or programs in its State Plan, as specified in §455.20(j);
(2) The State has a program or programs established consistent with this part of that fund, from non-Federal sources, energy conservation measures eligible under this part;
(3) Not more than 15 percent of the aggregate amount of Federal and non-Federal funds legally committed or obligated to eligible recipients in the State to provide program assistance, marketing and technical assistance programs, implement energy conservation measures consistent with this part, and otherwise carry out a program pursuant to this part for the fiscal year concerned are expended for program assistance, technical assistance and marketing costs for such program;
(4) The energy conservation measures funded from non-Federal sources under this section would be eligible for funding under §455.71; and
(5) The institutions undertaking the non-Federally funded energy conservation measures do so in accordance with all applicable Federal, State, and local laws and regulations with particular attention paid to applicable Federal and State non-discrimination laws and regulations.

(b) Applications for financial assistance to defray State technical assistance, program assistance, and marketing expenses shall include:
(1) The name and address of the person designated by the State to be responsible for the State’s functions under this part;
(2) An identification of intended use of all Federal and non-Federal funds for the State administrative expenses listed in §455.82, or the technical assistance, program assistance, or marketing programs pursuant to this section;
(3) Descriptions of the activities to be implemented together with a description of the State’s program to provide non-Federal sources of funding to carry out the State’s program(s) for energy conservation measures consistent with this part;
(4) A certification that the 15 percent limit specified in subparagraph (a)(3) of this section will not be exceeded; and
(5) Any other information required by DOE.