTHOR-
13 ITY.—Section 10 of the Federal Home Loan Bank Act (12
14 U.S.C. 143) is amended—

15 (1) in subsection (a), by adding at the end the
16 following new paragraph:

17 “(7) ENERGY-EFFICIENT AND LOCATION-EFFI-
18 CIENT RESIDENTIAL MORTGAGES.—Funds from a
19 long-term advance under this section provided to a
20 member for residential housing finance under para-
21 graph (2)(A), or to a community financial institution
22 pursuant to paragraph (2)(B), may be used for en-
23 ergy-efficient mortgages or location-efficient mort-
24 gages (as such terms are defined in section 1334A
25 of Housing and Community Development Act of

1 1992). The Board shall require each Federal Home
2 Loan Bank to submit reports to the Board annually
3 setting forth the extent of financing of energy-effi-
4 cient mortgages and location-efficient mortgages by
5 members using advances under this section, and the
6 Board shall submit a report to the Congress annu-
7 ally compiling such information.”.

8 **SEC. 6. ENERGY-EFFICIENT MORTGAGE AND LOCATION-EF-**
9 **FICIENT MORTGAGE GOALS FOR FANNIE MAE**
10 **AND FREDDIE MAC.**

11 (a) PURPOSES.—

12 (1) FANNIE MAE.—Section 301 of the Federal
13 National Mortgage Association Charter Act (12
14 U.S.C. 1716) is amended—

15 (A) in paragraph (4), by striking “and” at
16 the end;

17 (B) in paragraph (5), by striking the pe-
18 riod at the end and inserting “; and”; and

19 (C) by adding at the end the following new
20 paragraph:

21 “(6) promote and facilitate the use of energy-
22 efficient mortgages and location-efficient mort-
23 gages.”.

1 (2) FREDDIE MAC.—Subsection (b) of section
2 301 of the Federal Home Loan Mortgage Corpora-
3 tion Act (12 U.S.C. 1451 note) is amended—

4 (A) in paragraph (3), by striking “and” at
5 the end;

6 (B) in paragraph (5), by striking the pe-
7 riod at the end and inserting “; and”; and

8 (C) by adding at the end the following new
9 paragraph:

10 “(5) to promote and facilitate the use of en-
11 ergy-efficient mortgages and location-efficient mort-
12 gages.”.

13 (b) GOALS FOR MORTGAGE PURCHASES.—

14 (1) IN GENERAL.—The Housing and Commu-
15 nity Development Act of 1992 is amended by insert-
16 ing after section 1334 (12 U.S.C. 4564) the fol-
17 lowing new section:

18 **“SEC. 1334A. ENERGY-EFFICIENT AND LOCATION-EFFI-
19 CIENT MORTGAGES GOALS.**

20 “(a) IN GENERAL.—The Director shall establish an-
21 nual goals for the purchase by each enterprise of mort-
22 gages, for single-family, owner-occupied housing, of each
23 of the following types:

24 “(1) Energy-efficient mortgages.

25 “(2) Location-efficient mortgages.

1 “(b) TARGETS.—The annual goals under this section
2 for each enterprise shall be as follows:

3 “(1) ENERGY-EFFICIENT MORTGAGES.—For en-
4 ergy efficient mortgages—

5 “(A) during the years 2012 through 2016,
6 5 percent of the mortgages for single-family,
7 owner-occupied homes that are purchased dur-
8 ing each such year by the enterprise;

9 “(B) during the years 2017 through 2021,
10 10 percent of such mortgages that are pur-
11 chased during each such year by the enterprise;
12 and

13 “(C) during 2022 and each year there-
14 after, 25 percent of such mortgages that are
15 purchased during each such year by the enter-
16 prise.

17 “(2) LOCATION-EFFICIENT MORTGAGES.—For
18 location-efficient mortgages—

19 “(A) during the years 2012 through 2016,
20 3 percent of the mortgages for single-family,
21 owner-occupied homes that are purchased dur-
22 ing each such year by the enterprise;

23 “(B) during the years 2017 through 2021,
24 6 percent of such mortgages that are purchased
25 during each such year by the enterprise; and

1 “(C) during 2022 and each year there-
2 after, 10 percent such mortgages that are pur-
3 chased during each such year by the enterprise.

4 “(c) PLAN AND REPORTS.—The Director shall re-
5 quire each enterprise—

6 “(1) not later than January 1, 2012, to develop
7 and submit to the Director a plan that provides by
8 2020 for the use and purchase of energy-efficient
9 mortgages in a manner designed to help achieve, in
10 single-family homes financed with mortgages pur-
11 chased by the enterprise, a 50 percent reduction in
12 aggregate home energy use of fossil fuels (compared
13 to the level of such use as of the date of the enact-
14 ment of the Green Resources for Energy Efficient
15 Neighborhoods Act of 2008) through reduced use of
16 such fuels or transition to reliance on renewable en-
17 ergy resources, such as wind, solar, geothermal, or
18 biomass, or any combination thereof; and

19 “(2) submit a report to the Congress annually
20 that—

21 “(A) describes the extent of mortgage pur-
22 chases described in subsection (b)(1) and of
23 compliance with the goal established pursuant
24 to such subsection;

1 “(B) describes the extent of mortgage pur-
2 chases described in subsection (b)(2) and of
3 compliance with the goal established pursuant
4 to such subsection; and

5 “(C) the progress being made by the enter-
6 prise in carrying out the plan developed pursu-
7 ant to paragraph (1) and toward the goal de-
8 scribed in such paragraph.

9 “(d) REPORTS.—Not later than December 31 of each
10 year from 2012 through 2022, the Secretary of Housing
11 and Urban Development shall submit to the Congress a
12 report that—

13 “(1) identifies the potential markets for energy-
14 efficient and location-efficient mortgages for single-
15 family and multifamily housing and any existing
16 barriers to wider use of such products; and

17 “(2) identifies any correlations between defaults
18 on mortgages for single-family or multifamily hous-
19 ing and the extent of the energy efficiency and loca-
20 tion efficiency of such housing.

21 “(e) DEFINITIONS.—For purposes of this section, the
22 following definitions shall apply:

23 “(1) The term ‘energy efficient mortgage’
24 means a mortgage loan under which the income of
25 the borrower, for purposes of qualification for such

1 loan, is considered to be increased by not less than
2 \$1 for each \$1 of savings projected to be realized by
3 the borrower as a result of cost-effective energy sav-
4 ing construction or improvements (including use of
5 renewable energy sources, such as geothermal, bio-
6 mass, and wind, solar hot water heaters, solar-as-
7 sisted air conditioners and ventilators, super-insula-
8 tion, energy-saving windows, insulating glass and
9 film, and radiant barrier) for the home for which the
10 loan is made.

11 “(2) The term ‘location efficient mortgage’
12 means a mortgage loan under which the income of
13 the borrower, for purposes of qualification for such
14 loan, is considered to be increased by not less than
15 \$1 for each \$1 of savings projected to be realized by
16 the borrower because the location of the home for
17 which loan is made results in decreased transpor-
18 tation costs for the household of the borrower.”.

