



**EDISON ELECTRIC  
INSTITUTE**

# American Recovery and Reinvestment Act of 2009 (Stimulus Bill)

## Summary of Provisions by Strategic Issue Area

March 11, 2009

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\*Note that all provisions contained in the ARRA are subject to these transparency and accountability provisions.

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\*Please note that this inventory of provisions contained in the American Recovery and Reinvestment Act of 2009 is not all inclusive, but is focused on those provisions of most interest to the electric utility industry. Also note that in many situations, the funding appropriated is subject to reprogramming by agency leadership.

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## AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009: Clean Coal / Fossil Fuel Provisions

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### 1. Fossil Energy R&D

#### TITLE AND SECTION (IF APPLICABLE)

Title IV

#### PAGE NUMBERS (GPO VERSION OF H.R.1)

Page 20

#### FUNDING AMOUNT

\$3,400,000,000

#### BRIEF PROGRAM DESCRIPTION

Fossil energy research and development (R&D):

- \$1.0 billion for fossil energy research and development;
- \$800 million for the Clean Coal Power Initiative (CCPI) Round III;
- \$1.52 million for competitive solicitation for industrial carbon capture and storage (CCS) demonstration projects;
- \$50 million for characterizing geologic storage sites;
- \$20 million to support CCS education grants to colleges and universities under the Energy Independence and Security Act of 2007 (EISA 2007) Section 705;
- \$10 million for program direction funding to ensure adequate federal resources are in place to move projects forward.

#### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

Depends on program (i.e., competitive solicitation).

## 2. Carbon Sequestration Tax Credit

### TITLE AND SECTION (IF APPLICABLE)

Subtitle B Part IV Section 1131

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Page 211

### FUNDING AMOUNT

N/A.

### BRIEF PROGRAM DESCRIPTION

Amends Section 45Q (Tax Code) Carbon Sequestration - \$10/ton tax credit for CO<sub>2</sub> sequestered in Enhanced Oil Recovery (EOR) projects with additional language to ensure that taxpayers cannot claim both the \$20/ton credit for geologic sequestration and the \$10/ton credit for EOR.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

N/A.

### 3. Energy Conservation Bonds

**TITLE AND SECTION (IF APPLICABLE)**

Subtitle B Part II Section 1112

**PAGE NUMBERS (GPO VERSION OF H.R.1)**

Page 208

**FUNDING AMOUNT**

\$3,200,000,000

**BRIEF PROGRAM DESCRIPTION**

Increases national limit on energy conservation bonds from \$800 million to \$3.2 billion. These Section 54D bonds must be issued by a state or local government and proceeds must be used for qualified purposes, which include support for CCS R&D and CCS demonstration projects.

**MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)**

N/A.

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## AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009: Climate Provisions

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\*Note that there are provisions in other categories throughout this inventory (i.e. renewable energy, energy efficiency, clean coal, etc.) that relate to climate that are not specifically captured in this section.

### 1. Climate Modeling and Establishment of Data Records

#### TITLE AND SECTION (IF APPLICABLE)

Title II

#### PAGE NUMBERS (GPO VERSION OF H.R.1)

Page 15

#### FUNDING AMOUNT

\$170,000,000 (Funds are a subset of an overall \$600,000,000 appropriated to the National Oceanic and Atmospheric Administration (NOAA) for procurement, acquisition, and construction.)

#### BRIEF PROGRAM DESCRIPTION

Funding is to be used to "address critical gaps in climate modeling and establish climate data records for continuing research into the cause, effects, and ways to mitigate climate change."

#### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

Not specified.

## 2. Earth Science Climate Research Missions

### TITLE AND SECTION (IF APPLICABLE)

Title II

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Page 17

### FUNDING AMOUNT

\$400,000,000

### BRIEF PROGRAM DESCRIPTION

Funding is for the National Aeronautics and Space Administration (NASA), to be used in part, to “accelerate the development of the tier 1 set of earth science climate research missions recommended by the National Academies Decadal Survey.”

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

Not specified.

## AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009: Energy Efficiency Provisions

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### 1. Modernization of DOD Facilities

#### TITLE AND SECTION (IF APPLICABLE)

Title III

#### PAGE NUMBERS (GPO VERSION OF H.R.1)

Pages 18-19

#### FUNDING AMOUNT

The amount varies by branch of the military. The total amount is \$4,240,000,000 broken out as follows:

Army	\$1,474,525,000
Navy	\$ 657,051,000
Marine Corps	\$ 113,865,000
Air Force	\$1,095,959,000
Army Reserve	\$ 98,269,000
Navy Reserve	\$ 55,083,000
Marine Corps Reserve	\$ 39,909,000
Air Force Reserve	\$ 13,187,000
Army National Guard	\$ 266,304,000
Air National Guard	\$ 25,848,000
Defense Health Program	\$ 400,000,000

#### BRIEF PROGRAM DESCRIPTION

\$4.24 billion is provided to the Department of Defense (DOD) to improve, repair, and modernize DOD facilities, restore and modernize real facilities (including barracks), and invest in energy efficiency improvements. All funds under this section are "available for obligation" until September 30, 2010.

#### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

Not specified; funds assumed to be provided directly to DOD.

## 2. Advanced Electric Transportation Systems

### TITLE AND SECTION (IF APPLICABLE)

Title IV

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Page 24

### FUNDING AMOUNT

\$2,000,000,000

### BRIEF PROGRAM DESCRIPTION

This is a Department of Energy (DOE) grant program for the domestic manufacturing of advanced battery systems, vehicle batteries, hybrid electrical systems, components, and software.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

DOE Grant program.

### 3. Energy Efficiency and Conservation and Block Grants

#### TITLE AND SECTION (IF APPLICABLE)

Title IV, Sec. 404

#### PAGE NUMBERS (GPO VERSION OF H.R.1)

Pages 24, 29

#### FUNDING AMOUNT

\$3,200,000,000

#### BRIEF PROGRAM DESCRIPTION

Energy Efficiency and Conservation Block Grants - \$3.2 billion is provided for grants authorized under Subtitle E of Title V of EISA 2007. Of this amount, \$2.8 billion is to be distributed through the formula shown in Section 543 of EISA 2007. The other \$400 million is to be awarded on a competitive basis. Funds are available to states, eligible units of local governments, and Native American tribes for projects that reduce fossil fuel emissions and improve energy efficiency.

#### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

DOE Block Grants.

## 4. Weatherization Assistance Program

### TITLE AND SECTION (IF APPLICABLE)

Title IV, Sec. 407

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Pages 24, 31-32

### FUNDING AMOUNT

\$5,000,000,000

### BRIEF PROGRAM DESCRIPTION

Weatherization Assistance Program - \$5.0 billion is provided for the program under Part A, Title IV of the Energy Conservation and Production Act of 1978 (42 U.S.C. 6861). In addition, this law increased the threshold for household eligibility from 150 to 200 percent of the federal poverty income level, and the per home maximum allowance is increased from \$2,500 to \$6,000. Also, homes that were previously weatherized before September 30, 1994, may receive assistance (an update to the previous date of September 30, 1979).

