

112TH CONGRESS  
1ST SESSION

# H. R. 3424

To establish a program under which the Administrator of the Environmental Protection Agency shall provide grants to eligible State consortia to establish and carry out municipal sustainability certification programs, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 15, 2011

Mr. HOLT (for himself, Mr. ANDREWS, and Mr. SIRES) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To establish a program under which the Administrator of the Environmental Protection Agency shall provide grants to eligible State consortia to establish and carry out municipal sustainability certification programs, 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 “Sustainable States Act  
5        of 2011”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) local government leadership is critical in  
4 crafting and implementing effective, long-term solu-  
5 tions to regionally distinct challenges, such as—

6 (A) energy demand and supply;

7 (B) water resource management;

8 (C) waste production and management;

9 (D) pollution;

10 (E) environmental stewardship and con-  
11 servation; and

12 (F) economic competitiveness, growth, and  
13 development;

14 (2) State-specific municipal sustainability cer-  
15 tification programs provide a framework for con-  
16 structive competition among the municipalities of a  
17 State that accelerates the development and dem-  
18 onstration of effective local solutions to those chal-  
19 lenges; and

20 (3) public-private partnerships are successful  
21 means of sustaining the operation of municipal sus-  
22 tainability certification programs which, as evidenced  
23 by the successful program in the State of New Jer-  
24 sey—

25 (A) reduce municipal costs;

26 (B) create jobs;

1 (C) drive local economic growth; and

2 (D) yield environmental benefits.

3 **SEC. 3. DEFINITIONS.**

4 In this Act:

5 (1) ADMINISTRATOR.—The term “Adminis-  
6 trator” means the Administrator of the Environ-  
7 mental Protection Agency.

8 (2) MUNICIPAL SUSTAINABILITY CERTIFI-  
9 CATION PROGRAM.—The term “municipal sustain-  
10 ability certification program” means a program es-  
11 tablished and carried out by a sustainable State con-  
12 sortium that—

13 (A) determines a set of State-specific  
14 benchmarks for use in evaluating sustainability;  
15 and

16 (B) certifies a municipality as sustainable  
17 based on documented achievement of those  
18 benchmarks.

19 (3) SUSTAINABLE STATE CONSORTIUM.—The  
20 term “sustainable State consortium” means a part-  
21 nership consisting of local governments, a State, 1  
22 or more public universities, and any other municipal  
23 organizations, businesses, or nonprofit organizations  
24 selected by the consortium that is formed to estab-  
25 lish a municipal sustainability certification program.

1 (4) TOP PERFORMER.—The term “top per-  
2 former” means a municipality that—

3 (A) has successfully completed a municipal  
4 sustainability certification program; and

5 (B) is recognized by the Administrator for  
6 outstanding leadership in municipal sustain-  
7 ability.

8 **SEC. 4. GRANTS FOR MUNICIPAL SUSTAINABILITY CERTIFI-**  
9 **CATION PROGRAMS.**

10 (a) ESTABLISHMENT.—

11 (1) IN GENERAL.—There is established a pro-  
12 gram under which the Administrator shall provide  
13 grants to sustainable State consortia for use in es-  
14 tablishing and carrying out municipal sustainability  
15 certification programs.

16 (2) FLEXIBLE GUIDELINES FOR AWARD SELEC-  
17 TION.—The Administrator shall establish flexible  
18 guidelines that reflect regional differences for use by  
19 sustainable State consortia in establishing State-spe-  
20 cific municipal sustainability certification programs.

21 (3) GRANTS.—

22 (A) IN GENERAL.—The Administrator  
23 shall provide grants under this paragraph to  
24 sustainable State consortia for use in estab-

1           lishing and carrying out municipal sustain-  
2           ability certification programs.

3           (B) ELIGIBILITY.—Not more than 1 sus-  
4           tainable State consortium per State may apply  
5           for and receive a grant under this section.

6           (C) NUMBER AND TERM OF GRANTS.—The  
7           Administrator shall provide not more than 20  
8           grants under this section, each of which shall  
9           have a term of 3 years.

