

**§ 8235h. Revoking approval of plans and terminating financial assistance**

The Secretary shall revoke the approval of any plan under section 8235a(a) of this title for the establishment of a prototype residential energy efficiency program, and shall terminate the provision of financial assistance under section 8235a(c) of this title to carry out such plan, if the Secretary determines, in consultation with the Federal Trade Commission and after notice and the opportunity for a hearing, that carrying out such plan—

- (1) causes unfair methods of competition;
- (2) has a substantial adverse effect on competition in the portion of the service area of the public utility designated by the contract entered into under the plan; or
- (3) provides a supplier or contractor of energy conservation measures with an unreasonably large share of the contracts for the supply or installation of such measures under such plan in the service area of the public utility designated by the contract entered into under such plan.

(Pub. L. 95-619, title II, §269, as added Pub. L. 96-294, title V, §562, June 30, 1980, 94 Stat. 751.)

**§ 8235i. Authorization of appropriations**

**(a) Authorization of appropriations**

There is authorized to be appropriated to carry out this part—

- (1) the sum of \$10,000,000 for the fiscal year ending on September 30, 1981; and
- (2) the sum equal to \$10,000,000 minus the amount appropriated for the fiscal year ending on September 30, 1981, under the authorization contained in this section, for the fiscal year ending on September 30, 1982.

**(b) Availability**

Any funds appropriated under the authorization contained in this section shall remain available until expended.

(Pub. L. 95-619, title II, §270, as added Pub. L. 96-294, title V, §562, June 30, 1980, 94 Stat. 751.)

PART D—RESIDENTIAL ENERGY EFFICIENCY  
RATING GUIDELINES

**§ 8236. Voluntary rating guidelines**

**(a) In general**

Not later than 18 months after October 24, 1992, the Secretary, in consultation with the Secretary of Housing and Urban Development, the Secretary of Veterans Affairs, representatives of existing home energy rating programs, and other appropriate persons, shall, by rule, issue voluntary guidelines that may be used by State and local governments, utilities, builders, real estate agents, lenders, agencies in mortgage markets, and others, to enable and encourage the assignment of energy efficiency ratings to residential buildings.

**(b) Contents of guidelines**

The voluntary guidelines issued under subsection (a) of this section shall—

- (1) encourage uniformity with regard to systems for rating the annual energy efficiency of residential buildings;

(2) establish protocols and procedures for—

- (A) certification of the technical accuracy of building energy analysis tools used to determine energy efficiency ratings;
- (B) training of personnel conducting energy efficiency ratings;
- (C) data collection and reporting;
- (D) quality control; and
- (E) monitoring and evaluation;

(3) encourage consistency with, and support for, the uniform plan for Federal energy efficient mortgages, including that developed under section 946 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12712 note) and pursuant to sections 105 and 106 of the Energy Policy Act of 1992;

(4) provide that rating systems take into account local climate conditions and construction practices, solar energy collected on-site, and the benefits of peak load shifting construction practices, and not discriminate among fuel types; and

(5) establish procedures to ensure that residential buildings can receive an energy efficiency rating at the time of sale and that such rating is communicated to potential buyers.

(Pub. L. 95-619, title II, §271, as added Pub. L. 102-486, title I, §102(a), Oct. 24, 1992, 106 Stat. 2787.)

REFERENCES IN TEXT

Section 946 of the Cranston-Gonzalez National Affordable Housing Act, referred to in subsec. (b)(3), is section 946 of Pub. L. 101-625, which is set out as a note under section 12712 of this title.

Sections 105 and 106 of the Energy Policy Act of 1992, referred to in subsec. (b)(3), are sections 105 and 106 of Pub. L. 102-486. Section 105 amended section 12704 of this title and provisions set out as a note under section 12712 of this title. Section 106 is classified to section 1701z-16 of Title 12, Banks and Banking.

**§ 8236a. Technical assistance**

Not later than 2 years after October 24, 1992, the Secretary shall establish a program to provide technical assistance to State and local organizations to encourage the adoption of and use of residential energy efficiency rating systems consistent with the voluntary guidelines issued under section 8236 of this title.

(Pub. L. 95-619, title II, §272, as added Pub. L. 102-486, title I, §102(a), Oct. 24, 1992, 106 Stat. 2788.)

**§ 8236b. Report**

Not later than 3 years after October 24, 1992, the Secretary shall transmit to the President and the Congress a final report containing—

- (1) a description of actions taken by the Secretary and other Federal agencies to implement this part;
- (2) a description of the action taken by States, local governments, and other organizations to implement the voluntary guidelines issued under section 8236 of this title and any problems encountered in implementing such guidelines; and
- (3) recommendations on the feasibility of requiring, as a prerequisite to receiving federally assisted, guaranteed, or insured mort-