



**REP. TOM PRICE, M.D. (R-GA), CHAIRMAN**  
**PAUL TELLER, EXECUTIVE DIRECTOR**  
 424 CANNON HOUSE OFFICE BUILDING  
 WASHINGTON, DC 20515

rsc.price.house.gov ph (202) 226-9717 / fax (202) 226-1633

## Legislative Bulletin.....May 6, 2010

### Contents:

**Amendments to H.R. 5019**—Home Star Energy Retrofit Act of 2010

The bill is expected to be considered on Thursday, May 6, 2010 under a structured rule ([H.Res.1329](#)) that will provide for one hour of debate equally divided and controlled by the majority and minority, waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI (earmarks & “pay-go”), provides for consideration of eight amendments, and provides one motion to recommit with or without instructions.

**RSC Staff Contact:** Bruce Miller, [bruce.miller@mail.house.gov](mailto:bruce.miller@mail.house.gov), (202) 226-9720.

### AMENDMENTS MADE IN ORDER UNDER THE RULE

1. *Waxman (D-CA)*. The manager’s amendment allows the rebate processing center to clarify a state may obtain confidential access to records from the database established under H.R. 519 for the purpose of home inspections audits. The amendment grants the authority of the Secretary to set basic rates of pay for up to a maximum of thirty professional and administrative personnel to carry out this title. This does not apply to positions in the Senior Executive Service. The amendment also established a telephone hotline for contractor and homeowner issues involving the Silver Star or Gold Star Program

The amendment broadens the language of what constitutes one of the 13 approved energy efficiency industrial products that qualify under for a rebate under the base bill. Additionally, it raises several of the consumer rebates for several of these products and allows homeowners who have undertaken Silver Star measures for rebates to upgrade to the Gold Star process for incremental improvements and rebates capped at the Gold Star maximum amount.

The amendment directs the public outreach campaign established under the bill to specifically target seniors and veterans. The campaign would also promote the lending program to target senior citizens living in older homes or on fixed incomes.

The amendment grants the authority for the Secretary to provide up to 0.3 percent of the funding under the Gold Star Program for need-based scholarships to individuals to enable them to qualify as accredited contractors.

The amendment clarifies the amount of funding the Secretary can use for administrative costs to implement the grant program cost associated with enforcing the penalties levied

under the bill, and clarifies funds not loaned by states as of the sunset of program must be returned to the U.S. Treasury.

Finally, the amendment would amend Section II of the bill to allow owners of pre-1976 mobile homes to use rebates to purchase new Energy Star modular homes, in addition to new Energy Star manufactured homes.

2. **Barton (R-TX).** Strikes the provision in the bill that allows funds repaid by participants in the Home Energy Efficiency Loan Program to provide additional assistance to incentivize more participation in the program.
3. **Nye (D-VA).** Allows exchange services under the jurisdiction of the Armed Forces to participate as a qualified rebate agitator.
4. **Burgess (R-TX).** Strikes the section authorizing the \$12 million “public awareness campaign.”
5. **Deutch (D-FL).** The amendment requires the Secretary to ensure that a home affected by a presidentially declared major disaster area is not denied assistance under the program solely because there is no equipment or system to replace due to the disaster.
6. **Flake (R-AZ).** Prohibits any of the funds authorized in the bill from being used for a Congressional earmark.
7. **Garrett (R-NJ).** Two years after the program ends, the amendment requires the GAO comptroller to submit a report to Congress on how much money was saved by consumers for implementing projects, how much energy was saved, and if the savings from the energy efficiency measures undertaken pursuant to this title are greater than the cost of H.R. 5019.
8. **Bachman (R-MN).** Requires the Inspector General of the Department of Energy to submit a report to Congress measuring the amount of waste, fraud, and abuse occurring in programs created by H.R. 5019 and recommendations to prevent them for occurring again.

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