10          (D) LIMITATION ON AMOUNTS.—A grant  
11          provided under this section shall not exceed  
12          \$600,000 during the term of the grant.

13          (E) GEOGRAPHICAL DISTRIBUTION OF  
14          GRANT FUNDS.—The Administrator shall pro-  
15          vide grants under this section in a manner that  
16          results in, to the maximum extent practicable,  
17          a geographical balance of funds provided, as de-  
18          termined by the Administrator.

19          (4) DATA AND REPORTS.—The Administrator  
20          shall annually—

21                (A) collect and compile data from sustain-  
22                able State consortia with respect to municipal  
23                actions undertaken to obtain municipal sustain-  
24                ability certification; and

1 (B) submit to Congress a concise report  
2 that describes, for the year covered by the re-  
3 port, municipal actions undertaken to obtain  
4 municipal sustainability certification.

5 (5) STATE AND LOCAL NEEDS.—The Adminis-  
6 trator shall encourage sustainable State consortia—

7 (A) to establish certification standards be-  
8 yond the guidelines established by the Adminis-  
9 trator;

10 (B) to otherwise adapt the administration  
11 of the program established under this section to  
12 meet regional or local needs; and

13 (C) to plan for public-private partnership  
14 agreements that will sustain the operation of  
15 the certification program of a State beyond the  
16 term of the grant.

17 (b) ADMINISTRATION.—

18 (1) FEES.—The Administrator shall not charge  
19 fees for certification, training, use of program tools,  
20 or any other participation in the program estab-  
21 lished under this section.

22 (2) WEB SITE.—The Administrator shall estab-  
23 lish a Web site that allows for interactive dialogue  
24 and collaboration among community leaders and citi-

1 zens engaged in municipal sustainability certifi-  
2 cation.

3 (c) FUNDING.—

4 (1) AUTHORIZATION OF APPROPRIATIONS.—

5 There is authorized to be appropriated to carry out  
6 this section \$4,000,000 for each of fiscal years 2012  
7 through 2014.

8 (2) OTHER FUNDING.—A sustainable State

9 consortium or other entity that receives a grant  
10 under this section may seek additional foundation,  
11 nonprofit, private-sector, and other sources of fund-  
12 ing to support additional program elements and mu-  
13 nicipal incentives that are in addition to the min-  
14 imum requirements for a grant under this section.

15 **SEC. 5. PROJECT GRANTS FOR TOP PERFORMERS.**

16 (a) ESTABLISHMENT.—

17 (1) IN GENERAL.—There is established a pro-  
18 gram under which the Administrator shall award  
19 project grants to municipalities certified by sustain-  
20 able State consortia to extend the leadership of the  
21 municipalities in meeting sustainability challenges.

22 (2) ACCOUNTING FOR REGIONAL DIF-  
23 FERENCES.—To the maximum extent practicable,  
24 the Administrator shall take regional differences into

1 account when selecting top performers under this  
2 section.

3 (3) GRANTS.—

4 (A) IN GENERAL.—The Administrator  
5 shall select top performers from among the mu-  
6 nicipalities that have achieved certification by  
7 sustainable State consortia to compete for indi-  
8 vidual project grants.

9 (B) ELIGIBILITY.—Not more than 2 top  
10 performers from any State may receive a grant  
11 under this section per fiscal year.

12 (C) NUMBER OF GRANTS.—The Adminis-  
13 trator shall provide not more than 20 grants  
14 under this section.

15 (D) LIMITATION ON AMOUNTS.—A grant  
16 provided under this section shall not exceed  
17 \$100,000 in the aggregate.

18 (b) FUNDING.—

19 (1) AUTHORIZATION OF APPROPRIATIONS.—  
20 There is authorized to be appropriated to carry out  
21 this section \$1,000,000 for each of fiscal years 2012  
22 through 2014.

23 (2) OTHER FUNDING.—A top performer mu-  
24 nicipality that receives a grant under this section  
25 may seek additional foundation, nonprofit, private-



- 1 sector, and other sources of funding to support a
- 2 project under this section.

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