

116TH CONGRESS
1ST SESSION

S. 2799

To require the Secretary of Energy and the Secretary of the Interior to establish a joint Nexus of Energy and Water Sustainability Office, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 6, 2019

Ms. MURKOWSKI introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To require the Secretary of Energy and the Secretary of the Interior to establish a joint Nexus of Energy and Water Sustainability Office, and for other purposes.

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 “Nexus of Energy and
5 Water for Sustainability Act of 2019” or the “NEWS Act
6 of 2019”.

7 **SEC. 2. NEXUS OF ENERGY AND WATER FOR SUSTAIN-**
8 **ABILITY.**

9 (a) DEFINITIONS.—In this section:

(1) ENERGY-WATER NEXUS.—The term “energy-water nexus” means the links between—

(A) the water needed to produce fuels, electricity, and other forms of energy; and

(B) the energy needed to transport, reclaim, and treat water and wastewater.

(2) INTERAGENCY COORDINATION COMMITTEE.—The term “Interagency Coordination Committee” means the Committee on the Nexus of Energy and Water for Sustainability (or the “NEWS Committee”) established under subsection (b)(1).

(3) NEXUS OF ENERGY AND WATER SUSTAINABILITY OFFICE; NEWS OFFICE.—The term “Nexus of Energy and Water Sustainability Office” or the “NEWS Office” means an office located at the Department of Energy and managed in cooperation with the Department of the Interior pursuant to an agreement between the 2 agencies to carry out leadership and administrative functions for the Interagency Coordination Committee.

(4) RD&D.—The term “RD&D” means research, development, and demonstration.

(b) INTERAGENCY COORDINATION COMMITTEE.—

1 (1) ESTABLISHMENT.—Not later than 180 days
2 after the date of enactment of this Act, the Sec-
3 retary of Energy and the Secretary of the Interior
4 shall establish the joint NEWS Office and Inter-
5 agency Coordination Committee on the Nexus of En-
6 ergy and Water for Sustainability (or the “NEWS
7 Committee”) to carry out the duties described in
8 paragraph (3).

9 (2) ADMINISTRATION.—

10 (A) CHAIRS.—The Secretary of Energy
11 and the Secretary of the Interior shall jointly
12 manage the NEWS Office and serve as co-
13 chairs of the Interagency Coordination Com-
14 mittee.

15 (B) MEMBERSHIP; STAFFING.—Member-
16 ship and staffing shall be determined by the co-
17 chairs.

18 (3) DUTIES.—The Interagency Coordination
19 Committee shall—

20 (A) serve as a forum for developing com-
21 mon Federal goals and plans on energy-water
22 nexus RD&D activities in coordination with the
23 National Science and Technology Council;

24 (B) not later than 1 year after the date of
25 enactment of this Act, and biennially thereafter,

1 issue a strategic plan on energy-water nexus
2 RD&D activities priorities and objectives;

3 (C) convene and promote coordination of
4 the activities of Federal departments and agen-
5 cies on energy-water nexus RD&D activities, in-
6 cluding the activities of—

7 (i) the Department of Energy;

8 (ii) the Department of the Interior;

9 (iii) the Corps of Engineers;

10 (iv) the Department of Agriculture;

11 (v) the Department of Defense;

12 (vi) the Department of State;

13 (vii) the Environmental Protection
14 Agency;

15 (viii) the Council on Environmental
16 Quality;

17 (ix) the National Institute of Stand-
18 ards and Technology;

19 (x) the National Oceanic and Atmos-
20 pheric Administration;

21 (xi) the National Science Foundation;

22 (xii) the Office of Management and
23 Budget;

24 (xiii) the Office of Science and Tech-
25 nology Policy;

1 (xiv) the National Aeronautics and
2 Space Administration; and

3 (xv) such other Federal departments
4 and agencies as the Interagency Coordina-
5 tion Committee considers appropriate;

6 (D)(i) coordinate and develop capabilities
7 and methodologies for data collection, manage-
8 ment, and dissemination of information related
9 to energy-water nexus RD&D activities from
10 and to other Federal departments and agencies;
11 and

12 (ii) promote information exchange be-
13 tween Federal departments and agencies—

14 (I) to identify and document
15 Federal and non-Federal programs
16 and funding opportunities that sup-
17 port basic and applied RD&D pro-
18 posals to advance energy-water nexus
19 related science and technologies;

20 (II) to leverage existing programs
21 by encouraging joint solicitations,
22 block grants, and matching programs
23 with non-Federal entities; and

24 (III) to identify opportunities for
25 domestic and international public-pri-

1 vate partnerships, innovative financ-
2 ing mechanisms, and information and
3 data exchange;

4 (E) promote the integration of energy-
5 water nexus considerations into existing Federal
6 water, energy, and other natural resource, in-
7 frastructure, and science programs at the na-
8 tional and regional levels and with programs
9 administered in partnership with non-Federal
10 entities; and

11 (F) not later than 1 year after the date of
12 enactment of this Act, issue a report on the po-
13 tential benefits and feasibility of establishing an
14 energy-water center of excellence within the Na-
15 tional Laboratories (as that term is defined in
16 section 2 of the Energy Policy Act of 2005 (42
17 U.S.C. 15801)).

