MEMORANDUM OF UNDERSTANDING ON INTERAGENCY COLLABORATION WITH ENERGY COMMUNITIES

I. Purpose

The purpose of this Memorandum of Understanding (MOU) is to improve collaboration across the Federal Government agencies that are partner agencies\(^1\) of the Interagency Working Group (IWG) on Coal and Power Plant Communities and Economic Revitalization, known as the Energy Communities ECIWG. The ECIWG supports local communities’ efforts to build better outcomes using Rapid Response Teams (RRT). This MOU provides a framework for establishing RRTs that will coordinate the alignment of the ECIWG’s Federal resources in support of strategic planning and project development activities in communities and regions currently experiencing and/or facing imminent economic and social impacts due to fossil energy transitions, such as coal mine and coal plant closures.

To maximize the Federal Government’s effectiveness as a partner to local communities, this MOU streamlines and strengthens the ability of ECIWG Partner Agencies to provide collaboration across mission areas.

Each RRT is intended to contribute to the development of a local and regional stakeholder network that is focused on leveraging the necessary inter-governmental and cross-sector resources to address unmet community needs and invest in opportunities for equitable and sustainable place-based economic growth and diversification.

The ECIWG is committed to working in fossil energy communities with fence line and environmentally overburdened populations. These can often be communities of color in addition to communities that are economically distressed due to changes or anticipated changes in the energy economy. This ECIWG RRT framework recognizes that each RRT will take a unique approach to reflect the needs, desires, and commitments of each energy community, as well as each community’s specific assets, challenges, and opportunities related to the fossil energy transition.

The RRT will be structured to leverage existing knowledge and relationships held by ECIWG Partner Agency Federal staff, augmented by coordinated, as-needed “concierge services”\(^2\) the ECIWG and its Partner Agencies will provide. The ECIWG recognizes that expert knowledge of a community’s needs and potential rests with community members themselves, and local institutions (e.g., government, non-profit organizations) often lack the capacity necessary to effectively plan for and implement a strategic vision for equitable, sustainable, and diverse economic growth.

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1 Partner Agencies are those included in Executive Order 14008 which created the Interagency Working Group on Coal and Power Plant Communities and Economic Revitalization.

2 The term ‘concierge services’ includes providing resources to local communities in the form of federal or other funding opportunities, points of contact at federal agencies, using field and agency experience, and providing case studies where possible. In essence, it’ being as helpful as possible to local communities with their expertise to help them access and use federal funds.
II. Goals and Background

This MOU is entered into by the following ECIWG Partner Agencies: U.S. Department of Treasury (Treasury), U.S. Department of the Interior (DOI), U.S. Department of Agriculture (USDA), U.S. Department of Commerce (DOC), U.S. Department of Labor (DOL), U.S. Department of Health and Human Services (HHS), U.S. Department of Transportation (DOT), U.S. Department of Energy (DOE), U.S. Department of Education (ED), U.S. Environmental Protection Agency (EPA), and the Appalachian Regional Commission (ARC).

This MOU describes the broad intent of the ECIWG Partner Agencies. The interagency effort that defines the framework for establishing RRTs has the following goals:

- Express the intent of ECIWG Partner Agencies to deploy RRT to identify and engage in opportunities to collaborate and leverage available resources in support of community-driven goals and needs.
- Express the mutual desire of ECIWG Partner Agencies to support and train staff to coordinate interagency efforts to deliver on federal place-based commitments.

Each ECIWG Partner Agency is entering into this MOU to further its own agency goals and mission under applicable law and regulations. ECIWG Partner Agencies intend to coordinate their programs to advance community goals, including by fostering economic growth, increasing access to opportunity, building local capacity, and creating healthier and safer communities. Cooperative efforts may include convening stakeholders, evaluating policy and program planning and implementation assistance, evaluating policies and programs, facilitating peer-learning opportunities, temporarily detailing Federal staff to directly support communities in need, and supporting other community-driven goals and needs.

III. Agency Missions and Authorities

ECIWG Partner Agencies are entering into this MOU under their respective program authorities in support of their agency missions. Each ECIWG Partner Agency shall engage in any activity under this MOU only to the extent it is within its authorities, and subject to the availability of funds and resources.

