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### § 15801. Definitions

Except as otherwise provided, in this Act:

#### (1) Department

The term “Department” means the Department of Energy.

#### (2) Institution of higher education

##### (A) In general

The term “institution of higher education” has the meaning given the term in section 1001(a) of title 20.

##### (B) Inclusion

The term “institution of higher education” includes an organization that—

- (i) is organized, and at all times thereafter operated, exclusively for the benefit of, to perform the functions of, or to carry out the functions of one or more organizations referred to in subparagraph (A); and
- (ii) is operated, supervised, or controlled by or in connection with one or more of those organizations.

#### (3) National Laboratory

The term “National Laboratory” means any of the following laboratories owned by the Department:

- (A) Ames Laboratory.
- (B) Argonne National Laboratory.
- (C) Brookhaven National Laboratory.
- (D) Fermi National Accelerator Laboratory.
- (E) Idaho National Laboratory.
- (F) Lawrence Berkeley National Laboratory.
- (G) Lawrence Livermore National Laboratory.
- (H) Los Alamos National Laboratory.
- (I) National Energy Technology Laboratory.

- (J) National Renewable Energy Laboratory.
- (K) Oak Ridge National Laboratory.
- (L) Pacific Northwest National Laboratory.
- (M) Princeton Plasma Physics Laboratory.
- (N) Sandia National Laboratories.
- (O) Savannah River National Laboratory.
- (P) Stanford Linear Accelerator Center.
- (Q) Thomas Jefferson National Accelerator Facility.

#### (4) Secretary

The term “Secretary” means the Secretary of Energy.

#### (5) Small business concern

The term “small business concern” has the meaning given the term in section 632 of title 15.

(Pub. L. 109–58, § 2, Aug. 8, 2005, 119 Stat. 604.)

#### REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 109–58, Aug. 8, 2005, 119 Stat. 594, as amended, known as the Energy Policy Act of 2005, which enacted this chapter and enacted, amended, and repealed numerous other sections and notes in the Code. For complete classification of this Act to the Code, see Short Title note below and Tables.

#### SHORT TITLE OF 2011 AMENDMENT

Pub. L. 111–364, § 1, Jan. 4, 2011, 124 Stat. 4056, provided that: “This Act [amending sections 16131 to 16134 and 16137 of this title and enacting provisions set out as a note under section 16131 of this title] may be cited as the ‘Diesel Emissions Reduction Act of 2010.’”

#### SHORT TITLE OF 2007 AMENDMENT

Pub. L. 110–69, title V, § 5001, Aug. 9, 2007, 121 Stat. 600, provided that: “This title [enacting subchapter XVII of this chapter and sections 7381g to 7381r of this title, amending sections 7381a, 7381d, 7381e, and 16311 of this title, and enacting provisions set out as a note under section 7381g of this title] may be cited as the ‘Protecting America's Competitive Edge Through Energy Act’ or the ‘PACE–Energy Act.’”

#### SHORT TITLE OF 2006 AMENDMENT

Pub. L. 109–375, § 1, Dec. 1, 2006, 120 Stat. 2656, provided that: “This Act [amending section 15855 of this title] may be cited as the ‘Sierra National Forest Land Exchange Act of 2006.’”

#### SHORT TITLE

Pub. L. 109–58, § 1(a), Aug. 8, 2005, 119 Stat. 594, provided that: “This Act [see Tables for classification] may be cited as the ‘Energy Policy Act of 2005.’”

Pub. L. 109–58, title IV, § 431, Aug. 8, 2005, 119 Stat. 760, provided that: “This subtitle [subtitle D (§§ 431–438) of title IV of Pub. L. 109–58, enacting part C (§ 15991) of subchapter IV of this chapter, amending sections 201, 202a, 203, and 207 of Title 30, Mineral Lands and Mining, and enacting provisions set out as a note under section 201 of Title 30] may be cited as the ‘Coal Leasing Amendments Act of 2005.’”

Pub. L. 109–58, title V, § 501, Aug. 8, 2005, 119 Stat. 763, provided that: “This title [enacting subchapter V of this chapter, section 7144e of this title, and chapter 37 (§ 3501 et seq.) of Title 25, Indians, amending section 5315 of Title 5, Government Organization and Employees, and section 4132 of Title 25, and enacting provisions set out as a note under section 3501 of Title 25] may be cited as the ‘Indian Tribal Energy Development and Self-Determination Act of 2005.’”

Pub. L. 109–58, title VIII, § 801, Aug. 8, 2005, 119 Stat. 844, provided that: “This title [enacting subchapter

VIII of this chapter] may be cited as the ‘Spark M. Matsunaga Hydrogen Act of 2005.’”