19 (2) REPORTS, ENFORCEMENT, AND CON-
20 FORMING AMENDMENTS.—Title XIII of the Housing
21 and Community Development Act of 1992 is amend-
22 ed—

23 (A) in subsection (b) of section 1324 (12
24 U.S.C. 4542(b))—

1 (i) in paragraph (4), by striking “and
2 1334” and inserting “1334, and 1334A”;

3 (ii) by redesignating paragraphs (4)
4 through (7) as paragraphs (5) through (8),
5 respectively; and

6 (iii) by inserting after paragraph (3)
7 the following new paragraph:

8 “(4) aggregate and analyze appropriate data to
9 assess the compliance of each enterprise with the en-
10 ergy-efficient and location-efficient mortgages
11 goals;”;

12 (B) in subsection (a) of section 1331 (12
13 U.S.C. 4561(a))—

14 (i) by striking “and” before “a central
15 cities”; and

16 (ii) by inserting before the period at
17 the end of the first sentence the following:
18 “, and energy-efficient and location-effi-
19 cient mortgages goals pursuant to section
20 1334A”;

21 (C) in section 1335 (12 U.S.C. 4565)—

22 (i) in the matter in subsection (a)
23 that precedes paragraph (1)—

24 (I) by striking “and” before “the
25 central cities”; and

1 (II) by inserting after “section
2 1334,” the following: “, and the en-
3 ergy-efficient and location-efficient
4 mortgages goals pursuant to section
5 1334A”;

6 (ii) in subsection (b), by striking “and
7 1334” and inserting “, 1334, and 1334A”;
8 and

9 (D) in section 1336 (12 U.S.C. 4566)—

10 (i) in paragraph (1) of subsection (a),
11 by striking “and 1334” and inserting “,
12 1334, and 1334A”; and

13 (ii) by striking “or 1334” each place
14 such term appears and inserting “, 1334,
15 or 1334A”.

16 **SEC. 7. FHA ENERGY-EFFICIENT HOUSING REQUIREMENT.**

17 (a) REQUIREMENT.—Title V of the National Housing
18 Act is amended by adding after section 542 (12 U.S.C.
19 1735f–20) the following new section:

20 **“SEC. 543. ENERGY-EFFICIENT HOUSING REQUIREMENT.**

21 “(a) IN GENERAL.—Subject only to sufficient author-
22 ity to insure mortgages under this Act having an aggre-
23 gate outstanding principal obligation in the amount pro-
24 vided under this subsection, in carrying out this Act the
25 Secretary shall ensure that, at all times after December

1 31, 2012, the aggregate outstanding principal obligation
2 of mortgages on single-family housing meeting the energy
3 efficiency standards under section 2(a) of the Green Re-
4 sources for Energy Efficient Neighborhoods Act of 2008
5 that are insured by the Secretary is not less than
6 \$1,000,000,000.

7 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
8 is authorized to be appropriated such sums as may be nec-
9 essary for any additional costs (as such term is defined
10 in section 502 of the Federal Credit Reform Act of 1990
11 (2 U.S.C. 661a)) under this Act resulting from compliance
12 with subsection (a).”.

13 (b) REPORTING ON DEFAULTS.—Section 540(b)(2)
14 of the National Housing Act (12 U.S.C. 1735f–18(b)(2))
15 is amended by adding at the end the following new para-
16 graph:

17 “(3) With respect to each collection period that
18 commences after December 31, 2011, the total num-
19 ber of mortgages on single-family housing meeting
20 the energy efficiency standards under section 2(a) of
21 the Green Resources for Energy Efficient Neighbor-
22 hoods Act of 2008 that are insured by the Secretary
23 during the applicable collection period, the number
24 of defaults and foreclosures occurring on such mort-
25 gages during such period, the percentage of the total

1 of such mortgages insured during such period on
2 which defaults and foreclosure occurred, and the
3 rate for such period of defaults and foreclosures on
4 such mortgages compared to the overall rate for
5 such period of defaults and foreclosures on mort-
6 gages for single-family housing insured by the Sec-
7 retary.”.

8 **SEC. 8. ENERGY EFFICIENT MORTGAGES EDUCATION AND**
9 **OUTREACH CAMPAIGN.**

10 Section 513 of the Housing and Community Develop-
11 ment Act of 1992 (42 U.S.C. 12712 note) is amended by
12 adding at the end the following new subsection:

13 “(g) EDUCATION AND OUTREACH CAMPAIGN.—The
14 Secretary, in consultation and coordination with the Sec-
15 retary of Energy, the Secretary of Education, and the Ad-
16 ministrator of the Environmental Protection Agency, shall
17 carry out a public awareness, education, and outreach
18 campaign to inform and educate residential lenders and
19 prospective borrowers regarding the availability, benefits,
20 advantages, and terms of energy efficient mortgages made
21 available pursuant to this section, energy efficient mort-
22 gages that meet the requirements of section 1334A of this
23 Act, and other mortgages, including mortgages for multi-
24 family housing, that have energy improvement features
25 and to publicize such availability, benefits, advantages,

1 and terms. Such actions may include entering into a con-
2 tract with an appropriate entity to publicize and market
3 such mortgages through appropriate media.”.

4 **SEC. 9. COLLECTION OF INFORMATION ON ENERGY-EFFI-**
5 **CIENT AND LOCATION EFFICIENT MORT-**
6 **GAGES THROUGH HOME MORTGAGE DISCLO-**
7 **SURE ACT.**

8 (a) IN GENERAL.—Section 304(b)(1) of the Home
9 Mortgage Disclosure Act of 1975 (12 U.S.C. 2803(b)(1))
10 is amended—

11 (1) in paragraph (3), by striking “and” at the
12 end;

13 (2) in paragraph (4), by striking the period at
14 the end and inserting a semicolon; and

15 (3) by adding at the end the following new
16 paragraphs:

17 “(5) the number and dollar amount of mort-
18 gage loans for single-family housing and for multi-
19 family housing that are energy-efficient mortgages
20 (as such term is defined in section 1334A of Hous-
21 ing and Community Development Act of 1992); and

22 “(6) the number and dollar amount of mort-
23 gage loans for single-family housing and for multi-
24 family housing that are location-efficient mortgages

1 (as such term is defined in section 1334A of Hous-
2 ing and Community Development Act of 1992).”.

3 (b) APPLICABILITY.—The amendment made by sub-
4 section (a) shall apply with respect to the first calendar
5 year that begins after the expiration of the 30-day period
6 beginning on the date of the enactment of this Act.

7 **SEC. 10. ENSURING AVAILABILITY OF HOMEOWNERS IN-**
8 **SURANCE FOR HOMES NOT CONNECTED TO**
9 **ELECTRICITY GRID.**

10 (a) IN GENERAL.—In the case of any covered struc-
11 ture (as such term is defined in subsection (d)), it shall
12 be unlawful for any insurer to deny homeowners insurance
13 coverage for the structure, or to otherwise discriminate in
14 the issuance, cancellation, amount of such coverage, or
15 conditions of such coverage for the structure, based solely
16 and without any additional actuarial risks upon the fact
17 that the structure is not connected to, or able to receive
18 electricity service from, any wholesale or retail electric
19 power provider.

20 (b) CONSIDERATION OF ACTUARIAL RISK.—Sub-
21 section (a) may not be construed to prevent any insurer
22 from charging rates for homeowners insurance coverage
23 for a structure that are based on a good faith actuarial
24 analysis of the risk associated with the structure not being
25 connected to, or able to receive electricity service from, any

1 wholesale or retail electric power provide. Any good faith
2 analysis of such risk shall include analysis of the manner
3 in which electric power for the structure is provided.

4 (c) INSURING HOMES AND RELATED PROPERTY IN
5 INDIAN AREAS.—Notwithstanding any other provision of
6 law, covered structures located in Indian areas (as such
7 term is defined in section 4 of the Native American Hous-
8 ing Assistance and Self-Determination Act of 1996 (25
9 U.S.C. 4103)) and constructed or maintained using assist-
10 ance, loan guarantees, or other authority under the Native
11 American Housing Assistance and Self-Determination Act
12 of 1996 may be insured by any tribally owned self-insur-
13 ance risk pool approved by the Secretary of Housing and
14 Urban Development.

15 (d) COVERED STRUCTURE.—For purposes of this
16 section, the term “covered structure” means a residential
17 structure that—

- 18 (1) consists of one to four dwelling units;
- 19 (2) is provided power, heat, or electricity from
20 renewable energy sources (such as solar, wind, geo-
21 thermal, or biomass) or a fuel cell; and
- 22 (3) is not connected to any wholesale or retail
23 electrical power grid.

