

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.

(2) Amount of rebate

Rebates provided under the program established under paragraph (1) shall be in an amount not to exceed the lesser of—

- (A) 25 percent of the expenditures described in paragraph (1) made by the consumer; or
- (B) \$3,000.

(3) Definition

For purposes of this section, the term “renewable energy system” has the meaning given that term in section 6865(c)(6)(A) of this title.

(4) Authorization of appropriations

There are authorized to be appropriated to the Secretary for carrying out this section, to remain available until expended—

- (A) \$150,000,000 for fiscal year 2006;
- (B) \$150,000,000 for fiscal year 2007;
- (C) \$200,000,000 for fiscal year 2008;
- (D) \$250,000,000 for fiscal year 2009; and
- (E) \$250,000,000 for fiscal year 2010.

(Pub. L. 109–58, title II, §206(c), Aug. 8, 2005, 119 Stat. 655.)

§ 15854. Sugar Cane Ethanol Program**(a) Definition of program**

In this section, the term “program” means the Sugar Cane Ethanol Program established by subsection (b).

(b) Establishment

There is established within the Environmental Protection Agency a program to be known as the “Sugar Cane Ethanol Program”.

(c) Project**(1) In general**

Subject to the availability of appropriations under subsection (d), in carrying out the program, the Administrator of the Environmental Protection Agency shall establish a project that is—

- (A) carried out in multiple States—
 - (i) in each of which is produced cane sugar that is eligible for loans under section 7272 of title 7, or a similar subsequent authority; and
 - (ii) at the option of each such State, that have an incentive program that requires the use of ethanol in the State; and
- (B) designed to study the production of ethanol from cane sugar, sugarcane, and sugarcane byproducts.

(2) Requirements

A project described in paragraph (1) shall—

- (A) be limited to sugar producers and the production of ethanol in the States of Florida, Louisiana, Texas, and Hawaii, divided equally among the States, to demonstrate that the process may be applicable to cane sugar, sugarcane, and sugarcane byproducts;
- (B) include information on the ways in which the scale of production may be replicated once the sugar cane industry has located sites for, and constructed, ethanol production facilities; and
- (C) not last more than 3 years.

(d) Authorization of appropriations

There is authorized to be appropriated to carry out this section \$36,000,000, to remain available until expended.

(Pub. L. 109–58, title II, §208, Aug. 8, 2005, 119 Stat. 656.)

§ 15855. Grants to improve the commercial value of forest biomass for electric energy, useful heat, transportation fuels, and other commercial purposes**(a) Definitions**

In this section:

(1) Biomass

The term “biomass” means nonmerchantable materials or precommercial thinnings that are byproducts of preventive treatments, such as trees, wood, brush, thinnings, chips, and slash, that are removed—

- (A) to reduce hazardous fuels;
- (B) to reduce or contain disease or insect infestation; or
- (C) to restore forest health.

(2) Indian tribe

The term “Indian tribe” has the meaning given the term in section 5304(e) of title 25.

(3) Nonmerchantable

For purposes of subsection (b), the term “nonmerchantable” means that portion of the byproducts of preventive treatments that would not otherwise be used for higher value products.

(4) Person

The term “person” includes—

- (A) an individual;
- (B) a community (as determined by the Secretary concerned);
- (C) an Indian tribe;
- (D) a small business or a corporation that is incorporated in the United States; and
- (E) a nonprofit organization.

(5) Preferred community

The term “preferred community” means—

- (A) any Indian tribe;
- (B) any town, township, municipality, or other similar unit of local government (as determined by the Secretary concerned) that—
 - (i) has a population of not more than 50,000 individuals; and
 - (ii) the Secretary concerned, in the sole discretion of the Secretary concerned, determines contains or is located near Federal or Indian land, the condition of which is at significant risk of catastrophic wildfire, disease, or insect infestation or which suffers from disease or insect infestation; or
- (C) any county that—
 - (i) is not contained within a metropolitan statistical area; and
 - (ii) the Secretary concerned, in the sole discretion of the Secretary concerned, determines contains or is located near Federal or Indian land, the condition of which is at significant risk of catastrophic wildfire, disease, or insect infestation or which suffers from disease or insect infestation.

(6) Secretary concerned

The term “Secretary concerned” means the Secretary of Agriculture or the Secretary of the Interior.