

Calendar No. 383

116TH CONGRESS
1ST SESSION**S. 1890**

To provide for grants for energy efficiency improvements and renewable energy improvements at public school facilities.

IN THE SENATE OF THE UNITED STATES

JUNE 18, 2019

Ms. CORTEZ MASTO (for herself, Mr. MERKLEY, Mrs. FEINSTEIN, Ms. STABENOW, Ms. HARRIS, and Mr. HEINRICH) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

DECEMBER 18, 2019

Reported by Ms. MURKOWSKI, without amendment

A BILL

To provide for grants for energy efficiency improvements and renewable energy improvements at public school facilities.

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 “Renew America’s
5 Schools Act of 2019”.

1 **SEC. 2. GRANTS FOR ENERGY EFFICIENCY IMPROVEMENTS**
2 **AND RENEWABLE ENERGY IMPROVEMENTS**
3 **AT PUBLIC SCHOOL FACILITIES.**

4 (a) DEFINITIONS.—In this section:

5 (1) ELIGIBLE ENTITY.—The term “eligible enti-
6 ty” means a consortium of—

7 (A) one local educational agency; and

8 (B) one or more—

9 (i) schools;

10 (ii) nonprofit organizations;

11 (iii) for-profit organizations; or

12 (iv) community partners that have the
13 knowledge and capacity to partner and as-
14 sist with energy improvements.

15 (2) ENERGY IMPROVEMENT.—The term “en-
16 ergy improvement” means—

17 (A) any improvement, repair, or renova-
18 tion, to a school that will result in a direct re-
19 duction in school energy costs, including im-
20 provements to building envelope, air condi-
21 tioning, ventilation, heating system, domestic
22 hot water heating, compressed air systems, dis-
23 tribution systems, lighting, power systems, and
24 controls;

25 (B) any improvement, repair, renovation,
26 or installation that leads to an improvement in

1 teacher and student health, including indoor air
2 quality, daylighting, ventilation, electrical light-
3 ing, green roofs, outdoor gardens, and acous-
4 tics;

5 (C) the installation of renewable energy
6 technologies (such as wind power, photovoltaics,
7 solar thermal systems, geothermal energy, hy-
8 drogen-fueled systems, biomass-based systems,
9 biofuels, anaerobic digesters, and hydropower)
10 involved in the improvement, repair, or renova-
11 tion of a school;

12 (D) the installation of zero-emissions vehi-
13 cle infrastructure on school grounds for exclu-
14 sive use of school buses, school fleets, or stu-
15 dents, or for the general public; and

16 (E) the purchase or lease of zero-emissions
17 vehicles, including school buses, fleet vehicles,
18 and other operational vehicles.

19 (3) LOCAL EDUCATIONAL AGENCY.—The term
20 “local educational agency” has the meaning given
21 the term in section 8101 of the Elementary and Sec-
22 ondary Education Act of 1965 (20 U.S.C. 7801).

23 (4) PARTNERING LOCAL EDUCATIONAL AGEN-
24 CY.—The term “partnering local educational agen-
25 cy”, when used with respect to an eligible entity,

1 means the local educational agency participating in
2 the eligible entity.

3 (5) SECRETARY.—The term “Secretary” means
4 the Secretary of Energy.

5 (6) ZERO-EMISSIONS VEHICLE INFRASTRUC-
6 TURE.—The term “zero-emissions vehicle infrastruc-
7 ture” means infrastructure used to charge or fuel—

8 (A) a zero-emission vehicle (as defined in
9 section 88.102–94 of title 40, Code of Federal
10 Regulations (or successor regulation)); or

11 (B) a vehicle that produces zero exhaust
12 emissions of any criteria pollutant (or precursor
13 pollutant) or greenhouse gas under any possible
14 operational modes or conditions.

15 (b) AUTHORITY.—From amounts made available for
16 grants under this section, the Secretary shall award com-
17 petitive grants to eligible entities to make energy improve-
18 ments authorized by this section.

19 (c) APPLICATIONS.—

20 (1) IN GENERAL.—An eligible entity desiring a
21 grant under this section shall submit to the Sec-
22 retary an application at such time, in such manner,
23 and containing such information as the Secretary
24 may require.

1 (2) CONTENTS.—The application submitted
2 under paragraph (1) shall include each of the fol-
3 lowing:

4 (A) A needs assessment of the current con-
5 dition of the school and facilities that are to re-
6 ceive the energy improvements.

7 (B) A draft work plan of what the eligible
8 entity hopes to achieve at the school and a de-
9 scription of the energy improvements to be car-
10 ried out.

11 (C) A description of the capacity of the eli-
12 gible entity to provide services and comprehen-
13 sive support to make the energy improvements.

14 (D) An assessment of the applicant's ex-
15 pected needs of the eligible entity for operation
16 and maintenance training funds, and a plan for
17 use of those funds, if any.

18 (E) An assessment of the expected energy
19 efficiency and safety benefits of the energy im-
20 provements.

21 (F) A cost estimate of the proposed energy
22 improvements.

