

119TH CONGRESS
2D SESSION

S. _____

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

IN THE SENATE OF THE UNITED STATES

Mr. CURTIS (for himself and Ms. BLUNT ROCHESTER) introduced the following bill; which was read twice and 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.

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 “Data Center Commu-
5 nity Empowerment Act of 2026”.

6 **SEC. 2. DATA CENTER COMMUNITY ASSISTANCE PROGRAM.**

7 (a) DEFINITIONS.—In this section:

8 (1) DATA CENTER.—The term “data center”
9 means a facility, or portion of a facility, the primary

1 function of which is to house information technology
2 equipment used to process, store, manage, or trans-
3 mit digital data.

4 (2) PROGRAM.—The term “program” means
5 the Data Center Community Assistance Program es-
6 tablished under subsection (b)(1).

7 (3) SECRETARY.—The term “Secretary” means
8 the Secretary of Energy.

9 (b) DATA CENTER COMMUNITY ASSISTANCE PRO-
10 GRAM.—

11 (1) IN GENERAL.—Not later than 180 days
12 after the date of enactment of this Act, the Sec-
13 retary shall establish a program, to be known as the
14 “Data Center Community Assistance Program”,
15 under which the Secretary shall provide State, local,
16 and Tribal governments, on request, with objective
17 and technically sound information, resources, and
18 technical assistance regarding the potential energy,
19 water, infrastructure, economic, and other commu-
20 nity impacts associated with data center develop-
21 ment.

22 (2) COMMUNITY TECHNICAL ASSISTANCE.—As-
23 sistance by the Secretary under the program may in-
24 clude providing information and analysis relating
25 to—

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

3 (B) existing electric generation, trans-
4 mission, and distribution capacity and any addi-
5 tional infrastructure needed to serve the data
6 center;

7 (C) anticipated costs of electric infrastruc-
8 ture upgrades, including which persons are ex-
9 pected to pay those costs, and potential impacts
10 on other ratepayers;

11 (D) projected water withdrawals and con-
12 sumption, including average and peak water
13 use;

14 (E) proposed water sources and the rela-
15 tionship between projected use and available
16 local water supplies;

17 (F) proposed cooling technologies and as-
18 sociated energy and water requirements, includ-
19 ing potential alternative technologies;

20 (G) backup and onsite generation, includ-
21 ing capacity, fuel source, and anticipated use;

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

1 (I) anticipated State and local tax revenues
2 and any tax abatements, credits, grants, infra-
3 structure assistance, or other public incentives;

4 (J) suggested information for communities
5 to request from data center developers, electric
6 utilities, water utilities, and other relevant enti-
7 ties;

8 (K) information and examples from simi-
9 larly situated communities, including agree-
10 ments, infrastructure arrangements, resource-
11 use practices, and other approaches to data
12 center development; and

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

16 (c) DATA CENTER COMMUNITY TOOLKIT.—

17 (1) IN GENERAL.—Not later than 180 days
18 after the date of enactment of this Act, the Sec-
19 retary shall develop a Data Center Community Tool-
20 kit, which shall be publicly accessible and specifically
21 written for nontechnical local officials in plain
22 English.

23 (2) CONTENTS.—The Data Center Community
24 Toolkit developed under paragraph (1) shall in-
25 clude—

1 (A) model questions to ask data center de-
2 velopers and utilities, including questions relat-
3 ing to infrastructure costs;

4 (B) explanations or definitions, as applica-
5 ble, of the terms “megawatt”, “megawatt-
6 hours”, “power usage effectiveness”, and
7 “water usage effectiveness”;

8 (C) examples of cooling systems;

9 (D) explanations of utility rate structures;

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

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

14 (d) INDEPENDENT PROJECT ANALYSIS.—

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

17 (A) request the applicable data center de-
18 veloper to voluntarily provide to the Secretary
19 information, data, analyses, models, assump-
20 tions, estimates, projections, and other mate-
21 rials relating to the proposed data center; and

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

24 (i) the reasonableness of the assump-
25 tions and methodologies used;

- 1 (ii) the reliability of the data;
2 (iii) whether estimates and projections
3 are adequately supported by the informa-
4 tion provided; and
5 (iv) the technical reasonableness of
6 the conclusions reached.

7 (2) TIMELINESS.—The Secretary shall make
8 every reasonable effort to provide information and
9 analysis under paragraph (1)(B) in a timely manner,
10 taking into consideration the timeline of the applica-
11 ble State, local, or Tribal government for consider-
12 ation of the proposed data center.

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

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

18 (2) shall not make any recommendation to a
19 State, local, or Tribal government regarding whether
20 any particular data center should be approved, re-
21 jected, permitted, or otherwise authorized.

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

24 (1) authorizes the Secretary to approve, dis-
25 approve, condition, delay, or otherwise participate in

1 a State, local, or Tribal decision regarding the siting
2 or development of a data center; or
3 (2) limits the authority of the Secretary under
4 any other provision of law to provide financial assist-
5 ance, including grants, loans, loan guarantees, or
6 other assistance, for a project or to an entity associ-
7 ated with a data center.