

96TH CONGRESS
1ST SESSION

S. 1829

To establish a community energy efficiency program.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 27 (legislative day, JUNE 21), 1979

Mr. TSONGAS introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To establish a community energy efficiency program.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Community Energy Effi-
4 ciency Act of 1979".

FINDINGS AND PURPOSE

5
6 SEC. 2. (a) The Congress finds that—

7 (1) policy and program coordination between the
8 Federal, State, and local levels is essential to an effi-
9 cient energy program;

1 (2) resources are not effectively directed to re-
2 solve important national energy problems at the appro-
3 priate level of government;

4 (3) recognizing that energy conservation and re-
5 newable resource development require a reliance on
6 decentralized action;

7 (4) programs are needed to strengthen citizens
8 awareness of, and involvement in, energy conservation
9 and renewable resource use; in concert with their re-
10 spective local governments; and

11 (5) development of conservation and renewable re-
12 source strategies at the local government level and at
13 the neighborhood level are needed.

14 (b) It is the purpose of this Act to—

15 (1) promote the conservation of nonrenewable re-
16 sources through local government action;

17 (2) hasten the transition to renewable energy-
18 based community activity;

19 (3) promote the development of local energy plans
20 which draw upon local authorities and decisionmaking
21 and complement national energy objectives;

22 (4) insure that local laws, policies, and decisions
23 recognize the particular needs of decentralized, renew-
24 able resource technologies;

1 (5) promote the development of local energy pro-
2 grams that specifically address the needs of low- and
3 middle-income residents;

4 (6) encourage the participation of neighborhood
5 and community-based organizations in the national
6 energy effort; and

7 (7) promote local energy programs that are cogni-
8 zant of the needs of the local economy, particularly for
9 employment, industry, and personal mobility.

10 ELIGIBILITY

11 SEC. 3. Any general purpose local government except a
12 county with a population over 50,000 and a county with a
13 population over 100,000 excluding other eligible general pur-
14 pose local governments with a population over 50,000, which
15 meet the application requirements shall be eligible to receive
16 community energy action grants and community energy effi-
17 ciency investment grants established under this Act. Any
18 general purpose local government with a population below
19 50,000, a county with a population below 100,000 excluding
20 eligible cities, and metropolitan or areawide planning agen-
21 cies representing a population over 100,000 shall be eligible
22 for discretionary grants to implement all or part of the re-
23 quirements of sections 6 and 7.

1 PREAPPLICATION REQUIREMENTS

2 SEC. 4. To be eligible for a grant under section 5 the
3 applicant shall have implemented the following measures
4 before an application can be approved:

5 (1) demonstrate commitment to national and local
6 energy targets including a commitment to maintain
7 local energy expenditures;

8 (2) certify that the requirements of sections 6 and
9 7 can be achieved by the applicant;

10 (3) assess the energy savings resulting from exist-
11 ing local energy conservation, renewable resource, and
12 other production programs;

13 (4) create a citizen's energy advisory committee,
14 which draws upon community-based and neighborhood
15 organizations, to assist in the development of local
16 energy programs especially in poverty areas; and

17 (5) designate a lead agency or establish a local
18 energy office to coordinate and implement local energy
19 programs.

20 COMMUNITY ENERGY ACTION GRANTS

21 SEC. 5. (a) The Secretary of Housing and Urban Devel-
22 opment in consultation with the Secretary of Energy shall
23 make community energy action grants under sections 6 and 7
24 for—

1 (1) the basic community energy action program;

2 and

3 (2) community energy action program.

4 (b) The amount of each grant shall be based on popula-
5 tion, heating, and cooling needs.

6 (c) The Secretary of Housing and Urban Development is
7 authorized to set aside funds for grants to applicants on a
8 discretionary basis who can comply with all or part of the
9 requirements of sections 6 and 7.

10 (d) There are authorized to be appropriated to carry out
11 the provisions of sections 6 and 7, \$300,000,000 for the
12 fiscal year ending September 30, 1980, \$350,000,000 for the
13 fiscal year ending September 30, 1981, \$400,000,000 for the
14 fiscal year ending September 30, 1982, \$450,000,000 for the
15 fiscal year ending September 30, 1983, and \$500,000,000
16 for the fiscal year ending September 30, 1984.

