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(Original Signature of Member)

117TH CONGRESS
2D SESSION

H. R. _____

To improve response to, and preparation for, heat waves and extreme heat,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mrs. WATSON COLEMAN introduced the following bill; which was referred to
the Committee on _____

A BILL

To improve response to, and preparation for, heat waves
and extreme heat, 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 “Stay Cool Act”.

5 **SEC. 2. TABLE OF CONTENTS.**

6 The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.

TITLE I—HEAT EMERGENCY

Sec. 101. National ranking system for extreme heat.

- Sec. 102. Study on naming heat waves.
- Sec. 103. Grants for checking on seniors during extreme heat events.
- Sec. 104. Study for improved tracking of data on deaths related to heat or other environmental factors.

TITLE II—COMMUNITY RESILIENCE AND COOLING CENTERS

- Sec. 201. Grants for community resilience centers.
- Sec. 202. Grants for community resilience and cooling centers to purchase or repair HVAC systems and passive cooling systems.
- Sec. 203. Grants for outreach and publicity regarding community resilience and cooling centers.
- Sec. 204. Payroll credit for cooling centers.

TITLE III—HOUSING

- Sec. 301. Grants for providing cooling systems in public housing units.
- Sec. 302. Guidance on air conditioning costs and utility allowances.
- Sec. 303. Report to Congress on need for safe residential temperatures; regulations.
- Sec. 304. Grants for providing safe residential temperatures in all Federally assisted dwellings.
- Sec. 305. Box fan expenses reimbursable through health saving accounts.
- Sec. 306. Study on air conditioning recycling and rebate program.
- Sec. 307. Report on revising State allotment payments under the Low-Income Home Energy Assistance Act.

TITLE IV—URBAN DEVELOPMENT

- Sec. 401. Grants for construction of usable public water features.
- Sec. 402. Grant program to develop and improve high quality urban green spaces.
- Sec. 403. Tree planting grant program.

TITLE V—DEFINITIONS

- Sec. 501. Definitions.

1 **TITLE I—HEAT EMERGENCY**

2 **SEC. 101. NATIONAL RANKING SYSTEM FOR EXTREME**
3 **HEAT.**

4 Not later than 180 days after the date of enactment
5 of this Act, the Director of the National Weather Service
6 shall establish a national ranking system pilot program to
7 evaluate and communicate to the public the severity and
8 risk of extreme heat based on human health outcomes
9 (mortality and morbidity). Not later than 1 year after the

1 establishment of such program, the Director of the Na-
2 tional Weather Service shall submit to Congress a report
3 providing recommendations and evaluating the impact of
4 the national ranking system for extreme heat on public
5 preparedness and response.

6 **SEC. 102. STUDY ON NAMING HEAT WAVES.**

7 Not later than 180 days after the date of enactment
8 of this Act, the Director of the National Weather Service
9 shall submit to Congress a report containing the results
10 of a study on the impact that naming heat waves has on
11 public preparedness and response.

12 **SEC. 103. GRANTS FOR CHECKING ON SENIORS DURING EX-**
13 **TREME HEAT EVENTS.**

14 (a) IN GENERAL.—The Secretary of Health and
15 Human Services may award grants to eligible entities to
16 develop and implement a program under which each grant
17 recipient—

18 (1) operates a registry of seniors who reside in
19 the jurisdiction of the grant recipient;

20 (2) includes seniors in such registry only if they
21 opt into being included; and

22 (3) during periods of extreme heat, provides for
23 checks on the health and wellbeing of seniors in the
24 registry—

25 (A) by telephone; or

1 (B) by other means approved by the senior
2 involved.

3 (b) PRIORITY.—In awarding grants under this sec-
4 tion, the Secretary shall give priority to—

5 (1) eligible entities described in subparagraph
6 (A), (B), or (C) of subsection (c) whose jurisdictions
7 include one or more overburdened communities; and

8 (2) eligible entities described in subparagraph
9 (D) of subsection (c) whose target populations for
10 outreach and services include the residents of one or
11 more overburdened communities.

12 (c) DEFINITIONS.—In this section:

13 (1) The term “eligible entity” means—

14 (A) a State, Territory, or Tribal agency;

15 (B) a local governmental entity;

16 (C) an Indian Tribe; and

17 (D) a nonprofit organization, community
18 group, clinic, or other entity engaged in pro-
19 viding outreach and services to seniors.

20 (2) The term “Indian Tribe” has the meaning
21 given to that term in section 4 of the Indian Self-
22 Determination and Education Assistance Act (25
23 U.S.C. 5304).

1 (3) The term “local governmental entity”
2 means any municipal government or county govern-
3 ment with jurisdiction over local land use decisions.

4 (4) The term “overburdened community”
5 means, as determined by the Secretary, an area
6 where—

7 (A) 35 percent or more of households qual-
8 ify as low-income households;

9 (B) 40 percent or more of residents iden-
10 tify as a minority or as members of a State-rec-
11 ognized Tribal community; or

12 (C) 40 percent or more of households are
13 limited English proficiency households.

