

## HR 5019

Home Star Energy Retrofit Act of 2010

**Congress:** 111 (2009–2011, Ended)

**Chamber:** House

**Policy Area:** Energy

**Introduced:** Apr 14, 2010

**Current Status:** Received in the Senate and Read twice and referred to the Committee on Finance.

**Latest Action:** Received in the Senate and Read twice and referred to the Committee on Finance. (May 7, 2010)

**Official Text:** <https://www.congress.gov/bill/111th-congress/house-bill/5019>

### Sponsor

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**Name:** Rep. Welch, Peter [D-VT-At Large]

**Party:** Democratic • **State:** VT • **Chamber:** Senate

**Cosponsors** (44 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Cardoza, Dennis A. [D-CA-18]	D · CA		Apr 14, 2010
Rep. Ehlers, Vernon J. [R-MI-3]	R · MI		Apr 14, 2010
Rep. Markey, Edward J. [D-MA-7]	D · MA		Apr 14, 2010
Rep. Waxman, Henry A. [D-CA-30]	D · CA		Apr 14, 2010
Rep. Berkley, Shelley [D-NV-1]	D · NV		Apr 22, 2010
Rep. Capps, Lois [D-CA-23]	D · CA		Apr 22, 2010
Rep. Carnahan, Russ [D-MO-3]	D · MO		Apr 22, 2010
Rep. Courtney, Joe [D-CT-2]	D · CT		Apr 22, 2010
Rep. Grijalva, Raúl M. [D-AZ-7]	D · AZ		Apr 22, 2010
Rep. Hall, John J. [D-NY-19]	D · NY		Apr 22, 2010
Rep. Hastings, Alcee L. [D-FL-23]	D · FL		Apr 22, 2010
Rep. Holt, Rush [D-NJ-12]	D · NJ		Apr 22, 2010
Rep. Honda, Michael M. [D-CA-15]	D · CA		Apr 22, 2010
Rep. Inslee, Jay [D-WA-1]	D · WA		Apr 22, 2010
Rep. Langevin, James R. [D-RI-2]	D · RI		Apr 22, 2010
Rep. Loebssack, David [D-IA-2]	D · IA		Apr 22, 2010
Rep. McGovern, James P. [D-MA-3]	D · MA		Apr 22, 2010
Rep. Murphy, Scott [D-NY-20]	D · NY		Apr 22, 2010
Rep. Pingree, Chellie [D-ME-1]	D · ME		Apr 22, 2010
Rep. Ryan, Tim [D-OH-17]	D · OH		Apr 22, 2010
Rep. Sarbanes, John P. [D-MD-3]	D · MD		Apr 22, 2010
Rep. Sutton, Betty [D-OH-13]	D · OH		Apr 22, 2010
Rep. Van Hollen, Chris [D-MD-8]	D · MD		Apr 22, 2010
Rep. Weiner, Anthony D. [D-NY-9]	D · NY		Apr 22, 2010
Resident Commissioner Pierluisi, Pedro R. [D-PR-At Large]	D · PR		Apr 22, 2010
Rep. Braley, Bruce L. [D-IA-1]	D · IA		Apr 26, 2010
Rep. Hare, Phil [D-IL-17]	D · IL		Apr 26, 2010
Rep. Himes, James A. [D-CT-4]	D · CT		Apr 26, 2010
Rep. Hinchey, Maurice D. [D-NY-22]	D · NY		Apr 26, 2010
Rep. McNerney, Jerry [D-CA-11]	D · CA		Apr 26, 2010
Rep. Schakowsky, Janice D. [D-IL-9]	D · IL		Apr 26, 2010
Del. Norton, Eleanor Holmes [D-DC-At Large]	D · DC		Apr 28, 2010
Rep. Bishop, Timothy H. [D-NY-1]	D · NY		Apr 28, 2010
Rep. Carney, Christopher P. [D-PA-10]	D · PA		Apr 28, 2010
Rep. Connolly, Gerald E. [D-VA-11]	D · VA		Apr 28, 2010
Rep. Doyle, Michael F. [D-PA-14]	D · PA		Apr 28, 2010
Rep. Hirono, Mazie K. [D-HI-2]	D · HI		Apr 28, 2010
Rep. Jackson, Jesse L., Jr. [D-IL-2]	D · IL		Apr 28, 2010
Rep. Matsui, Doris O. [D-CA-5]	D · CA		Apr 28, 2010
Rep. Murphy, Patrick J. [D-PA-8]	D · PA		Apr 28, 2010
Rep. Perriello, Thomas S.P. [D-VA-5]	D · VA		Apr 28, 2010

Cosponsor	Party / State	Role	Date Joined
Rep. Polis, Jared [D-CO-2]	D · CO		Apr 28, 2010
Rep. Richardson, Laura [D-CA-37]	D · CA		Apr 28, 2010
Rep. Scott, David [D-GA-13]	D · GA		Apr 28, 2010

## Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Markup by	Mar 24, 2010
Finance Committee	Senate	Referred To	May 7, 2010
Oversight and Government Reform Committee	House	Discharged From	May 3, 2010
Ways and Means Committee	House	Discharged From	Apr 29, 2010

## Subjects & Policy Tags

### Policy Area:

Energy

## Related Bills

Bill	Relationship	Last Action
111 S 3663	Related bill	<b>Jul 29, 2010:</b> Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 493.
111 HRES 1329	Procedurally related	<b>May 6, 2010:</b> Motion to reconsider laid on the table Agreed to without objection.
111 S 3177	Related bill	<b>Mar 25, 2010:</b> Read twice and referred to the Committee on Finance. (text of measure as introduced: CR S2121-2127)

Home Star Energy Retrofit Act of 2010 - **Title I: Home Star Retrofit Rebate Program** - (Sec. 101) Requires the Secretary of Energy (DOE) to: (1) establish the Home Star Retrofit Rebate Program to provide rebates to contractors to be passed through as discounts to homeowners who retrofit their homes to achieve energy savings; (2) establish a Federal Rebate Processing System to allow rebate aggregators to submit claims for reimbursement, quality assurance reports to be identified with the work for which rebates are claimed, and any Home Star loans to be linked to the work for which they are made; (3) establish a national retrofit website that provides information on the Program; and (4) develop model forms and data protocols for use by contractors, vendors, and quality assurance providers.

Requires a contractor, to be authorized to perform such retrofit work, to affirm in each Home Star rebate application submitted to a rebate aggregator that it meets specified requirements, including: (1) agreeing to pass through to the owner of a home, through a discount, the full economic value of all rebates received with respect to the home; and (2) certifying that no employee has been convicted of, or pleaded guilty to, a crime of child molestation, rape, or any other form of sexual assault.

Requires the Secretary to: (1) provide administrative and technical support to rebate aggregators and states; and (2) transmit to Congress a state-by-state analysis and review of the distribution of Home Star retrofit rebates.

Prohibits the Secretary from utilizing authority provided under this Act to: (1) develop, adopt, or implement a public labeling system that rates and compares the energy performance of one home with another; or (2) require the public disclosure of an energy performance evaluation or rating developed for any specific home.

Authorizes the Secretary to adjust the rebate amounts provided for under this Act to optimize the overall energy efficiency resulting from the Silver Star Home Energy Retrofit Program (Silver Star Program) and the Gold Star Home Energy Retrofit Program (Gold Star Program) established by this Act. Sets forth provisions concerning state and Indian tribe participation in the Home Star Retrofit Rebate Program.

Prohibits rebates from being provided under the Silver Star Program and the Gold Star Program with respect to the same home unless the energy savings measures installed pursuant to the Silver Star Program are excluded from the calculations performed for purposes of the Gold Star Program and the total amount of rebates paid for the home does not exceed the maximum rebate available pursuant to the Gold Star Home Energy Retrofit Program.

Encourages states that receive grants under this Act to form partnerships with utilities, energy service companies, and other entities to: (1) assist in marketing the Home Star Retrofit Rebate Program; (2) facilitate consumer financing; (3) assist in implementing the Silver Star Program and the Gold Star Program; and (4) assist in implementing quality assurance programs. Requires states, in carrying out rebate programs, to give priority to comprehensive retrofit programs in existence on this Act's enactment.

Requires the Secretary to establish and publicize a telephone hotline for contractors and homeowners to call to obtain information about the programs under this Act. Authorizes the Secretary to establish an online chat function through the website established for the Home Star Retrofit Rebate Program.

Requires the Secretary to ensure that a home in an area declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act as an area affected by a major disaster is not denied assistance under the Home Star Retrofit Rebate Program solely because there is no equipment or system to replace due to the disaster.

Provides that homeowners with a gross annual household income of more than \$250,000 shall not be eligible for a rebate.

(Sec. 2) Requires the Secretary to: (1) develop a network of rebate aggregators that can facilitate the delivery of rebates to reimburse homeowners for work provided by participating contractors and vendors for energy efficiency retrofit work; (2) identify a sufficient number of rebate aggregators in each state to ensure that rebate applications can be accepted from all qualified contractors; (3) ensure that rebate aggregation services are available to all homeowners at the lowest reasonable cost; and (4) develop guidelines for states to allow utilities participating as rebate aggregators to count the energy savings from their participation toward state-level energy saving targets. Sets forth eligibility criteria for, and responsibilities of, rebate aggregators.