Should any funds be made available to another ECIWG Partner Agency in connection with an implementing interagency agreement (IAA) or other agreement, such funds will be made available pursuant to the respective agency authorities, including, but not limited to, the Economy Act, 31 U.S.C. § 1535, or other applicable law. Nothing herein is intended to conflict with agency directives or authorities. See Addendum A for a full list of agency missions and authorities.

IV. Roles and Responsibilities

The need for an RRT by U.S. locale/region will be defined by the ECIWG’s Co-Chairs:

- Director, National Economic Council
- National Climate Advisor
- Senior Advisor to the President for Clean Energy, Innovation, and Implementation
RRT will leverage and coordinate with existing complementary Federal initiatives (e.g., Rural Prosperity Network, White House Council on Native American Affairs, the Justice40 Initiative) and those that may exist in the future.

To implement this MOU, each ECIWG Partner Agency intends to involve appropriate ECIWG Partner Agency Federal staff in activities related to the RRT. Each ECIWG Partner Agency intends to support and train new or existing Federal staff and, as appropriate, to coordinate efforts across the RRT.

ECIWG Partner Agency staff, or their Federal employee representatives, shall coordinate with other ECIWG Partner Agencies before engaging in external discussions to implement joint activities under this MOU. ECIWG Partner Agencies will engage appropriate staff to determine the type(s) of efforts that will be mutually beneficial to the respective agency or department missions. Each RRT will be governed by a charter, created - and customized by the ECIWG Partner Agencies to suit their organizational structures and the needs of the communities they serve. A sample RRT framework for the charter is provided as Addendum B to illustrate.

The specific roles and responsibilities of ECIWG Partner Agency staff engaged in the RRT will vary based on the nature of each collaborative engagement among agencies. Potential roles and responsibilities for specific initiatives and projects may include (and are not limited to):

- Identifying project leadership and key points of contact.
- Designating representatives for public events and forums.
- Enumerating the types of assistance that each agency will provide to communities, such as strategic planning, project implementation, or convening stakeholders.
- Determining the use of federal resources (e.g., funds, staff) toward the interagency effort.
- Creating workplans for the RRT.
- Overseeing project management among the RRT participants.
- Participating in regular discussions of data gathered by agencies and by local partners, and of best practices methodologies and approaches for evaluation of interagency technical assistance.

Sample Tasks that an RRT may decide to undertake are listed in Addendum B.

V. Limitations

All commitments made by the ECIWG Partner Agencies in this MOU are subject to the availability of appropriated funds and budget priorities. Nothing in this MOU obligates any ECIWG Partner Agency to expend appropriations or to enter any contract, assistance agreement, IAA, or other financial obligation. The ECIWG Partner Agencies agree that any services rendered to another Partner Agency or any other federal department or agency for activities it undertakes in carrying out this MOU shall be pursuant to implementing IAAs or other agreements as required by law.
This MOU is neither a fiscal nor a funds obligation document. Any endeavor involving reimbursement or contribution of funds between the parties to this MOU will be handled in accordance with applicable laws, regulations, and procedures. This MOU is not legally binding and does not create any right or benefit, substantive or procedural, enforceable by law or equity against any ECIWG Partner Agency, its officers or employees, or any other person.

Each ECIWG Partner Agency will discuss with its respective Public Affairs Offices and other ECIWG Partner Agency Public Affairs Offices, as needed, how to coordinate responses to media inquiries, press releases, and other public or government affairs activities relating to this MOU.

VI. Proprietary Information

ECIWG Partner Agencies must adhere to the requirements of Federal law governing disclosure of public and proprietary information and/or source-selection information by a government agency, including, but not limited to, the Privacy Act, 5 U.S.C. § 552a, and the Freedom of Information Act (FOIA), 5 U.S.C. § 552. For purposes of FOIA requests and disclosure or withholding determinations, ECIWG Partner Agencies should consult and defer to the originating agencies’ determination(s) in responding to any FOIA requests and processing any appeals from FOIA denials or withholding determinations. The sharing of information or documents among ECIWG Partner Agencies does not waive any privilege that otherwise might attach to such information or documents.