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

DOE formula for allocation of Weatherization Assistance Program under Part A, Title IV of the Energy Conservation and Production Act of 1978.

## 5. State Energy Programs

### TITLE AND SECTION (IF APPLICABLE)

Title IV, Sec. 410

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Pages 24, 32-34

### FUNDING AMOUNT

\$3,100,000,000

### BRIEF PROGRAM DESCRIPTION

State Energy Programs - \$3.1 billion is provided in grants for state energy programs under Title III, Part D, of the Energy Policy and Conservation Act of 1975 (42 U.S.C. 6321). The grants are only available to states where the governor has notified the Secretary of Energy in writing that he/she has obtained the necessary assurances that: 1) the applicable state regulatory authority will seek to implement a general policy that ensures that utility financial incentives are aligned with helping their customers use energy more efficiently and that the regulations provide timely cost recovery and a timely earnings opportunity associated with cost-effective, measurable, and verifiable energy savings; 2) the state or local governments will adopt and implement updated residential and commercial building codes (IECC 2009 for residential and ASHRAE 90.1-2007 for commercial), and create a plan to achieve a 90% compliance rate within 8 years for all residential and commercial new construction and retrofits; and 3) the state will prioritize the grants by expanding existing programs for energy efficiency programs operated by the state or through utility programs.

All 3 conditions must be met for a state to receive a grant.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

DOE Grant program, as authorized by Part D, Title III of the Energy Policy and Conservation Act of 1978. DOE grants to states through existing State Energy Programs, with qualifications and limits noted above.

## 6. Federal Buildings Fund

### TITLE AND SECTION (IF APPLICABLE)

Title V

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Pages 35-36

### FUNDING AMOUNT

\$5,550,000,000

### BRIEF PROGRAM DESCRIPTION

Federal Buildings Fund – The General Services Administration (GSA) is to receive \$5.55 billion for improving GSA facilities. Of this amount, \$750 million must be used for federal buildings and courthouses, \$300 million must be used for border stations and land ports of entry, and \$4.5 billion must be used to convert GSA facilities to High-Performance Green Buildings, as defined in Section 401 of the EISA. At least \$5.0 billion must be obligated by September 30, 2010, and the rest must be obligated by September 30, 2011.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

Not specified; funds assumed to be provided directly to the GSA. However, the Office of High Performance Green Buildings will be run by the Department of Energy, under the provisions of EISA 2007, with GSA as a key participant.

## 7. Procurement of High Efficiency Vehicles

### TITLE AND SECTION (IF APPLICABLE)

Title V

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Page 36

### FUNDING AMOUNT

\$300,000,000 available until September 30, 2011.

### BRIEF PROGRAM DESCRIPTION

GSA must provide a plan to Congress within 90 days of bill enactment (May 17, 2009) to procure high-efficiency, electric, and commercially available plug-in hybrid electric vehicles for federal government fleets. The funds cannot be obligated until GSA presents the plan to Congress. Quarterly reports are due to Congress starting on September 30, 2009.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

Not specified; funds assumed to be provided directly to the GSA. Funds are likely to be directed to the GSA Motor Vehicle Acquisition and Motor Vehicle Leasing Programs.

## 8. BLM Energy Efficient Retrofits

### TITLE AND SECTION (IF APPLICABLE)

Title VII

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Page 53

### FUNDING AMOUNT

\$180,000,000 (Funding is for all activities described below, exact amount for energy efficient retrofits was not specified.)

### BRIEF PROGRAM DESCRIPTION

This provision provides funding for activities on Bureau of Land Management (BLM) lands including: construction and repair of roads, bridges, and facilities and energy efficient retrofits of existing facilities.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

Not specified.

## 9. FWS Energy Efficient Retrofits

### TITLE AND SECTION (IF APPLICABLE)

Title VII

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Page 53

### FUNDING AMOUNT

\$115,000,000 (Funding is for all activities described below, exact amount for energy efficient retrofits was not specified.)

### BRIEF PROGRAM DESCRIPTION

This provision provides funding for the U.S. Fish and Wildlife Service (FWS) for construction and repair of roads, bridges, and facilities, and for energy efficient retrofits of existing facilities.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

Not specified.

## 10. National Park Service Energy Efficient Retrofits

### TITLE AND SECTION (IF APPLICABLE)

Title VII

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Page 53

### FUNDING AMOUNT

\$589,000,000 (Funding is for all activities described below, exact amount for energy efficient retrofits was not specified.)

### BRIEF PROGRAM DESCRIPTION

This provision provides funding for the National Park Service for construction and repair of roads, bridges, and facilities for energy efficient retrofits of existing facilities and other critical infrastructure projects.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

Not specified.

## 11. School Improvement Grants

### TITLE AND SECTION (IF APPLICABLE)

Title VIII

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Page 67

### FUNDING AMOUNT

\$3,000,000,000

### BRIEF PROGRAM DESCRIPTION

These funds are to be used for school improvement grants under section 1003 (g) of the Elementary and Secondary Education Act of 1965, of which \$1,000,000,000 shall become available on July 1, 2009 and \$1,000,000,000 shall become available on July 1, 2010, and shall remain available through September 30, 2011. Each local education agency receiving funds shall file with the state educational agency, a school by school listing of per-pupil educational expenditures from state and local sources during the 2008-2009 academic year.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

Not specified.

## 12. School Modernization Grants

### TITLE AND SECTION (IF APPLICABLE)

Title VIII, Sec. 805

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Pages 75-76

### FUNDING AMOUNT

\$100,000,000 (One percent of funds may be reserved for management and oversight.)

### BRIEF PROGRAM DESCRIPTION

From 60 percent of the amount not reserved for management and oversight, the Secretary shall award emergency grants in accordance with section 8007(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7707(b)) to eligible local educational agencies to enable the agencies to carry out emergency repairs of school facilities and may award modernization grants in accordance with section 8007(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7707(b)) to eligible local educational agencies to enable the agencies to carry out the modernization of school facilities – to include energy efficiency improvements.

In awarding grants, the Secretary shall consider the following criteria:

- Whether the facility poses a health or safety threat to students and school personnel, including noncompliance with building codes and inaccessibility for persons with disabilities, or whether the existing building capacity meets the needs of the current enrollment and supports the provision of comprehensive educational services to meet current standards in the State in which the local educational agency is located.
- The extent to which the new design and proposed construction utilize energy efficient and recyclable materials.
- The extent to which the new design and proposed construction utilizes non-traditional or alternative building methods to expedite construction and project completion and maximize cost efficiency.
- The feasibility of project completion within 24 months from award.
- The availability of other resources for the proposed project.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

DoEd grant program.

### 13. Energy Efficiency Projects for Military Construction

#### TITLE AND SECTION (IF APPLICABLE)

Title X

#### PAGE NUMBERS (GPO VERSION OF H.R.1)

Pages 77-78

#### FUNDING AMOUNT

Varies by the branch of the military.