1 **SEC. 11. MORTGAGE INCENTIVES FOR ENERGY-EFFICIENT**
2 **MULTIFAMILY HOUSING.**

3 (a) IN GENERAL.—The Secretary of Housing and
4 Urban Development shall establish incentives for increas-
5 ing the energy efficiency of multifamily housing that is
6 subject to a mortgage to be insured under title II of the
7 National Housing Act (12 U.S.C. 1709 et seq.) so that
8 the housing meets the energy efficiency standards under
9 section 2(a) of this Act and incentives to encourage com-
10 pliance of such housing with the energy efficiency and con-
11 servation standards, and the green building standards,
12 under section 2(b) of this Act.

13 (b) INCENTIVES.—Such incentives—

14 (1) shall include, for any such multifamily hous-
15 ing that complies with the energy efficiency stand-
16 ards under section 2(a), providing a discount on the
17 chargeable premiums for the mortgage insurance for
18 such housing from the amount otherwise chargeable
19 for such mortgage insurance; and

20 (2) may include—

21 (A) allowing mortgages to exceed the dollar
22 amount limits otherwise applicable under law to
23 the extent such additional amounts are used to
24 finance improvements or measures designed to
25 meet the standards referred to in subsection
26 (a); and

1 (B) reducing the amount that the owner of
2 such multifamily housing meeting the standards
3 referred to in subsection (a) is required to con-
4 tribute.

5 **SEC. 12. ENERGY EFFICIENCY CERTIFICATIONS FOR HOUS-**
6 **ING WITH MORTGAGES INSURED BY FHA.**

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

9 (1) in subsection (a)—

10 (A) by striking “, other than manufactured
11 homes,” each place such term appears; and

12 (B) by inserting after the period at the end
13 the following: “The energy performance require-
14 ments developed and established by the Sec-
15 retary under this section for manufactured
16 homes shall require such homes to comply with
17 the most recent version of the National Fire
18 Protection Association standard 501, and shall
19 require energy star rating for wall fixtures, ap-
20 pliances, and equipment in such housing”

21 (2) by inserting “(1)” after “(a)”;

22 (3) by adding at the end the following new
23 paragraphs:

24 “(2) The Secretary shall require, with respect
25 to any single- or multi-family residential housing

1 subject to a mortgage insured under this Act, that
2 any approval or certification of the housing for
3 meeting any energy efficiency or conservation cri-
4 teria, standards, or requirements pursuant to this
5 title and any approval or certification required pur-
6 suant to this title with respect to energy conserving
7 improvements or any renewable energy sources, such
8 as wind, solar energy geothermal, or biomass, shall
9 be conducted only by an individual certified by a
10 home energy rating system provider who has been
11 accredited to conduct such ratings by the Home En-
12 ergy Ratings System Council, the Residential En-
13 ergy Services Network, or such other appropriate
14 national organization, as the Secretary may provide.
15 If any organization makes a request to the Secretary
16 for approval to accredit individuals to conduct en-
17 ergy efficiency or conservation ratings, the Secretary
18 shall review and approve or disapprove such request
19 not later than the expiration of the 6-month period
20 beginning upon receipt of such request.

21 “(3) The Secretary shall periodically examine
22 the method used to conduct inspections for compli-
23 ance with the requirements under this section, ana-
24 lyze various other approaches for conducting such

1 inspections, and review the costs and benefits of the
2 current method compared with other methods.”; and

3 (4) in subsection (b), by striking “, other than
4 a manufactured home,”.

5 **SEC. 13. ASSISTED HOUSING ENERGY LOAN PROGRAM.**

6 (a) **AUTHORITY.**—The Secretary of Housing and
7 Urban Development (in this section referred to as the
8 “Secretary”) shall carry out a program under this section
9 to facilitate the financing of cost-effective capital improve-
10 ments for covered assisted housing projects to improve the
11 energy efficiency and conservation of such projects.

12 (b) **LOANS.**—The program under this section shall
13 provide for a privately financed loan to be made for a cov-
14 ered assisted housing project, which shall—

15 (1) finance capital improvements for the project
16 that meet such requirements as the Secretary shall
17 establish, and may involve contracts with third par-
18 ties to perform such capital improvements;

19 (2) have a term to maturity of not more than
20 20 years, which shall be based upon the duration
21 necessary to realize cost savings sufficient to repay
22 the loan;

23 (3) be secured by a mortgage subordinate to the
24 mortgage for the project that is insured under the
25 National Housing Act; and

1 (4) provide for a reduction in the remaining
2 principal obligation under the loan based on the ac-
3 tual resulting cost savings realized from the capital
4 improvements financed with the loan.

5 (c) UNDERWRITING STANDARDS.—The Secretary
6 shall establish underwriting requirements for loans made
7 under the program under this section, which shall—

8 (1) require the cost savings projected to be real-
9 ized from the capital improvements financed with
10 the loan, during the term of the loan, to exceed the
11 costs of repaying the loan;

12 (2) allow the contractor involved in designing
13 capital improvements to be financed with a loan
14 under the program to carry out such capital im-
15 provements; and

16 (3) include such energy, audit, property, finan-
17 cial, ownership, and approval requirements as the
18 Secretary considers appropriate.

19 (d) TREATMENT OF SAVINGS.—The program under
20 this section shall provide that the project owner shall re-
21 ceive the full financial benefit from any reduction in the
22 cost of utilities resulting from capital improvements fi-
23 nanced with a loan made under the program.

1 (e) COVERED ASSISTED HOUSING PROJECTS.—For
2 purposes of this section, the term “covered assisted hous-
3 ing project” means a housing project that—

4 (1) is financed by a loan or mortgage that is—

5 (A) insured by the Secretary under sub-
6 section (d)(3) or (d)(4) of section 221 of the
7 National Housing Act (12 U.S.C. 1715l), and
8 bears interest at a rate determined under the
9 proviso of section 221(d)(5) of such Act; or

10 (B) insured or assisted under section 236
11 of the National Housing Act (12 U.S.C. 1715z-
12 1); and

13 (2) at the time a loan under this section is
14 made, is provided project-based rental assistance
15 under section 8 of the United States Housing Act of
16 1937 (42 U.S.C. 1437f) for 50 percent or more of
17 the dwelling units in the project.

18 Such term does not include any housing project owned or
19 held by the Secretary, or that is subject to a mortgage
20 held by the Secretary.

21 (f) PILOT PROGRAM.—Not later than the expiration
22 of the 12-month period beginning on the date of the enact-
23 ment of this Act, the Secretary shall implement and com-
24 mence the program under this section on a pilot basis,

1 which shall involve not fewer than 3 and not more than
2 5 lenders.

3 **SEC. 14. MAKING IT GREEN.**

4 (a) PARTNERSHIPS WITH TREE-PLANTING ORGANI-
5 ZATIONS.—The Secretary shall establish and provide in-
6 centives for developers of housing for which any financial
7 assistance is provided by the Secretary for development,
8 maintenance, operation, or other costs, to enter into agree-
9 ments and partnerships with tree-planting organizations,
10 nurseries, and landscapers to certify that trees, shrubs,
11 grasses, and other plants are planted in the proper man-
12 ner, are provided adequate maintenance, and survive for
13 at least three years after planting or are replaced.