VII. Effective Date

This MOU becomes effective on the date of signature by all ECIWG Partner Agencies. Signatures to this MOU may be executed in counterparts and may be transmitted via email as a scanned PDF file. Each such signature shall be deemed an original and together shall be deemed part of one and the same MOU.
VIII. Signatures

Janet G. McCabe, Deputy Administrator  
U.S. Environmental Protection Agency  
Dec. 16, 2022  

Gayle C. Manchin  
Gayle C. Manchin, Federal Co-Chair  
Appalachian Regional Commission  
12/21/2022

Adon Morse, Deputy Assistant Secretary  
Treasury  
01/07/2023

B. The Parties hereto have executed this MOU on the dates shown below.

Tommy P. Beaudreau, Deputy Secretary, U.S. Department of the Interior  
JAN 24 2023  

David M. Turk, Deputy Secretary  
U.S. Department of Energy  
February 7, 2023  

Brent Parton, Acting Assistant Secretary  
Employment Training Administration  
January 31, 2023  

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Date  
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<th>MOU on Interagency Collaboration With Energy Communities</th>
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<tr>
<td>Don Graves, Deputy Secretary</td>
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<td>Department of Commerce</td>
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<td>Date: February 3, 2023</td>
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<td>James Kvaal, Under Secretary</td>
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<td>U.S. Department of Education</td>
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<td>Date: February 10, 2023</td>
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<td>Dr. Jewel H. Bronaugh, Deputy Secretary</td>
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<td>U.S. Department of Agriculture</td>
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<td>Date: February 9, 2023</td>
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<td>Andrea Palm, Deputy Secretary</td>
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<td>Department of Health and Human Services</td>
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<td>Date: MAR 09 2023</td>
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<td>APPROVED:</td>
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<td>DATE: 03/16/2023</td>
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Carlos Monje, The Under Secretary of Transportation For Policy
U.S. Department of Transportation (DOT)