14 (5) The term “Secretary” means the Secretary
15 of Health and Human Services.

16 (6) The term “senior” has the meaning given to
17 that term by the Secretary for purposes of this sec-
18 tion.

19 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
20 authorized to be appropriated to carry out this section
21 \$10,000,000 for each of fiscal years 2022 through 2030.

1 **SEC. 104. STUDY FOR IMPROVED TRACKING OF DATA ON**
2 **DEATHS RELATED TO HEAT OR OTHER ENVI-**
3 **RONMENTAL FACTORS.**

4 The Director of the Centers for Disease Control and
5 Prevention, acting through the National Vital Statistics
6 System of the National Center for Health Statistics, in
7 consultation with the relevant White House Interagency
8 Working Group on Extreme Heat, shall—

9 (1) conduct a study on the impact of meteorolo-
10 gical conditions on all-cause mortality;

11 (2) as part of such study, develop recommenda-
12 tions for revising the United States standard certifi-
13 cate of death to collect information on deaths that
14 are related to heat or other environmental factors;
15 and

16 (3) not later than 180 days after the date of
17 enactment of this Act, complete such study and sub-
18 mit a report on the results of such study to the Con-
19 gress.

20 **TITLE II—COMMUNITY RESIL-**
21 **IENCE AND COOLING CEN-**
22 **TERS**

23 **SEC. 201. GRANTS FOR COMMUNITY RESILIENCE CENTERS.**

24 (a) **AUTHORITY.**—The Secretary of Housing and
25 Urban Development (in this section referred to as the
26 “Secretary”) shall carry out a program under this section

1 to make grants to eligible entities for the establishment
2 and assistance of community resilience centers in overbur-
3 dened communities.

4 (b) ELIGIBLE ENTITIES.—Grants under the program
5 under this section may be made only to a State, Indian
6 tribe, unit of general local government, or nonprofit orga-
7 nization.

8 (c) ELIGIBLE ACTIVITIES.—Amounts from a grant
9 under the program under this section may be used only
10 to establish new, or assist existing, community resilience
11 centers, including for—

12 (1) acquisition or improvement of facilities to
13 serve as community resilience centers;

14 (2) acquisition or repair of cooling equipment,
15 heating equipment, and generators for a community
16 resilience center;

17 (3) obtaining supplies of food, water, medical
18 supplies, and emergency supplies for users of a com-
19 munity resilience center;

20 (4) operating costs associated with a commu-
21 nity resilience center, including hiring staff for a
22 center;

23 (5) obtaining educational material on climate
24 change resilience and other related educational ma-
25 terial; and

1 (6) such other costs and activities relating to
2 community resilience centers as the Secretary may
3 provide.

4 (d) APPLICATION.—The Secretary shall provide for
5 eligible entities to apply for grants under the program
6 under this section and shall require applications to include
7 a community engagement plan for decisionmaking relating
8 to a community resilience center and an outreach plan to
9 inform the community of the center.

10 (e) SELECTION.—The Secretary shall select applicant
11 eligible entities to receive grants under the program under
12 this section based on a competition, in accordance with
13 such criteria as the Secretary shall establish, which shall
14 provide preference for selection for grants for—

15 (1) eligible entities that will use grant amounts
16 for community resilience centers located in overbur-
17 dened communities;

18 (2) eligible entities that will ensure that edu-
19 cational activities relating to developing community
20 resilience to extreme weather events will be carried
21 out in connection with the community resilience cen-
22 ter or centers assisted; and

23 (3) eligible entities that will upgrade or improve
24 existing spaces that are easily accessible to the com-
25 munity for use as community resilience centers.

1 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
2 authorized to be appropriated for grants under the pro-
3 gram under this section \$50,000,000 for each of fiscal
4 years 2023 through 2033.

5 **SEC. 202. GRANTS FOR COMMUNITY RESILIENCE AND**
6 **COOLING CENTERS TO PURCHASE OR RE-**
7 **PAIR HVAC SYSTEMS AND PASSIVE COOLING**
8 **SYSTEMS.**

9 (a) AUTHORITY.—The Secretary of Housing and
10 Urban Development (in this section referred to as the
11 “Secretary”) shall carry out a program under this section
12 to make grants to make grants to community resilience
13 centers and cooling centers for the costs of acquiring new
14 heating, ventilation, and air conditioning systems and pas-
15 sive cooling solutions for such facilities.

16 (b) ELIGIBLE HVAC SYSTEMS.—Amounts from a
17 grant under the program under this section may be used
18 to acquire only heating, ventilation, and air conditioning
19 systems meeting such standards as the Secretary shall es-
20 tablish in consultation with the Secretary of Energy.

