

Congress of the United States
Washington, DC 20515

April 14, 2009

The Honorable Steven Chu
Secretary
U.S. Department of Energy
1000 Independence Avenue, S.W.
Washington, D.C. 20585

Dear Secretary Chu:

As the Department of Energy (DOE) continues its work on implementing the energy provisions of the American Recovery and Reinvestment Act of 2009 (ARRA), we urge you to pay special attention to the Energy Efficiency and Conservation Block Grant (EECBG) program. Funded in ARRA at a level of \$3.2 billion, these block grants, as you know, were designed to help state and local governments finance innovative local programs to save energy. We also respectfully request, in conjunction with Vermont Governor James Douglas, that you address an issue arising from DOE's interpretation of the Energy Independence and Security Act of 2007 (EISA) with respect to the EECBG program.

While EISA established a statutory framework for distributing the funds, the Secretary was given wide discretion to design a formula for allocating block grant funds. Much of this funding was to be distributed to units of local government with jurisdiction over cities and counties. In the recent announcement of the regulations and funding distribution of the block grants, however, several states, including Vermont, were excluded from the funding stream intended for counties because DOE determined that the entities in those states that undertake the different functions of counties were not eligible recipients of the grants.

There are no traditional county governments in Vermont as in several states, the function of county governments is regularly carried out by towns, cities, regional planning organizations, or the state. Nonetheless, many of these same states have a vibrant community of experts in community development and energy efficiency who are well-positioned to quickly and effectively implement energy conservation programs. It is not sensible nor does it reflect the intention of the statute to exclude these communities from opportunities to increase their energy efficiency and reduce greenhouse gas emissions simply because their regional institutions evolved in a different manner.

That is why we ask you to use the broad authority that Congress granted you in EISA and make direct grants under this program to state or regional entities for distribution to eligible counties in lieu of direct grants to county governments. We must ensure that states that do not have traditional county government systems, but are nonetheless well-equipped to do the important work for which the Energy Efficiency and Conservation Block Grants program was created, are not penalized.

Sincerely,



PATRICK LEAHY
United States Senator

BERNARD SANDERS
United States Senator



PETER WELCH
United States Representative