\$100,000,000 for energy conservation and alternate energy projects (designated out of a total of \$280,000,000 for the U.S. Navy and Marine Corps).

\$120,000,000 for the Energy Conservation Investment Program (designated out of a total of \$1,450,000,000 for military construction, defense wide).

Funds are available until September 30, 2013.

#### BRIEF PROGRAM DESCRIPTION

For new military construction, a portion of the funds must be used for energy efficiency projects (and/or alternative energy projects) as noted above. The funds are available until September 30, 2013, but the Secretary of Defense is required to submit an expenditure plan to the House and Senate Appropriations Committees by March 17, 2009.

#### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

Not specified; funds assumed to be provided directly to DOD.

## 14. DOE "Clean Cities" Grant Program

### TITLE AND SECTION (IF APPLICABLE)

Title XII

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Page 90

### FUNDING AMOUNT

\$300,000,000

### BRIEF PROGRAM DESCRIPTION

These funds are to be used for the competitive grant program authorized in Section 721 of the Energy Policy Act of 2005 (EPAcT 2005). The money is to be disbursed to a maximum of 30 states and/or local governments as part of the "Clean Cities" program operated by DOE (with consultation from the Department of Transportation (DOT)). Funds are to be used for the acquisition of advanced / high efficiency vehicles for city fleets.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

Not specified, but under Section 721 of EPAcT 2005, this will be a DOE grant program.

## 15. Public Housing Capital Fund – Energy Conservation Retrofits

### TITLE AND SECTION (IF APPLICABLE)

Title XII

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Pages 100-101

### FUNDING AMOUNT

\$4,000,000,000 to remain available until September 30, 2011. At least \$1,000,000,000 must be available through a competition for priority investments.

### BRIEF PROGRAM DESCRIPTION

Public Housing Capital Fund - Under Section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g), \$4.0 billion is available to the Department of Housing and Urban Development (HUD) for public housing, of which \$1.0 billion is for competitive funding of priority investments, including investments for renovations and energy conservation retrofits. The competitive funds must be obligated by September 30, 2009.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

HUD is to use the same formula for fund disbursement as was used in fiscal year 2008.

## 16. Community Development Fund Block Grants

### TITLE AND SECTION (IF APPLICABLE)

Title XII

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Page 103

### FUNDING AMOUNT

\$1,000,000,000 to remain available until September 30, 2010.

### BRIEF PROGRAM DESCRIPTION

Community Development Fund - Under Title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301), \$1.0 billion is available to HUD for community development block grants. Amounts provided are to be distributed to grantees that received funding in fiscal year 2008. Eligible activities include energy efficiency projects, including retrofits of existing buildings or demolition and reconstruction.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

HUD is to use the same formula for fund disbursement as was used in fiscal year 2008.

## 17. Assisted Housing Stability and Energy and Green Retrofits

### TITLE AND SECTION (IF APPLICABLE)

Title XII

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Pages 108-109

### FUNDING AMOUNT

\$250,000,000, available until September 30, 2012.

### BRIEF PROGRAM DESCRIPTION

Assisted Housing Stability and Energy and Green Retrofit Investments – Out of \$2.25 billion in assistance to property owners under Section 202 of the Housing Act of 1959 or Section 811 of the Cranston-Gonzales National Affordable Housing Act or Section 8 of the United States Housing Act of 1937, \$250 million is made available to HUD for grants or loans for energy retrofit and green investments in such assisted housing.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

These HUD grants must comply with subchapter IV, of Chapter 31 of Title 40 U.S.C.

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## AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009: Labor/Workforce Development Provisions

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### 1. Worker Training Activities

**TITLE AND SECTION (IF APPLICABLE)**

Title IV

**PAGE NUMBERS (GPO VERSION OF H.R.1)**

Pages 24-25

**FUNDING AMOUNT**

\$100,000,000 (Designated out of \$4,500,000,000 of available funds under "Electricity Delivery and Energy Reliability.")

**BRIEF PROGRAM DESCRIPTION**

Funding is provided for worker training activities.

**MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)**

Not specified.

## 2. Employment and Training Grants

### TITLE AND SECTION (IF APPLICABLE)

Title VIII

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Pages 58-60

### FUNDING AMOUNT

\$500,000,000

### BRIEF PROGRAM DESCRIPTION

Funding is for grants to the States for adult employment and training activities, including supportive services and needs-related payments described in Section 134(e)(2) and (3) of the Workforce Investment Act of 1998 (WIA). Priority use of these funds shall be services to individuals described in Section 134(d)(4)(E) of the WIA.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

Not specified.

### 3. Dislocated Worker Grants

TITLE AND SECTION (IF APPLICABLE)

Title VIII

PAGE NUMBERS (GPO VERSION OF H.R.1)

Pages 58-60

FUNDING AMOUNT

\$1,250,000,000

BRIEF PROGRAM DESCRIPTION

Funding is for grants to the States for dislocated worker employment and training activities.

MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

Not specified.

## 4. Dislocated Worker Assistance

### TITLE AND SECTION (IF APPLICABLE)

Title VIII

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Pages 58-60

### FUNDING AMOUNT

\$200,000,000

### BRIEF PROGRAM DESCRIPTION

Funding is for the dislocated workers assistance national reserve.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

Not specified.

## 5. Worker Training Grants

### TITLE AND SECTION (IF APPLICABLE)

Title VIII

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Pages 58-60

### FUNDING AMOUNT

\$500,000,000 (Designated out of \$750,000,000 of available funds.)

### BRIEF PROGRAM DESCRIPTION

\$750,000,000 in funding is available for a program of competitive grants for worker training and placement in high growth and emerging industry sectors. \$500 million of these funds shall be for research, labor exchange, and job training projects that prepare workers for careers in energy efficiency and renewable energy as described in Section 171(e)(1)(B) of the Workforce Investment Act of 1998.

Funds shall remain available through June 30, 2010.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

Not specified.

## AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009: Renewable Energy Provisions

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### 1. State Energy Programs

#### TITLE AND SECTION (IF APPLICABLE)

Title IV, Sec. 410

#### PAGE NUMBERS (GPO VERSION OF H.R.1)

Pages 24, 32-34

#### FUNDING AMOUNT

\$3,100,000,000

#### BRIEF PROGRAM DESCRIPTION

State Energy Programs - \$3.1 billion is provided in grants for state energy programs under Title III, Part D, of the Energy Policy and Conservation Act of 1975 (42 U.S.C. 6321). The grants are only available to states where the governor has notified the Secretary of Energy in writing that he/she has obtain the necessary assurances that: 1) the applicable state regulatory authority will seek to implement a general policy that ensures that utility financial incentives are aligned with helping their customers use energy more efficiently and that the regulations provide timely cost recovery and a timely earnings opportunity associated with cost-effective, measurable, and verifiable energy savings; 2) the state or local governments will adopt and implement updated residential and commercial building codes (IECC 2009 for residential and ASHRAE 90.1-2007 for commercial), and create a plan to achieve a 90% compliance rate within 8 years for all residential and commercial new construction and retrofits; and 3) the state will prioritize the grants by expanding existing programs for energy efficiency programs operated by the state or through utility programs. All 3 conditions must be met for a state to receive a grant.