21 (c) ELIGIBLE PASSIVE COOLING SOLUTIONS.—
22 Amounts from a grant under the program under this sec-
23 tions may be used to acquire passive cooling solutions,
24 which may include—

25 (1) cool or green roofs;

1 (2) cool walls;

2 (3) tree planting and maintenance; and

3 (4) cool pavements.

4 (d) APPLICATION.—The Secretary shall provide for
5 community resilience centers and cooling centers to apply
6 for grants under the program under this section and shall
7 require applications to include a statement identifying the
8 number of people served by the community resilience cen-
9 ter or cooling center.

10 (e) SELECTION.—The Secretary shall provide for
11 community resilience centers and cooling centers to apply
12 for grants under the program under this section and shall
13 select applicants to receive grants under the program
14 under this section based on a competition, in accordance
15 with such criteria as the Secretary shall establish, which
16 shall provide preference for selection for grants for com-
17 munity resilience centers and cooling centers located in
18 overburdened communities.

19 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
20 authorized to be appropriated for grants under the pro-
21 gram under this section \$25,000,000 for each of fiscal
22 years 2023 through 2033.

1 **SEC. 203. GRANTS FOR OUTREACH AND PUBLICITY RE-**
2 **GARDING COMMUNITY RESILIENCE AND**
3 **COOLING CENTERS.**

4 (a) **AUTHORITY.**—The Secretary of Housing and
5 Urban Development (in this section referred to as the
6 “Secretary”) shall carry out a program under this section
7 to make grants to States and units of general local govern-
8 ment for use to carry out outreach, publicity, and edu-
9 cation activities to inform the public regarding the loca-
10 tion, function, and availability of cooling centers and com-
11 munity resilience centers, including for—

12 (1) collection of data regarding locations of
13 cooling centers and community resilience centers;
14 and

15 (2) development of platforms, websites, applica-
16 tions, and other tools and methods of communication
17 to assist the public in locating such centers.

18 (b) **APPLICATION; SELECTION.**—The Secretary shall
19 provide for eligible entities to apply for grants under the
20 program under this section and shall select applicant eligi-
21 ble entities to receive grants under the program under this
22 section based on a competition, in accordance with such
23 criteria as the Secretary shall establish.

24 (c) **AUTHORIZATION OF APPROPRIATIONS.**—There is
25 authorized to be appropriated for grants under the pro-

1 gram under this section \$10,000,000 for each of fiscal
2 years 2023 through 2033.

3 **SEC. 204. PAYROLL CREDIT FOR COOLING CENTERS.**

4 (a) IN GENERAL.—Section 3111 of the Internal Rev-
5 enue Code of 1986 is amended by adding at the end the
6 following new subsection:

7 “(g) CREDIT FOR COOLING CENTERS.—

8 “(1) IN GENERAL.—In the case of an eligible
9 employer, there shall be allowed as a credit against
10 the tax imposed by subsection (a) for each calendar
11 quarter an amount equal to the sum of the amounts
12 determined under subparagraphs (A) and (B) of
13 paragraph (2) .

14 “(2) AMOUNT OF CREDIT.—

15 “(A) EXTENDED HOURS.—The amount de-
16 termined under this paragraph is the hourly
17 cost of labor of the taxpayer multiplied by the
18 number of hours such taxpayer remained open
19 to the public outside of normal operating hours
20 during a heat emergency during the calendar
21 quarter.

22 “(B) FREE ADMISSION DAYS.—The
23 amount determined under this paragraph is the
24 average daily admission revenue of the taxpayer
25 multiplied by the number of days during the

1 calendar quarter that such taxpayer waived ad-
2 mission fees during a heat emergency.

3 “(C) HEAT EMERGENCY.—For the pur-
4 poses of this subsection, the term ‘heat emer-
5 gency’ means an excessive heat warning, exces-
6 sive heat watch, or heat advisory issued by the
7 National Weather Service.

8 “(3) LIMITATION.—The credit allowed by para-
9 graph (1) shall not exceed the tax imposed by sub-
10 section (a) for any calendar quarter on the wages
11 paid with respect to the employment of all individ-
12 uals in the employ of the employer.

13 “(4) CARRYOVER OF UNUSED CREDIT.—If the
14 amount of the credit allowed under paragraph (1)
15 exceeds the limitation of paragraph (3) for any cal-
16 endar quarter, such excess shall be carried to the
17 succeeding calendar quarter and allowed as a credit
18 under paragraph (1) for such quarter.

19 “(5) ELIGIBLE EMPLOYER.—For the purposes
20 of this section, the term ‘eligible employer’ means a
21 community center, library or museum that is de-
22 scribed in section 501(c)(3) and exempt from tax-
23 ation under section 501(a).

24 “(6) AGGREGATION RULE.—All persons treated
25 as a single employer under subsection (a) or (b) of

1 section 52, or subsection (m) or (o) of section 414,
2 shall be treated as one employer for purposes of this
3 section.

