

AMENDMENT TO COMMITTEE PRINT #1**OFFERED BY MR. WYNN**

At the end of the bill, insert the following new subtitle (and conform the table of contents accordingly):

1 **Subtitle H—Energy Efficiency**
2 **Block Grant Program**

3 **SEC. 191. DEFINITIONS.**

4 For purposes of this subtitle—

5 (1) the term “eligible entity” means a State or
6 an eligible unit of local government within a State;

7 (2) the term “eligible unit of local government”
8 means—

9 (A) a city with a population of at least
10 50,000; and

11 (B) a county with a population of at least
12 200,000;

13 (3) the term “Secretary” means the Secretary
14 of Energy; and

15 (4) the term “State” means one of the 50
16 States, the District of Columbia, the Commonwealth
17 of Puerto Rico, Guam, American Samoa, the United
18 States Virgin Islands, the Commonwealth of the

1 Northern Mariana Islands, and any other common-
2 wealth, territory, or possession of the United States.

3 **SEC. 192. ESTABLISHMENT OF PROGRAM.**

4 The Secretary shall establish an Energy Efficiency
5 Block Grant Program to make block grants to eligible en-
6 tities as provided in this subtitle.

7 **SEC. 193. ALLOCATIONS.**

8 (a) **IN GENERAL.**—Of the funds appropriated for
9 making grants under this subtitle for each fiscal year, the
10 Secretary shall allocate 70 percent to be provided to eligi-
11 ble units of local government as provided in subsection (b)
12 and 30 percent to be provided to States as provided in
13 subsection (c).

14 (b) **ELIGIBLE UNITS OF LOCAL GOVERNMENT.**—The
15 Secretary shall provide grants to eligible units of local gov-
16 ernment according to a formula giving equal weight to—

17 (1) population, according to the most recent
18 available Census data; and

19 (2) daytime population, or another similar fac-
20 tor such as square footage of commercial, office, and
21 industrial space, as determined by the Secretary.

22 (c) **STATES.**—The Secretary shall provide grants to
23 States according to a formula based on population, accord-
24 ing to the most recent available Census data.

1 (d) PUBLICATION OF ALLOCATION FORMULAS.—Not
2 later than 90 days before the beginning of any fiscal year
3 in which grants are to be made under this subtitle, the Sec-
4 retary shall publish in the Federal Register the formulas
5 for allocation described in subsection (b)(1) and (b)(2).

6 **SEC. 194. ELIGIBLE ACTIVITIES.**

7 Funds provided through a grant under this subtitle
8 may be used for the following activities:

9 (1) Development and implementation of an En-
10 ergy Efficiency Strategy under section 195.

11 (2) Retaining technical consultant services to
12 assist an eligible entity in the development of such
13 Strategy, including—

14 (A) formulation of energy efficiency, en-
15 ergy conservation, and energy usage goals;

16 (B) identification of strategies to meet
17 such goals through efforts to increase energy ef-
18 ficiency and reduce energy consumption;

19 (C) identification of strategies to encour-
20 age behavioral changes among the populace
21 that will help achieve such goals;

22 (D) development of methods to measure
23 progress in achieving such goals;

24 (E) development and preparation of annual
25 reports to the citizenry of the eligible entity's

1 energy efficiency strategies and goals, and
2 progress in achieving them; and

3 (F) other services to assist in the imple-
4 mentation of the Energy Efficiency Strategy.

5 (3) Conducting energy audits.

6 (4) Development and implementation of weath-
7 erization programs.

8 (5) Creation of financial incentive programs for
9 energy efficiency retrofits, including zero-interest or
10 low-interest revolving loan funds.

11 (6) Grants to nonprofit organizations and gov-
12 ernmental agencies for energy retrofits.

13 (7) Development and implementation of energy
14 efficiency programs and technologies for buildings
15 and facilities of nonprofit organizations and govern-
16 mental agencies.

17 (8) Development and implementation of build-
18 ing and home energy conservation programs, includ-
19 ing—

20 (A) design and operation of the programs;

21 (B) identifying the most effective methods
22 for achieving maximum participation and effi-
23 ciency rates;

24 (C) public education;

25 (D) measurement protocols; and

1 (E) identification of energy efficient tech-
2 nologies.

3 (9) Development and implementation of energy
4 conservation programs, including—

5 (A) use of flex time by employers;

6 (B) satellite work centers; and

7 (C) other measures that have the effect of
8 increasing energy efficiency and decreasing en-
9 ergy consumption.