With regard to renewable energy, Section 410 requires the governor of the recipient state to obtain assurances that the state will to the extent practicable prioritize grants toward energy efficiency and renewable energy programs, including existing programs to support renewable energy projects and deployment activities, which may include programs operated by entities which have the authority and capability to manage and distribute grants, loans, performance incentives, and other forms of financial assistance.

#### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

DOE Grant program, as authorized by Part D, Title III of the Energy Policy and Conservation Act of 1978. DOE grants to states through existing State Energy Programs, with qualifications and limits noted above.

## 2. Energy Efficiency and Renewable Energy R&D

### TITLE AND SECTION (IF APPLICABLE)

Title IV

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Page 24

### FUNDING AMOUNT

\$1,200,000,000 (Designated out of \$3,500,000,000 of available funds not designated for a specific program under "Energy Efficiency and Renewable Energy.")

### BRIEF PROGRAM DESCRIPTION

The Act gives DOE Office of Energy Efficiency and Renewable Energy (EERE) \$2.5 billion that the agency will use to support EERE's applied research, development, and deployment activities, including:

\$800 million for the Biomass Program;

\$400 million for the Geothermal Technologies Program.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

Existing DOE EERE RD&D programs.

### 3. Advanced Research Projects Agency – Energy Research Program

#### TITLE AND SECTION (IF APPLICABLE)

Title IV

#### PAGE NUMBERS (GPO VERSION OF H.R.1)

Page 26

#### FUNDING AMOUNT

\$400,000,000

#### BRIEF PROGRAM DESCRIPTION

Provides \$400 million as authorized under Section 5012 of the America COMPETES Act, 42 U.S.C. 16538, for the Advanced Research Projects Agency-Energy (ARPA-E) research program (which awards funding to groups, including private companies, to carryout research/demonstration projects related to novel energy technologies that reduce foreign energy imports, reduce GHG emissions, or increase efficiency). Funds seem to be for establishment of the program. The program is modeled after DOD's Defense Advanced Research Projects Agency (DARPA).

#### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

Implementation at DOE – ARPA-E. Funding mechanism not specified.

## 4. Innovative Technology Loan Guarantee Program

### TITLE AND SECTION (IF APPLICABLE)

Title IV, Sec. 406

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Page 26

### FUNDING AMOUNT

\$6,000,000,000

### BRIEF PROGRAM DESCRIPTION

This appropriation provides funding to ‘pay for the cost of guarantees’ made under the “Innovative Technology Loan Guarantee Program” created by Title XVII of EAct 2005. As originally enacted in EAct 2005, this program provided loan guarantees for “innovative technologies” not presently in commercial operation (primarily advanced coal generating projects). Section 406 of H.R. 1 temporarily suspends providing loan guarantees to these types of projects, adding a new Section 1705 to EAct 2005 that directs that loan guarantees under this program be made to only the following projects: renewable energy systems (including incremental hydropower), electric power transmission systems, and advanced biofuels projects (up to a limit of \$500 million). Eligible projects must commence construction not later than September 30, 2011.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

The mechanism for deciding how the \$6 billion will be distributed is unclear. DOE approved a final rule in 2007 setting up procedures for applying for loan guarantees under the program as it existed prior to this Act. This final rule will likely need to be revised.

## 5. Wood to Energy Grants

### TITLE AND SECTION (IF APPLICABLE)

Title VII

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Pages 56-57

### FUNDING AMOUNT

Up to \$50,000,000 out of \$500,000,000 of available funds under "Wildland Fire Management."

### BRIEF PROGRAM DESCRIPTION

Up to \$50,000,000 may be used for wood to energy grants that promote increased utilization of biomass from federal, state and private lands.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

Funds are directed to the Department of Agriculture, U.S. Forest Service. Distribution mechanism is not specified.

## 6. Worker Training Grants

### TITLE AND SECTION (IF APPLICABLE)

Title VIII

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Pages 58-60

### FUNDING AMOUNT

\$500,000,000 (Designated out of \$750,000,000 of available funds.)

### BRIEF PROGRAM DESCRIPTION

\$750,000,000 in funding is available for a program of competitive grants for worker training and placement in high growth and emerging industry sectors. \$500 million of these funds shall be for research, labor exchange, and job training projects that prepare workers for careers in energy efficiency and renewable energy as described in Section 171(e)(1)(B) of the Workforce Investment Act of 1998.

Funds shall remain available through June 30, 2010.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

Funds are directed to the Department of Labor. Distribution mechanism is not specified.

## 7. Energy Efficiency Projects for Military Construction

### TITLE AND SECTION (IF APPLICABLE)

Title X

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Page 78

### FUNDING AMOUNT

Varies by the branch of the military.

\$100,000,000 for energy conservation and alternate energy projects (designated out of a total of \$280,000,000 for the U.S. Navy and Marine Corps).

\$120,000,000 for the Energy Conservation Investment Program (designated out of a total of \$1,450,000,000 for military construction, defense wide).

Funds are available until September 30, 2013.

### BRIEF PROGRAM DESCRIPTION

For new military construction, a portion of the funds must be used for energy efficiency projects (and/or alternative energy projects). The funds are available until September 30, 2013, but the Secretary of Defense is required to submit an expenditure plan to Appropriations Committees by March 17, 2009.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

Not specified; funds assumed to be provided directly to DOD.

## 8. Renewable Energy Grant Program

### TITLE AND SECTION (IF APPLICABLE)

Div B, Sec. 1104 and 1603

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Page 207 and 250

### FUNDING AMOUNT

Appropriations authorized as necessary. Estimated at \$5,000,000 over ten years.

### BRIEF PROGRAM DESCRIPTION

The Act creates a Renewable Energy Grant Program which allows developers that are eligible for the ITC or the PTC (only tax-paying entities) to receive a cash grant instead of taking the ITC or PTC for new installations.

Grant applications must be submitted by 10/1/2011. Grants are available to eligible property (as defined by the US Code, Title 26, par. 45 and 48) placed in service in 2009 or 2010, or placed in service by the specified credit termination date if construction began in 2009 or 2010 (termination dates of 1/1/2013 for wind; 1/1/2014 for biomass, qualified hydropower and ocean and tidal; 1/1/2017 for fuel cells, small wind, solar, geothermal, microturbines, and CHP).

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

The Department of the Treasury is responsible for this provision. Payment of grant will be made within 60 days of the grant application date or the date property is placed in service, whichever is later.

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## AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009: Smart Grid Provisions

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### 1. Interoperability Standards

**TITLE AND SECTION (IF APPLICABLE)**

Title IV

**PAGE NUMBERS (GPO VERSION OF H.R.1)**

Pages 24-25

**FUNDING AMOUNT**

\$10,000,000 (Designated out of \$4,500,000,000 of available funds under "Electricity Delivery and Energy Reliability.")

