

retary independent verification of any energy savings achieved through the statewide program.

**(c) Authorization of appropriations**

There is authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2006 through 2010, to remain available until expended.

(Pub. L. 109–58, title I, §140, Aug. 8, 2005, 119 Stat. 647.)

**§ 15834. Report on failure to comply with deadlines for new or revised energy conservation standards**

**(a) Initial report**

The Secretary shall submit a report to Congress regarding each new or revised energy conservation or water use standard which the Secretary has failed to issue in conformance with the deadlines established in the Energy Policy and Conservation Act [42 U.S.C. 6201 et seq.]. Such report shall state the reasons why the Secretary has failed to comply with the deadline for issuances of the new or revised standard and set forth the Secretary's plan for expeditiously prescribing such new or revised standard. The Secretary's initial report shall be submitted not later than 6 months following August 8, 2005, and subsequent reports shall be submitted whenever the Secretary determines that additional deadlines for issuance of new or revised standards have been missed.

**(b) Implementation report**

Every 6 months following the submission of a report under subsection (a) until the adoption of a new or revised standard described in such report, the Secretary shall submit to the Congress an implementation report describing the Secretary's progress in implementing the Secretary's plan or the issuance of the new or revised standard.

(Pub. L. 109–58, title I, §141, Aug. 8, 2005, 119 Stat. 648.)

**Editorial Notes**

REFERENCES IN TEXT

The Energy Policy and Conservation Act, referred to in subsec. (a), is Pub. L. 94–163, Dec. 22, 1975, 89 Stat. 871, which is classified principally to chapter 77 (§6201 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 6201 of this title and Tables.

PART D—PUBLIC HOUSING

**§ 15841. Energy-efficient appliances**

In purchasing appliances, a public housing agency shall purchase energy-efficient appliances that are Energy Star products or FEMP-designated products, as such terms are defined in section 8259b of this title, unless the purchase of energy-efficient appliances is not cost-effective to the agency.

(Pub. L. 109–58, title I, §152, Aug. 8, 2005, 119 Stat. 649.)

**§ 15842. Energy strategy for HUD**

The Secretary of Housing and Urban Development shall develop and implement an integrated

strategy to reduce utility expenses through cost-effective energy conservation and efficiency measures and energy efficient design and construction of public and assisted housing. The energy strategy shall include the development of energy reduction goals and incentives for public housing agencies. The Secretary shall submit a report to Congress, not later than 1 year after August 8, 2005, on the energy strategy and the actions taken by the Department of Housing and Urban Development to monitor the energy usage of public housing agencies and shall submit an update every 2 years thereafter on progress in implementing the strategy.

(Pub. L. 109–58, title I, §154, Aug. 8, 2005, 119 Stat. 650.)

SUBCHAPTER II—RENEWABLE ENERGY

PART A—GENERAL PROVISIONS

**§ 15851. Assessment of renewable energy resources**

**(a) Resource assessment**

Not later than 6 months after August 8, 2005, and each year thereafter, the Secretary shall review the available assessments of renewable energy resources within the United States, including solar, wind, biomass, marine, geothermal, and hydroelectric energy resources, and undertake new assessments as necessary, taking into account changes in market conditions, available technologies, and other relevant factors.

**(b) Contents of reports**

Not later than 1 year after August 8, 2005, and each year thereafter, the Secretary shall publish a report based on the assessment under subsection (a). The report shall contain—

(1) a detailed inventory describing the available amount and characteristics of the renewable energy resources; and

(2) such other information as the Secretary believes would be useful in developing such renewable energy resources, including descriptions of surrounding terrain, population and load centers, nearby energy infrastructure, location of energy and water resources, and available estimates of the costs needed to develop each resource, together with an identification of any barriers to providing adequate transmission for remote sources of renewable energy resources to current and emerging markets, recommendations for removing or addressing such barriers, and ways to provide access to the grid that do not unfairly disadvantage renewable or other energy producers.

**(c) Authorization of appropriations**

For the purposes of this section, there are authorized to be appropriated to the Secretary \$10,000,000 for each of fiscal years 2006 through 2010.

(Pub. L. 109–58, title II, §201, Aug. 8, 2005, 119 Stat. 650; Pub. L. 116–260, div. Z, title III, §3006(b)(1), Dec. 27, 2020, 134 Stat. 2512.)

**Editorial Notes**

## AMENDMENTS

2020—Subsec. (a). Pub. L. 116-260 substituted “marine” for “ocean (including tidal, wave, current, and thermal)”.