17 BASIC COMMUNITY ENERGY ACTION PROGRAM

18 SEC. 6. An application for a basic community energy
19 action program grant shall include a work plan leading to full
20 implementation of the following programs within two years:

21 (a) a program to disseminate the information to
22 the general public and private industries on the poten-
23 tial savings from community conservation, the avail-
24 ability of alternatives, the savings realized by utilizing
25 such alternatives, and the availability of assistance

1 from various Federal, State, and local energy pro-
2 grams;

3 (b) adoption of local targets for energy conserva-
4 tion and renewable resource development and plans for
5 aggressive implementation of programs to reach these
6 targets;

7 (c) a program to incorporate, coordinate, and pro-
8 mote energy conservation and production activities at
9 the neighborhood level;

10 (d) a program to assist low-income residents in
11 implementing energy conservation and renewable re-
12 source measures;

13 (e) a program to integrate energy conservation
14 and renewable resource measures with those at the
15 metropolitan or areawide level;

16 (f) a program to amend local land use controls
17 such as building codes and permits, transportation con-
18 trols and policies and ordinances in order to facilitate
19 conservation and renewable resource development; and

20 (g) a program to coordinate local energy activities
21 with the State energy plan and other Federal energy
22 programs and policies.

23 COMMUNITY ENERGY ACTION PROGRAM

24 SEC. 7. (a) A recipient of a grant under section 6 who
25 has made significant progress in implementing the require-

1 ments of the basic community energy action program, may
2 apply for grants for the development of a community energy
3 action program.

4 (b) All recipients of grants under section 6 shall apply
5 for a grant under this section not later than the end of the
6 third year of the program established under section 6.

7 (c) An application for a community energy action pro-
8 gram grant shall include evidence that all requirements of
9 section 6 have been met, and shall include a work plan lead-
10 ing to full implementation of the following programs within
11 three years:

12 (1) plans for adoption of a renewable resource or-
13 dinance which provides access and facilitates the use of
14 renewable energy systems in the community;

15 (2) adoption of conservation standards for new
16 and existing residential and commercial properties;

17 (3) development of an emergency energy contin-
18 gency plan;

19 (4) a program to displace existing nonrenewable
20 resource consumption; and

21 (5) development of a capital energy plan which
22 utilizes existing Federal and State programs to imple-
23 ment energy-efficiency projects.

24 (d) Each grantee under this section and section 6 shall
25 make available at least ten per centum of each year's grant

1 to neighborhood organizations for special energy projects
2 under coordination of the grantee. Such projects shall pro-
3 mote community outreach programs or provide grants for
4 energy conservation and renewable resource projects.

5 COMMUNITY ENERGY EFFICIENCY INVESTMENT GRANTS

6 SEC. 8. (a) The Secretary of Energy after consultation
7 with the Secretary of Housing and Urban Development shall
8 make grants to any local government to undertake energy
9 efficiency capital programs appropriate to the community
10 level. Recipients of grants under sections 6 and 7 shall be
11 allowed to apply for community energy efficiency investment
12 grants only if the projects are consistent with the programs
13 developed under the community energy action program. Pri-
14 ority shall be given to projects which leverage local public
15 and private funds.

16 (b) Community energy efficiency grants shall be availa-
17 ble for, but not limited to—

- 18 (1) energy-efficient city block demonstration
19 projects;
- 20 (2) low-head hydro development;
- 21 (3) district heating development;
- 22 (4) urban waste-based energy production facilities;
- 23 (5) industrial-residential cogeneration;
- 24 (6) solar energy systems development;
- 25 (7) weatherization of low-income housing;

1 (8) building conservation and renewable resource
2 retrofit; and

3 (9) neighborhood energy projects.

4 (c) There are authorized to be appropriated to carry out
5 the provisions of this section \$200,000,000 for the fiscal year
6 ending September 30, 1980, \$300,000,000 for the fiscal year
7 ending September 30, 1981, \$500,000,000 for the fiscal year
8 ending September 30, 1982, \$800,000,000 for the fiscal year
9 ending September 30, 1983, and \$1,200,000,000 for the
10 fiscal year ending September 30, 1984.

11 LOCAL ENERGY REFERENCE CENTER AND REGIONAL

12 PANELS

13 SEC. 9. (a) A Local Energy Reference Center shall be
14 established by the Secretary of Energy to serve as a data
15 bank and clearinghouse for information on locally based
16 energy conservation and renewable energy resource develop-
17 ment efforts. The Local Energy Reference Center shall be
18 established outside of the Department, through a contractual
19 arrangement with an organization or consortium of organiza-
20 tions with expertise in disseminating information to local gov-
21 ernment officials.

22 (b) The Center shall—

23 (1) keep on file and compile a periodically updated
24 list of all materials published through the documenta-
25 tion and distribution grants program;

1 (2) collect information on other locally based
2 initiatives;

3 (3) utilize a computer data base to maximize the
4 flexibility and usefulness of the available information;

5 (4) assemble the technical assistance panels in ac-
6 cordance with subsection (c);

7 (5) respond to information requests from local offi-
8 cials, by drawing upon its own information resources
9 or by referring such requests to a member of a Techni-
10 cal Assistance Panel or an appropriate public or pri-
11 vate agency;

12 (6) organize conferences and seminars for local of-
13 ficials on issues pertaining to energy conservation and
14 renewable energy resources development; and

15 (7) publicize the services offered by the Center.