**BRIEF PROGRAM DESCRIPTION**

\$10,000,000 is provided for implementation of Section 1305 of EISA 2007, which directs the National Institute of Standards and Technology ("NIST") to coordinate the development of protocols and model standards for smart grid systems and devices.

**MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)**

Not specified; funds assumed to be provided directly to NIST to carry out its obligations under Section 1305 of EISA.

## 2. Worker Training Activities

### TITLE AND SECTION (IF APPLICABLE)

Title IV

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Pages 24-25

### FUNDING AMOUNT

\$100,000,000 (Designated out of \$4,500,000,000 of available funds under "Electricity Delivery and Energy Reliability.")

### BRIEF PROGRAM DESCRIPTION

Funding is provided for worker training activities.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

Not specified.

### 3. Resource Assessment and Analysis

#### TITLE AND SECTION (IF APPLICABLE)

Title IV

#### PAGE NUMBERS (GPO VERSION OF H.R.1)

Page 25

#### FUNDING AMOUNT

\$80,000,000 (Designated out of \$4,500,000,000 of available funds under "Electricity Delivery and Energy Reliability.")

#### BRIEF PROGRAM DESCRIPTION

Funding is for resource assessment and analysis of future demand and transmission requirements after consultation with the Federal Energy Regulatory Commission.

#### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

Not specified.

## 4. Demonstration Program

### TITLE AND SECTION (IF APPLICABLE)

Title IV, Sec. 405

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Page 29

### FUNDING AMOUNT

"Sums as necessary" out of \$4,500,000,000 of available funds under "Electricity Delivery and Energy Reliability." \$100,000,000 per fiscal year (FY 2008 through FY 2012).

### BRIEF PROGRAM DESCRIPTION

Amends Section 1304 of EISA 2007 to make "other parties" as well as "an electric utility" eligible for federal matching funds for regional demonstration program costs under the DOE Smart Grid Technology Research, Development, and Demonstration Program.

The DOE Smart Grid Technology Research, Development, and Demonstration Program was established under EISA 2007 to provide financial support to smart grid demonstration projects of an amount equal to not more than 50 percent of the cost of qualifying advanced grid technology investments to carry out a demonstration project.

Amendments to Section 1304 of EISA 2007 also call for DOE to establish a smart grid information clearinghouse in a "timely manner" which will make data from smart grid demonstration projects and other sources available to the public. As a condition of receiving financial assistance under this program, a utility or other participant in a smart grid demonstration project shall provide required information to DOE.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

On March 2, the DOE National Energy Technology Laboratory issued a Notice of Intent (NOI) on behalf of the DOE Office of Electricity Delivery and Energy Reliability, describing three areas where DOE will be seeking demonstration proposals --- regionally unique projects to quantify smart grid costs and benefits, utility scale energy storage projects, and synchrophasor projects. According to the announcement, DOE intends to make several cost-shared cooperative agreements under this initiative. The DOE NETL announcement is available at:

<https://e-center.doe.gov/doebiz.nsf/d76fbc294818822885256d98006c63b6/08c978e8e5bddde38525756d006f14d1?OpenDocument>

## 5. Matching Grants

### TITLE AND SECTION (IF APPLICABLE)

Title IV, Sec. 405

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Page 30

### FUNDING AMOUNT

"Sums as necessary" (from remaining \$4.31 billion).

### BRIEF PROGRAM DESCRIPTION

Amends Section 1306 of EISA 2007 to increase federal matching funds for qualifying smart grid investment costs, under the Smart Grid Investment Matching Grant Program, from up to 20 percent to up to 50 percent.

The Smart Grid Investment Matching Grant Program was established under EISA 2007 to provide reimbursement of qualifying smart grid investments.

Also, eliminates the EISA 2007 provision that directed DOE, in making grants from the Matching Fund, to reward innovation and early adoption.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

Amends EISA Section 1306(e) to revise the procedures for applying for reimbursement of qualifying Smart Grid investments. DOE is required, within 60 days after the enactment of the stimulus bill, by means of a notice of intent and subsequent solicitation of grant proposals, to establish procedures by which applicants can obtain grants. The procedures are to include:

- a requirement that demonstration projects utilize open protocols and standards (including Internet-based protocols and standards) if available and appropriate; and
- that there is no duplication or multiple payments for the same investment or costs, and that the grants made have a significant effect in encouraging and facilitating the development of a smart grid.

## 6. PURPA Technical Corrections

### TITLE AND SECTION (IF APPLICABLE)

Title IV, Sec. 408

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Page 32

### FUNDING AMOUNT

N/A.

### BRIEF PROGRAM DESCRIPTION

This provision makes technical corrections to the numbering of provisions in PURPA Section 111(d), added by EISA 2007, relating to consideration of smart grid investments (18) and smart grid information (19). Makes corresponding corrections in PURPA Section 112.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

N/A.

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## AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009: Transmission/Transmission for Renewables Provisions

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### 1. Grid Modernization

#### TITLE AND SECTION (IF APPLICABLE)

Title IV, "Electricity Delivery and Energy Reliability"

#### PAGE NUMBERS (GPO VERSION OF H.R.1)

Pages 24-25

#### FUNDING AMOUNT

\$4,500,000,000

#### BRIEF PROGRAM DESCRIPTION

This appropriation covers several broad areas, including expenses 'necessary to modernize the electric grid,' 'enhance security and reliability of energy infrastructure,' 'energy storage RD&D,' and 'facilitate recovery from disruptions to energy supply.' No specific definitions are provided for these terms. In addition, while not in the legislative language, DOE has formed a working group to address the goal of rebuilding domestic transformer manufacturing capability.

#### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

Not specified in the Act, however on March 2, the DOE National Energy Technology Laboratory issued a Notice of Intent (NOI) on behalf of the DOE Office of Electricity Delivery and Energy Reliability, describing three areas where DOE will be seeking demonstration proposals --- regionally unique projects to quantify smart grid costs and benefits, utility scale energy storage projects, and synchrophasor projects. According to the announcement, DOE intends to make several cost-shared cooperative agreements under this initiative. The DOE NETL announcement is available at:

<https://e-center.doe.gov/doebiz.nsf/d76fbc294818822885256d98006c63b6/08c978e8e5bddde38525756d006f14d1?OpenDocument>

## 2. Innovative Technology Loan Guarantee Program

### TITLE AND SECTION (IF APPLICABLE)

Title IV, Sec. 406

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Page 26

### FUNDING AMOUNT

\$6,000,000,000

### BRIEF PROGRAM DESCRIPTION

This appropriation provides funding to ‘pay for the cost of guarantees’ made under the “Innovative Technology Loan Guarantee Program” created by Title XVII of EAct 2005. As originally enacted in EAct 2005, this program provided loan guarantees for “innovative technologies” not presently in commercial operation (primarily advanced coal generating projects). Section 406 of H.R. 1 temporarily suspends providing loan guarantees to these types of projects, adding a new Section 1705 to EAct 2005 that directs that loan guarantees under this program be made to only the following projects: renewable energy systems (including incremental hydropower), electric power transmission systems, and advanced biofuels projects (up to a limit of \$500 million). Eligible projects must commence construction not later than September 30, 2011.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

The mechanism for deciding how the \$6 billion will be distributed is unclear. DOE approved a final rule in 2007 setting up procedures for applying for loan guarantees under the program as it existed prior to this Act. This final rule will likely need to be revised.