14 (b) PLAN FOR ASSISTED HOUSING.—In the case of
15 any new or substantially improved housing for which fi-
16 nancial assistance is provided by the Secretary for the de-
17 velopment, construction, maintenance, rehabilitation, im-
18 provement, operation, or costs of the housing, the Sec-
19 retary shall require the development of a plan that pro-
20 vides for—

21 (1) in the case of new construction and im-
22 provements, siting of such housing and improve-
23 ments in a manner that provides for energy effi-
24 ciency and conservation to the extent feasible, taking
25 into consideration location and project type;

1 (2) not less than 50 percent of the total area
2 of paved surfaces at the site of such housing to be
3 shaded, consist of greenspace, be covered by solar
4 energy panels or greenroofs, or be part of a geo-
5 thermal piping system;

6 (3) how any construction, rehabilitation, or
7 other development will affect and minimize the ef-
8 fects of construction, rehabilitation, or other develop-
9 ment on the condition of existing trees;

10 (4) selection and installation of trees, shrubs,
11 grasses, and other plants based upon applicable de-
12 sign guidelines and standards of the International
13 Society for Arboriculture;

14 (5) post-planting care and maintenance of the
15 landscaping relating to or affected by the housing in
16 accordance with best management practices; and

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

23 (c) PARTNERSHIPS.—In carrying out this section, the
24 Secretary of Housing and Urban Development shall con-
25 sult with national organizations dedicated to providing

1 housing assistance and related services to low-income fam-
2 ilies, the Alliance for Community Trees and its affiliates,
3 the American Nursery and Landscape Association, the
4 American Society of Landscape Architects, and the Na-
5 tional Arbor Day Foundation, and shall take such actions
6 as are appropriate to establish, and encourage the estab-
7 lishment, of such agreements and working partnerships
8 between such organization and its affiliates and recipients
9 of assistance from the Department of Housing and Urban
10 Development for the development, maintenance, operation,
11 or costs of housing.

12 **SEC. 15. RESIDENTIAL ENERGY EFFICIENCY BLOCK GRANT**
13 **PROGRAM.**

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

17 **“SEC. 123. RESIDENTIAL ENERGY EFFICIENCY BLOCK**
18 **GRANT PROGRAM.**

19 “(a) IN GENERAL.—To the extent amounts are made
20 available for grants under this section, the Secretary of
21 Housing and Urban Development shall make grants under
22 this section to States, metropolitan cities and urban coun-
23 ties, Indian tribes, and insular areas to carry out energy
24 efficiency improvements in new and existing single-family
25 and multifamily housing.

1 “(b) ALLOCATIONS.—

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

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

18 “(c) GRANT AMOUNTS.—

19 “(1) ENTITLEMENT COMMUNITIES.—From the
20 amounts allocated pursuant to subsection (b) for
21 metropolitan cities and urban counties for each fiscal
22 year, the Secretary shall make a grant for such fis-
23 cal year to each metropolitan city and urban county
24 that complies with the requirement under subsection
25 (d), in the amount that bears the same ratio such

1 total amount so allocated as the amount of the grant
2 for such fiscal year under section 106 for such met-
3ropolitan city or urban county bears to the aggre-
4gate amount of all grants for such fiscal year under
5section 106 for all metropolitan cities and urban
6counties.

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

20 “(3) INDIAN TRIBES.—From the amounts allo-
21cated pursuant to subsection (b) for Indian tribes,
22the Secretary shall make grants to Indian tribes that
23comply with the requirement under subsection (d) on
24the basis of a competition conducted pursuant to
25specific criteria, as the Secretary shall establish by

1 regulation, for the selection of Indian tribes to re-
2 ceive such amount.

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

16 “(d) STATEMENT OF ACTIVITIES.—

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

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

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

13 “(e) ELIGIBLE ACTIVITIES.—

14 “(1) REQUIREMENT.—Amounts from a grant
15 under this section may be used only to carry out ac-
16 tivities for single-family or multifamily housing that
17 are designed to improve the energy efficiency of the
18 housing so that the housing complies with the en-
19 ergy efficiency standard under section 2(a) of the
20 Green Resources for Energy Efficient Neighbor-
21 hoods Act of 2008, including such activities to pro-
22 vide energy for such housing from renewable
23 sources, such as wind, waves, solar, biomass, and
24 geothermal sources.

1 “(2) PREFERENCE FOR COMPLIANCE BEYOND
2 MINIMUM REQUIREMENTS.—In selecting activities to
3 be funded with amounts from a grant under this
4 section, a grantee shall give more preference to ac-
5 tivities based on the extent to which the activities
6 will result in compliance by the housing with the en-
7 ergy efficiency and conservation standards, and the
8 green building standards, under section 2(b) of such
9 Act.

10 “(f) REPORTS.—Each grantee of a grant under this
11 section for a fiscal year shall submit to the Secretary, at
12 a time determined by the Secretary, a performance and
13 evaluation report concerning the use of grant amounts,
14 which shall contain an assessment by the grantee of the
15 relationship of such use to the objectives identified in the
16 grantees statement under subsection (d).

17 “(g) APPLICABILITY OF CDBG PROVISIONS.—Sec-
18 tions 109 (relating to nondiscrimination), 110 (relating to
19 labor standards), and 111 (relating to remedies for non-
20 compliance) of the Housing and Community Development
21 Act of 1974 (42 U.S.C. 5309, 5310, 5311) shall apply
22 to assistance received under this section to the same ex-
23 tent and in the same manner that such sections apply to
24 assistance received under title I of such Act.”.

1 **SEC. 16. INCLUDING SUSTAINABLE DEVELOPMENT IN COM-**
2 **PREHENSIVE HOUSING AFFORDABILITY**
3 **STRATEGIES.**

4 Section 105(b) of the Cranston-Gonzalez National
5 Affordable Housing Act of 1990 (42 U.S.C. 12705(b)) is
6 amended—

7 (1) by striking “and” at the end of paragraph
8 (19);

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

11 (3) and by inserting after paragraph (20) the
12 following:

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

17 “(A) greater energy efficiency and use of
18 renewable energy sources, including any strate-
19 gies regarding compliance with the energy effi-
20 ciency requirements under section 2(a) of the
21 Green Resources for Energy Efficient Neigh-
22 borhoods Act of 2008 and with the energy effi-
23 ciency and conservation standards, and the
24 green building standards, under section 2(b) of
25 such Act;

1 “(B) increased conservation, recycling, and
2 reuse of resources;

3 “(C) more effective use of existing infra-
4 structure;

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

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

18 **SEC. 17. GRANT PROGRAM TO INCREASE SUSTAINABLE**
19 **LOW-INCOME COMMUNITY DEVELOPMENT**
20 **CAPACITY.**

21 (a) IN GENERAL.—The Secretary of Housing and
22 Urban Development may make grants to nonprofit organi-
23 zations to use for any of the following purposes:

24 (1) Training, educating, supporting, or advising
25 an eligible community development organization in

1 improving energy efficiency, resource conservation
2 and reuse, installing or constructing renewable en-
3 ergy improvements (such as wind, wave, solar, bio-
4 mass, and geothermal energy sources), and effective
5 use of existing infrastructure in affordable housing
6 and economic development activities in low-income
7 communities, taking into consideration energy effi-
8 ciency requirements under section 2(a) of this Act
9 and with the energy efficiency and conservation
10 standards, and the green building standards, under
11 section 2(b) of this Act.

12 (2) Providing loans, grants, or predevelopment
13 assistance to eligible community development organi-
14 zations to carry out energy efficiency improvements
15 that comply with the energy efficiency requirements
16 under section 2(a) of this Act, resource conservation
17 and reuse, and effective use of existing infrastruc-
18 ture in affordable housing and economic develop-
19 ment activities in low-income communities. In pro-
20 viding assistance under this paragraph, the Sec-
21 retary shall give more preference to activities based
22 on the extent to which the activities will result in
23 compliance with the energy efficiency and conserva-
24 tion standards, and the green building standards,
25 under section 2(b) of this Act.

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

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

9 (c) MATCHING REQUIREMENT.—A grant made under
10 this section may not exceed the amount that the nonprofit
11 organization receiving the grant certifies, to the Secretary,
12 will be provided (in cash or in kind) from non-govern-
13 mental sources to carry out the purposes for which the
14 grant is made.

