FEDERAL POLICY WORKING GROUP MEETING
06/14/23

Agenda

1. Administration Activities
2. Legislative Landscape/Updates
3. REEO Group Updates

Notes

1. Administration Activities

On June 7, the U.S. Senate confirmed David Crane by a bipartisan vote of 56 to 43 to serve as Under Secretary for Infrastructure at the U.S. Department of Energy. Previously, Crane was CEO of NRG. During his 12-year tenure, he took NRG from Chapter 11 to a Fortune 200 company. Crane also led NRG to the forefront of next-generation clean energy development through large scale initiatives in utility scale renewables (now Clearway), residential solar, post combustion carbon capture (Petra Nova) and DC fast charging (EVGO). Prior to NRG, Crane was CEO of International Power Plc, a UK-domiciled FTSE-100 company. During Crane's tenure, NRG won numerous industry, community, and environmental awards, including multiple "transaction of the year" awards. Crane was named Energy Industry "CEO of the Year" by EnergyBiz in 2010, top CEO in the electric utility sector by Institutional Investor in 2011, and "Entrepreneur of the Year" by Ernst & Young in 2010. Crane was also awarded the Corporate Environmental Leadership award by GlobalGreen in 2014 and the Equinox Solar Champion Award and the C.K. Prahalad Award for Global Sustainability Business Leadership, both in 2015. NRG, under Crane's leadership, was a key member of the U.S. Climate Action Partnership from 2008 to 2011.

Crane is a graduate of Harvard Law School and Princeton University.

On June 5, From the EPA:
EPA is excited to announce the opportunity for potential applicants, coalition members, and partners of the Greenhouse Gas Reduction Fund (GGRF) grant competitions to identify each other in advance of applying to the $14B National Clean Investment Fund (NCIF), the $6B Clean Communities Investment Accelerator (CCIA), and/or the $7B Solar for All (SFA) competitions.

EPA plans to publish the Notice of Funding Opportunities for each GGRF grant competition and begin accepting applications this summer. For more details on the GGRF grant programs, visit https://www.epa.gov/greenhouse-gas-reduction-fund.

Interested parties should fill out the below form(s) corresponding to the various competitions by **June 19, 2023**. Shortly after this deadline, parties who provide their contact information will

receive a list of all parties who are interested in discussing partnerships. **EPA does not intend for consultants or other for-profit vendors to use the list to market their services to potential applicants as partners or otherwise.** We will not include the contact information for consultants or other for-profit vendors on our GGRF partner lists.

- NCIF Partner Connection Form: https://www.epa.gov/greenhouse-gas-reduction-fund/forms/national-clean-investment-fund-connection-form
- CCIA Partner Connection Form: https://www.epa.gov/greenhouse-gas-reduction-fund/forms/clean-communities-investment-accelerator-partner-connection
- SFA Partner Connection Form: https://www.epa.gov/greenhouse-gas-reduction-fund/forms/solar-all-partner-connection-form

On May 24, the DOE announced that applications are open for the Renew America's Nonprofits grant, under the Investing in America agenda. The grants are a funding opportunity that will support projects to reduce energy use in buildings owned and operated by 501(c)(3) nonprofits.

Prospective Prime recipients should be 501(c)(3) nonprofits able to provide technical assistance, maximize savings, ensure effective program implementation, and manage program activities for all projects across the portfolio. This "nonprofits-supporting-nonprofits" model is designed to lay the groundwork for a pipeline of energy and cost-saving projects that will continue beyond the life of the grant. Organizations that wish to collaborate with prospective Prime recipients – for example, 501(c)(3) nonprofits that own and operate buildings in need of retrofits, or entities with the capacity to enhance the services of prospective Prime recipients – are encouraged to engage directly with prospective Prime recipients.

All entities interested in participating in the Renew America's Nonprofits grant are encouraged to join the Teaming List, indicate one or more prospective roles, and begin connecting with other organizations. To view the current Teaming List and learn more about the three pathways for participating in the Renew America's Nonprofits grant, visit the Renew America's Nonprofits website.

Letter of Intent Deadline: 6/29/2023 5:00 PM ET
Full Application Submission Deadline: 8/3/2023 5:00 PM ET
View Full Application Reviewer Comments Period: 8/28/2023 5:00 PM ET – 8/31/2023 5:00 PM ET

DE-FOA-0003066: 2023 FUNDING OPPORTUNITY ANNOUNCEMENT FOR ENERGY IMPROVEMENTS AT NONPROFITS - BIPARTISAN INFRASTRUCTURE LAW (BIL) – RENEW AMERICA'S NONPROFITS

Apply

The Office of State and Community Energy Programs is issuing this Funding Opportunity Announcement (FOA), Renew America's Nonprofits. Awards made under this FOA will be funded, in whole or in part, with funds appropriated by the Infrastructure Investment and Jobs Act, more commonly known as the Bipartisan Infrastructure Law (BIL).