**§ 15852. Federal purchase requirement****(a) Requirement**

The President, acting through the Secretary, shall seek to ensure that, to the extent economically feasible and technically practicable, of the total amount of electric energy the Federal Government consumes during any fiscal year, the following amounts shall be renewable energy:

(1) Not less than 3 percent in fiscal years 2007 through 2009.

(2) Not less than 5 percent in fiscal years 2010 through 2012.

(3) Not less than 7.5 percent in fiscal year 2013 and each fiscal year thereafter.

**(b) Definitions**

In this section:

**(1) Biomass**

The term “biomass” means any lignin waste material that is segregated from other waste materials and is determined to be nonhazardous by the Administrator of the Environmental Protection Agency and any solid, nonhazardous, cellulosic material that is derived from—

(A) any of the following forest-related resources: mill residues, precommercial thinnings, slash, and brush, or nonmerchantable material;

(B) solid wood waste materials, including waste pallets, crates, dunnage, manufacturing and construction wood wastes (other than pressure-treated, chemically-treated, or painted wood wastes), and landscape or right-of-way tree trimmings, but not including municipal solid waste (garbage), gas derived from the biodegradation of solid waste, or paper that is commonly recycled;

(C) agriculture wastes, including orchard tree crops, vineyard, grain, legumes, sugar, and other crop by-products or residues, and livestock waste nutrients; or

(D) a plant that is grown exclusively as a fuel for the production of electricity.

**(2) Renewable energy**

The term “renewable energy” means marine energy (as defined in section 17211 of this title), or electric energy produced from solar, wind, biomass, landfill gas, geothermal, municipal solid waste, or new hydroelectric generation capacity achieved from increased efficiency or additions of new capacity at an existing hydroelectric project.

**(c) Calculation****(1) In general**

For purposes of determining compliance with the requirement of this section, the amount of renewable energy shall be doubled if—

(A) the renewable energy is produced and used on-site at a Federal facility;

(B) the renewable energy is produced on Federal lands and used at a Federal facility; or

(C) the renewable energy is produced on Indian land as defined in title XXVI of the Energy Policy Act of 1992 (25 U.S.C. 3501 et seq.) and used at a Federal facility.

**(2) Separate calculation****(A) In general**

For purposes of determining compliance with the requirement of this section, any energy consumption that is avoided through the use of geothermal energy shall be considered to be renewable energy produced.

**(B) Efficiency accounting**

Energy consumption that is avoided through the use of geothermal energy that is considered to be renewable energy under this section shall not be considered energy efficiency for the purpose of compliance with Federal energy efficiency goals, targets, and incentives.

**(d) Report**

Not later than April 15, 2007, and every 2 years thereafter, the Secretary shall provide a report to Congress on the progress of the Federal Government in meeting the goals established by this section.

(Pub. L. 109-58, title II, §203, Aug. 8, 2005, 119 Stat. 652; Pub. L. 116-260, div. Z, title III, §§3002(o), 3006(b)(2), Dec. 27, 2020, 134 Stat. 2497, 2512.)

**Editorial Notes**

## REFERENCES IN TEXT

The Energy Policy Act of 1992, referred to in subsec. (c)(1)(C), is Pub. L. 102-486, Oct. 24, 1992, 106 Stat. 2776. Title XXVI of the Act is classified generally to chapter 37 (§3501 et seq.) of Title 25, Indians. For complete classification of this Act to the Code, see Short Title note set out under section 13201 of this title and Tables.

## AMENDMENTS

2020—Subsec. (b)(2). Pub. L. 116-260, §3006(b)(2), inserted “marine energy (as defined in section 17202 of this title), or” before “electric energy” and struck out “ocean (including tidal, wave, current, and thermal),” before “geothermal”.

Pub. L. 116-260, §3002(o)(1), substituted “produced” for “generated”.

Subsec. (c). Pub. L. 116-260, §3002(o)(2), designated existing provisions as par. (1) and inserted heading, redesignated former pars. (1) to (3) as subpars. (A) to (C), respectively, of par. (1), and added par. (2).

**Executive Documents**

## FEDERAL LEADERSHIP ON ENERGY MANAGEMENT

Memorandum of President of the United States, Dec. 5, 2013, 78 F.R. 75209, which set a renewable energy target and building performance and energy management requirements for Federal agencies, was revoked by Ex. Ord. No. 13693, §16(b), Mar. 19, 2015, 80 F.R. 15880, formerly set out in a note under section 4321 of this title.

**§ 15853. Rebate program****(1) Establishment**

The Secretary shall establish a program providing rebates for consumers for expenditures made for the installation of a renewable energy system in connection with a dwelling unit or small business.