(Sec. 103) Establishes: (1) a Silver Star Program to award rebates during the first year after this Act's enactment to reimburse homeowners for work provided by participating contractors and vendors for the installation of specified energy savings measures, including air-sealing and insulation measures, duct sealing or replacement, window, door, or skylight replacement, heating or cooling system replacement, water heater replacement, and window film replacement; and (2) a Gold Star Program to award rebates to reimburse homeowners for work provided by participating accredited contractors and vendors for retrofits that achieve whole home energy savings. Prescribes rebate amounts, including: (1) \$1,000 per measure for the installation of energy savings measures, up to \$3,000 per home, for Silver Star rebates; and (2) \$3,000 for a 20% reduction in whole home energy consumption and an additional \$1,000 for each additional 5% reduction, up to the lower of \$8,000 per home or 50% of the total retrofit cost, for Gold Star rebates.

Sets forth provisions concerning: (1) verification by an independent quality assurance provider of all work associated with retrofits and corrective work that a provider finds is needed; (2) review of information submitted to the Federal Rebate Processing System and payments made for rebates; and (3) homeowner complaints under the quality assurance program.

Authorizes rebates to be provided under the Gold Star Program for any measure listed as eligible for Silver Star rebates and any other energy-saving measure that can be demonstrated to improve energy efficiency and for which an energy efficiency contribution can be determined with confidence. Requires the Secretary to monitor the software programs used for determining rebates under the Gold Star Program.

Authorizes the Secretary to provide up to .3% of the funding available for carrying out the Gold Star Program for need-based scholarships to individuals to enable them to qualify as accredited contractors.

Excludes the installation or replacement of pool heaters as energy savings measures for purposes of the Gold Star Program.

(Sec. 105) Requires states that elect to carry out a quality assurance program to plan, develop, and implement a quality assurance framework. Requires the Secretary to solicit the submission of model state quality assurance framework plans and approve model plans that incorporate nationally consistent high standards. Requires the Secretary to suspend grants for state administration of a quality assurance program if the state has failed to plan, develop, or implement a quality assurance framework in accordance with this Act. Authorizes a state to carry out a quality assurance program as part of a state energy conservation plan under the Energy Policy and Conservation Act. Authorizes the Secretary, if a state has not provided adequate oversight over a quality assurance program, to withhold further quality assurance funds from the state and require such program to be overseen by a national quality assurance program manager. Authorizes a state that receives a grant under this Act to implement a quality assurance program through the state or an independent quality

assurance provider designated by the state.

(Sec. 106) Requires the Secretary to report to specified congressional committees on the Home Star Retrofit Rebate Program by December 31, 2012. Requires the Comptroller General to report to Congress on the results of a study of: (1) how much money can reasonably be estimated to be saved by American consumers, and how much energy can reasonably be estimated to be saved, as a result of the energy efficiency measures undertaken pursuant to this title; and (2) whether the savings from the energy efficiency measures undertaken pursuant to this title are greater than the cost of implementing it.

(Sec. 107) Requires the Secretary to report to specified congressional committees on a study that describes: (1) the efficiency through the life-cycle of air conditioning and heat pump products eligible under the Silver Star Program; and (2) a comparison of the efficiency through the life-cycle of air conditioning and heat pump products eligible under such Program to the efficiency of such products not eligible.

(Sec. 108) Establishes civil penalties for violations of the Home Star Retrofit Rebate Program.

(Sec. 109) Authorizes appropriations for FY2010-FY2011 for the Home Star Retrofit Rebate Program. Provides for the distribution of funding. Provides that the Program will cease to be effective after December 31, 2012.

(Sec. 110) Requires the Secretary to report to specified congressional committees on a study of the effects of the energy savings measures made as a result of this Act on noise abatement.

**Title II: Energy Efficient Manufactured and Modular Homes** - (Sec. 201) Authorizes the Secretary to make grants to state agencies responsible for developing state energy conservation plans to provide owners of manufactured homes constructed prior to 1976 funding to use to purchase new Energy Star qualified manufactured homes or new Energy Star qualified modular homes. Requires such grants to be distributed to states on the basis of their proportionate share of all such homes that are occupied as primary residences. Sets forth limitations on funding, including requiring: (1) recipients of funding to be owners of homes that have been used as primary residence on a year-round basis for at least the previous 12 months; (2) the manufactured home constructed prior to 1976 to be destroyed and replaced in an appropriate area with an Energy Star qualified manufactured home or Energy Star qualified modular home; (3) the total income of all members of the owner's household to not exceed 80% of the area median income in the applicable area; and (4) funding to not exceed \$7,500 per manufactured home or modular home.

Authorizes appropriations for FY2010-FY2011.

**Title III: Waste, Fraud, and Abuse** - (Sec. 301) Requires DOE's Inspector General to report to Congress by July 1, 2012, on the amount of waste, fraud, and abuse occurring in programs created by this Act.