4 “(7) ELECTION NOT TO HAVE SECTION
5 APPLY.—This section shall not apply with respect to
6 any employer for any calendar quarter if such em-
7 ployer elects (at such time and in such manner as
8 the Secretary may prescribe) not to have this section
9 apply.

10 “(8) REGULATIONS.—The Secretary shall issue
11 such regulations or other guidance as may be nec-
12 essary or appropriate to carry out the purposes of
13 this section.”.

14 (b) EFFECTIVE DATE.—The amendment made by
15 this section shall apply to amounts paid or incurred after
16 the date of the enactment of this Act.

17 **TITLE III—HOUSING**

18 **SEC. 301. GRANTS FOR PROVIDING COOLING SYSTEMS IN** 19 **PUBLIC HOUSING UNITS.**

20 (a) AUTHORITY.—The Secretary of Housing and
21 Urban Development (in this section referred to as the
22 “Secretary”) shall carry out a program under this section
23 to make grants to public housing agencies for the installa-
24 tion of air conditioners or heat pumps for public housing
25 dwelling units.

1 (b) ELIGIBLE ACTIVITIES.—Amounts from a grant
2 under the program under this section may be used only
3 for costs of acquiring and installing air conditioners or
4 heat pumps that meet such standards as the Secretary
5 shall establish regarding cooling capacity, safety, reli-
6 ability, and energy efficiency and that serves public hous-
7 ing dwelling units that were constructed before the date
8 of the enactment of this Act.

9 (c) APPLICATION.—The Secretary shall provide for
10 public housing agencies to apply for grants under the pro-
11 gram under this section.

12 (d) SELECTION.—The Secretary shall select applicant
13 agencies to receive grants under the program under this
14 section based on a competition, in accordance with such
15 criteria as the Secretary shall establish, which shall pro-
16 vide preference for selection for grants for—

17 (1) public housing agencies that serve commu-
18 nities with limited access to cooling centers; and

19 (2) public housing agencies located in areas
20 prone to heat emergencies.

21 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
22 authorized to be appropriated for grants under the pro-
23 gram under this section \$25,000,000 for each of fiscal
24 years 2023 through 2026.

1 **SEC. 302. GUIDANCE ON AIR CONDITIONING COSTS AND**
2 **UTILITY ALLOWANCES.**

3 The Secretary of Housing and Urban Development
4 shall revise the regulations under subpart E of part 965
5 of volume 24, Code of Federal Regulations (relating to
6 resident allowances for utilities), to ensure that air condi-
7 tioning costs are included when calculating utility allow-
8 ance schedules and utility allowances for residents.

9 **SEC. 303. REPORT TO CONGRESS ON NEED FOR SAFE RESI-**
10 **DENTIAL TEMPERATURES; REGULATIONS.**

11 (a) REPORT.—Not later than 3 years after the date
12 of the enactment of this Act, the Secretary of Housing
13 and Urban Development (in this section referred to as the
14 “Secretary”), in coordination with the Secretary of Agri-
15 culture and in consultation with the relevant White House
16 Interagency Working Group on Extreme Heat, shall sub-
17 mit to the Congress a report—

18 (1) identifying and compiling data on the avail-
19 ability of air conditioning in covered federally as-
20 sisted rental dwelling units (as such term is defined
21 in section 304); and

22 (2) identifying and setting forth safe residential
23 temperature standards for such dwelling units;

24 (3) estimating the cost for bringing all covered
25 federally assisted rental dwelling units into compli-

1 ance with such safe residential temperature stand-
2 ards; and

3 (4) setting forth a plan and mechanisms for
4 bringing all covered federally assisted rental dwelling
5 units into compliance with the safe residential stand-
6 ards.

7 (b) **SAFE RESIDENTIAL TEMPERATURE STAND-**
8 **ARDS.**—Not later than 2 years after the date of the enact-
9 ment of this Act, the Secretary of Housing and Urban
10 Development, in consultation with the Secretary of Agri-
11 culture, shall issue regulations establishing safe residential
12 temperature standards for covered federally assisted rent-
13 al dwelling units based on the safe temperature standards
14 identified in the report under subsection (a) pursuant to
15 subsection (a)(2).

16 **SEC. 304. GRANTS FOR PROVIDING SAFE RESIDENTIAL**
17 **TEMPERATURES IN ALL FEDERALLY AS-**
18 **SISTED DWELLINGS.**

19 (a) **AUTHORITY.**—The Secretary of Housing and
20 Urban Development (in this section referred to as the
21 “Secretary”), in coordination with the Secretary of Agri-
22 culture and in consultation with the relevant White House
23 Interagency Working Group on Extreme Heat, shall carry
24 out a program under this section to make grants to public
25 housing agencies and owners of covered federally assisted

1 rental dwelling units to enable covered federally assisted
2 rental dwelling units to comply with the safe residential
3 temperature standards in public housing and established
4 pursuant to section 303(b).