Pub. L. 109-58, title IX, §901, Aug. 8, 2005, 119 Stat. 856, provided that: “This title [enacting subchapter IX of this chapter, amending sections 8101 and 8102 of Title 7, Agriculture, and section 5523 of Title 15, Commerce and Trade, enacting provisions set out as notes under section 8102 of Title 7 and section 2001 of Title 30, Mineral Lands and Mining, amending provisions set out as notes under section 8101 of Title 7, and section 1902 of Title 30 may be cited as the ‘Energy Research, Development, Demonstration, and Commercial Application Act of 2005.’”

Pub. L. 109-58, title XII, §1201, Aug. 8, 2005, 119 Stat. 941, provided that: “This title [enacting subchapter XII of this chapter and sections 824j-1 and 824o to 824w of Title 16, Conservation, amending sections 796, 824, 824a-3, 824b, 824e, 824j, 824m, 825e, 825f, 825l to 825o, 825o-1, 2621, 2622, 2625, 2634, and 2642 of Title 16, repealing chapter 2C (§79 et seq.) of Title 15, Commerce and Trade, and sections 824n and 825q of Title 16, and enacting provisions set out as notes under section 16451 of this title and sections 824b, 824o, 824q, and 2642 of Title 16] may be cited as the ‘Electricity Modernization Act of 2005.’”

Pub. L. 109-58, title XII, §1261, Aug. 8, 2005, 119 Stat. 972, provided that: “This subtitle [subtitle F (§§1261-1277) of title XII of Pub.L. 109-58, enacting part D (§16451 et seq.) of subchapter XII of this chapter, amending sections 824 and 824m of Title 16, Conservation, repealing chapter 2C (§79 et seq.) of Title 15, Commerce and Trade, and section 825q of Title 16, and enacting provisions set out as a note under section 16451 of this title] may be cited as the ‘Public Utility Holding Company Act of 2005.’”

## SUBCHAPTER I—ENERGY EFFICIENCY

### PART A—FEDERAL PROGRAMS

#### § 15811. Voluntary commitments to reduce industrial energy intensity

##### (a) Definition of energy intensity

In this section, the term “energy intensity” means the primary energy consumed for each unit of physical output in an industrial process.

##### (b) Voluntary agreements

The Secretary may enter into voluntary agreements with one or more persons in industrial sectors that consume significant quantities of primary energy for each unit of physical output to reduce the energy intensity of the production activities of the persons.

##### (c) Goal

Voluntary agreements under this section shall have as a goal the reduction of energy intensity by not less than 2.5 percent each year during the period of calendar years 2007 through 2016.

##### (d) Recognition

The Secretary, in cooperation with other appropriate Federal agencies, shall develop mechanisms to recognize and publicize the achievements of participants in voluntary agreements under this section.

##### (e) Technical assistance

A person that enters into an agreement under this section and continues to make a good faith effort to achieve the energy efficiency goals specified in the agreement shall be eligible to receive from the Secretary a grant or technical assistance, as appropriate, to assist in the achievement of those goals.

##### (f) Report

Not later than each of June 30, 2012, and June 30, 2017, the Secretary shall submit to Congress a report that—

(1) evaluates the success of the voluntary agreements under this section; and

(2) provides independent verification of a sample of the energy savings estimates provided by participating firms.

(Pub. L. 109-58, title I, §106, Aug. 8, 2005, 119 Stat. 611.)

#### § 15812. Advanced Building Efficiency Testbed

##### (a) Establishment

The Secretary, in consultation with the Administrator of General Services, shall establish an Advanced Building Efficiency Testbed program for the development, testing, and demonstration of advanced engineering systems, components, and materials to enable innovations in building technologies. The program shall evaluate efficiency concepts for government and industry buildings, and demonstrate the ability of next generation buildings to support individual and organizational productivity and health (including by improving indoor air quality) as well as flexibility and technological change to improve environmental sustainability. Such program shall complement and not duplicate existing national programs.

##### (b) Participants

The program established under subsection (a) shall be led by a university with the ability to combine the expertise from numerous academic fields including, at a minimum, intelligent workplaces and advanced building systems and engineering, electrical and computer engineering, computer science, architecture, urban design, and environmental and mechanical engineering. Such university shall partner with other universities and entities who have established programs and the capability of advancing innovative building efficiency technologies.

##### (c) Authorization of appropriations

There are authorized to be appropriated to the Secretary to carry out this section \$6,000,000 for each of the fiscal years 2006 through 2008, to remain available until expended. For any fiscal year in which funds are expended under this section, the Secretary shall provide one-third of the total amount to the lead university described in subsection (b), and provide the remaining two-thirds to the other participants referred to in subsection (b) on an equal basis.

(Pub. L. 109-58, title I, §107, Aug. 8, 2005, 119 Stat. 612.)

#### § 15813. Enhancing energy efficiency in management of Federal lands

##### (a) Sense of the Congress

It is the sense of the Congress that Federal agencies should enhance the use of energy efficient technologies in the management of natural resources.

##### (b) Energy efficient buildings

To the extent practicable, the Secretary of the Interior, the Secretary of Commerce, and the