18 (4) NO REGULATION.—Nothing in this sub-
19 section grants to the Interagency Coordination Com-
20 mittee the authority to promulgate regulations or set
21 standards.

22 (5) REVIEW; REPORT.—At the end of the 5-
23 year period beginning on the date on which the
24 Interagency Coordination Committee and NEWS Of-
25 fice are established, the NEWS Office shall—

1 (A) review the activities, relevance, and ef-
 2 fectiveness of the Interagency Coordination
 3 Committee; and

4 (B) submit to the Committee on Energy
 5 and Natural Resources of the Senate and the
 6 Committees on Science, Space, and Technology,
 7 Energy and Commerce, and Natural Resources
 8 of the House of Representatives a report that—

9 (i) describes the results of the review
 10 conducted under subparagraph (A); and

11 (ii) includes a recommendation on
 12 whether the Interagency Coordination
 13 Committee should continue.

14 (c) CROSSCUT BUDGET.—Not later than 30 days
 15 after the President submits the budget of the United
 16 States Government under section 1105 of title 31, United
 17 States Code, the co-chairs of the Interagency Coordination
 18 Committee (acting through the NEWS Office) shall sub-
 19 mit to the Committee on Energy and Natural Resources
 20 of the Senate and the Committees on Science, Space, and
 21 Technology, Energy and Commerce, and Natural Re-
 22 sources of the House of Representatives, an interagency
 23 budget crosscut report that displays at the program-,
 24 project-, and activity-level for each of the Federal agencies
 25 that carry out or support (including through grants, con-

1 tracts, interagency and intraagency transfers, and
 2 multiyear and no-year funds) basic and applied RD&D ac-
 3 tivities to advance the energy-water nexus related science
 4 and technologies—

5 (1) the budget proposed in the budget request
 6 of the President for the upcoming fiscal year;

7 (2) expenditures and obligations for the prior
 8 fiscal year; and

9 (3) estimated expenditures and obligations for
 10 the current fiscal year.

11 **SEC. 3. SMART ENERGY AND WATER EFFICIENCY PILOT**
 12 **PROGRAM.**

13 (a) IN GENERAL.—Subtitle A of title IX of the En-
 14 ergy Policy Act of 2005 (42 U.S.C. 16191 et seq.) is
 15 amended by adding at the end the following:

16 **“SEC. 918. SMART ENERGY AND WATER EFFICIENCY PILOT**
 17 **PROGRAM.**

18 “(a) DEFINITIONS.—In this section:

19 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
 20 tity’ means—

21 “(A) a utility;

22 “(B) a municipality;

23 “(C) a water district;

24 “(D) an Indian tribe or Alaska Native vil-
 25 lage; and

1 “(E) any other authority that provides
2 water, wastewater, or water reuse services.

3 “(2) SMART ENERGY AND WATER EFFICIENCY
4 PILOT PROGRAM.—The term ‘smart energy and
5 water efficiency pilot program’ or ‘pilot program’
6 means the pilot program established under sub-
7 section (b).

8 “(b) SMART ENERGY AND WATER EFFICIENCY
9 PILOT PROGRAM.—

10 “(1) IN GENERAL.—The Secretary shall estab-
11 lish and carry out a smart energy and water effi-
12 ciency pilot program in accordance with this section.

13 “(2) PURPOSE.—The purpose of the smart en-
14 ergy and water efficiency pilot program is to award
15 grants to eligible entities to demonstrate unique, ad-
16 vanced, or innovative technology-based solutions that
17 will—

18 “(A) improve the net energy balance of
19 water, wastewater, and water reuse systems;

20 “(B) improve the net energy balance of
21 water, wastewater, and water reuse systems to
22 help communities across the United States
23 make measurable progress in conserving water,
24 saving energy, and reducing costs;

1 “(C) support the implementation of inno-
2 vative and unique processes and the installation
3 of established advanced automated systems that
4 provide real-time data on energy and water; and

5 “(D) improve energy-water conservation
6 and quality and predictive maintenance through
7 technologies that utilize internet connected
8 technologies, including sensors, intelligent gate-
9 ways, and security embedded in hardware.