5 (b) ELIGIBLE ACTIVITIES.—Amounts from a grant
6 under this section may be used only for costs of acquiring
7 and installing air conditioning or other means or mecha-
8 nisms that meet such standards as the Secretary shall es-
9 tablish regarding cooling capacity, safety, reliability, and
10 energy efficiency, for covered federally assisted rental
11 dwelling units that were constructed before the date of the
12 enactment of this Act, to enable such dwelling units to
13 comply with the safe residential temperature standards es-
14 tablished pursuant to section 303(b) in a manner provided
15 for in the plan set forth in the report under section 6(a)
16 pursuant to subsection 6(a)(4).

17 (c) APPLICATIONS.—The Secretaries referred to in
18 subsection (a) shall provide for public housing agencies
19 and owners of covered federally assisted rental dwelling
20 units to apply for grants under the program under this
21 section.

22 (d) SELECTION.—The Secretaries referred to in sub-
23 section (a) shall select applicant public housing agencies
24 and owners of covered federally assisted rental dwelling
25 units to receive grants under the program under this sec-

1 tion based on a competition, in accordance with such cri-
2 teria as the Secretaries shall establish, which shall provide
3 preference for selection for grants for—

4 (1) covered federally assisted rental dwelling
5 units located in communities with limited access to
6 cooling centers; and

7 (2) covered federally assisted rental dwelling
8 units located in areas prone to heat emergencies.

9 (e) DEFINITIONS.—For the purposes of this Act:

10 (1) COVERED FEDERALLY ASSISTED RENTAL
11 DWELLING UNIT.—The term “covered federally as-
12 sisted rental dwelling unit’ ” means a residential
13 dwelling unit that is made available for rental and
14 for which assistance is provided, or that is part of
15 a housing project for which assistance is provided,
16 under—

17 (A) the public housing program under the
18 United States Housing Act of 1937 (42 U.S.C.
19 1437 et seq.);

20 (B) a program for rental assistance under
21 section 8 of the United States Housing Act of
22 1937 (42 U.S.C. 1437f), including—

23 (i) the program for project-based rent-
24 al assistance; and

1 (ii) the program for tenant-based
2 rental assistance;

3 (C) the AIDS Housing Opportunities pro-
4 gram under subtitle D of title VIII of the Cran-
5 ston-Gonzalez National Affordable Housing Act
6 (42 U.S.C. 12901 et seq.);

7 (D) the program for supportive housing for
8 the elderly under section 202 of the Housing
9 Act of 1959 (12 U.S.C. 1701q);

10 (E) the program for supportive housing for
11 persons with disabilities under section 811 of
12 the Cranston-Gonzalez National Affordable
13 Housing Act (42 U.S.C. 8013); or

14 (F) a housing program under section 515,
15 514, 521, or 542 of title V of the Housing Act
16 of 1949 (42U.S.C. 1471 et seq.).

17 (2) OWNER.—The term “owner” means, with
18 respect to a covered federally assisted rental dwelling
19 unit, any private person or entity, including a coop-
20 erative, an agency of the Federal Government, or a
21 public housing agency, having the legal right to lease
22 or sublease dwelling units.

23 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
24 authorized to be appropriated for grants under the pro-
25 gram under this section such sums as may be necessary

1 for assistance under this section sufficient for all covered
2 federally assisted rental dwelling units to meet the safe
3 residential temperature standards established pursuant to
4 section 6(b).

5 **SEC. 305. BOX FAN EXPENSES REIMBURSABLE THROUGH**
6 **HEALTH SAVING ACCOUNTS.**

7 (a) IN GENERAL.—Section 223(d)(2) of the Internal
8 Revenue Code of 1986 is amended by inserting “or box
9 fans” before “shall be treated as paid for medical care”.

10 (b) EFFECTIVE DATE.—The amendment made by
11 this section shall apply to amounts paid or incurred in tax-
12 able years beginning after the date of the enactment of
13 this Act.

14 **SEC. 306. STUDY ON AIR CONDITIONING RECYCLING AND**
15 **REBATE PROGRAM.**

16 (a) IN GENERAL.—Not later than 180 days after the
17 date of enactment of this Act, the Secretary of Energy
18 shall submit to Congress a report containing the results
19 of a study on the feasibility of a nationwide air conditioner
20 recycling and rebate program for more energy efficient
21 home cooling systems.

22 (b) INCLUSIONS.—The report submitted under sub-
23 section (a) shall include—

24 (1) an analysis of the ability of a program de-
25 scribed in such subsection to reduce greenhouse gas

1 emissions and to promote energy savings and effi-
2 ciency;

3 (2) recommendations on how to promote access
4 to such a program for low-income households, per-
5 sons with disabilities, senior citizens, and residents
6 of rural areas; and

7 (3) an analysis of the potential economic im-
8 pacts of providing rebates under such a program for
9 the purchase of Energy Star certified or more en-
10 ergy efficient home cooling systems for low-income
11 households, persons with disabilities, senior citizens,
12 and residents of rural areas.

