

111TH CONGRESS
1ST SESSION

H. R. 4359

To amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to guarantee housing loans for the construction energy efficient dwellings, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 16, 2009

Mr. BOOZMAN (for himself and Mr. WALZ) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to guarantee housing loans for the construction energy efficient dwellings, 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 “Warriors Adapting
5 Residences with Mortgages for Energy Renovations Act”
6 or the “WARMER Act”.

1 **SEC. 2. DEPARTMENT OF VETERANS AFFAIRS HOUSING**
2 **LOANS FOR CONSTRUCTION OF ENERGY EF-**
3 **FICIENT DWELLINGS.**

4 (a) LOANS AUTHORIZED.—Section 3710(d) of title
5 38, United States Code, is amended—

6 (1) in paragraph (1)—

7 (A) by striking “The Secretary” and in-
8 serting “(A) The Secretary”;

9 (B) by striking “for the acquisition of”
10 and all that follows through the end and insert-
11 ing “for any of the following purposes.”;

12 (C) by adding at the end the following new
13 clauses:

14 “(i) The acquisition of an existing dwelling and
15 the cost of making energy efficiency improvements
16 to the dwelling.

17 “(ii) The construction of a new dwelling and
18 the cost of making energy efficiency improvements
19 to the dwelling.

20 “(iii) Energy efficiency improvements to a
21 dwelling owned and occupied by a veteran.”; and

22 (D) by adding at the end the following new
23 subparagraphs:

24 “(B) Except as otherwise provided in this subsection,
25 a loan may be guaranteed under this subsection only if
26 it meets the requirements of this chapter.

1 “(C) The Secretary shall determine appropriate en-
2 ergy efficiency standards for purposes of this subsection
3 and shall require that dwellings purchased, constructed,
4 or improved using a loan guaranteed under this subsection
5 meet such standards.”;

6 (2) in paragraph (2), by striking “the greater
7 of” and all that follows through the period and in-
8 serting “five percent of the total established value of
9 the property, dwelling, and improvements, unless the
10 Secretary specifically provides for a higher
11 amount.”; and

12 (3) by redesignating paragraphs (3) through
13 (6) as paragraphs (4) through (7), respectively, and
14 inserting after paragraph (2) the following new
15 paragraph (3):

16 “(3) In order to determine the value of energy effi-
17 ciency improvements made to a dwelling using a loan
18 guaranteed under this subsection, the Secretary shall
19 adopt existing applicable Federal standards and valuation
20 programs.”; and

21 (b) CONFORMING AMENDMENT.—Section 3710(d), as
22 amended by subsection (a), is further amended in para-
23 graph (5), as redesignated by subsection (a)(3), by strik-
24 ing “paragraph (3)(B)” and inserting “paragraph
25 (4)(B)”.

1 (c) REGULATIONS.—

2 (1) INTERIM POLICY GUIDANCE.—Not later
3 than 90 days after the date of the enactment of this
4 Act, the Secretary of Veterans Affairs shall prescribe
5 interim policy guidance on energy efficiency audits
6 and the conditions under which the performance of
7 such audits may be included in the amount guaran-
8 teed by the Secretary under section 3710(d) of title
9 38, United States Code, as amended by subsection
10 (a).

11 (2) REGULATIONS.—Not later than one year
12 after the date of the enactment of this Act, the Sec-
13 retary shall prescribe regulations to carry out the
14 amendments made by subsection (a).

15 (3) ENERGY EFFICIENCY AUDIT DEFINED.—
16 For purposes of this subsection, the term “energy
17 efficiency audit” means a measurement of the ef-
18 fects of an improvement made to a dwelling for the
19 purpose of reducing energy consumption or increas-
20 ing energy efficiency that is carried out by a cer-
21 tified professional auditor, as determined by the Sec-
22 retary.

1 (d) EFFECTIVE DATE.—The amendments made by
2 subsections (a) and (b) shall apply with respect to a loan
3 secured on or after October 1, 2010.

○