

117TH CONGRESS  
1ST SESSION

# H. R. 1993

To direct the Secretary of Energy to provide grants for energy improvements to certain public buildings, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 17, 2021

Ms. VELÁZQUEZ (for herself, Ms. JACKSON LEE, Mr. JONES, Ms. NORTON, Mr. BOWMAN, Mr. ESPAILLAT, and Ms. MOORE of Wisconsin) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To direct the Secretary of Energy to provide grants for energy improvements to certain public buildings, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Energy Efficient Pub-  
5 lic Buildings Act of 2021”.

6 **SEC. 2. GRANTS FOR ENERGY EFFICIENCY IMPROVEMENTS**

7 **AND RENEWABLE ENERGY IMPROVEMENTS**

8 **FOR PUBLIC BUILDINGS.**

9 (a) DEFINITIONS.—In this section:

1 (1) ELIGIBLE BUILDING.—The term “eligible  
2 building” means a—

3 (A) public library;

4 (B) public hospital;

5 (C) community center; or

6 (D) State or local government building.

7 (2) ELIGIBLE ENTITY.—The term “eligible enti-  
8 ty” means—

9 (A) a State;

10 (B) a local government;

11 (C) a nonprofit organization that owns or  
12 operates an eligible building;

13 (D) a nongovernmental organization, in-  
14 cluding a nonprofit organization, with expertise  
15 related to energy improvements; or

16 (E) a consortium of entities described in  
17 subparagraphs (A) through (D).

18 (3) ENERGY IMPROVEMENT.—The term “en-  
19 ergy improvement”—

20 (A) means any improvement, repair, or  
21 renovation to an eligible building—

22 (i) that will directly result in a reduc-  
23 tion in building energy costs of at least 20  
24 percent, including improvements to build-  
25 ing envelope, air conditioning, ventilation,

1 heating system, domestic hot water heat-  
2 ing, compressed air systems, distribution  
3 systems, lighting, power systems, and con-  
4 trols; and

5 (ii) that leads to an improvement in  
6 building occupant health, including im-  
7 provement in indoor air quality, daylight-  
8 ing, ventilation, electrical lighting, and  
9 acoustics; and

10 (B) may include the installation of a re-  
11 newable energy technology (such as wind power,  
12 photovoltaics, solar thermal systems, geo-  
13 thermal energy, hydrogen-fueled systems, bio-  
14 mass-based systems, biofuels, anaerobic digest-  
15 ers, energy storage, and hydropower) to an eli-  
16 gible building that meets the requirements of  
17 subparagraph (A).

18 (4) ENVIRONMENTAL JUSTICE COMMUNITY.—

19 The term “environmental justice community” means  
20 a community with significant representation of com-  
21 munities of color, low-income communities, or Tribal  
22 and indigenous communities, that experiences, or is  
23 at risk of experiencing higher or more adverse  
24 human health or environmental effects.

1           (5) EJSCREEN.—The term “EJSCREEN”  
 2       means the environmental justice mapping and  
 3       screening tool created by the Environmental Protec-  
 4       tion Agency.

5           (6) EJ INDEX.—The term “EJ Index” means  
 6       the Environmental Justice Indexes in EJSCREEN.

7           (7) MEDICALLY UNDERSERVED COMMUNITY.—  
 8       The term “medically underserved community” has  
 9       the meaning given such term in section 799B of the  
 10      Public Health Service Act (42 U.S.C. 295p).

11          (8) SECRETARY.—The term “Secretary” means  
 12      the Secretary of Energy.

13          (9) UNDERSERVED COMMUNITY.—The term  
 14      “underserved community” means—

15           (A) a community located within a ZIP  
 16           Code or census tract that is identified by the  
 17           Secretary as—

18                   (i) a low-income community;

19                   (ii) a community of color;

20                   (iii) a Tribal community; or

21           (B) any other community that the Sec-  
 22           retary determines is disproportionately vulner-  
 23           able to, or bears, a disproportionate burden of,  
 24           any combination of economic, social, environ-  
 25           mental, or climate stressors.

1       (b) AUTHORITY.—From amounts made available to  
2 carry out this section, the Secretary shall provide competi-  
3 tive grants to eligible entities to make energy improve-  
4 ments authorized by this section.

5       (c) PRIORITY.—In providing grants under this sec-  
6 tion, the Secretary shall give priority to eligible entities  
7 that will carry out energy improvements—

8           (1) in an environmental justice community;

9           (2) in a neighborhood with poverty and unem-  
10 ployment rates that exceed the average in the United  
11 States;

12           (3) in a neighborhood where 30 percent or more  
13 of households receive benefits under—

14           (A) the supplemental nutrition assistance  
15 program under the Food and Nutrition Act of  
16 2008; or

17           (B) a mandatory spending program of the  
18 Federal Government for which, as determined  
19 by the Secretary, eligibility for the program's  
20 benefits, or the amount of such benefits, is de-  
21 termined on the basis of income or resources of  
22 the individual or family seeking the benefit;

23           (4) in an underserved community or a medically  
24 underserved community;

1           (5) in an EPA region where the EJ Index is  
2       above the national average, as determined by  
3       EJSCREEN; or

4           (6) in an environmental justice community, as  
5       documented by federally recognized environmental  
6       justice mapping and equity screening tools.

