

Energy & Sustainability Washington Updates – October 2020

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House Approves Energy & Climate Legislative Package

The House of Representatives, in a September 24 vote of 220-185, approved the Clean Economy Jobs and Innovation Act (H.R. 4447) – a legislative package made up of a number of measures including the Expanding Access to Sustainable Energy (EASE) Act, the Tribal Power Act, and the Affordable Solar Energy for Our Communities Act.

According to Rep. O'Halleran (D-AZ), the lead sponsor of H.R. 4447, the legislative package “invests in electric grid modernization and security, increases the availability and affordability of renewable energy and storage technology, and makes targeted investments in the American energy workforce as our nation transitions towards renewable energy”. More specifically, the bill:

- creates and funds a DOE career skills program to train workers for the construction and installation of energy-efficient building technologies;
- streamlines available federal energy efficiency programs and financing to help improve efficiency and lower energy costs for schools;
- directs the Secretary of Energy to accelerate critical research, development, and demonstration programs to increase the availability of cutting-edge renewable energy and storage technologies to support increased power generation from solar, wind, geothermal, and hydropower resources; and
- allocates \$15 million for grants for advanced and innovative technology-based solutions regarding optimal use of water, wastewater, water reuse systems, and energy, while directing the Secretary of Energy to establish an Energy-Water Advisory Committee.

The outlook for the legislation in the Senate is less certain, given the waning number of legislative days as we approach the election and lame duck session and likely Republican opposition. Should the bill not move in the current congress, look for Democrats to make another effort next year should they hold the majority in both the House and Senate.

House Committee Advances DOE Reorganization Legislation

On September 9 the House Energy and Commerce Committee, in a voice vote, advanced the Department of Energy Organization and Management Improvement Act (H.R. 8159), introduced by Rep. Walden (R-OR) and Rep. Pallone (D-NJ), the ranking member and chairman of the committee. The bill requires the Secretary of Energy to review and report periodically on measures and recommendations to improve general management of DOE, and to implement reforms to ensure continuous improvement in management. The bill also amends Section 3220 of the National Nuclear Security Administration Act, which delineates the status of National Nuclear Security Administration (NNSA) personnel and independent contract personnel employed by or contracting with NNSA. The bill clarifies that NNSA officers and employees shall be responsible to and subject to the authority, direction and control of the Secretary of Energy. It further strikes a provision from Section 3220 barring DOE personnel other than the Secretary from exercising authority, direction or control over personnel employed by or contracting with NNSA.

Upcoming Congressional Hearing on Clean Energy Equity & Affordability

House Energy & Commerce Committee chairman Rep. Pallone (D-NJ) and Energy Subcommittee chairman Rep. Rush (D-IL) have announced a remote teleconference hearing on October 1 entitled "Generating Equity: Improving Clean Energy Access and Affordability." Hearing witnesses have not yet been named. In announcing the hearing, the chairmen stated "It's well-established that communities of color, low-income communities and other vulnerable populations are disproportionately exposed to pollution, often because their neighborhood's only source of energy generation is fossil fuels. We simply cannot allow the negative health impacts of pollution to continue to disproportionately fall on our most vulnerable Americans, so we must talk seriously about how to get cleaner sources of energy to these communities. Enacting policies that deliver them clean energy generation would not only improve public health, but would also lower vulnerable communities' energy bills – a win-win they both desperately need and deserve."

American Energy Innovation Act Gets Renewed Push

On September 11 a group of 73 stakeholder groups and companies sent a letter to Senate Majority Leader McConnell (R-KY) and Senate Minority Leader Schumer (D-NY) calling for final Senate passage of the American Energy Innovation Act, bipartisan legislation covering efficiency, renewables, carbon capture and removal, energy storage, advanced nuclear, clean vehicles, industrial energy, mineral security, grid and cyber security, and workforce development. Access the letter by clicking [here](#).

Earlier this year the legislation came close to final passage in the Senate, but was stymied by objections to an amendment offered in March by Sen. Kennedy (R-LA) and Carper (D-DE) regarding the phase-out of hydrofluorocarbons (HFCs) used as coolants and refrigerants. On September 10, Sens. Kennedy and Carper joined with Senate Environment and Public Works Committee Chairman Barrasso (R-WY) to announce an agreement on revised HFC phase-out language that they intend to offer as an amendment to the American Energy Innovation Act at the next opportunity. The agreement reached by the trio would initiate an Environmental Protection Agency (EPA) administered phase-out of HFCs over a 15 year period. The amendment requires EPA to implement an 85 percent phase down of the production and consumption of HFCs, so they reach approximately 15 percent of their 2011-2013 average annual levels by 2036.

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