10 “(3) PROJECT SELECTION.—

11 “(A) IN GENERAL.—The Secretary shall
12 make competitive, merit-reviewed grants under
13 the pilot program to not less than 3, but not
14 more than 5, eligible entities.

15 “(B) SELECTION CRITERIA.—In selecting
16 an eligible entity to receive a grant under the
17 pilot program, the Secretary shall consider—

18 “(i) energy and cost savings;

19 “(ii) the uniqueness, commercial via-
20 bility, and reliability of the technology to
21 be used;

22 “(iii) the degree to which the project
23 integrates next-generation sensors soft-
24 ware, analytics, and management tools;

1 “(iv) the anticipated cost-effectiveness
2 of the pilot project through measurable en-
3 ergy savings, water savings or reuse, and
4 infrastructure costs averted;

5 “(v) whether the technology can be
6 deployed in a variety of geographic regions
7 and the degree to which the technology can
8 be implemented in a wide range of applica-
9 tions ranging in scale from small towns to
10 large cities, including tribal communities;

11 “(vi) whether the technology has been
12 successfully deployed elsewhere;

13 “(vii) whether the technology was
14 sourced from a manufacturer based in the
15 United States; and

16 “(viii) whether the project will be
17 completed in 5 years or less.

18 “(C) APPLICATIONS.—

19 “(i) IN GENERAL.—Subject to clause
20 (ii), an eligible entity seeking a grant
21 under the pilot program shall submit to
22 the Secretary an application at such time,
23 in such manner, and containing such infor-
24 mation as the Secretary determines to be
25 necessary.

1 “(ii) CONTENTS.—An application
2 under clause (i) shall, at a minimum, in-
3 clude—

4 “(I) a description of the project;

5 “(II) a description of the tech-
6 nology to be used in the project;

7 “(III) the anticipated results, in-
8 cluding energy and water savings, of
9 the project;

10 “(IV) a comprehensive budget for
11 the project;

12 “(V) the names of the project
13 lead organization and any partners;

14 “(VI) the number of users to be
15 served by the project;

16 “(VII) a description of the ways
17 in which the proposal would meet per-
18 formance measures established by the
19 Secretary; and

20 “(VIII) any other information
21 that the Secretary determines to be
22 necessary to complete the review and
23 selection of a grant recipient.

24 “(4) ADMINISTRATION.—

1 “(A) IN GENERAL.—Not later than 1 year
 2 after the date of enactment of this section, the
 3 Secretary shall select grant recipients under
 4 this section.

5 “(B) EVALUATIONS.—

6 “(i) ANNUAL EVALUATIONS.—The
 7 Secretary shall annually carry out an eval-
 8 uation of each project for which a grant is
 9 provided under this section that meets per-
 10 formance measures and benchmarks devel-
 11 oped by the Secretary, consistent with the
 12 purposes of this section.

13 “(ii) REQUIREMENTS.—Consistent
 14 with the performance measures and bench-
 15 marks developed under clause (i), in car-
 16 rying out an evaluation under that clause,
 17 the Secretary shall—

18 “(I) evaluate the progress and
 19 impact of the project; and

20 “(II) assesses the degree to
 21 which the project is meeting the goals
 22 of the pilot program.

23 “(C) TECHNICAL AND POLICY ASSIST-
 24 ANCE.—On the request of a grant recipient, the

1 Secretary shall provide technical and policy as-
2 sistance.

3 “(D) BEST PRACTICES.—The Secretary
4 shall make available to the public through the
5 Internet and other means the Secretary con-
6 siders to be appropriate—

7 “(i) a copy of each evaluation carried
8 out under subparagraph (B); and

9 “(ii) a description of any best prac-
10 tices identified by the Secretary as a result
11 of those evaluations.

12 “(E) REPORT TO CONGRESS.—The Sec-
13 retary shall submit to Congress a report con-
14 taining the results of each evaluation carried
15 out under subparagraph (B).

16 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
17 is authorized to be appropriated to carry out this section
18 \$15,000,000, to remain available until expended.”.

19 (b) CONFORMING AMENDMENT.—The table of con-
20 tents of the Energy Policy Act of 2005 (Public Law 109–
21 58; 119 Stat. 594) is amended by inserting after the item
22 relating to section 917 the following:

“Sec. 918. Smart energy and water efficiency pilot program.”.

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