This FOA seeks applications that address energy efficiency upgrades, which enable scalable impacts, create innovative partnerships, and leverage funding and economies of scale.

As part of and in addition to upgrading and modernizing infrastructure, DOE's BIL investments will support efforts to build a clean and equitable energy economy that achieves a zero-carbon electricity system by 2035, and to put the United States on a path to achieve net-zero emissions economy-wide by no later than 2050 to benefit all Americans.

The activities to be funded under this FOA support BIL Section 40542 and the broader government-wide approach to invest in projects that enable innovative and sustaining partnership models, leverage funding and economies of scale, and focus on disadvantaged communities and energy communities.

DOE is using an aggregation model to enhance the technical and administrative capacity of nonprofits seeking access to this funding. Under this model, DOE will award 5-15 larger grants to nonprofits interested in serving as Prime recipients. These Prime recipients will assemble and support a group of energy efficiency projects in the facilities of other nonprofit organizations. Ultimately, hundreds of nonprofit facilities should be represented across these project bundles.

Teaming Partner List

DOE will continue to gather information for the "Teaming Partner List," first presented in the Notice of Intent (DE-FOA-0003065), to facilitate the formation of new project teams for this FOA. The Teaming Partner List allows organizations who may wish to participate on an application to express their interest to other applicants and to explore potential partnerships.

SUBMISSION INSTRUCTIONS: Any organization that would like to be included on the "Teaming Partner List" should fill out this Microsoft form (also located at: https://www.energy.gov/scep/renew-americas-nonprofits) or email the information to Nonprofits@doe.gov with the subject line "Teaming Partner Information."

LETTER OF INTENT

If your Letter of Intent exceeds the 4000 character limit available in the abstract you may e-mail the letter of intent to Nonprofits@doe.gov and include Renew America's Nonprofits LOI in the header. Please remember, your LOI may not exceed 2 pages.

In the subject line include Renew America's Nonprofits LOI & Control Number.

DOCUMENTS

- BIL_40542_SCEP_Renew_Americas_Nonprofits_DE_FOA_0003066_2023 (Last Updated: 5/24/2023 10:00 AM ET)
- Teaming_Partner_List_-_Updated_6 (Last Updated: 6/12/2023 12:36 PM ET)
- Q&A_Spreadsheet_-_Updated_6 (Last Updated: 6/7/2023 12:38 PM ET)
- Renew_America's_Nonprofits_FOA_-_At_a_Glance (Last Updated: 6/6/2023 12:10 PM ET)

APPLICATION FORMS AND TEMPLATES

The following forms and templates may be used as part of the application submission. Note that these forms and templates do not necessarily constitute all the documents required for a complete application. Please refer to the 'Application and Submission Information' of the published announcement to learn more about the required application content requirements.

View Application Forms and Templates

WEBINAR DETAILS

SCEP held informational webinars on 6/6/2023 and 6/8/2023. To access the webinar recording please follow the recording link and enter the password below:

Recording link: **https://doe.webex.com/doe/ldr.php?RCID=49bb3a2f7015d6b9d40636db5be9ca82**

Password: mTAr44BJ

DOE will host Virtual Office Hours to address commonly-asked questions about the Renew America's Nonprofits grant program.

Virtual Office Hours Session 1

6.22.2023 1:00pm ET https://doe.webex.com/weblink/register/r16da22b523eadc1ca5d39d48ce90de86

Virtual Office Hours Session 2

7.13.2023 1:00pm ET https://doe.webex.com/weblink/register/ra730ab82798f10d48724aeecf16bcb4e

CONTACT INFORMATION

- InfrastructureExchangeSupport@hq.doe.gov

  For problems with Infrastructure eXCHANGE.
- Nonprofits@doe.gov

  For questions about this FOA.

On May 19, the DOE announced $187 million to advance production of next-generation electric vehicle (EV) technologies, train the future electrified transportation workforce, and ensure the equitable deployment of clean mobility options in disadvantaged communities. The funding total of $187 million is a summation of two investments in EV investments, with the May 19 influx of an additional $99.5 M on top of a previous funding opportunity total of $87 M. Several of those projects are located in California.

