

**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.)

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## 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.