### 3. BPA Borrowing Authority

**TITLE AND SECTION (IF APPLICABLE)**

Title IV, Sec. 401

**PAGE NUMBERS (GPO VERSION OF H.R.1)**

Page 26

**FUNDING AMOUNT**

\$3,250,000,000

**BRIEF PROGRAM DESCRIPTION**

This appropriation provides the Bonneville Power Administration (BPA) with authority to borrow an additional \$3.25 billion under the Federal Columbia River Transmission System Act.

**MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)**

Not specified.

## 4. WAPA Borrowing Authority

### TITLE AND SECTION (IF APPLICABLE)

Title IV, Sec. 402

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Pages 27-30

### FUNDING AMOUNT

\$3,250,000,000

### BRIEF PROGRAM DESCRIPTION

This appropriation authorizes the Treasury to loan up to \$3.25 to the Western Area Power Administration (WAPA) for constructing, planning, operating, and studying construction of transmission facilities with at least one terminus in the area served by WAPA.

The WAPA administrator may permit other entities to participate in the financing, construction, and ownership of projects financed under this section. WAPA must seek requests for interest through Federal Register notices from entities interested in identifying potential projects.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

Prior to requesting any loans, WAPA is required to conduct a public process to develop practices and policies that implement its borrowing authority. Interest rates shall be set by the Secretary of the Treasury, taking into consideration market interest rates for other marketable obligations of the United States.

Prior to committing funds for any project, WAPA must certify that any project is in the public interest, has no adverse impact on reliability or operations, and has adequate revenues to repay the loan.

For loan repayment purposes, each transmission line and facility in which WAPA participates under this section must be treated as separate and distinct from all other such projects, and all other WAPA transmission facilities. Revenues from the use of facilities shall be the only source of revenue for repaying project loans made to WAPA under this section, and for payment of any associated ancillary services expenses associated with use of the line, and operating and maintenance expenses.

## 5. Renewable Electricity Transmission Study

### TITLE AND SECTION (IF APPLICABLE)

Title IV, Sec. 409

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Page 32

### FUNDING AMOUNT

N/A.

### BRIEF PROGRAM DESCRIPTION

This provision requires that in completing the 2009 National Electric Transmission Congestion Study (due in August 2009), DOE shall include an analysis of significant potential sources of renewable energy that are constrained in accessing markets by a lack of adequate transmission capacity; an analysis of the reasons for failure to develop adequate transmission capacity; an analysis of the extent to which legal challenges filed at the state and federal level are delaying the construction of transmission to access renewable energy; an explanation of the assumptions and projections in the Study, including those relating to energy efficiency improvements, location and type of projected new generation capacity and projected deployment of distributed generation.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

N/A.

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## AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009: Miscellaneous Provisions

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### 1. Economic Development Assistance

#### TITLE AND SECTION (IF APPLICABLE)

Title II

#### PAGE NUMBERS (GPO VERSION OF H.R.1)

Page 13

#### FUNDING AMOUNT

\$150,000,000

#### BRIEF PROGRAM DESCRIPTION

This provision provides funding for the Department of Commerce's Economic Assistance Program as follows:

- \$50 million for economic adjustment assistance as authorized by Section 209 of the Public Works and Economic Development Act of 1965, as amended (42 U.S.C. 3149). Priority will be given to areas that have experienced sudden and severe economic dislocation and job loss due to corporate restructuring.
- Up to \$50 million may be transferred to federally authorized regional economic development commissions.

#### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

Not specified.

## 2. Water-Related Infrastructure Assistance

### TITLE AND SECTION (IF APPLICABLE)

Title IV

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Pages 20-21

### FUNDING AMOUNT

\$200,000,000

### BRIEF PROGRAM DESCRIPTION

This provision provides \$2 billion to the Corps of Engineers-Civil, of which at least \$200 million is for water-related infrastructure assistance. The funds are to be used only for programs funded via Energy and Water Development Acts without the need for new budget authority, and Section 14 of the Flood Control Act of 1946, Section 205 of the Flood Control Act of 1996, and Section 1135 of the Water Resources Development Act of 1986.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

Not specified.

### 3. Water Reclamation and Reuse Projects

#### TITLE AND SECTION (IF APPLICABLE)

Title IV

#### PAGE NUMBERS (GPO VERSION OF H.R.1)

Page 23

#### FUNDING AMOUNT

\$1,000,000,000

#### BRIEF PROGRAM DESCRIPTION

This provision provides \$1 billion for the Department of Interior, of which not less than \$126 million shall be used for water reclamation and reuse projects. \$50 million may be used for Central Utah Project Completion Act projects, \$50 million may be used for California Bay-Delta Restoration Act projects, and at least \$60 million shall be used for rural water projects primarily for water intake and treatment.

#### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

Not specified.

## 4. Uranium Enrichment Decontamination and Decommissioning Fund

### TITLE AND SECTION (IF APPLICABLE)

Title IV

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Page 25

### FUNDING AMOUNT

\$390,000,000

### BRIEF PROGRAM DESCRIPTION

This provision provides funding for the uranium enrichment decontamination and decommissioning fund, of which \$70 million shall be available in accordance with Title X, Subtitle A of the Energy Policy Act of 1992 (uranium and thorium program).

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

Not specified.

## 5. FWS Resource Management

### TITLE AND SECTION (IF APPLICABLE)

Title VII

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Page 53

### FUNDING AMOUNT

\$165,000,000

### BRIEF PROGRAM DESCRIPTION

This provision provides funding for the FWS for deferred maintenance, construction, and capital improvement on national wildlife refuges and fish hatcheries, including high priority habitat restoration projects.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

Not specified.

## 6. USGS Surveys, Investigations, Research

### TITLE AND SECTION (IF APPLICABLE)

Title VII

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Page 54

### FUNDING AMOUNT

\$140,000,000

### BRIEF PROGRAM DESCRIPTION

This provision provides funding for the U.S. Geological Survey (USGS) for repair, construction, and restoration of facilities, including stream gages, seismic and volcanic monitoring systems, and national map activities.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

Not specified.

## 7. Superfund

### TITLE AND SECTION (IF APPLICABLE)

Title VII

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Page 54

### FUNDING AMOUNT

\$600,000,000

### BRIEF PROGRAM DESCRIPTION

This provision provides funding for the EPA for the Superfund Remedial Program.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

Not specified.