15 (d) DEFINITIONS.—For purposes of this section, the
16 following definitions shall apply:

17 (1) The term “nonprofit organization” has the
18 meaning given such term in section 104 of the Cran-
19 ston-Gonzalez National Affordable Housing Act (42
20 U.S.C. 12704).

21 (2) The term “eligible community development
22 organization” means—

23 (A) a unit of general local government (as
24 defined in section 104 of the Cranston-Gonzalez

1 National Affordable Housing Act (42 U.S.C.
2 12704));

3 (B) a community housing development or-
4 ganization (as defined in section 104 of the
5 Cranston-Gonzalez National Affordable Hous-
6 ing Act (42 U.S.C. 12704)); or

7 (C) an Indian tribe or tribally designated
8 housing entity (as such terms are defined in
9 section 4 of the Native American Housing As-
10 sistance and Self-Determination Act of 1996
11 (25 U.S.C. 4103)).

12 (3) The term “low-income community” means a
13 census tract in which 50 percent or more of the
14 households have an income which is less than 80
15 percent of the greater of—

16 (A) the median gross income for such year
17 for the area in which such census tract is lo-
18 cated; or

19 (B) the median gross income for such year
20 for the State in which such census tract is lo-
21 cated.

22 (e) AUTHORIZATION OF APPROPRIATIONS.—There
23 are authorized to be appropriated to the Secretary to carry
24 out this section \$10,000,000 for each of fiscal years 2008
25 through 2012.

1 **SEC. 18. UTILIZATION OF ENERGY PERFORMANCE CON-**
2 **TRACTS IN HOPE VI.**

3 Section 24(d) of the United States Housing Act of
4 1937 (42 U.S.C. 1437v(d)) is amended by adding at the
5 end the following new paragraph:

6 “(3) ENERGY PERFORMANCE CONTRACTS.—

7 “(A) IN GENERAL.—The Secretary shall
8 provide that a public housing agency shall re-
9 ceive the full financial benefit from any reduc-
10 tion in the cost of utilities resulting from any
11 contract with a third party to undertake energy
12 conservation improvements in connection with a
13 revitalization plan under this section.

14 “(B) THIRD PARTY CONTRACTS.—Con-
15 tracts described in subparagraph (A) may in-
16 clude contracts for equipment conversions to
17 less costly utility sources, projects with resi-
18 dent-paid utilities, and adjustments to frozen
19 base year consumption, including systems re-
20 paired to meet applicable building and safety
21 codes and adjustments for occupancy rates in-
22 creased by rehabilitation.

23 “(C) TERM OF CONTRACT.—The total
24 term of a contract described in subparagraph
25 (A) shall not exceed 20 years to allow longer
26 payback periods for retrofits, including win-

1 dows, heating system replacements, wall insula-
2 tion, site-based generation, advanced energy
3 savings technologies, including renewable en-
4 ergy generation, and other such retrofits.

5 “(D) EXTENSION OF EXISTING CON-
6 TRACTS.—The term of a contract described in
7 subparagraph (A) that, as of the date of the en-
8 actment of the Green Resources for Energy Ef-
9 ficient Neighborhoods Act of 2008 is in repay-
10 ment and has a term of not more than 12
11 years, may be extended to a term of not more
12 than 20 years to permit additional energy con-
13 servation improvements without requiring the
14 re-procurement of energy performance contrac-
15 tors.”.

16 **SEC. 19. HOPE VI GREEN DEVELOPMENTS REQUIREMENT.**

17 (a) MANDATORY COMPONENT.—Section 24(e) of the
18 United States Housing Act of 1937 (42 U.S.C. 1437v(e))
19 is amended by adding at the end the following new para-
20 graph:

21 “(4) GREEN DEVELOPMENTS REQUIREMENT.—

22 “(A) REQUIREMENT.—The Secretary may
23 not make a grant under this section to an appli-
24 cant unless the proposed revitalization plan of

1 the applicant to be carried out with such grant
2 amounts meets the following requirements:

3 “(i) GREEN COMMUNITIES CRITERIA
4 CHECKLIST.—All residential construction
5 under the proposed plan complies with the
6 national Green Communities criteria
7 checklist for residential construction that
8 provides criteria for the design, develop-
9 ment, and operation of affordable housing,
10 as such checklist is in effect for purposes
11 of this paragraph pursuant to subpara-
12 graph (D) at the date of the application
13 for the grant, or any substantially equiva-
14 lent standard or standards as determined
15 by the Secretary, as follows:

16 “(I) The proposed plan shall
17 comply with all items of the national
18 Green Communities criteria checklist
19 for residential construction that are
20 identified as mandatory.

21 “(II) The proposed plan shall
22 comply with such other nonmandatory
23 items of such national Green Commu-
24 nities criteria checklist so as to result
25 in a cumulative number of points at-

1 tributable to such nonmandatory
2 items under such checklist of not less
3 than—

4 “(aa) 25 points, in the case
5 of any proposed plan (or portion
6 thereof) consisting of new con-
7 struction; and

8 “(bb) 20 points, in the case
9 of any proposed plan (or portion
10 thereof) consisting of rehabilita-
11 tion.

12 “(ii) GREEN BUILDINGS CERTIFI-
13 CATION SYSTEM.—All non-residential con-
14 struction under the proposed plan complies
15 with all minimum required levels of the
16 green building rating systems and levels
17 identified by the Secretary pursuant to
18 subparagraph (C), as such systems and
19 levels are in effect for purposes of this
20 paragraph pursuant to subparagraph (D)
21 at the time of the application for the
22 grant.

23 “(B) VERIFICATION.—

24 “(i) IN GENERAL.—The Secretary
25 shall verify, or provide for verification, suf-

1 efficient to ensure that each proposed re-
2 vitalization plan carried out with amounts
3 from a grant under this section complies
4 with the requirements under subparagraph
5 (A) and that the revitalization plan is car-
6 ried out in accordance with such require-
7 ments and plan.

8 “(ii) TIMING.—In providing for such
9 verification, the Secretary shall establish
10 procedures to ensure such compliance with
11 respect to each grantee, and shall report to
12 the Congress with respect to the compli-
13 ance of each grantee, at each of the fol-
14 lowing times:

15 “(I) Not later than 60 days after
16 execution of the grant agreement
17 under this section for the grantee.

18 “(II) Upon completion of the re-
19 vitalization plan of the grantee.

20 “(C) IDENTIFICATION OF GREEN BUILD-
21 INGS RATING SYSTEMS AND LEVELS.—

22 “(i) IN GENERAL.—For purposes of
23 this paragraph, the Secretary shall identify
24 rating systems and levels for green build-
25 ings that the Secretary determines to be

1 the most likely to encourage a comprehen-
2 sive and environmentally-sound approach
3 to ratings and standards for green build-
4 ings. The identification of the ratings sys-
5 tems and levels shall be based on the cri-
6 teria specified in clause (ii), shall identify
7 the highest levels the Secretary determines
8 are appropriate above the minimum levels
9 required under the systems selected. With-
10 in 90 days of the completion of each study
11 required by clause (iii), the Secretary shall
12 review and update the rating systems and
13 levels, or identify alternative systems and
14 levels for purposes of this paragraph, tak-
15 ing into account the conclusions of such
16 study.