16 (c) The Center shall establish and maintain regional
17 Technical Assistance Panels, to provide a vehicle for direct
18 communication between localities which are working to con-
19 serve energy or develop renewable energy resources, as to
20 provide a source of assistance for local energy program de-
21 velopment efforts. All localities receiving documentation and
22 distribution grants under section 10 shall be represented on
23 such panels. The Secretary of the Department of Energy
24 shall appoint not more than ten additional qualified individ-
25 uals to serve on each panel. Panel members shall respond to

1 information requests from localities and the Local Energy
2 Reference Center by—

3 (1) sending documents describing efforts with
4 which they have been affiliated,

5 (2) engaging in direct consultation via telephone
6 or written correspondence, or

7 (3) undertaking site visits.

8 DOCUMENTATION AND DISTRIBUTION GRANTS

9 SEC. 10. (a) In order to encourage the dissemination of
10 information on innovative programs undertaken by local
11 energy offices the Secretary of Energy shall make grants to
12 local governments for the purpose of preparing and distribut-
13 ing practical information on measures which they have un-
14 dertaken, or propose to undertake, to conserve energy or de-
15 velop renewable energy resources. The grant shall be award-
16 ed to localities whose proposed publications would offer a
17 unique contribution to the body of knowledge in these areas.

18 (b) Each grantee shall be required to—

19 (1) publish (within sixty days after receipt of such
20 grant) a document or series of documents describing in
21 detail its current and proposed energy conservation and
22 renewable resources development measures,

23 (2) make these published materials available to
24 other localities free of charge, either in response to

1 direct requests from localities or in response to re-
2 quests from the Local Energy Reference Center, and
3 (3) appoint one person to serve on a Technical
4 Assistance Panel, which would be coordinated by the
5 local Energy Reference Center.

6 (c) There are authorized to be appropriated to carry out
7 the purposes of this section \$4,000,000 for the fiscal year
8 ending September 30, 1980 and for each of the next four
9 succeeding fiscal years.

10 COORDINATION WITH STATE PLANS

11 SEC. 11. (a) In order to insure compatibility and full
12 coordination of local plans developed under this Act with
13 State plans and programs, each State within sixty days of
14 enactment of this Act must provide eligible recipients of
15 grants under sections 6 and 7 a description of applicable
16 State energy programs and policies which shall identify areas
17 of local responsibility.

18 (b) Each eligible recipient of grants under this Act
19 must—

20 (1) evidence consideration and coordination as re-
21 quired for grant applications under section 6 with the
22 State information provided pursuant to subsection (a) of
23 this section; and

1 (2) file a copy of any application for a grant under
2 this Act with the State energy office or designated lead
3 energy office.

4 ADMINISTRATIVE PRACTICES AND PROCEDURES

5 SEC. 12. (a) The Secretary of Housing and Urban De-
6 velopment shall—

7 (1) issue regulations, after consultation with the
8 Secretary of Energy and within one hundred and
9 twenty days after the date of enactment of this Act, for
10 grants to be made under section 5; and

11 (2) monitor the progress of the recipients of the
12 community energy action grants through the regional
13 offices to insure that the requirements of this Act are
14 being fulfilled.

15 (b) The Secretary of Energy shall—

16 (1) issue regulations, after consultation with the
17 Secretary of Housing and Urban Development and
18 within two hundred and forty days after the date of en-
19 actment of this Act, for grants made under sections 8,
20 9, and 10; and

21 (2) monitor the progress of the recipients of
22 energy efficiency grants through the regional offices to
23 insure that the requirements of this Act are being ful-
24 filled.

1 (c) The Secretaries of the Department of Housing and
2 Urban Development and Energy shall—

3 (1) convene an interagency task force including
4 representatives from the Department of Transportation,
5 Department of Energy, ACTION, Community Services
6 Administration, and the Department of Health, Educa-
7 tion, and Welfare to improve existing Federal policies
8 and programs in order to promote and facilitate the
9 purposes of this Act; and

10 (2) make a report to Congress, two years from
11 the date of enactment, on the operation and the actual
12 and potential energy impact of the programs estab-
13 lished under this Act.



14
15 (b) The Secretary of Energy shall—
16 (1) issue regulations after consultation with the
17 Secretary of Housing and Urban Development and
18 within two hundred and forty days after the date of en-
19 actment of this Act for grants made under sections 8
20 and 10; and
21 (2) monitor the progress of the recipients of
22 energy efficiency grants through the regional offices to
23 insure that the requirements of this Act are being ful-
24 filled.