## 8. Underground Storage Tank Cleanup

### TITLE AND SECTION (IF APPLICABLE)

Title VII

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Page 55

### FUNDING AMOUNT

\$200,000,000

### BRIEF PROGRAM DESCRIPTION

This provision provides funding for the EPA for cleanup activities authorized by Section 9003(h) of the Solid Waste Disposal Act, provided that none of the funds shall be subject to cost share requirements under Section 9003(h)(7)(B) of such Act.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

Not specified.

## 9. State and Tribal Grants for Brownfield Energy Efficiency Projects

### TITLE AND SECTION (IF APPLICABLE)

Title VII

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Page 55

### FUNDING AMOUNT

\$200,000,000

### BRIEF PROGRAM DESCRIPTION

This provision provides funding for EPA, allocated as follows:

- \$4 billion for capitalization grants for the Clean Water State Revolving Funds under Title VI of the Federal Water Pollution Control Act and \$2 billion for capitalization grants under Section 1452 of the Safe Drinking Water Act provided that to the extent there are sufficient eligible projects, not less than 20 percent of the funds appropriated for Revolving Funds shall be for projects to address green infrastructure, water or energy efficiency improvements or other environmentally innovative activities.
- \$100 million for brownfield projects authorized by Section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

EPA capitalization grants to states and tribes.

## 10. National Surface Transportation System Grants

### TITLE AND SECTION (IF APPLICABLE)

Title XII

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Pages 89-90

### FUNDING AMOUNT

\$1,500,000,000

### BRIEF PROGRAM DESCRIPTION

This provision provides funding for the Department of Transportation (DOT) for capital investments in surface transportation, available through September 30, 2011. Eligible projects include freight rail transportation projects.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

DOT will distribute funds through discretionary grants to state and local governments or transit agencies for projects that will have a significant impact on the nation, a metropolitan area, or a region.

## 11. Highway Project Grants

### TITLE AND SECTION (IF APPLICABLE)

Title XII

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Pages 92-94

### FUNDING AMOUNT

\$27,500,000,000

### BRIEF PROGRAM DESCRIPTION

This provision provides funding for the Federal Highway Administration (FHA) for state formula grants for highway projects. Primary focus is on highway and bridge restoration, repair and construction, but eligible purposes also include freight rail transportation.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

FHA Formula Grants to states.

## 12. Transit Capital Assistance for Energy-Related Investments

### TITLE AND SECTION (IF APPLICABLE)

Title XII

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Pages 95-96

### FUNDING AMOUNT

\$6,900,000,000

### BRIEF PROGRAM DESCRIPTION

This provision provides funding for the Federal Transit Administration (FTA) for transit capital assistance grants. Of the total amount appropriated, \$100 million shall be distributed as discretionary grants to public transit agencies for capital improvements that will assist in reducing the energy consumption or greenhouse gas emissions of their public transportation systems. For grants on energy-related investments, priority shall be given to projects based on the total energy savings that are projected to result from the investments and projected energy savings as a percentage of the total energy usage of the public transit agency.

### MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)

FTA grants to public transit agencies.

## AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009: Accountability, Transparency, and General Provisions

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### TITLE AND SECTION (IF APPLICABLE)

Title XV, Sections 1511-1515, 1521-1530, 1553, 1602, 1605, 1606, 1609

### PAGE NUMBERS (GPO VERSION OF H.R.1)

Pages 172-191.

### FUNDING AMOUNT

N/A.

### BRIEF PROGRAM DESCRIPTION

The Act contains several transparency and oversight provisions that can have important implications for entities receiving stimulus funds. These provisions include:

- Requirements for state and local chief executives to certify that infrastructure projects using stimulus funds have been fully reviewed and are an appropriate use of taxpayer dollars (Sec. 1511);
- Reporting requirements imposed on governments and organizations receiving stimulus funds, including requirements to report on projects and activities for which funds will be used, estimates of the number of jobs created or retained, etc. (Sec. 1512);
- Requirements for agency inspectors general to investigate complaints regarding the use of stimulus funds, and to publicly post on a recovery website the results of their investigation; agency inspectors general are also given power to examine records and review officers and employees of entities receiving stimulus funds (Secs. 1514-1515);
- Establishment of a Recovery Accountability and Transparency Board, with powers to conduct audits and reviews of spending of stimulus funds, issue subpoenas to compel the testimony of non-federal employees and officers, and hold public hearings (Secs. 1521-1525);
- Establishment of a recovery website, which will include information regarding the process for obtaining stimulus funds, estimates of jobs sustained or created, and copies of reports concerning use of stimulus funds (which could include inspector general or other reports as to specific projects using stimulus funds) (Sec. 1526);
- "Whistleblower" protections for non-federal employees that report misuse or waste of stimulus funds (Sec. 1553);
- Special contracting provisions requiring that, to the extent feasible, all contracts using stimulus funds be fixed-price contracts awarded through competitive procedures (Sec. 1554);
- Requirement for recipients of stimulus funds for infrastructure investment to favor "quick-start" activities that can be initiated within 120 days of enactment (Sec. 1602);

- Requirement that projects using stimulus funds use only American iron, steel and manufactured goods, unless waived by a federal agency in certain circumstances (Sec. 1605); and
- Wage rate requirement for workers employed on projects using stimulus funds (Sec. 1606).

**MECHANISM FOR DISTRIBUTION OF FUNDS (IF KNOWN; IF NOT, PLEASE INDICATE)**

N/A.

## AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009: Tax Provisions

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### Tax Incentives for Renewable Energy by Businesses

- **Section 1101 (page 205). Long-term Extension and Modification of Renewable Energy Production Tax Credit (“PTC”).** The bill extends the placed-in-service date for wind facilities for three years (through December 31, 2012). The bill also extends the placed-in-service date for three years (through December 31, 2013) for certain other qualifying facilities: closed-loop biomass; open-loop biomass; geothermal; small irrigation; hydropower; landfill gas; waste-to-energy; and marine renewable facilities. *Revenue estimate: \$13.143 billion over 10 years.*
- **Section 1102 (page 205). Temporary Election to Claim the Investment Tax Credit (“ITC”) in Lieu of the PTC.** The bill allows owners of certain renewable energy facilities to elect to claim the ITC in lieu of the PTC. Facilities are eligible if placed in service by December 31, 2012, for wind and December 31, 2013, for other types of qualifying facilities. *Revenue estimate: \$285 million over 10 years.*
- **Sections 1104 (page 207) and 1603 (page 250). Treasury Department Energy Grants in Lieu of Tax Credits.** The bill allows taxpayers to receive a grant from the Treasury Department in lieu of the PTC or the ITC. This grant will operate like the current-law ITC. The Treasury Department will issue a grant in an amount equal to 30 percent (or in some cases, 10 percent) of the cost of the renewable energy facility within sixty days of the facility being placed in service or, if later, within sixty days of receiving an application for such grant. The grant provision applies if property is placed in service during 2009 or 2010 or is placed in service after 2010 and before the credit termination date with respect to the property, but only if the construction of the property began in 2009 or 2010. *Revenue estimate: \$5 million over 10 years.*
- **Section 1103 (page 206). Repeal Subsidized Energy Financing Limitation on the Investment Tax Credit.** Under current law, the ITC must be reduced if the property qualifying for the ITC is also financed with industrial development bonds or through any other Federal, State, or local subsidized financing program. The bill repeals this subsidized energy financing limitation on the ITC in order to allow businesses and individuals to qualify for the full amount of the investment tax credit even if such property is financed with industrial development bonds or through any other subsidized energy financing. *Revenue estimate: \$604 million over 10 years.*
- **Section 1123 (page 211). Tax Credits for Alternative Refueling Property.** For 2009 and 2010, the bill increases the 30 percent alternative refueling property credit for businesses (capped at \$30,000) to 50 percent (capped at \$50,000). Hydrogen refueling pumps would remain at a 30 percent credit percentage; however, the cap for hydrogen refueling pumps will be increased to \$200,000. In addition, the bill increases the 30 percent alternative refueling property credit for individuals (capped at \$1,000) to 50 percent (capped at \$2,000). *Revenue estimate: \$54 million over 10 years.*
- **Sections 1141 (page 212), 1142 (page 214) and 1143 (page 217). Plug-in Electric Drive Vehicle Credit.** The bill modifies and increases a tax credit passed into law at the end of last