10 (10) Development and implementation of build-
11 ing codes and inspection services for public, commer-
12 cial, industrial, and single and multifamily residen-
13 tial buildings to promote energy efficiency.

14 (11) Application and implementation of alter-
15 native energy and energy distribution technologies
16 that significantly increase energy efficiency and pro-
17 mote distributed resources and district
18 heating and cooling systems.

19 (12) Development and promotion of zoning
20 guidelines or requirements that result in increased
21 energy efficiency, efficient development, active living
22 land use planning, and infrastructure such as bike
23 lanes and pathways, and pedestrian walkways.

24 (13) Promotion of greater participation and ef-
25 ficiency rates for material conservation programs, in-

1 cluding source reduction, recycling, and recycled
2 content procurement programs that lead to increases
3 in energy efficiency.

4 (14) Establishment of a State, county, or city
5 office to assist in the development and implementa-
6 tion of the Energy Efficiency Strategy.

7 **SEC. 195. REQUIREMENTS.**

8 (a) REQUIREMENTS FOR ELIGIBLE UNITS OF LOCAL
9 GOVERNMENT.—

10 (1) PROPOSED STRATEGY.—Not later than 1
11 year after being awarded a grant under this subtitle,
12 an eligible unit of local government shall submit to
13 the Secretary a proposed Energy Efficiency Strategy
14 which establishes goals for increased energy effi-
15 ciency in the jurisdiction of the eligible units of local
16 government. The Strategy shall include plans for the
17 use of funds received under the grant to assist the
18 eligible unit of local government in the achievement
19 of such goals, consistent with section 194. In devel-
20 oping such a Strategy, an eligible unit of local gov-
21 ernment shall take into account any plans for the
22 use of funds by adjoining eligible units of local gov-
23 ernments funded under this subtitle.

24 (2) APPROVAL.—The Secretary shall approve or
25 disapprove a proposed Strategy submitted under

1 paragraph (1) not later than 90 days after receiving
2 it. If the Secretary disapproves a proposed Strategy,
3 the Secretary shall provide to the eligible unit of
4 local government the reasons for such disapproval.
5 The eligible unit of local government may revise and
6 resubmit the Strategy, as many times as required,
7 until approval is granted.

8 (3) FUNDING FOR PREPARATION OF STRAT-
9 EGY.—

10 (A) IN GENERAL.—Until the Secretary has
11 approved a proposed Energy Efficiency Strat-
12 egy under paragraph (2), the Secretary shall
13 only disburse to an eligible unit of local govern-
14 ment \$200,000 or 20 percent of the grant,
15 whichever is greater, which may be used only
16 for preparation of the Strategy.

17 (B) REMAINDER OF FUNDS.—The remain-
18 der of an eligible unit of local government's
19 grant funds awarded but not disbursed under
20 subparagraph (A) shall remain available and
21 shall be disbursed by the Secretary upon ap-
22 proval of the Strategy.

23 (4) LIMITATIONS ON USE OF FUNDS.—Of the
24 amounts provided through a grant under this sub-
25 title, an eligible unit of local government may use—

1 (A) not more than 10 percent, or \$75,000,
2 whichever is greater, for administrative ex-
3 penses, not including expenses needed to meet
4 reporting requirements under this subtitle;

5 (B) not more than 20 percent, or
6 \$250,000, whichever is greater, for the estab-
7 lishment of revolving loan funds; and

8 (C) not more than 20 percent, or
9 \$250,000, whichever is greater, for subgranting
10 to nongovernmental organizations for the pur-
11 pose of assisting in the implementation of the
12 Energy Efficiency Strategy.

13 (5) ANNUAL REPORT.—Not later than 2 years
14 after receipt of the first disbursement of funds from
15 a grant awarded under this subtitle, and annually
16 thereafter, an eligible unit of local government shall
17 submit a report to the Secretary on the status of the
18 Strategy's development and implementation, and,
19 where practicable, a best available assessment of en-
20 ergy efficiency gains within the jurisdiction of the el-
21 igible unit of local government.

22 (b) REQUIREMENTS FOR STATES.—

23 (1) ALLOCATION OF GRANT FUNDS.—A State
24 receiving a grant under this subtitle shall use at
25 least 70 percent of the funds received to provide

1 subgrants to units of local government in the State
2 that are not eligible units of local government. The
3 State shall make such subgrant awards not later
4 than 6 months after approval of the State's Strategy
5 under paragraph (3).