Investments will span 18 states + Washington D.C. Funded through DOE's Vehicle Technologies Office (VTO), through the Office of Energy Efficiency and Renewable Energy (EERE), the selected projects are expected to:

- Create EV charging solutions for those without home charging.
- Develop clean energy plans for underserved communities.
- Provide transition training to build the clean energy workforce.
- Advance EV technologies and materials.
- Decarbonizing Off- and Non-Road Vehicles.
- Deploy targeted clean energy solutions.

Read the full VTO Fiscal Year 2023 program wide FOA here. Applicants must submit a concept paper by June 26, 2023, and full applications are due on August 11, 2023. Learn more about VTO and DOE's Office of Energy Efficiency and Renewable Energy.

for eight selected projects to demonstrate how solar, wind, storage, and other clean energy resources can support a reliable and efficient U.S. power grid - funded by the IIJA. There is one project located in CA:

- Pacific Gas and Electric Company (Oakland, CA): This project will develop an automated analysis tool for utility engineers to address rapid changes in the

electric grid, such as increased solar generation. If successful, the tool can be incorporated in commercial platforms used by transmission utilities and system operators nationwide. (Award Amount: $2.5 million)

On April 21st, President Biden issued the latest in his series of Executive Orders aimed at addressing environmental justice across federal agencies and actions. Executive Order 14096, Revitalizing Our Nation's Commitment to Environmental Justice for All (the "Executive Order" or "EO 14096") comes nearly three decades after President Clinton issued the bedrock environmental justice Executive Order 12898 and continues to build on the federal government's commitment to environmental justice for all. The Executive Order reflects the recommendations from the White House Environmental Justice Advisory Council as well as the White House Environmental Justice Interagency Council. Specifically, President Biden's latest environmental justice focused Executive Order establishes a new White House Office of Environmental Justice within the Council on Environmental Quality ("CEQ") to coordinate efforts across the government, requires federal agencies to notify communities if toxic substances are released from a federal facility, and directs executive branch agencies to use data and scientific research to understand how pollution hurts people's health.

Key Executive Order Provisions

The following outlines the key issues addressed in this latest environmental justice Executive Order.

- **Sections 1 and 2** outline the Executive Order policy and relevant definitions, including creating a uniform definition of "environmental justice" for federal agencies, and expanding the definition of "Federal activities" covered by the Executive Order.
- **Section 3** reaffirms the direction to each agency to make achieving environmental justice part of its mission.
- **Section 4** provides additional requirements associated with agency Environmental Justice Strategic Plans (see previous VNF alert for more information on these plans).
- **Section 5** directs the Director of the Office of Science and Technology Policy to establish an Environmental Justice Subcommittee of the National Science and Technology Council to address the need for a coordinated federal strategy to identify and address gaps in science, data, and research related to environmental justice.
- **Section 6** seeks to ensure that the public, including members of communities with environmental justice concerns, receive timely information about releases of toxic chemicals that may affect them and health and safety measures available to address such releases; this section also requires federal agencies to notify communities if toxic substances are released from a federal facility.
- **Section 7** amends Executive Order 12898 to provide details on the White House Environmental Justice Interagency Council, including by outlining Interagency Council membership.
- **Section 8** establishes the White House Office of Environmental Justice within the CEQ.

- **Section 9** provides that within six months from the issuance of the Executive Order, the Chair of CEQ shall issue interim guidance, in consultation with the Interagency Council, to inform agency implementation of the Executive Order and request recommendations on the guidance from the White House Environmental Justice Advisory Council (established by Executive Order 14008).
- **Section 10** directs CEQ within one year of the date for the submission of agency Environmental Justice Strategic Plans (pursuant to section 4 of the Executive Order), and after appropriate consultation with the Interagency Council and Advisory Council, to submit a report to the President that describes the implementation of the Executive Order, includes each agency's Environmental Justice Strategic Plan, and provides recommendations for additional steps to advance environmental justice. From the second annual report, CEQ will also include any insights gathered from each agency's Environmental Justice Assessment (required under section 4 of the Executive Order) in the report to the President.

2. **Legislative Landscape/Updates**
   - On Tuesday, June 13, the Senate (Sen. Welch and Van Hollen) introduced the "Access to Consumer Energy Information Act" or the "E-Access Act". The bill is intended to promote competition in the area of digital energy management tools, enhance consumer access to electric energy and natural gas information, allow for the development and adoption of innovative products and services to help consumers, organizations, and governments manage their energy usage, reduce greenhouse gas emissions, and improve electric grid reliability, and for other purposes.
     - Requires programs to promote competition "in the area of digital energy management tools" to enhance customer access/understanding of energy usage and cost information.
     - Applies to residential and commercial electric data and commercial natural gas data.
     - **Also includes the following language: "(C) to increase the adoption of measured, performance-based energy efficiency and demand response programs,** such as a program described in section 50121 of Public Law 117–169 (commonly known as the 'Inflation Reduction Act of 2022') (42 U.S.C. 18795);
     - Through a regulatory/stakeholder process, the DOE must adopt guidelines within 180 days of passing the bill to establish model data sharing standards and policies for States to provide electric consumers and gas consumers, and third-party designees of those electric consumers and gas consumers, with access to retail electric energy information and retail natural gas information.

