

SUBCHAPTER IV—ENERGY SAVINGS IN
GOVERNMENT AND PUBLIC INSTITUTIONS

PART A—ENERGY SAVINGS PERFORMANCE
CONTRACTING

**§ 17131. Training Federal contracting officers to
negotiate energy efficiency contracts**

(a) Program

The Secretary shall create and administer in the Federal Energy Management Program a training program to educate Federal contract negotiation and contract management personnel so that the contract officers are prepared to—

- (1) negotiate energy savings performance contracts;
- (2) conclude effective and timely contracts for energy efficiency services with all companies offering energy efficiency services; and
- (3) review Federal contracts for all products and services for the potential energy efficiency opportunities and implications of the contracts.

(b) Schedule

Not later than 1 year after December 19, 2007, the Secretary shall plan, staff, announce, and begin training under the Federal Energy Management Program.

(c) Personnel to be trained

Personnel appropriate to receive training under the Federal Energy Management Program shall be selected by and sent for the training from—

- (1) the Department of Defense;
- (2) the Department of Veterans Affairs;
- (3) the Department;
- (4) the General Services Administration;
- (5) the Department of Housing and Urban Development;
- (6) the United States Postal Service; and
- (7) all other Federal agencies and departments that enter contracts for buildings, building services, electricity and electricity services, natural gas and natural gas services, heating and air conditioning services, building fuel purchases, and other types of procurement or service contracts determined by the Secretary, in carrying out the Federal Energy Management Program, to offer the potential for energy savings and greenhouse gas emission reductions if negotiated with taking into account those goals.

(d) Trainers

Training under the Federal Energy Management Program may be conducted by—

- (1) attorneys or contract officers with experience in negotiating and managing contracts described in subsection (c)(7) from any agency, except that the Secretary shall reimburse the related salaries and expenses of the attorneys or contract officers from amounts made available for carrying out this section to the extent the attorneys or contract officers are not employees of the Department; and
- (2) private experts hired by the Secretary for the purposes of this section, except that the Secretary may not hire experts who are simultaneously employed by any company under contract to provide energy efficiency services to the Federal Government.

(e) Authorization of appropriations

There are authorized to be appropriated to the Secretary to carry out this section \$750,000 for each of fiscal years 2008 through 2012.

(Pub. L. 110–140, title V, §517, Dec. 19, 2007, 121 Stat. 1659.)

PART B—ENERGY EFFICIENCY IN FEDERAL
AGENCIES

**§ 17141. Prohibition on incandescent lamps by
Coast Guard**

(a) Prohibition

Except as provided by subsection (b), on and after January 1, 2009, a general service incandescent lamp shall not be purchased or installed in a Coast Guard facility by or on behalf of the Coast Guard.

(b) Exception

A general service incandescent lamp may be purchased, installed, and used in a Coast Guard facility whenever the application of a general service incandescent lamp is—

- (1) necessary due to purpose or design, including medical, security, and industrial applications;
- (2) reasonable due to the architectural or historical value of a light fixture installed before January 1, 2009; or
- (3) the Commandant of the Coast Guard determines that operational requirements necessitate the use of a general service incandescent lamp.

(c) Limitation

In this section, the term “facility” does not include a vessel or aircraft of the Coast Guard.

(Pub. L. 110–140, title V, §522, Dec. 19, 2007, 121 Stat. 1662.)

**§ 17142. Procurement and acquisition of alter-
native fuels**

No Federal agency shall enter into a contract for procurement of an alternative or synthetic fuel, including a fuel produced from nonconventional petroleum sources, for any mobility-related use, other than for research or testing, unless the contract specifies that the lifecycle greenhouse gas emissions associated with the production and combustion of the fuel supplied under the contract must, on an ongoing basis, be less than or equal to such emissions from the equivalent conventional fuel produced from conventional petroleum sources.

(Pub. L. 110–140, title V, §526, Dec. 19, 2007, 121 Stat. 1663.)

WAIVER AUTHORITY FOR ALTERNATIVE FUEL
PROCUREMENT REQUIREMENT

Pub. L. 114–328, div. A, title III, §312, Dec. 23, 2016, 130 Stat. 2073, provided that:

“(a) IN GENERAL.—The Secretary of Defense may waive the requirement under section 526 of the Energy Independence and Security Act of 2007 (Public Law 110–140; 42 U.S.C. 17142) if the Secretary determines it is in the national security interest of the United States.