23 (G) An identification of other resources
24 that are available to carry out the activities for
25 which funds are requested under this section,

1 including the availability of utility programs
2 and public benefit funds.

3 (d) PRIORITY.—In awarding grants under this sub-
4 section, the Secretary shall give a priority to eligible enti-
5 ties—

6 (1) that have renovation, repair, and improve-
7 ment funding needs; and

8 (2)(A) that serve a high percentage, as deter-
9 mined by the Secretary, of students who are eligible
10 for a free or reduced price lunch under the Richard
11 B. Russell National School Lunch Act (42 U.S.C.
12 1751 et seq.) (which may be calculated for students
13 in a high school (as defined by section 8101 of the
14 Elementary and Secondary Education Act of 1965
15 (20 U.S.C. 7801)) using data from the schools that
16 feed into the high school); or

17 (B) with a participating local educational agen-
18 cy designated with a school district locale code of 41,
19 42, or 43, as determined by the National Center for
20 Education Statistics in consultation with the Bureau
21 of the Census.

22 (e) COMPETITIVE CRITERIA.—The competitive cri-
23 teria used by the Secretary to award grants under this
24 section shall include the following:

1 (1) The difference between the fiscal capacity of
2 the eligible entity to carry out, and the needs of the
3 partnering local educational agency for, energy im-
4 provements at school facilities, including—

5 (A) the current and historic ability of the
6 partnering local educational agency to raise
7 funds for construction, renovation, moderniza-
8 tion, and major repair projects for schools;

9 (B) whether the partnering local edu-
10 cational agency has been able to issue bonds or
11 receive other funds to support current infra-
12 structure needs of the partnering local edu-
13 cational agency; and

14 (C) the bond rating of the partnering local
15 educational agency.

16 (2) The likelihood that the partnering local edu-
17 cational agency or eligible entity will maintain, in
18 good condition, any facility whose improvement is
19 assisted.

20 (3) The potential energy efficiency and safety
21 benefits from the proposed energy improvements.

22 (f) USE OF GRANT AMOUNTS.—

23 (1) IN GENERAL.—An eligible entity receiving a
24 grant under this section shall use the grant amounts
25 only to make the energy improvements described in

1 the application, subject to the other provisions of
2 this subsection.

3 (2) OPERATION AND MAINTENANCE TRAIN-
4 ING.—An eligible entity receiving a grant under this
5 section may use not more than 5 percent of the
6 grant amounts for operation and maintenance train-
7 ing for energy efficiency and renewable energy im-
8 provements (such as maintenance staff and teacher
9 training, education, and preventative maintenance
10 training).

11 (3) AUDIT.—An eligible entity receiving a grant
12 under this section may use funds under the grant
13 for a third-party investigation and analysis for en-
14 ergy improvements (such as energy audits and exist-
15 ing building commissioning).

16 (4) CONTINUING EDUCATION.—An eligible enti-
17 ty receiving a grant under this section may use not
18 more than 3 percent of the grant amounts to develop
19 a continuing education curriculum relating to energy
20 improvements.

21 (g) CONTRACTING REQUIREMENTS.—

22 (1) DAVIS-BACON.—Any laborer or mechanic
23 employed by any contractor or subcontractor in the
24 performance of work on any energy improvements
25 funded by a grant under this section shall be paid

1 wages at rates not less than those prevailing on
2 similar construction in the locality as determined by
3 the Secretary of Labor under subchapter IV of chap-
4 ter 31 of title 40, United States Code (commonly re-
5 ferred to as the “Davis-Bacon Act”).

6 (2) COMPETITION.—Each eligible entity receiv-
7 ing a grant under this section shall ensure that, if
8 the eligible entity uses grant funds to carry out re-
9 pair or renovation through a contract, any such con-
10 tract process—

11 (A) ensures the maximum number of quali-
12 fied bidders, including small, minority, and
13 women-owned businesses, through full and open
14 competition; and

15 (B) gives priority to businesses located in,
16 or resources common to, the State or the geo-
17 graphical area in which the project is carried
18 out.

19 (h) REPORTING.—Each eligible entity receiving a
20 grant under this section shall submit to the Secretary, at
21 such time as the Secretary may require, a report describ-
22 ing the use of such funds for energy improvements, the
23 estimated cost savings realized by those energy improve-
24 ments, the results of any audit, the use of any utility pro-
25 grams and public benefit funds, and the use of perform-

1 ance tracking for energy improvements (such as the En-
2 ergy Star program established under section 324A of the
3 Energy Policy and Conservation Act (42 U.S.C. 6294a)
4 or the United States Green Building Council Leadership
5 in Energy and Environmental Design (LEED) green
6 building rating system for existing buildings).

7 (i) BEST PRACTICES.—The Secretary shall develop
8 and publish guidelines and best practices for activities car-
9 ried out under this section.

10 (j) AUTHORIZATION OF APPROPRIATIONS.—There
11 are authorized to be appropriated to carry out this section
12 \$100,000,000 for each of fiscal years 2020 through 2025.

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