13 **SEC. 307. REPORT ON REVISING STATE ALLOTMENT PAY-**
14 **MENTS UNDER THE LOW-INCOME HOME EN-**
15 **ERGY ASSISTANCE ACT.**

16 The Secretary of Human and Health Services, in con-
17 sultation with the Secretary of Energy, shall submit to
18 Congress a report on how the formula to allot amounts
19 to States under section 2604 of the Low-Income Home
20 Energy Assistance Act of 1981 (42 U.S.C. 8623) could
21 be revised to account for the energy needs of all low-in-
22 come households in States, including low-income house-
23 holds that do not use, or under-use, a source of heating
24 or cooling.

1 **TITLE IV—URBAN**
2 **DEVELOPMENT**

3 **SEC. 401. GRANTS FOR CONSTRUCTION OF USABLE PUBLIC**
4 **WATER FEATURES.**

5 (a) **AUTHORITY.**—The Secretary of Housing and
6 Urban Development (in this section referred to as the
7 “Secretary”) shall carry out a program under this section
8 to make grants to eligible entities for the construction of
9 eligible water features in overburdened communities.

10 (b) **ELIGIBLE ENTITIES.**—Grants under the program
11 under this section may be made only to a State, Indian
12 tribe, unit of general local government, or nonprofit orga-
13 nization.

14 (c) **ELIGIBLE WATER FEATURES.**—Amounts from a
15 grant under the program under this section may be used
16 only for costs of constructing water features that—

17 (1) provide recreation or cooling for users, such
18 as splash parks, wading pools, swimming pools,
19 misting systems, and fountains;

20 (2) can be used to provide relief to users from
21 extreme heat conditions; and

22 (3) are available for use by anyone without
23 charge.

24 (d) **APPLICATIONS.**—

1 (1) IN GENERAL.—The Secretary shall provide
2 for eligible entities to apply for grants under the
3 program under this section and shall require appli-
4 cations to include a statement identifying the esti-
5 mated number of people to be served by the feature.

6 (2) COMMUNITY INVOLVEMENT.—The Secretary
7 shall require eligible entities to develop a public par-
8 ticipation plan to ensure that residents of the area
9 in which a project is to be implemented are involved
10 in the project, which plan—

11 (A) shall provide opportunities for employ-
12 ment for minorities, low-and moderate-income
13 residents in the neighborhood of the project;

14 (B) shall involve residents of the area inde-
15 cision-making regarding the project; and

16 (C) may—

17 (i) provide opportunities for local non-
18 profits to be involved in the project;

19 (ii) provide opportunities for public
20 input regarding the project; and

21 (iii) include demonstrated support
22 from the community.

23 (e) SELECTION.—The Secretary shall select applicant
24 eligible entities to receive grants under the program under
25 this section based on a competition, in accordance with

1 such criteria as the Secretary shall establish, which shall
2 provide preference for selection for grants for eligible enti-
3 ties that will construct eligible water features in areas
4 without access, or with limited access, to cooling centers.

5 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
6 authorized to be appropriated for grants under the pro-
7 gram under this section \$50,000,000 for each of fiscal
8 years 2023 through 2033.

9 **SEC. 402. GRANT PROGRAM TO DEVELOP AND IMPROVE**
10 **HIGH QUALITY URBAN GREEN SPACES.**

11 (a) ESTABLISHMENT.—The Secretary of Housing
12 and Urban Development (in this section referred to as the
13 “Secretary”), in coordination with the Director of the Na-
14 tional Park Service, shall establish a grant program under
15 which the Secretary shall award grants to eligible entities
16 under subsection (c) to improve or develop high quality
17 urban green spaces located in overburdened communities
18 to lower surface temperatures through increased urban
19 vegetation.

20 (b) USE.—Projects and activities funded with grant
21 amounts under this section shall provide environmental
22 and cooling benefits to overburdened communities, includ-
23 ing through planting trees, increasing the urban forestry
24 canopy, improving stormwater management, increasing

1 green infrastructure, employing water conservation meas-
2 ures, and adding green spaces.

3 (c) ELIGIBLE ENTITIES.—A grant under this section
4 may only be made to—

5 (1) a State;

6 (2) an Indian Tribe;

7 (3) a unit of general local government; and

8 (4) a nonprofit organization.

9 (d) APPLICATIONS.—

10 (1) IN GENERAL.—An eligible entity that seeks
11 to receive a grant under subsection (a) shall submit
12 an application to the Secretary at such time, in such
13 form, and containing such information as the Sec-
14 retary may require.