Congress for each qualified plug-in electric drive vehicle placed in service during the taxable year. The base amount of the credit is \$2,500. If the qualified vehicle draws propulsion from a battery with at least 5 kilowatt hours of capacity, the credit is increased by \$417, plus another \$417 for each kilowatt hour of battery capacity in excess of 5 kilowatt hours up to 16 kilowatt hours. Taxpayers may claim the full amount of the allowable credit up to the end of the first calendar quarter in which the manufacturer records its 200,000th sale of a plug-in electric drive vehicle. The credit is reduced in following calendar quarters. The credit is allowed against the AMT. The bill also restores and updates the electric vehicle credit for plug-in electric vehicles that would not otherwise qualify for the larger plug-in electric drive vehicle credit and provides a tax credit for plug-in electric drive conversion kits. *Revenue estimate: \$2.002 billion over 10 years.*

- **Section 1131 (page 211). Addition of Permanent Sequestration Requirement to CO<sub>2</sub> Capture Tax Credit.** The bill requires that any taxpayer claiming the \$10 credit per ton for carbon dioxide captured and transported for use in enhanced oil recovery must also ensure that such carbon dioxide is permanently stored in a geologic formation. *Revenue estimate: negligible.*
- **Section 1302 (page 231). Advanced Energy Investment Credit.** The proposal establishes a new 30 percent ITC for facilities engaged in the manufacture of advanced energy property. Credits are available only for projects certified by the Secretary of Treasury, in consultation with the Secretary of Energy, through a competitive bidding process. The Secretary of Treasury must establish a certification program no later than 180 days after date of enactment, and may allocate up to \$2.3 billion in credits. Advanced energy property includes technology for the production of renewable energy, energy storage, energy conservation, efficient transmission and distribution of electricity, and carbon capture and sequestration. *Revenue Estimate: \$1.647 billion over 10 years.*
- **Section 1111 (page 208). Clean Renewable Energy Bonds ("CREBs").** The bill authorizes an additional \$1.6 billion of new clean renewable energy bonds to finance facilities that generate electricity from the following resources: wind; closed-loop biomass; open-loop biomass; geothermal; small irrigation; hydropower; landfill gas; marine renewable; and trash combustion facilities. This \$1.6 billion authorization will be subdivided into thirds: 1/3 will be available for qualifying projects of State/local/tribal governments; 1/3 for qualifying projects of public power providers; and 1/3 for qualifying projects of electric cooperatives. *Revenue estimate: \$578 million over 10 years.*

### Tax Incentives for Business

- **Section 1201 (page 219). Extension of Bonus Depreciation.** Last year, Congress temporarily allowed businesses to recover the costs of capital expenditures made in 2008 faster than the ordinary depreciation schedule would allow by permitting these businesses to immediately write-off 50 percent of the cost of depreciable property acquired in 2008 for use in the United States. The bill extends this temporary benefit for capital expenditures incurred in 2009 if the property is placed in service in 2009 (placed in service in 2010 in the case of certain longer-lived and transportation property). *Revenue estimate: \$5.074 billion over 10 years.*
- **Section 1201 (page 219). Election to Accelerate Recognition of Historic AMT/R&D Credits.** Last year, Congress temporarily allowed businesses to accelerate the recognition of a

portion of their historic AMT or research and development (“R&D”) credits in lieu of bonus depreciation. The amount that taxpayers may accelerate is calculated based on the amount that each taxpayer invests in property that would otherwise qualify for bonus depreciation. This amount is capped at the lesser of six percent of historic AMT and R&D credits or \$30 million. The bill would extend this temporary benefit through 2009. *Revenue estimate: \$805 million over 10 years.*

## Financing Incentives

- **Section 1231 (page 224). Delayed Recognition of Certain Cancellation of Debt Income.** Under current law, a taxpayer generally has income where the taxpayer cancels or repurchases its debt for an amount less than its adjusted issue price. The amount of cancellation of debt income (“CODI”) is the excess of the old debt’s adjusted issue price over the repurchase price. Certain businesses will be allowed to recognize CODI over 10 years (defer tax on CODI for the first four or five years and recognize this income ratably over the following five taxable years) for specified types of business debt repurchased by the business after December 31, 2008 and before January 1, 2011. *Revenue estimate: \$1.622 billion over 10 years.*
- **Section 1501 (page 239). De Minimis Safe Harbor Exception for Tax-Exempt Interest Expense for Financial Institutions.** In determining the portion of interest expense that is allocable to investments in tax-exempt municipal bonds, the bill excludes investments in tax-exempt municipal bonds issued during 2009 and 2010 to the extent that these investments constitute less than two percent of the average adjusted bases of all the assets of the financial institution. *Revenue estimate: \$3.234 billion over 10 years.*
- **Section 1503 (page 240). Eliminate Costs Imposed on State and Local Governments by the Alternative Minimum Tax.** Under current law, interest on tax-exempt private activity bonds is generally subject to the AMT. The bill excludes interest on tax-exempt private activity bonds from the AMT if the bond is issued in 2009 or 2010. The bill also allows AMT relief for current refunding of private activity bonds issued after 2003 and refunded during 2009 and 2010. *Revenue estimate: \$555 million over 10 years.*
- **Section 1511 (page 241). Delay Application of Withholding Requirement on Certain Governmental Payments for Goods and Services.** For payments made after December 31, 2010, the tax laws require withholding at a three percent rate on certain payments to persons providing property or services to Federal, State, and local governments. The provision delays for one year (through December 31, 2011) the application of the three percent withholding requirement on government payments for goods and services. *Revenue estimate: \$291 million over 10 years.*

Inventory was created from portions of the Government Printing Office version of the American Recovery and Reinvestment Act of 2009 (HR 1), located at:

[http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111\\_cong\\_bills&docid=f:h1enr.txt.pdf](http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_bills&docid=f:h1enr.txt.pdf).

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