17 “(ii) CRITERIA.—In identifying the
18 green rating systems and levels, the Sec-
19 retary shall take into consideration—

20 “(I) the ability and availability of
21 assessors and auditors to independ-
22 ently verify the criteria and measure-
23 ment of metrics at the scale necessary
24 to implement this paragraph;

1 “(II) the ability of the applicable
2 ratings system organizations to collect
3 and reflect public comment;

4 “(III) the ability of the standards
5 to be developed and revised through a
6 consensus-based process;

7 “(IV) An evaluation of the
8 robustness of the criteria for a high-
9 performance green building, which
10 shall give credit for promoting—

11 “(aa) efficient and sustain-
12 able use of water, energy, and
13 other natural resources;

14 “(bb) use of renewable en-
15 ergy sources;

16 “(cc) improved indoor and
17 outdoor environmental quality
18 through enhanced indoor and
19 outdoor air quality, thermal com-
20 fort, acoustics, outdoor noise pol-
21 lution, day lighting, pollutant
22 source control, sustainable land-
23 scaping, and use of building sys-
24 tem controls and low- or no-emis-
25 sion materials, including pref-

1 erence for materials with no
2 added carcinogens that are classi-
3 fied as Group 1 Known Carcino-
4 gens by the International Agency
5 for Research on Cancer; and

6 “(dd) such other criteria as
7 the Secretary determines to be
8 appropriate; and

9 “(V) national recognition within
10 the building industry.

11 “(iii) 5-YEAR EVALUATION.—At least
12 once every five years, the Secretary shall
13 conduct a study to evaluate and compare
14 available third-party green building rating
15 systems and levels, taking into account the
16 criteria listed in clause (ii).

17 “(D) APPLICABILITY AND UPDATING OF
18 STANDARDS.—

19 “(i) APPLICABILITY.—Except as pro-
20 vided in clause (ii) of this subparagraph,
21 the national Green Communities criteria
22 checklist and green building rating systems
23 and levels referred to in clauses (i) and (ii)
24 of subparagraph (A) that are in effect for
25 purposes of this paragraph are such check-

1 list systems, and levels as in existence
2 upon the date of the enactment of the
3 Green Resources for Energy Efficient
4 Neighborhoods Act of 2008.

5 “(ii) UPDATING.—The Secretary may,
6 by regulation, adopt and apply, for pur-
7 poses of this paragraph, future amend-
8 ments and supplements to, and editions of,
9 the national Green Communities criteria
10 checklist, any standard or standards that
11 the Secretary has determined to be sub-
12 stantially equivalent to such checklist, and
13 the green building ratings systems and lev-
14 els identified by the Secretary pursuant to
15 subparagraph (C).”.

16 (b) SELECTION CRITERIA; GRADED COMPONENT.—
17 Section 24(e)(2) of the United States Housing Act of
18 1937 (42 U.S.C. 1437v(e)(2)) is amended—

19 (1) in subparagraph (K), by striking “and” at
20 the end;

21 (2) by redesignating subparagraph (L) as sub-
22 paragraph (M); and

23 (3) by inserting after subparagraph (K) the fol-
24 lowing new subparagraph:

1 “(L) the extent to which the proposed re-
2 talization plan—

3 “(i) in the case of residential con-
4 struction, complies with the nonmandatory
5 items of the national Green Communities
6 criteria checklist identified in paragraph
7 (4)(A)(i), or any substantially equivalent
8 standard or standards as determined by
9 the Secretary, but only to the extent such
10 compliance exceeds the compliance nec-
11 essary to accumulate the number of points
12 required under such paragraph; and

13 “(ii) in the case of non-residential
14 construction, complies with the components
15 of the green building rating systems and
16 levels identified by the Secretary pursuant
17 to paragraph (4)(C), but only to the extent
18 such compliance exceeds the minimum level
19 required under such systems and levels;
20 and”.

1 **SEC. 20. COMMUNITY REINVESTMENT ACT CREDITS FOR**
2 **ENERGY EFFICIENT MORTGAGES AND GREEN**
3 **BUILDING EFFORTS.**

4 Section 804 of the Community Reinvestment Act of
5 1977 (12 U.S.C. 2903) is amended by adding at the end
6 the following new subsection:

7 “(d) ENERGY EFFICIENT MORTGAGES AND GREEN
8 BUILDING EFFORTS.—

9 “(1) EVALUATION.—In assessing and taking
10 into account, under subsection (a), the record of a
11 financial institution, the appropriate Federal finan-
12 cial supervisory agency shall consider, as a factor,
13 capital investments, loan participation, and other
14 ventures undertaken by the institution to support or
15 enable—

16 “(A) the use of energy efficient and energy
17 improvement mortgages by low-income, first-
18 time, and other homebuyers;

19 “(B) compliance of housing with the en-
20 ergy efficiency requirements under section 2 of
21 the Green Resources for Energy Efficient
22 Neighborhoods Act of 2008 and with the energy
23 efficiency and conservation standards, and the
24 green building standards, under section 2(b) of
25 such Act;

1 “(C) neighborhood planning in a manner
2 that is consistent with environmental regula-
3 tions, plans, and tree ordinances;

4 “(D) green building principles that in-
5 crease the efficiency of buildings and their use
6 of energy, water, and materials, and minimize
7 building impacts on human health and the envi-
8 ronment, through better siting, design, con-
9 struction, operation, maintenance, and speci-
10 fication of materials that have no added known
11 carcinogens that are classified as Group 1
12 Known Carcinogens by the International Agen-
13 cy for Research on Cancer and whose manufac-
14 turing processes are exempt from Environ-
15 mental Protection Agency regulations limiting
16 manufacturing emissions of hazardous air pol-
17 lutants listed in section 112(b) of the Clean Air
18 Act (42 U.S.C. 7412(b)), especially hazardous
19 air pollutants that are classified as such Group
20 1 Known Carcinogens;

21 “(E) generation and distribution of renew-
22 able energy;

23 “(F) creation of employment opportunities
24 in positions that involve the design, manufac-
25 ture, installation, operation, or maintenance of

1 renewable energy and energy efficiency tech-
2 nologies and landscaping or by companies or or-
3 ganizations whose mission or purpose is to im-
4 prove environmental quality; or

5 “(G) funding for energy-conserving and
6 clean energy technologies.

7 “(2) TECHNICAL ASSISTANCE.—To encourage
8 and facilitate activities described in subparagraphs
9 (A) through (F) of paragraph (1), each appropriate
10 Federal financial supervisory agency, the Secretary
11 of Energy, the Secretary of Housing and Urban De-
12 velopment, and the Secretary of Agriculture shall
13 make available and provide technical assistance to fi-
14 nancial institutions in carrying out or providing such
15 activities.”.

16 **SEC. 21. CONSIDERATION OF ENERGY-EFFICIENCY IM-**
17 **PROVEMENTS IN APPRAISALS.**

18 (a) APPRAISALS IN CONNECTION WITH FEDERALLY
19 RELATED TRANSACTIONS.—

20 (1) REQUIREMENT.—Section 1110 of the Fi-
21 nancial Institutions Reform, Recovery, and Enforce-
22 ment Act of 1989 (12 U.S.C. 3339) is amended—

23 (A) in paragraph (1), by striking “and” at
24 the end;

1 (B) by redesignating paragraph (2) as
2 paragraph (3); and

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

5 “(2) that such appraisals be performed in ac-
6 cordance with appraisal standards that require, in
7 determining the value of a property, consideration of
8 any renewable energy sources for, or energy-effi-
9 ciency or energy-conserving improvements or fea-
10 tures of, the property; and”.

11 (2) REVISION OF APPRAISAL STANDARDS.—
12 Each Federal financial institutions regulatory agen-
13 cy shall, not later than 6 months after the date of
14 the enactment of this Act, revise its standards for
15 the performance of real estate appraisals in connec-
16 tion with federally related transactions under the ju-
17 risdiction of the agency to comply with the require-
18 ment under the amendments made by paragraph (1)
19 of this subsection.