Date
## Addendum A – List of Agency Mission and Authorities

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<th>Agency</th>
<th>Mission</th>
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<td>Appalachian Regional Commission (ARC)</td>
<td>ARC’s mission is to innovate, partner, and invest to build community capacity and strengthen economic growth in Appalachia.</td>
<td>40 U.S.C. § 14101-704; 40 U.S.C. § 14306 (a) (7).</td>
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<td>Department of Energy (DOE)</td>
<td>The mission of the Energy Department is to ensure America’s security and prosperity by addressing its energy, environmental, and nuclear challenges through transformative science and technology solutions.</td>
<td>Energy Policy Act of 1992 (42 U.S.C. § 6348, et seq) and Executive Order 14008</td>
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<td>Department of Commerce (DOC)</td>
<td>The Department of Commerce’s mission is to create the conditions for economic growth and opportunity for all communities. Through its 13 bureaus, the Department works to drive U.S. economic competitiveness, strengthen domestic industry, and spur the growth of quality jobs in all communities across the country. The Department serves as the voice of business in the Federal Government, and at the same time, the Department touches and serves every American every day.</td>
<td>Public Works and Economic Development Act of 1965, as amended (PWEDA) (42 U.S.C. § 3121 et seq.); Executive Order 11625; 15 U.S.C. § 1512. Executive Order 14008</td>
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<td>Department of the Interior (DOI)</td>
<td>DOI’s mission is to protect and manage the Nation’s natural resources and cultural heritage; provide scientific and other information about those resources; and honor trust responsibilities or special commitments to American Indians, Alaska Natives, Native Hawaiians, and affiliated island communities. DOI’s management of the nation’s public lands and minerals includes providing access to more than 480 million acres of public lands, 700 million acres of onshore subsurface minerals, and 2.5 billion acres of</td>
<td>Secretarial level authorities: 43 U.S.C. § 1457b (general cooperative authority); 43 U.S.C. § 4601, et seq (Take Pride in America); Bureau of Land Management; 43 U.S.C. § 1731, et seq (organic act and Federal Land Policy and Management Act of 1976); 43 U.S.C. § 1737</td>
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<td>DOL's mission is to foster, promote, and develop the welfare of the wage earners, job seekers, and retirees of the United States; improve working conditions; advance opportunities for profitable employment; and assure work-related benefits and rights. DOL’s community solutions work has primarily focused on its employment and training programs, most of which fall under the authority of the Workforce Innovation and Opportunity Act (WIOA). WIOA is designed to help adult, youth, and dislocated worker job seekers access employment, education, training, and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy.</td>
<td>29 U.S.C. § 3249(c) Executive Order 14008</td>
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<td>Department of Transportation (DOT)</td>
<td>To deliver the world’s leading transportation system, serving the American people and economy through the safe, efficient, sustainable, and equitable movement of people and goods.</td>
<td>49 U.S.C. § 101, 301-309, ch. 53, 5314, 23 U.S.C. § 502, 504(b) ch. 1-5; Fixing America’s Surface Transportation Act (FAST Act) (Public Law 114-21); The Moving Ahead for Progress in the 21st Century (MAP-21) (Public Law 112-141); Safe, Accountable, Flexible and Efficient Transportation Equity Act - A Legacy for Users (SAFETEA-LU) (Public Law 109-59). Executive Order 14008</td>
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| Department of Education (ED) | ED's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access. Congress established ED on May 4, 1980, in the Department of Education Organization Act (Public Law 96-88 of October 1979). Under this law, ED's mission is to:  
  - Strengthen the Federal commitment to assuring access to equal educational opportunity for every individual;  
  - Supplement and complement the efforts of states, the local school systems and other instrumentalities of the states, the private sector, public and private nonprofit educational research institutions, community-based organizations, parents, and students to improve the quality of education;  
  - Encourage the increased involvement of the public, parents, and students in Federal education programs;  
  - Promote improvements in the quality and usefulness of education through Federally supported research, evaluation, and sharing of information;  
  - Improve the coordination of Federal education programs;  
  - Improve the management of Federal education activities; and increase the accountability of Federal education | 20 U.S.C. § 3475, 7243a-7243c Executive Order 14008 |
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<td>Environmental Protection Agency (EPA)</td>
<td>The mission of EPA is to protect human health and the environment. EPA works to ensure that Americans have clean air, land and water; National efforts to reduce environmental risks are based on the best available scientific information; Federal laws protecting human health and the environment are administered and enforced fairly, effectively and as Congress intended; Environmental stewardship is integral to U.S. policies concerning natural resources, human health, economic growth, energy, transportation, agriculture, industry, and international trade, and these factors are similarly considered in establishing environmental policy; All parts of society--communities, individuals, businesses, and state, local and tribal governments--have access to accurate information sufficient to effectively participate in managing human health and environmental risks; Contaminated lands and toxic sites are cleaned up by potentially responsible parties and revitalized; and Chemicals in the marketplace are reviewed for safety.</td>
<td>Inflation Reduction Act, Pub. L. 117-169; Section 138 of the Clean Air Act, 42 U.S.C. 7438; Section 20 of the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. § 136r; Section 10 of the Toxic Substances Control Act, 15 U.S.C. § 2609; Section 104 of the Clean Water Act, 33 U.S.C. § 1254; Section 1442 of the Safe Drinking Water Act, 42 U.S.C. § 300j-1; Section 8001 of the Solid Waste Disposal Act, 42 U.S.C. § 6981; Section 103 of the Clean Air Act, 42 U.S.C. § 7403; Section 311 of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9660. Executive Order 14008</td>
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<td>Department of Health and Human Services (HHS)</td>
<td>HHS’s mission is to enhance the health and well-being of Americans by providing for effective health and human services and by fostering sound, sustained advances in the sciences underlying medicine, public health, and social services.</td>
<td>Executive Orders 14008 and 12898. 42 U.S.C. §§300u and 300u-1 (Sections 1701 and 1702 of the Public Health Service Act)</td>
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<td>Department of the Treasury (TREAS)</td>
<td>The U.S. Department of the Treasury’s mission is to maintain a strong economy and create economic and job opportunities by promoting the conditions that enable economic growth and stability at home and abroad, strengthen national security by combating threats and protecting the integrity of the financial system, and manage the U.S. Government’s finances and resources effectively.</td>
<td>Executive Order 14008</td>
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<td>USDA</td>
<td>USDA provides leadership on food, agriculture, natural resources, rural development, nutrition, and related issues based on sound public policy, the best available science, and efficient management. Its vision is to expand economic opportunity through innovation, helping rural America to thrive; to</td>
<td>General RD authorities: Consolidated Farm and Rural Development Act, 7 U.S.C. § 1921, et seq.; Housing Act of 1949, title V, 42 U.S.C. § 1471, et seq.; Section 901 of the</td>
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<td>promote agriculture production sustainability that better nourishes Americans while also helping feed others throughout the world; and to preserve and conserve our Nation's natural resources through restored forests, improved watersheds, and healthy private working lands. USDA Rural Development (RD) is committed to helping improve the economy and quality of life in rural America. Through its programs, RD helps rural Americans in many ways. RD offers loans, grants, and loan guarantees to support essential services such as housing, economic development, health care, first responder services and equipment, and water, electric and communications infrastructure. RD promotes economic development by supporting loans to businesses through banks, credit unions and community-managed lending pools. RD offers technical assistance and information to help agricultural producers and cooperatives get started and improve the effectiveness of their operations and to help communities undertake community empowerment programs. RD also helps rural residents buy or rent safe, affordable housing and make health and safety repairs to their homes.</td>
<td>Food Conservation and Energy Act of 2008 (Pub L. 110-246); Rural Electrification Act of 1936, 7 U.S.C. § 901 et seq.; 7 U.S.C. § 2204b (Rural Development policy); Technical Assistance Program authorities: 7 U.S.C. § 2204b(a); (RBDG)(7 CFR part 4280, subpart E); (REDLG)(7 CFR part 4280, subpart A); (RMAP)(7 CFR part 4280, subpart D); Self-Help Housing Grants (7 CFR part 1944, subpart I); Solid Waste Management Grants (7 CFR part 1775, subpart D); Water and Waste Disposal Technical Assistance Grants (7 CFR part 1775, subpart C). Executive Order 14008</td>
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ADDENDUM B – SAMPLE RRT FRAMEWORK