**Title IV: Deficit Neutrality** - (Sec. 401) Suspends this Act if it will have a negative net effect on the U.S. budget deficit.

## Actions Timeline

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- **May 7, 2010:** Received in the Senate and Read twice and referred to the Committee on Finance.
- **May 6, 2010:** Rule H. Res. 1329 passed House.
- **May 6, 2010:** Considered under the provisions of rule H. Res. 1329. (consideration: CR H3216-3248)
- **May 6, 2010:** Rule provides for consideration of H.R. 5019 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived except those arising under clause 10 of rule XXI.
- **May 6, 2010:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 1329 and Rule XVIII.
- **May 6, 2010:** The Speaker designated the Honorable Donna F. Edwards to act as Chairwoman of the Committee.
- **May 6, 2010:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 5019.
- **May 6, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1329, the Committee of the Whole proceeded with 20 minutes of debate on the Markey(MA) amendment.
- **May 6, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1329, the Committee of the Whole proceeded with 10 minutes of debate on the Barton (TX) amendment.
- **May 6, 2010:** POSTPONED PROCEEDINGS - At the conclusion of debate on Barton (TX) amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Markey(MA) demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **May 6, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1329, the Committee of the Whole proceeded with 10 minutes of debate on the Nye amendment.
- **May 6, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1329, the Committee of the Whole proceeded with 10 minutes of debate on the Burgess amendment.
- **May 6, 2010:** POSTPONED PROCEEDINGS - At the conclusion of debate on Burgess amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Burgess demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **May 6, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1329, the Committee of the Whole proceeded with 10 minutes of debate on the Deutch amendment.
- **May 6, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1329, the Committee of the Whole proceeded with 10 minutes of debate on the Flake amendment.
- **May 6, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1329, the Committee of the Whole proceeded with 10 minutes of debate on the Garrett (NJ) amendment.
- **May 6, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1329, the Committee of the Whole proceeded with 10 minutes of debate on the Bachmann amendment.
- **May 6, 2010:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was on the question of adoption of amendments which had been previously debated and on which further proceedings had been postponed.
- **May 6, 2010:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 5019.
- **May 6, 2010:** The previous question was ordered pursuant to the rule. (consideration: CR H3244)
- **May 6, 2010:** The House adopted the amendment in the nature of a substitute as agreed to by the Committee of the Whole House on the state of the Union. (text: CR H3227-3234)
- **May 6, 2010:** Mr. Barton (TX) moved to recommit with instructions to Energy and Commerce. (consideration: CR H3244-3245; text: CR H3244-3245)
- **May 6, 2010:** DEBATE - The House proceeded with 10 minutes of debate on the Barton (TX) motion to recommit with instructions. The instructions contained in the motion seek to report the same back to the House forthwith with amendments to strike various provisions in the bill and insert a section entitled "SEC. 301. SUNSET. - The provisions of this Act shall be suspended and shall not apply if this Act will have a negative net effect on the national budget deficit of the United States."
- **May 6, 2010:** The previous question on the motion to recommit with instructions was ordered without objection. (consideration: CR H3246-3247)
- **May 6, 2010:** On motion to recommit with instructions Agreed to by the Yeas and Nays: 346 - 68 (Roll no. 254).

- May 6, 2010:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 246 - 161 (Roll no. 255).
- **May 6, 2010:** On passage Passed by the Yeas and Nays: 246 - 161 (Roll no. 255).
  - **May 6, 2010:** Motion to reconsider laid on the table Agreed to without objection.
  - **May 5, 2010:** Rules Committee Resolution H. Res. 1329 Reported to House. Rule provides for consideration of H.R. 5019 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived except those arising under clause 10 of rule XXI.
  - **May 3, 2010:** Committee on Oversight and Government discharged.
  - **May 3, 2010:** Placed on the Union Calendar, Calendar No. 268.
  - **Apr 29, 2010:** Reported (Amended) by the Committee on Energy and Commerce. H. Rept. 111-469, Part I.
  - **Apr 29, 2010:** Referred sequentially to the House Committee on Oversight and Government Reform for a period ending not later than May 3, 2010 for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(m), rule X.
  - **Apr 29, 2010:** Committee on Ways and Means discharged.
  - **Apr 15, 2010:** Committee Consideration and Mark-up Session Held.
  - **Apr 15, 2010:** Ordered to be Reported (Amended) by the Yeas and Nays: 30 - 17.
  - **Apr 14, 2010:** Introduced in House
  - **Apr 14, 2010:** Referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
  - **Mar 24, 2010:** Subcommittee Consideration and Mark-up Session Held and Forwarded to Full Committee by the Subcommittee on Energy and Environment Prior to Introduction amended by voice vote.
  - **Mar 18, 2010:** Hearings Held by the Subcommittee on Energy and Environment Prior to Introduction.