20 (b) APPRAISER CERTIFICATION AND LICENSING RE-
21 QUIREMENTS.—Section 1116 of the Financial Institutions
22 Reform, Recovery, and Enforcement Act of 1989 (12
23 U.S.C. 3345) is amended—

24 (1) in subsection (a), by inserting before the pe-
25 riod at the end the following: “, and meets the re-

1 requirements established pursuant to subsection (f) for
2 qualifications regarding consideration of any renew-
3 able energy sources for, or energy-efficiency or en-
4 ergy-conserving improvements or features of, the
5 property”;

6 (2) in subsection (c), by inserting before the pe-
7 riod at the end the following, “, which shall include
8 compliance with the requirements established pursu-
9 ant to subsection (f) regarding consideration of any
10 renewable energy sources for, or energy-efficiency or
11 energy-conserving improvements or features of, the
12 property”;

13 (3) in subsection (e), by striking “The” and in-
14 serting “Except as provided in subsection (f), the”;
15 and

16 (4) by adding at the end the following new sub-
17 section:

18 “(f) REQUIREMENTS FOR APPRAISERS REGARDING
19 ENERGY-EFFICIENCY FEATURES.—The Appraisal Sub-
20 committee shall establish requirements for State certifi-
21 cation of State certified real estate appraisers and for
22 State licensing of State licensed appraisers, to ensure that
23 appraisers consider and are qualified to consider, in deter-
24 mining the value of a property, any renewable energy

1 sources for, or energy-efficiency or energy-conserving im-
2 provements or features of, the property.”.

3 (c) GUIDELINES FOR APPRAISING PHOTOVOLTAIC
4 MEASURES AND TRAINING OF APPRAISERS.—Section
5 1122 of the Financial Institutions Reform, Recovery, and
6 Enforcement Act of 1989 (12 U.S.C. 3351) is amended
7 by adding at the end the following new subsection:

8 “(g) GUIDELINES FOR APPRAISING PHOTOVOLTAIC
9 MEASURES AND TRAINING OF APPRAISERS.—The Ap-
10 praisal Subcommittee shall, in consultation with the Sec-
11 retary of Housing and Urban Development, the Federal
12 National Mortgage Association, and the Federal Home
13 Loan Mortgage Corporation, establish specific guidelines
14 for—

15 “(1) appraising off- and on-grid photovoltaic
16 measures for compliance with the appraisal stand-
17 ards prescribed pursuant to section 1110(2);

18 “(2) requirements under section 1116(f) for
19 certification of State certified real estate appraisers
20 and for State licensing of State licensed appraisers,
21 to ensure that appraisers consider, and are qualified
22 to consider, such photovoltaic measures in deter-
23 mining the value of a property; and

1 “(3) training of appraisers to meet the require-
2 ments established pursuant to paragraph (2) of this
3 subsection.”.

4 **SEC. 22. ASSISTANCE FOR HOUSING ASSISTANCE COUNCIL.**

5 The Secretary of Housing and Urban Development
6 shall require the Housing Assistance Council—

7 (1) to encourage each organization that receives
8 assistance from the Council with any amounts made
9 available from the Secretary of Housing and Urban
10 Development to provide that any structures and
11 buildings developed or assisted under projects, pro-
12 grams, and activities funded with such amounts
13 complies with the energy efficiency requirements
14 under section 2(a) of the Green Resources for En-
15 ergy Efficient Neighborhoods Act of 2008; and

16 (2) to establish incentives to encourage each
17 such organization to provide that any such struc-
18 tures and buildings comply with the energy effi-
19 ciency and conservation standards, and the green
20 building standards, under section 2(b) of such Act.

21 **SEC. 23. RURAL HOUSING AND ECONOMIC DEVELOPMENT**
22 **ASSISTANCE.**

23 The Secretary of Housing and Urban Development
24 shall—

1 (1) encourage each tribe, agency, organization,
2 corporation, and other entity that receives any as-
3 sistance from the Office of Rural Housing and Eco-
4 nomic Development of the Department of Housing
5 and Urban Development to provide that any struc-
6 tures and buildings developed or assisted under ac-
7 tivities funded with such amounts complies with the
8 energy efficiency requirements under section 2(a) of
9 the Green Resources for Energy Efficient Neighbor-
10 hoods Act of 2008; and

11 (2) establish incentives to encourage each such
12 tribe, agency, organization, corporation, and other
13 entity to provide that any such structures and build-
14 ings comply with the energy efficiency and conserva-
15 tion standards, and the green building standards,
16 under section 2(b) of such Act.

17 **SEC. 24. REVOLVING FUND FOR LOANS TO STATES AND IN-**
18 **DIAN TRIBES TO CARRY OUT RENEWABLE EN-**
19 **ERGY SOURCES ACTIVITIES.**

20 (a) ESTABLISHMENT OF FUND.—There is estab-
21 lished in the Treasury of the United States a revolving
22 fund, to be known as the “Alternative Energy Sources
23 State Revolving Fund”.

24 (b) CREDITS.—The Fund shall be credited with—

1 (1) any amounts appropriated to the Fund pur-
2 suant to subsection (g);

3 (2) any amounts of principal and interest from
4 loan repayments received by the Secretary pursuant
5 to subsection (d)(7); and

6 (3) any interest earned on investments of
7 amounts in the Fund pursuant to subsection (e).

8 (c) EXPENDITURES.—

9 (1) IN GENERAL.—Subject to paragraph (2), on
10 request by the Secretary of Housing and Urban De-
11 velopment, the Secretary of the Treasury shall
12 transfer from the Fund to the Secretary such
13 amounts as the Secretary determines are necessary
14 to provide loans under subsection (d)(1).

15 (2) ADMINISTRATIVE EXPENSES.—Of the
16 amounts in the Fund, not more than 5 percent shall
17 be available for each fiscal year to pay the adminis-
18 trative expenses of the Department of Housing and
19 Urban Development to carry out this section.

20 (d) LOANS TO STATES AND INDIAN TRIBES.—

21 (1) IN GENERAL.—The Secretary shall use
22 amounts in the Fund to provide loans to States and
23 Indian tribes to provide incentives to owners of sin-
24 gle-family and multifamily housing, commercial
25 properties, and public buildings to provide—

1 (A) renewable energy sources for such
2 structures, such as wind, wave, solar, biomass,
3 or geothermal energy sources, including incen-
4 tives to companies and business to change their
5 source of energy to such renewable energy
6 sources and for changing the sources of energy
7 for public buildings to such renewable energy
8 sources;

9 (B) energy efficiency and energy con-
10 serving improvements and features for such
11 structures; or

12 (C) infrastructure related to the delivery of
13 electricity and hot water for structures lacking
14 such amenities.

15 (2) ELIGIBILITY.—To be eligible to receive a
16 loan under this subsection, a State or Indian tribe,
17 through an appropriate State or tribal agency, shall
18 submit to the Secretary an application at such time,
19 in such manner, and containing such information as
20 the Secretary may require.

21 (3) CRITERIA FOR APPROVAL.—The Secretary
22 may approve an application of a State or Indian
23 tribe under paragraph (2) only if the Secretary de-
24 termines that the State or tribe will use the funds
25 from the loan under this subsection to carry out a

1 program to provide incentives described in para-
2 graph (1) that—

3 (A) requires that any such renewable en-
4 ergy sources, and energy efficiency and energy
5 conserving improvements and features, devel-
6 oped pursuant to assistance under the program
7 result in compliance of the structure so im-
8 proved with the energy efficiency requirements
9 under section 2(a) of the Green Resources for
10 Energy Efficient Neighborhoods Act of 2008;
11 and

12 (B) includes such compliance and audit re-
13 quirements as the Secretary determines are nec-
14 essary to ensure that the program is operated
15 in a sound and effective manner.

16 (4) PREFERENCE.—In making loans during
17 each fiscal year, the Secretary shall give preference
18 to States and Indian tribes that have not previously
19 received a loan under this subsection.

20 (5) MAXIMUM AMOUNT.—The aggregate out-
21 standing principal amount from loans under this
22 subsection to any single State or Indian tribe may
23 not exceed \$500,000,000.