     - Last week, the Council joined several stakeholders nationwide to support the E-Access Senate Bill. Those stakeholders include:
       - Mission:data Coalition
       - Environmental and Energy Study Institute (EESI)
       - Southwest Energy Efficiency Project (SWEEP)

        - California Efficiency + Demand Management Council
        - U.S. Green Building Council
        - Northeast Energy Efficiency and Electrification Council (NEEEC)
        - Southeast Energy Efficiency Alliance (SEEA)
        - Institute for Market Transformation (IMT)
        - Verdafero, Inc.
        - Gridium
        - Recurve
        - McGrann Associates
        - Octopus Energy US
        - UtilityAPI
        - Bright Power
        - Home Energy Analytics
        - OhmConnect
        - Budderfly
        - Amperon
        - Utilidata

- **On June 13**, House Freedom Caucus members stepped back from their "blockade" of H.R. 1615 (see below) - and voted the GSPFA bill out of the House by a 248-180 vote. The House is expected to take up H.R. 1640 (also see below) sometime next week (week of 6/19). NOTE: There are no current proposals or legislation to ban gas stoves in Congress or the agencies in question. It is worth noting, New York recently became the first state to ban gas stoves from most new buildings through legislative action. Other states have sought to do so through building codes. Neither Congressional bills in question would address NY's new law.
    - **On June 6**, eleven House Freedom Caucus members joining Democrats in blocking a procedural resolution that would have set terms for Floor consideration of legislation to block regulation of gas stoves by the DOE and CPSC. The two bills:
        - H.R. 1640 Save Our Gas Stoves Act (addressing DOE)
        - H.R. 1615 Gas Stove Protection and Freedom Act (addressing CPSC)
        - Another bill, H.R. 277 or the Regulations from the Executive in Need of Scrutiny (REINS) Act of 2023 - would have revised and required a congressional approval process for a major rule if it has an annual effect on the economy of at least $100 million, etc.
            - Pres. Biden promised to veto H.R. 277 but not H.R. 1640 or H.R. 1615 - however, he noted concerns with the latter two.

- On June 1, Congress passed and Joe Biden signed into law the debt-ceiling legislation - avoiding defaulting on the nation's debt. Some key takeaways (as pulled from NewsData:
    - The bill, House Resolution 3746, includes permitting reforms (folding in parts of Rep. Garret Graves' (R-La.) legislation to revamp National Environmental Policy Act reviews.) and leaves intact the Inflation Reduction Act's energy and climate tax credits and rebates.

    - H.R. 3746 does not include any rollbacks in credits and rebates the House had included in legislation it passed last month to raise the debt ceiling.
- HR 3746 suspends the debt ceiling until Jan. 1, 2025.
- The Senate rejected 11 amendments, including Sen. Tim Kaine's (D-Va.) amendment to throw out language codifying federal approvals of the Mountain Valley Pipeline, a 303-mile natural gas line running through Virginia and West Virginia.
- "This agreement includes provisions to better coordinate NEPA reviews to designate a single lead agency for a single project, charged with developing a single environmental review document—not multiple ones—according to a clear and public timeline."
- The legislation would require completion of project environmental assessments in one year and environmental impact statements in two years. It would limit them to 150 pages, or 300 pages for projects of "extraordinary complexity."
- the legislation allows agencies to "borrow" from other agencies their NEPA categorical exclusions of projects from environmental reviews. "So if one agency develops a categorical exclusion for [electric vehicle] chargers, another agency can now borrow it," the official added, noting that provision was included in Sen. Tom Carper's (D-Del.) permitting-reform bill.
- The legislation also would direct the North American Electric Reliability Corporation to draft a study on interregional power transfers and order the Federal Energy Regulatory Commission to send Congress recommendations for statutory amendments.

3. REEO Update

Implementa)on Framework for the Greenhouse Gas Reduc)on Fund
Comments Submitted by the Energy Efficiency Strategy Group (EESG)

Next Meeting

Our next Federal Policy WG meeting will be on Wednesday July 12 at **8:15 am**. Call-in coordinates are below.

Zoom link
Call-in: +13126266799,,83592457581#
Passcode: cedmc2022