IX. This sample RRT framework is provided as an example and does not constrain the customization of individual RRTs in any way.

X. Tasks

The Rapid Response Teams (RRTs) will undertake a regionally customized, comprehensive set of tasks that may include:

- Designate a single point of contact for continuing RRT leadership.
- The RRT lead will conduct a preliminary assessment to guide the RRT’s engagement in a community. Potential topics for the assessment could include:
  - **Strategic Planning:** Has the community or region already created a strategic plan? This can include a U.S. Economic Development Administration (EDA) Comprehensive Economic Development Strategy (CEDS), a U.S. Department of Housing and Urban Development (HUD) Consolidated Plan, and/or a U.S. Department of Agriculture (USDA) Rural Development Community Economic Development plan, among other federal planning programs.
  - **Place-Based Capacity:** Are there anchor institutions or other resources available to navigate federal resources and access them competitively?
  - **Unmet Needs:** Are their needs documented?
  - **Economic Development Priorities and Opportunities:** What industries and economic drivers does the community want to see grow?
  - **Worker Considerations:** Are there dislocated workers or unmet human capital needs?
  - **Equity:** Are there economic or other disparities within the community that could be addressed? Are there environmental justice concerns within the community that should be considered?
- The RRT lead will coordinate the identification and use of ECIWG Partner Agencies’ resources through an integrated approach to interrelated issues being faced by the (regional name) energy community. This will include:
  - Identify ECIWG agencies and Federal staff to support the RRT lead.
  - Determine what is necessary to understand community needs.
  - Understand the community needs:
    - Identify community leads.
    - Hold listening sessions with community members.
    - Work to discern the fundamental issues that community members face, including equity.
Understand challenges at the community level that often occupy the spaces between our agencies and our programs.

- Establish smaller teams within the RRT to address specific issues.

Identify and provide dedicated technical assistance for fossil fuel stakeholders, community members, and local, regional, state, and Tribal leaders to organize around the community’s immediate needs and longer-term economic transition strategies. Establish working relationships. Listen and hear—do not prescribe solutions without listening to and hearing the community. Expect to have to tweak programs to meet those needs.