24 (6) LOAN TERMS.—Each loan under this sub-
25 section shall have a term to maturity of not more

1 than 10 years and shall bear interest at annual rate,
2 determined by the Secretary, that shall not exceed
3 interest rate charged by the Federal Reserve Bank
4 of New York to commercial banks and other deposi-
5 tory institutions for very short-term loans under the
6 primary credit program, as most recently published
7 in the Federal Reserve Statistical Release on se-
8 lected interest rates (daily or weekly), and commonly
9 referred to as the H.15 release, preceding the date
10 of a determination for purposes of applying this
11 paragraph.

12 (7) LOAN REPAYMENT.—The Secretary shall
13 require full repayment of each loan made under this
14 section.

15 (e) INVESTMENT OF AMOUNTS.—

16 (1) IN GENERAL.—The Secretary of the Treas-
17 ury shall invest such amounts in the Fund that are
18 not, in the judgment of the Secretary of the Treas-
19 ury, required to meet needs for current withdrawals.

20 (2) OBLIGATIONS OF UNITED STATES.—Invest-
21 ments may be made only in interest-bearing obliga-
22 tions of the United States.

23 (f) REPORTS.—

24 (1) REPORTS TO SECRETARY.—For each year
25 during the term of a loan made under subsection

1 (d), the State or Indian tribe that received the loan
2 shall submit to the Secretary a report describing the
3 State or tribal alternative energy sources program
4 for which the loan was made and the activities con-
5 ducted under the program using the loan funds dur-
6 ing that year.

7 (2) REPORT TO CONGRESS.—Not later than
8 September 30 of each year that loans made under
9 subsection (d) are outstanding, the Secretary shall
10 submit a report to the Congress describing the total
11 amount of such loans provided under subsection (d)
12 to each eligible State and Indian tribe during the fis-
13 cal year ending on such date, and an evaluation on
14 effectiveness of the Fund.

15 (g) AUTHORIZATION OF APPROPRIATIONS.—There is
16 authorized to be appropriated to the Fund
17 \$5,000,000,000.

18 (h) DEFINITIONS.—For purposes of this section, the
19 following definitions shall apply:

20 (1) INDIAN TRIBE.—The term “Indian tribe”
21 has the meaning given such term in section 4 of the
22 Native American Housing Assistance and Self-De-
23 termination Act of 1996 (25 U.S.C. 4103).

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

1 (3) STATE.—The term “State” means each of
2 the several States, the Commonwealth of Puerto
3 Rico, the District of Columbia, the Commonwealth
4 of the Northern Mariana Islands, Guam, the Virgin
5 Islands, American Samoa, the Trust Territories of
6 the Pacific, or any other possession of the United
7 States.

8 **SEC. 25. GREEN BANKING CENTERS.**

9 (a) INSURED DEPOSITORY INSTITUTIONS.—Section 8
10 of the Federal Deposit Insurance Act (12 U.S.C. 1818)
11 by adding at the end the following new subsection:

12 “(x) ‘GREEN BANKING’ CENTERS.—

13 “(1) IN GENERAL.—The Federal banking agen-
14 cies shall prescribe guidelines encouraging the estab-
15 lishment and maintenance of ‘green banking’ centers
16 by insured depository institutions to provide any
17 consumer who seeks information on obtaining a
18 mortgage, home improvement loan, or home equity
19 loan with additional information on—

20 “(A) obtaining an home energy rating or
21 audit for the residence for which such mortgage
22 or loan is sought;

23 “(B) obtaining financing for cost-effective
24 energy-saving improvements to such property;
25 and

1 “(C) obtaining beneficial terms for any
2 mortgage or loan, or qualifying for a larger
3 mortgage or loan, secured by a residence which
4 meets or will meet energy-efficiency standards.

5 “(2) INFORMATION AND REFERRALS.—The in-
6 formation made available to consumers under para-
7 graph (1) may include—

8 “(A) information on obtaining a home en-
9 ergy rating and contact information on quali-
10 fied energy raters in the area of the residence;

11 “(B) information on the secondary market
12 guidelines that permit lenders to provide more
13 favorable terms by allowing lenders to increase
14 the ratio on debt-to-income requirements or to
15 use the projected utility savings as a compen-
16 sating factor;

17 “(C) information including eligibility infor-
18 mation about, and contact information for, any
19 conservation or renewable energy programs,
20 grants, or loans offered by the Secretary of
21 Housing and Urban Development, including the
22 Energy Efficient Mortgage Program;

23 “(D) information including eligibility infor-
24 mation about, and contact information for, any
25 conservation or renewable energy programs,

1 grants, or loans offered for qualified military
2 personal, reservists, and veterans by the Sec-
3 retary of Veterans Affairs;

4 “(E) information about, and contact infor-
5 mation for, the Office of Efficiency and Renew-
6 able Energy at the Department of Energy, in-
7 cluding the weatherization assistance program;

8 “(F) information about, and contact infor-
9 mation for, the Energy Star Program of the
10 Environmental Protection Agency;

11 “(G) information from, and contact infor-
12 mation for, the Federal Citizen Information
13 Center of the General Services Administration
14 on energy efficient mortgages and loans, home
15 energy rating systems, and the availability of
16 energy efficient mortgage information from a
17 variety of Federal agencies; and

18 “(H) such other information as the agen-
19 cies or the insured depository institution may
20 determine to be appropriate or useful.”.

21 (b) INSURED CREDIT UNIONS.—Section 206 of the
22 Federal Credit Union Act (12 U.S.C. 1786) is amended
23 by adding at the end the following new subsection:

24 “(x) ‘GREEN BANKING’ CENTERS.—

1 “(1) IN GENERAL.—The Board shall prescribe
2 guidelines encouraging the establishment and main-
3 tenance of ‘green banking’ centers by insured credit
4 unions to provide any member who seeks informa-
5 tion on obtaining a mortgage, home improvement
6 loan, or home equity loan with additional informa-
7 tion on—

8 “(A) obtaining an home energy rating or
9 audit for the residence for which such mortgage
10 or loan is sought;

11 “(B) obtaining financing for cost-effective
12 energy-saving improvements to such property;
13 and

14 “(C) obtaining beneficial terms for any
15 mortgage or loan, or qualifying for a larger
16 mortgage or loan, secured by a residence which
17 meets or will meet energy-efficiency standards.

18 “(2) INFORMATION AND REFERRALS.—The in-
19 formation made available to members under para-
20 graph (1) may include—

21 “(A) information on obtaining a home en-
22 ergy rating and contact information on quali-
23 fied energy raters in the area of the residence;

24 “(B) information on the secondary market
25 guidelines that permit lenders to provide more

1 favorable terms by allowing lenders to increase
2 the ratio on debt-to-income requirements or to
3 use the projected utility savings as a compen-
4 sating factor;

5 “(C) information including eligibility infor-
6 mation about, and contact information for, any
7 conservation or renewable energy programs,
8 grants, or loans offered by the Secretary of
9 Housing and Urban Development, including the
10 Energy Efficient Mortgage Program;

11 “(D) information including eligibility infor-
12 mation about, and contact information for, any
13 conservation or renewable energy programs,
14 grants, or loans offered for qualified military
15 personal, reservists, and veterans by the Sec-
16 retary of Veterans Affairs;

17 “(E) information about, and contact infor-
18 mation for, the Office of Efficiency and Renew-
19 able Energy at the Department of Energy, in-
20 cluding the weatherization assistance program;

21 “(F) information from, and contact infor-
22 mation for, the Federal Citizen Information
23 Center of the General Services Administration
24 on energy efficient mortgages and loans, home
25 energy rating systems, and the availability of

1 energy efficient mortgage information from a
2 variety of Federal agencies; and

3 “(G) such other information as the Board
4 or the insured credit union may determine to be
5 appropriate or useful.”.

○