15 (2) CONTENTS.—An application submitted
16 under paragraph (1) shall—

17 (A) describe how the projects and activities
18 to be funded with grant amounts will comply
19 with the requirement under subsection (b); and

20 (B) include a 5-year timeline and budget
21 for the development and improvement of urban
22 green space.

23 (3) COMMUNITY INVOLVEMENT.—The Secretary
24 shall require eligible entities to develop a public par-
25 ticipation plan to ensure that residents of the area

1 in which a project is to be implemented are involved
2 in the project, which plan—

3 (A) shall provide opportunities for employ-
4 ment for minorities, low-and moderate-income
5 residents in the neighborhood of the project;

6 (B) shall involve residents of the area in
7 decision-making regarding the project; and

8 (C) may—

9 (i) provide opportunities for local non-
10 profits to be involved in the project;

11 (ii) provide opportunities for public
12 input regarding the project; and

13 (iii) include demonstrated support
14 from the community.

15 (e) SELECTION.—

16 (1) IN GENERAL.—The Secretary shall deter-
17 mine which eligible entities shall receive a grant
18 under this section.

19 (2) PRIORITY.—In awarding grants under sub-
20 section (a), the Secretary shall give priority in selec-
21 tion for grants to eligible entities based on—

22 (A) the extent to which the eligible entity
23 will contribute matching funds for activities
24 conducted with amounts from a grant under
25 this section; and

1 (B) based on the extent to which the
2 project funded with grant amounts would—

3 (i) address demonstrated deficiencies
4 in the condition of and access to cooling
5 green space in the project neighborhood;

6 (ii) build green spaces located within
7 half of a mile of a public housing that is
8 not within half of a mile of any green
9 space;

10 (iii) work collaboratively with local
11 governments, colleges, universities, and
12 other institutions to study urban heat is-
13 land effects and benefits of cooling green
14 spaces;

15 (iv) use environmentally beneficial
16 components, such as sustainable landscape
17 features, upcycled and recycled materials,
18 and materials with low carbon footprint;

19 (v) contain safe trails or routes, such
20 as trails, bikeways, and sidewalks, that
21 connect to neighborhoods and enhance ac-
22 cess to green spaces.

23 (f) USE OF AMOUNTS.—An eligible entity that re-
24 ceives a grant under subsection (a) shall use amounts pro-
25 vided to cover costs associated with—

1 (1) rebuilding, remodeling, expanding, inte-
2 grating, or developing existing or building new green
3 spaces, including improvements in park landscapes,
4 infrastructure, buildings, and support facilities;

5 (2) planting vegetation in project areas, includ-
6 ing maintaining and monitoring planted vegetation
7 for a period of up to 5 years to ensure successful es-
8 tablishment;

9 (3) preparing the project site and conducting
10 construction, including the costs of labor and costs
11 associated with use of machinery;

12 (4) training activities associated with the con-
13 struction; and

14 (5) other relevant costs, as determined by the
15 Secretary.

16 (g) AUTHORIZATION OF APPROPRIATIONS.—There
17 are authorized to be appropriated to carry out the Pro-
18 gram \$100,000,000 for each of fiscal years 2023 through
19 2033.

20 **SEC. 403. TREE PLANTING GRANT PROGRAM.**

21 (a) ESTABLISHMENT.—The Secretary of Housing
22 and Urban Development (in this section referred to as the
23 “Secretary”), in coordination with the Secretary of Agri-
24 culture, acting through the Chief of the Forest Service,
25 shall establish a grant program under which the Secretary

1 shall award grants to eligible entities to plant qualifying
2 trees in overburdened communities for the purpose of miti-
3 gating and reducing high surface temperatures and cool-
4 ing the surrounding area.”.

5 (b) APPLICATIONS.—

6 (1) IN GENERAL.—An eligible entity that seeks
7 to receive a grant under subsection (a) shall submit
8 an application to the Secretary at such time, in such
9 form, and containing such information as the Sec-
10 retary may require.

11 (2) CONTENTS.—An application submitted
12 under paragraph (1) shall include a 5-year timeline
13 and budget for the planting and maintenance associ-
14 ated with any qualifying trees awarded.

15 (3) COMMUNITY INVOLVEMENT.—The Secretary
16 shall require eligible entities to develop a public par-
17 ticipation plan to ensure that residents of the area
18 in which a project is to be implemented are involved
19 in decision-making about the project and such public
20 participation plan may include—

21 (A) opportunities for local non-profits to be
22 involved;

23 (B) opportunities for public input; and

24 (C) demonstrated support from the com-
25 munity.

1 (c) SELECTION.—

2 (1) IN GENERAL.—The Secretary shall deter-
3 mine which eligible entities shall receive a grant
4 under this section.

5 (2) PRIORITY.—When awarding grants under
6 subsection (a), the Secretary shall give priority—

7 (A) to eligible entities that, as determined
8 by the Secretary, have or are likely to develop
9 a housing policy plan designed to avoid the dis-
10 placement of current residents, including a plan
11 for new housing development or a plan for in-
12 creasing property value in the overburdened
13 community; and

14 (B) applications that utilize tree species
15 that are proven to be more resilient to climate
16 change and extreme weather events common in
17 the area in which a project is to be imple-
18 mented.