6 (2) PROPOSED STRATEGY.—Not later than 120
7 days the date of enactment of this subtitle, each
8 State shall submit to the Secretary a proposed En-
9 ergy Efficiency Strategy which establishes a process
10 for making subgrants described in paragraph (1),
11 and establishes goals for increased energy efficiency
12 in the jurisdiction of the State. The Strategy shall
13 include plans for the use of funds received under a
14 grant under this subtitle to assist the State in the
15 achievement of such goals, consistent with section
16 194.

17 (3) APPROVAL.—The Secretary shall approve or
18 disapprove a proposed Strategy submitted under
19 paragraph (2) not later than 90 days after receiving
20 it. If the Secretary disapproves a proposed Strategy,
21 the Secretary shall provide to the State the reasons
22 for such disapproval. The State may revise and re-
23 submit the Strategy, as many times as required,
24 until approval is granted.

1 (4) FUNDING FOR PREPARATION OF STRAT-
2 EGY.—

3 (A) IN GENERAL.—Until the Secretary has
4 approved a proposed Energy Efficiency Strat-
5 egy under paragraph (2), the Secretary shall
6 only disburse to a State \$200,000 or 20 percent
7 of the grant, whichever is greater, which may
8 be used only for preparation of the Strategy.

9 (B) REMAINDER OF FUNDS.—The remain-
10 der of a State's grant funds awarded but not
11 disbursed under subparagraph (A) shall remain
12 available and shall be disbursed by the Sec-
13 retary upon approval of the Strategy.

14 (5) LIMITATIONS ON USE OF FUNDS.—Of the
15 amounts provided through a grant under this sub-
16 title, a State may use not more than 10 percent for
17 administrative expenses.

18 (6) ANNUAL REPORTS.—A State shall annually
19 report to the Secretary on the development and im-
20 plementation of its Strategy. Each such report shall
21 include—

22 (A) a status report on the State's subgrant
23 program described in paragraph (1);

1 (B) a best available assessment of energy
2 efficiency gains achieved through the State's
3 Strategy; and

4 (C) specific energy efficiency and energy
5 conservation goals for future years.

6 (c) STATE AND LOCAL ADVISORY COMMITTEE.—

7 (1) STATE AND LOCAL ADVISORY COM-
8 MITTEE.—The Secretary shall establish a State and
9 Local Advisory Committee to provide advice regard-
10 ing the administration, direction, and evaluation of
11 the program under this subtitle.

12 **SEC. 196. REVIEW AND EVALUATION.**

13 The Secretary may review and evaluate the perform-
14 ance of grant recipients, including by performing audits,
15 and may deny funding to such grant recipients for failure
16 to properly adhere to—

17 (1) the Secretary's guidelines and regulations
18 relating to the program under this subtitle, including
19 the misuse or misappropriation of funds; or

20 (2) the grant recipient's Strategy.

21 **SEC. 197. TECHNICAL ASSISTANCE AND EDUCATION PRO-**
22 **GRAM.**

23 (a) ESTABLISHMENT.—The Secretary shall establish
24 and carry out a technical assistance and education pro-
25 gram to provide—

1 (1) technical assistance to State and local gov-
2 ernments;

3 (2) public education programs;

4 (3) demonstration of innovative energy effi-
5 ciency systems and practices; and

6 (4) identification of effective measurement
7 methodologies and methods for changing or influ-
8 encing public participation in, and awareness of, en-
9 ergy efficiency programs.

10 (b) **ELIGIBLE RECIPIENTS.**—Eligible recipients of as-
11 sistance under this section shall include State and local
12 governments, State and local government associations,
13 public and private nonprofit organizations, and colleges
14 and universities.

15 (c) **AUTHORIZATION OF APPROPRIATIONS.**—There
16 are authorized to be appropriated to the Secretary for car-
17 rying out this section \$150,000,000 for each of the fiscal
18 years 2008 through 2012.

19 **SEC. 198. AUTHORIZATION OF APPROPRIATIONS.**

20 (a) **GRANTS.**—There are authorized to be appro-
21 priated to the Secretary for grants under this subtitle,
22 \$2,000,000,000 for each of fiscal years 2008 through
23 2012.

1 (b) ADMINISTRATION.—There are authorized to be
2 appropriated to the Secretary for administrative expenses
3 of the program established under this subtitle—

4 (1) \$20,000,000 for fiscal year 2008;

5 (2) \$20,000,000 for fiscal year 2009;

6 (3) \$25,000,000 for fiscal year 2010;

7 (4) \$25,000,000 for fiscal year 2011; and

8 (5) \$30,000,000 for fiscal year 2012.