7       (d) COMPETITIVE CRITERIA.—The competitive cri-  
8       teria used by the Secretary in providing grants under this  
9       section shall include the following:

10           (1) The fiscal capacity of the eligible entity to  
11       meet the needs for improvements of building facili-  
12       ties without assistance under this section, including  
13       the ability of the eligible entity to finance the appli-  
14       cable project through the use of local bonding capac-  
15       ity, energy performance contracting, if applicable, or  
16       other means determined appropriate by the Sec-  
17       retary.

18           (2) The likelihood that the eligible entity will  
19       maintain, in good condition, any building facility  
20       whose improvement is assisted with a grant under  
21       this section.

22           (3) The potential energy efficiency and safety  
23       benefits for building occupants from the proposed  
24       energy improvements.

1 (e) APPLICATIONS.—To be eligible to receive a grant  
2 under this section, an applicant shall submit to the Sec-  
3 retary an application that includes each of the following:

4 (1) A needs assessment of the current condition  
5 of the eligible building, or eligible buildings, that are  
6 to receive the energy improvements.

7 (2) A draft work plan of what the applicant  
8 hopes to achieve at eligible buildings and a descrip-  
9 tion of the energy improvements to be carried out.

10 (3) A description of the applicant's capacity to  
11 provide services and comprehensive support to make  
12 the energy improvements.

13 (4) An assessment of the applicant's expected  
14 needs for operation and maintenance training funds,  
15 and a plan for use of those funds, if any.

16 (5) An assessment of the expected energy effi-  
17 ciency and safety benefits of the energy improve-  
18 ments.

19 (6) A cost estimate of the proposed energy im-  
20 provements.

21 (f) USE OF GRANT AMOUNTS.—

22 (1) IN GENERAL.—Except as otherwise pro-  
23 vided in this subsection, an eligible entity that re-  
24 ceives a grant under this section shall use the grant

1 amounts only to make the energy improvements con-  
2 templated in the application for the grant.

3 (2) OPERATION AND MAINTENANCE TRAIN-  
4 ING.—An eligible entity that receives a grant under  
5 this section may use up to 5 percent for operation  
6 and maintenance training for energy efficiency and  
7 renewable energy improvements (such as mainte-  
8 nance staff and building occupant training, edu-  
9 cation, and preventative maintenance training).

10 (3) AUDIT.—An eligible entity that receives a  
11 grant under this section may use funds for a third-  
12 party investigation and analysis for energy improve-  
13 ments (such as energy audits and existing building  
14 commissioning).

15 (g) CONTRACTING REQUIREMENTS.—

16 (1) DAVIS-BACON.—Any laborer or mechanic  
17 employed by any contractor or subcontractor in the  
18 performance of work on any energy improvements  
19 funded by a grant under this section shall be paid  
20 wages at rates not less than those prevailing on  
21 similar construction in the locality as determined by  
22 the Secretary of Labor under subchapter IV of chap-  
23 ter 31 of title 40, United States Code (commonly re-  
24 ferred to as the Davis-Bacon Act).



1           (2) COMPETITION.—Each eligible entity that  
2       receives a grant under this section shall ensure that,  
3       if the eligible entity carries out repair or renovation  
4       through a contract, any such contract process—

5           (A) ensures the maximum number of quali-  
6       fied bidders, including small, minority, and  
7       women-owned businesses, through full and open  
8       competition; and

9           (B) gives priority to businesses located in  
10      or resources common to, the State or the geo-  
11      graphical area in which the project is carried  
12      out.

13       (h) REPORTING.—

14           (1) INITIAL REPORT.—Each eligible entity that  
15       receives a grant under this section shall submit to  
16       the Secretary, at such time as the Secretary may re-  
17       quire, a report describing the—

18           (A) use of such funds for energy improve-  
19       ments, including the type of eligible building in-  
20       volved;

21           (B) the estimated cost savings realized by  
22       such energy improvements;

23           (C) the building occupant safety benefits  
24       as a result of such energy improvements;

1 (D) the results of any standard or detailed  
2 energy audit of the applicable eligible building;  
3 and

4 (E) the use of the Department of Energy's  
5 Energy Star Program performance tracking for  
6 tracking such energy improvements.

7 (2) FOLLOW-UP REPORT.—Not later than 5  
8 years after an eligible entity completes energy im-  
9 provements funded by a grant received under this  
10 section, such eligible entity shall submit to the Sec-  
11 retary a report describing the energy use and reduc-  
12 tions as a result of such energy improvements.

13 (3) DOE REPORT.—The Secretary shall submit  
14 to Congress a report summarizing the information in  
15 the reports submitted under paragraphs (1) and (2).

16 (4) BEST PRACTICES REPORT.—Not later than  
17 180 days after the date of the enactment of this Act,  
18 the Secretary shall develop and publish, including on  
19 the public website of the Department of Energy, a  
20 report on the best practices for eligible entities for  
21 activities carried out under this section, including  
22 how to apply for a grant under this section, includ-  
23 ing how to register with the Federal system of  
24 award management and how to obtain and validate  
25 a Federal Data Universal Number System.

1 (i) AUTHORIZATION OF APPROPRIATIONS.—

2 (1) AUTHORIZATION.—There is authorized to  
3 be appropriated to carry out this section  
4 \$1,000,000,000 for each of fiscal years 2022  
5 through 2026.

6 (2) TECHNICAL ASSISTANCE AND OUTREACH.—

7 Up to 10 percent of amounts made available pursu-  
8 ant to paragraph (1) each fiscal year may be used  
9 to provide technical assistance and outreach to eligi-  
10 ble entities.

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