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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To require the Secretary of Energy to establish a Data Center Community Assistance Program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. LICCARDO introduced the following bill; which was referred to the Committee on _____

A BILL

To require the Secretary of Energy to establish a Data Center Community Assistance Program, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Data Center Community Empowerment Act of 2026''.

SEC. 2. DATA CENTER COMMUNITY ASSISTANCE PROGRAM.

(a) DEFINITIONS.—In this section:

(1) DATA CENTER.—The term ''data center'' means a facility, or portion of a facility, the primary function of which is to house information technology equipment used to process, store, manage, or transmit digital data.

(2) PROGRAM.—The term ''program'' means the Data Center Community Assistance Program established under subsection (b)(1).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(b) DATA CENTER COMMUNITY ASSISTANCE PROGRAM.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a program, to be known as the ''Data Center Community Assistance Program'', under which the Secretary shall provide State, local, and Tribal governments, on request, with objective and technically sound information, resources, and technical assistance regarding the potential energy, water, infrastructure, economic, and other community impacts associated with data center development.

(2) COMMUNITY TECHNICAL ASSISTANCE.—Assistance by the Secretary under the program may in-

clude providing information and analysis relating to—

(A) projected electricity demand, including peak and annual demand;

(B) existing electric generation, transmission, and distribution capacity and any additional infrastructure needed to serve the data center;

(C) anticipated costs of electric infrastructure upgrades, including which persons are expected to pay those costs, and potential impacts on other ratepayers;

(D) projected water withdrawals and consumption, including average and peak water use;

(E) proposed water sources and the relationship between projected use and available local water supplies;

(F) proposed cooling technologies and associated energy and water requirements, including potential alternative technologies;

(G) backup and onsite generation, including capacity, fuel source, and anticipated use;

(H) expected economic impacts, including construction jobs, permanent jobs, and other employment effects;

(I) anticipated State and local tax revenues and any tax abatements, credits, grants, infrastructure assistance, or other public incentives;

(J) suggested information for communities to request from data center developers, electric utilities, water utilities, and other relevant entities;

(K) information and examples from similarly situated communities, including agreements, infrastructure arrangements, resource-use practices, and other approaches to data center development; and

(L) other relevant information relating to the potential energy, water, infrastructure, and economic impacts of data center development.

(c) DATA CENTER COMMUNITY TOOLKIT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall develop a Data Center Community Toolkit, which shall be publicly accessible and specifically written for nontechnical local officials in plain English.

(2) CONTENTS.—The Data Center Community Toolkit developed under paragraph (1) shall include—

(A) model questions to ask data center developers and utilities, including questions relating to infrastructure costs;

(B) explanations or definitions, as applicable, of the terms ''megawatt'', ''megawatt-hours'', ''power usage effectiveness'', and ''water usage effectiveness'';

(C) examples of cooling systems;

(D) explanations of utility rate structures;

(E) case studies from other communities relating to data center development; and

(F) a guide to potential benefits and trade-offs of hosting a data center.

(d) INDEPENDENT PROJECT ANALYSIS.—

(1) IN GENERAL.—At the request of a State, local, or Tribal government, the Secretary may—

(A) request the applicable data center developer to voluntarily provide to the Secretary information, data, analyses, models, assumptions, estimates, projections, and other materials relating to the proposed data center; and

(B) independently assess that information and those materials, including by evaluating—

(i) the reasonableness of the assumptions and methodologies used;

(ii) the reliability of the data;

(iii) whether estimates and projections are adequately supported by the information provided; and

(iv) the technical reasonableness of the conclusions reached.

(2) TIMELINESS.—The Secretary shall make every reasonable effort to provide information and analysis under paragraph (1)(B) in a timely manner, taking into consideration the timeline of the applicable State, local, or Tribal government for consideration of the proposed data center.

(e) NEUTRALITY.—In carrying out activities under this section, the Secretary—

(1) shall clearly identify material assumptions, limitations, and uncertainties associated with any analysis provided; and

(2) shall not make any recommendation to a State, local, or Tribal government regarding whether any particular data center should be approved, rejected, permitted, or otherwise authorized.

(f) RULES OF CONSTRUCTION.—Nothing in this Act—

(1) authorizes the Secretary to approve, disapprove, condition, delay, or otherwise participate in a State, local, or Tribal decision regarding the siting or development of a data center;

(2) limits the authority of the Secretary under any other provision of law to provide financial assistance, including grants, loans, loan guarantees, or other assistance, for a project or to an entity associated with a data center; or

(3) shall be construed to alter, limit, or otherwise affect the jurisdiction, authority, or functions of the Federal Energy Regulatory Commission, or any proceeding, review, or other process before the Commission under any other provision of law.