19 (d) USE OF AMOUNTS.—An eligible entity that re-
20 ceives a grant under subsection (a) shall use amounts pro-
21 vided to cover costs associated with—

22 (1) implementing the tree planting project in an
23 overburdened community, including—

24 (A) planning and designing the planting
25 activity;

1 (B) purchasing qualifying trees; and

2 (C) preparing the site and conducting
3 planting, including the labor and cost associated
4 with the use of machinery;

5 (2) maintaining and monitoring planted trees
6 for a period of up to 5 years to ensure successful es-
7 tablishment of the qualifying trees;

8 (3) training activities associated with the
9 project; and

10 (4) other relevant costs, as determined by the
11 Secretary.

12 (e) AUTHORIZATION OF APPROPRIATIONS.—There
13 are authorized to be appropriated to carry out the Pro-
14 gram \$50,000,000 for each of fiscal years 2022 through
15 2032.

16 (f) DEFINITIONS.—In this section:

17 (1) ELIGIBLE ENTITY.—The term “eligible enti-
18 ty” means—

19 (A) a State, Territory, or Tribal agency;

20 (B) a local government entity;

21 (C) an Indian Tribe; and

22 (D) a nonprofit organization.

23 (2) LIMITED ENGLISH PROFICIENCY HOUSE-
24 HOLD.—The term “limited English proficiency
25 household” means that a household does not have an

1 adult that speaks English “very well” as determined
2 by the United States Census Bureau.

3 (3) LOCAL GOVERNMENTAL ENTITY.—The term
4 “local governmental entity” means any municipal
5 government or county government with jurisdiction
6 over local land use decisions.

7 (4) QUALIFYING TREE.—The term “qualifying
8 tree” means a tree that—

9 (A) is a species that is not an invasive spe-
10 cies in the eligible area in which such tree is to
11 be planted; and

12 (B) is not a species that is, in the eligible
13 area at the time of planting, being attacked by
14 an invasive species, unless the eligible entity has
15 a plan to limit the risk of death of the tree to
16 be planted.

17 **TITLE V—DEFINITIONS**

18 **SEC. 501. DEFINITIONS.**

19 Except as specifically defined otherwise in this Act,
20 for purposes of this Act the following definitions shall
21 apply:

22 (1) COMMUNITY RESILIENCE CENTER.—The
23 term “community resilience center” means a facility
24 that—

1 (A) is operated by a State, Indian tribe,
2 unit of general local government, or nonprofit
3 organization;

4 (B) provides a safe, air-conditioned envi-
5 ronment meeting such standards as the Sec-
6 retary shall establish for residents of the com-
7 munity in which it is located to take refuge dur-
8 ing extreme heat events;

9 (C) provides a safe, heated environment
10 meeting such standards as the Secretary shall
11 establish for residents of the community in
12 which it is located to take refuge during ex-
13 treme cold events;

14 (D) is available for such use by anyone
15 without charge; and

16 (E) conducts outreach activities to
17 strengthen the relationship with the community
18 in which it is located.

19 (2) INDIAN TRIBE.—The term “Indian tribe”
20 has the meaning given such term in section 4 of the
21 Indian Self-Determination and Education Assistance
22 Act (25 U.S.C. 5304)

23 (3) NONPROFIT ORGANIZATION.—The term
24 “nonprofit organization” means an organization
25 that—

1 (A) is described in section 170(h)(3) of the
2 Internal Revenue Code of 1986; and

3 (B) operates in accordance with one or
4 more of the purposes described in section
5 170(h)(4)(A) of that Code.

6 (4) **OVERBURDENED COMMUNITY.**—The term
7 “overburdened community” means, as determined by
8 the Secretary, an area where—

9 (A) 35 percent or more of households qual-
10 ify as low-income households;

11 (B) 40 percent or more of residents iden-
12 tify as a minority or as members of a State-rec-
13 ognized tribal community; or

14 (C) 40 percent or more of households are
15 limited English proficiency households.

16 (5) **PUBLIC HOUSING AGENCY.**—The term
17 “public housing agency” has the meaning given such
18 term in section 3(b) of the United States Housing
19 Act of 1937 (42 U.S.C. 1437a(b)).

20 (6) **STATE.**—The term “State” has the mean-
21 ing given such term in section 102(a) of the Hous-
22 ing and Community Development Act of 1974 (42
23 U.S.C. 5302(a)).

24 (7) **UNIT OF GENERAL LOCAL GOVERNMENT.**—
25 The term “unit of general local government” has the

1 meaning given such term in section 102(a) of the
2 Housing and Community Development Act of 1974
3 (42 U.S.C. 5302(a)).