out as a note under section 6834 of this title. For complete classification of subtitle C to the Code, see Tables.

§ 17096. Authorization of appropriations

There is authorized to be appropriated to carry out sections 434 through 439 and 482[1] $4,000,000 for each of fiscal years 2008 through 2012, to remain available until expended.

(Pub. L. 110–140, title IV, § 440, Dec. 19, 2007, 121 Stat. 1623.)

REFERENCES IN TEXT

Sections 434 through 439, referred to in text, are sections 434 to 439 of Pub. L. 110–140, which enacted sections 17091 to 17095 of this title and amended section 8253 of this title. Section 482 is unidentifiable because Pub. L. 110–140 does not contain a section 482.

PART D—INDUSTRIAL ENERGY EFFICIENCY

§ 17111. Energy-intensive industries program

(a) Definitions

In this section:

(1) Eligible entity

The term ''eligible entity'' means—

(A) an energy-intensive industry;

(B) a national trade association representing an energy-intensive industry; or

(C) a person acting on behalf of 1 or more energy-intensive industries or sectors, as determined by the Secretary.

(2) Energy-intensive industry

The term ''energy-intensive industry'' means an industry that uses significant quantities of energy as part of its primary economic activities, including—

(A) information technology, including data centers containing electrical equipment used in processing, storing, and transmitting digital information;

(B) consumer product manufacturing;

(C) food processing;

(D) materials manufacturers, including—

(i) aluminum;

(ii) chemicals;

(iii) forest and paper products;

(iv) metal casting;

(v) glass;

(vi) petroleum refining;

(vii) mining; and

(viii) steel;

(E) other energy-intensive industries, as determined by the Secretary.

(3) Feedstock

The term ''feedstock'' means the raw material supplied for use in manufacturing, chemical, and biological processes.

(4) Partnership

The term ''partnership'' means an energy efficiency partnership established under subsection (c)(1)(A).

(5) Program

The term ''program'' means the energy-intensive industries program established under subsection (b).

(b) Establishment of program

The Secretary shall establish a program under which the Secretary, in cooperation with energy-intensive industries and national industry trade associations representing the energy-intensive industries, shall support, research, develop, and promote the use of new materials processes, technologies, and techniques to optimize energy efficiency and the economic competitiveness of the United States' industrial and commercial sectors.

(c) Partnerships

(1) In general

As part of the program, the Secretary shall establish energy efficiency partnerships between the Secretary and eligible entities to conduct research on, develop, and demonstrate new processes, technologies, and operating practices and techniques to significantly improve the energy efficiency of equipment and processes used by energy-intensive industries, including the conduct of activities to—

(A) increase the energy efficiency of industrial processes and facilities;

(B) research, develop, and demonstrate advanced technologies capable of energy intensity reductions and increased environmental performance; and

(C) promote the use of the processes, technologies, and techniques described in subparagraphs (A) and (B).

(2) Eligible activities

Partnership activities eligible for funding under this subsection include—

(A) feedstock and recycling research, development, and demonstration activities to identify and promote—

(i) opportunities for meeting industry feedstock requirements with more energy efficient and flexible sources of feedstock or energy supply;

(ii) strategies to develop and deploy technologies that improve the quality and quantity of feedstocks recovered from process and waste streams; and

(iii) other methods using recycling, reuse, and improved industrial materials;

(B) research to develop and demonstrate technologies and processes that utilize alternative energy sources to supply heat, power, and new feedstocks for energy-intensive industries;

(C) research to achieve energy efficiency in steam, power, control system, and process heat technologies, and in other manufacturing processes; and

(D) industrial and commercial energy efficiency and sustainability assessments to—

(i) assist individual industrial and commercial sectors in developing tools, techniques, and methodologies to assess—

(I) the unique processes and facilities of the sectors;

(II) the energy utilization requirements of the sectors; and

(III) the application of new, more energy efficient technologies; and

(ii) conduct energy savings assessments;

[1] See References in Text note below.

(E) the incorporation of technologies and innovations that would significantly improve the energy efficiency and utilization of energy-intensive commercial applications; and

(F) any other activities that the Secretary determines to be appropriate.

(3) Proposals

(A) In general

To be eligible for funding under this subsection, a partnership shall submit to the Secretary a proposal that describes the proposed research, development, or demonstration activity to be conducted by the partnership.

(B) Review

After reviewing the scientific, technical, and commercial merit of a proposals[1] submitted under subparagraph (A), the Secretary shall approve or disapprove the proposal.

(C) Competitive awards

The provision of funding under this subsection shall be on a competitive basis.

(4) Cost-sharing requirement

In carrying out this section, the Secretary shall require cost sharing in accordance with section 16352 of this title.

(d) Grants

The Secretary may award competitive grants for innovative technology research, development and demonstrations to universities, individual inventors, and small companies, based on energy savings potential, commercial viability, and technical merit.

(e) Institution of higher education-based industrial research and assessment centers

The Secretary shall provide funding to institution of higher education-based industrial research and assessment centers, whose purpose shall be—

(1) to identify opportunities for optimizing energy efficiency and environmental performance;

(2) to promote applications of emerging concepts and technologies in small- and medium-sized manufacturers;

(3) to promote research and development for the use of alternative energy sources to supply heat, power, and new feedstocks for energy-intensive industries;

(4) to coordinate with appropriate Federal and State research offices, and provide a clearinghouse for industrial process and energy efficiency technical assistance resources; and

(5) to coordinate with State-accredited technical training centers and community colleges, while ensuring appropriate services to all regions of the United States.

(f) Authorization of appropriations

(1) In general

There are authorized to be appropriated to the Secretary to carry out this section—

(A) $184,000,000 for fiscal year 2008;

(B) $190,000,000 for fiscal year 2009;

(C) $196,000,000 for fiscal year 2010;

(D) $202,000,000 for fiscal year 2011;

(E) $208,000,000 for fiscal year 2012; and

(F) such sums as are necessary for fiscal year 2013 and each fiscal year thereafter.

(2) Partnership activities

Of the amounts made available under paragraph (1), not less than 50 percent shall be used to pay the Federal share of partnership activities under subsection (c).

(3) Coordination and nonduplication

The Secretary shall coordinate efforts under this section with other programs of the Department and other Federal agencies to avoid duplication of effort.

(Pub. L. 110–140, title IV, § 452, Dec. 19, 2007, 121 Stat. 1634.)

§ 17112. Energy efficiency for data center buildings

(a) Definitions

In this section:

(1) Data center

The term ''data center'' means any facility that primarily contains electronic equipment used to process, store, and transmit digital information, which may be—

(A) a free-standing structure; or

(B) a facility within a larger structure, that uses environmental control equipment to maintain the proper conditions for the operation of electronic equipment.

(2) Data center operator

The term ''data center operator'' means any person or government entity that builds or operates a data center or purchases data center services, equipment, and facilities.

(b) Voluntary national information program

(1) In general

Not later than 90 days after December 19, 2007, the Secretary and the Administrator of the Environmental Protection Agency shall, after consulting with information technology industry and other interested parties, initiate a voluntary national information program for those types of data centers and data center equipment and facilities that are widely used and for which there is a potential for significant data center energy savings as a result of the program.

(2) Requirements

The program described in paragraph (1) shall—

(A) address data center efficiency holistically, reflecting the total energy consumption of data centers as whole systems, including both equipment and facilities;

(B) consider prior work and studies undertaken in this area, including by the Environmental Protection Agency and the Department of Energy;

(C) consistent with the objectives described in paragraph (1), determine the type of data center and data center equipment and facilities to be covered under the program;

[1] So in original.