“(b) NOTIFICATION REQUIREMENT.—The Secretary of Defense shall notify the congressional defense committees [Committees on Armed Services and Appropria-

tions of the Senate and the House of Representatives] not later than 15 days after exercising the waiver authority under subsection (a).”

§ 17143. Government efficiency status reports

(a) In general

Each Federal agency subject to any of the requirements of this title¹ or the amendments made by this title¹ shall compile and submit to the Director of the Office of Management and Budget an annual Government efficiency status report on—

(1) compliance by the agency with each of the requirements of this title¹ and the amendments made by this title;¹

(2) the status of the implementation by the agency of initiatives to improve energy efficiency, reduce energy costs, and reduce emissions of greenhouse gases; and

(3) savings to the taxpayers of the United States resulting from mandated improvements under this title¹ and the amendments made by this title.¹

(b) Submission

The report shall be submitted—

(1) to the Director at such time as the Director requires;

(2) in electronic, not paper, format; and

(3) consistent with related reporting requirements.

(Pub. L. 110-140, title V, § 527, Dec. 19, 2007, 121 Stat. 1663.)

REFERENCES IN TEXT

This title, referred to in subsec. (a), is title V of Pub. L. 110-140, which enacted this subchapter, part D (§ 8279) of subchapter III of chapter 91 of this title, and sections 1824, 2162a, and 2169 of Title 2, The Congress, amended sections 6325, 6834, 8256, 8258, 8259b, 8287, and 8287c of this title, section 2162 of Title 2, section 2913 of Title 10, Armed Forces, section 3203 of Title 15, Commerce and Trade, and section 2621 of Title 16, Conservation, and enacted provisions set out as a note under section 8259b of this title. For complete classification of title V to the Code, see Tables.

§ 17144. OMB Government efficiency reports and scorecards

(a) Reports

Not later than April 1 of each year, the Director of the Office of Management and Budget shall submit an annual Government efficiency report to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Governmental Affairs of the Senate, which shall contain—

(1) a summary of the information reported by agencies under section 17143 of this title;

(2) an evaluation of the overall progress of the Federal Government toward achieving the goals of this title¹ and the amendments made by this title;¹ and

(3) recommendations for additional actions necessary to meet the goals of this title¹ and the amendments made by this title.¹

(b) Scorecards

The Director of the Office of Management and Budget shall include in any annual energy score-

card the Director is otherwise required to submit a description of the compliance of each agency with the requirements of this title¹ and the amendments made by this title.¹

(Pub. L. 110-140, title V, § 528, Dec. 19, 2007, 121 Stat. 1664.)

REFERENCES IN TEXT

This title, referred to in text, is title V of Pub. L. 110-140, which enacted this subchapter, part D (§ 8279) of subchapter III of chapter 91 of this title, and sections 1824, 2162a, and 2169 of Title 2, The Congress, amended sections 6325, 6834, 8256, 8258, 8259b, 8287, and 8287c of this title, section 2162 of Title 2, section 2913 of Title 10, Armed Forces, section 3203 of Title 15, Commerce and Trade, and section 2621 of Title 16, Conservation, and enacted provisions set out as a note under section 8259b of this title. For complete classification of title V to the Code, see Tables.

PART C—ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANTS

§ 17151. Definitions

In this part:

(1) Eligible entity

The term “eligible entity” means—

(A) a State;

(B) an eligible unit of local government; and

(C) an Indian tribe.

(2) Eligible unit of local government

The term “eligible unit of local government” means—

(A) an eligible unit of local government-alternative 1; and

(B) an eligible unit of local government-alternative 2.

(3)(A) Eligible unit of local government-alternative 1

The term “eligible unit of local government-alternative 1” means—

(i) a city with a population—

(I) of at least 35,000; or

(II) that causes the city to be 1 of the 10 highest-populated cities of the State in which the city is located; and

(ii) a county with a population—

(I) of at least 200,000; or

(II) that causes the county to be 1 of the 10 highest-populated counties of the State in which the county is located.

(B) Eligible unit of local government-alternative 2

The term “eligible unit of local government-alternative 2” means—

(i) a city with a population of at least 50,000; or

(ii) a county with a population of at least 200,000.

(4) Indian tribe

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

(5) Program

The term “program” means the Energy Efficiency and Conservation Block Grant Program established under section 17152(a) of this title.

¹ See References in Text note below.

¹ See References in Text note below.