Assist in identifying opportunities and support, to the maximum extent permitted, for the development of effective applications by community organizations for relevant federal funding opportunities to meet those needs and strategies.

Each smaller team within the RRT may develop a workplan defining the steps required to address the needs identified by stakeholders and available community planning documentation. This may include:

- Outline broad next steps (in the language of the communities).
- In consultation with community leads, look for and agree to near-, mid-, long-term actions.
- Know that the actions may not align perfectly with agency programs.
- Search for ways the actions can be broken apart and addressed incrementally.
- Search for technical assistance mechanisms (capacity building programs in place; contract vehicles).

The workplan may include categories of assistance based on the RRT and local input, such as:

- Where to start when you know your power plant or mine is closing.
- Where to start when the closure/conversion is further down the road than the next couple of years.
- Community member involvement in economic transformation strategies, planning, pre-development, and implementation that reflects the Biden-Harris Administration’s commitment to equity.
- Community-led visioning for economic transformation.
- Assistance with nascent economic drivers. This assistance is preparation for catalytic public investments that can come from the American Rescue Plan (ARP), the Infrastructure Investment and Jobs Act (IIJA), and the Inflation Reduction Act (IRA) programs.
- Identification of specific benefits to, and mitigation of harms in, environmental justice and other disadvantaged communities.
MOU on Interagency Collaboration With Energy Communities

- Nascent business development.
- Assistance toward specific programs that can help with:
  - Site reuse.
  - Assessment and remediation of plant sites and mine lands.
  - Job training/relocation/benefits preservation.
  - Issues related to bankruptcy of utilities/mining companies.
  - Community resilience.

- Contribute to the development of an ECIWG playbook, laying out key issues, resources, and recommendations for communities facing plant and mine closures, as well as case studies based on findings from the RRT’s work.

- Additional comprehensive tasks may be defined by the RRT through its involvement with the (regional name) energy community, after approval by the RRT Manager. See RRT Manager Responsibilities below for details.

XI. RRT Participants and Roles (to be completed by each individual RRT)

RRT participants will be called upon to participate on smaller teams as their expertise and community needs require.

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<th>Agency</th>
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<th>Roles/Responsibilities</th>
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<td>Optional additional Agencies, such as HUD, SBA, DRA, etc.</td>
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XII. Roles and Responsibilities

These roles are provided as examples and may be customized for different RRTs across the country.
XIII. **RRT Manager Responsibilities**

- Direct the ECIWG RRT activity and ensure seamless integration with other ECIWG activities.
- Keep the ECIWG Deputy Executive Director apprised of RRT activities.
- Identify priority energy communities that will benefit significantly from an RRT.
- Prepare a draft charter for prioritized energy communities for which approval will be sought, including identifying ECIWG Partner Agencies that will participate.
- Obtain approval to establish the RRT.
- Work with ECIWG Partner Agencies to establish the RRT.
- Serve as the interface between each established RRT and the ECIWG.
- Advocate for needed resources.
- Provide evaluations of RRT activities, including lessons learned and best practices exercises.
- Share lessons learned and best practices across all RRTs.

XIV. **RRT Lead (an ECIWG agency representative)**

- Serve as Chairperson of the RRT.
- Keep Sponsor apprised of RRT activities.
- Organize the RRT and define roles for included agency representatives.
- Utilize the experiences of agency headquarters and field representatives.
- Leverage centralized and shared resources for geospatial analysis, concierge services, event planning, and communications support.
- Ensure that the RRT interfaces, assesses, and understands the needs of the energy community.
- Establish individual smaller teams to address specific issues, as needed.
- Conduct virtual RRT meetings, at least monthly.
- Provide Sponsor a monthly summary of identified issues, progress-to-date, planned actions, and resource requests.

XV. **RRT Members (ECIWG headquarters and field representatives)**

- Propose and support RRT activities.
- Propose, support, and serve as participants of defined RRT smaller teams.
- Provide single point of contact for local stakeholders.
- Advance projects and/or address challenges.
XVI. RRT Smaller Team Participants (ECIWG headquarters and field staff, other local representatives, and subject matter experts)

- Support and serve as participants of defined RRT smaller teams.

XVII. Ex-Officio RRT Members

- Provide expertise and influence to support the RRT’s activities.