

116TH CONGRESS  
2D SESSION

# S. 4038

To direct the Secretary of Energy to establish a grant program for tree planting to reduce residential energy consumption.

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IN THE SENATE OF THE UNITED STATES

JUNE 23, 2020

Mr. BOOKER (for himself and Mrs. CAPITO) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To direct the Secretary of Energy to establish a grant program for tree planting to reduce residential energy consumption.

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 “Tackling Residential  
5 Energy burdens Efficiently Act of 2020” or the “TREE  
6 Act of 2020”.

7 **SEC. 2. TREE PLANTING GRANT PROGRAM.**

8 (a) DEFINITIONS.—In this section:

1 (1) ELIGIBLE COST.—The term “eligible cost”  
2 means, with respect to a project—

3 (A) the cost of implementing the project,  
4 including—

5 (i) planning and designing the plant-  
6 ing activity;

7 (ii) purchasing trees; and

8 (iii) preparing the site and conducting  
9 planting, including the labor and cost asso-  
10 ciated with the use of machinery;

11 (B) the cost of maintaining and monitoring  
12 planted trees for a period of up to 3 years to  
13 ensure successful establishment of the trees;

14 (C) the cost of training activities associ-  
15 ated with the project; and

16 (D) any other relevant cost, as determined  
17 by the Secretary.

18 (2) ELIGIBLE ENTITY.—The term “eligible enti-  
19 ty” means—

20 (A) a State agency;

21 (B) a local governmental entity;

22 (C) an Indian Tribe;

23 (D) a nonprofit organization; and

24 (E) a retail power provider.

1           (3) ENERGY BURDEN.—The term “energy bur-  
2           den” means the percentage of household income  
3           spent on home energy bills.

4           (4) INDIAN TRIBE.—The term “Indian Tribe”  
5           has the meaning given the term “Indian tribe” in  
6           section 4 of the Indian Self-Determination and Edu-  
7           cation Assistance Act (25 U.S.C. 5304).

8           (5) LOCAL GOVERNMENTAL ENTITY.—The term  
9           “local governmental entity” means any municipal  
10          government or county government with jurisdiction  
11          over local land use decisions.

12          (6) NONPROFIT ORGANIZATION.—The term  
13          “nonprofit organization” means an organization  
14          that—

15                 (A) is described in section 170(h)(3) of the  
16                 Internal Revenue Code of 1986; and

17                 (B) operates in accordance with 1 or more  
18                 of the purposes described in section  
19                 170(h)(4)(A) of that Code.

20          (7) PROGRAM.—The term “Program” means  
21          the grant program established under subsection  
22          (b)(1).

23          (8) PROJECT.—The term “project” means a  
24          tree planting project carried out by an eligible entity  
25          using grant funds awarded under the Program.

1           (9) RETAIL POWER PROVIDER.—The term “re-  
2     tail power provider” means any entity authorized  
3     under applicable State or Federal law to generate,  
4     distribute, or provide retail electricity, natural gas,  
5     or fuel oil service.

6           (10) SECRETARY.—The term “Secretary”  
7     means the Secretary of Energy.

8     (b) ESTABLISHMENT.—

9           (1) IN GENERAL.—The Secretary, in coordina-  
10    tion with the Secretary of Agriculture, acting  
11    through the Chief of the Forest Service, shall estab-  
12    lish a program under which the Secretary shall  
13    award grants to eligible entities to conduct tree  
14    planting projects in accordance with this section.

15          (2) TREE PLANTING.—Subject to the avail-  
16    ability of appropriations, in carrying out the Pro-  
17    gram, the Secretary shall, to the maximum extent  
18    practicable, award sufficient grants each year to  
19    plant not less than 300,000 trees each year.

20    (c) APPLICATIONS.—

21          (1) IN GENERAL.—An eligible entity that seeks  
22    to receive a grant under the Program shall submit  
23    an application to the Secretary at such time, in such  
24    form, and containing such information as the Sec-

1       retary may require, including the information de-  
2       scribed in paragraph (2).

3           (2) CONTENTS.—An application submitted  
4       under paragraph (1) shall include—

5           (A) a description of how the project will re-  
6       duce residential energy consumption;

7           (B) an estimate of the expected reduction  
8       in residential energy consumption;

9           (C) a description of the total eligible costs  
10       of the project and sources of funding for the  
11       project;

12          (D) a description of the anticipated com-  
13       munity and stakeholder engagement in the  
14       project;

15          (E) a description of the tree species to be  
16       planted and how that species is suitable for the  
17       local environmental conditions and climate; and

18          (F) any other relevant information re-  
19       quired by the Secretary.

20       (d) PRIORITY.—In awarding grants under the Pro-  
21       gram, the Secretary shall give priority to projects that—

22           (1) provide the largest potential reduction in  
23       residential energy consumption for households with a  
24       high energy burden;

1           (2) are located in a neighborhood with lower  
2 tree canopy cover and higher maximum daytime  
3 summer temperatures;

4           (3) are located in a neighborhood with high  
5 amounts of senior citizens or children;

6           (4) will collaboratively engage neighbors and  
7 community members that will be closely affected by  
8 the tree planting; and

9           (5) will employ a substantial percentage of the  
10 workforce locally, with a focus on engaging unem-  
11 ployed and underemployed persons.

12 (e) COSTS.—

13           (1) FEDERAL SHARE.—The Secretary shall  
14 award a grant to an eligible entity under the Pro-  
15 gram in an amount equal to not more than 75 per-  
16 cent of the eligible costs of the project, as deter-  
17 mined by the Secretary.

18           (2) MATCHING REQUIREMENT.—As a condition  
19 of receiving a grant under the Program, an eligible  
20 entity shall provide, in cash or through in-kind con-  
21 tributions from non-Federal sources, matching funds  
22 in an amount equal to not less than 25 percent of  
23 the eligible costs of the project, as determined by the  
24 Secretary.

1       (f) AUTHORIZATION OF APPROPRIATIONS.—There  
2 are authorized to be appropriated to carry out the Pro-  
3 gram \$50,000,000 for each of fiscal years 2021 through  
4 2025.

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