

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 title<sup>1</sup> or the amendments made by this title<sup>1</sup> 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 title<sup>1</sup> and the amendments made by this title;<sup>1</sup>

(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 title<sup>1</sup> and the amendments made by this title.<sup>1</sup>

##### (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 title<sup>1</sup> and the amendments made by this title;<sup>1</sup> and

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

##### (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 title<sup>1</sup> and the amendments made by this title.<sup>1</sup>

(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.

<sup>1</sup> See References in Text note below.

<sup>1</sup> See References in Text note below.

**(6) State**

The term “State” means—

- (A) a State;
- (B) the District of Columbia;
- (C) the Commonwealth of Puerto Rico; and
- (D) any other territory or possession of the United States.

(Pub. L. 110-140, title V, § 541, Dec. 19, 2007, 121 Stat. 1667.)

**§ 17152. Energy Efficiency and Conservation Block Grant Program****(a) Establishment**

The Secretary shall establish a program, to be known as the “Energy Efficiency and Conservation Block Grant Program”, under which the Secretary shall provide grants to eligible entities in accordance with this part.

**(b) Purpose**

The purpose of the program shall be to assist eligible entities in implementing strategies—

- (1) to reduce fossil fuel emissions created as a result of activities within the jurisdictions of eligible entities in a manner that—
  - (A) is environmentally sustainable; and
  - (B) to the maximum extent practicable, maximizes benefits for local and regional communities;
- (2) to reduce the total energy use of the eligible entities; and
- (3) to improve energy efficiency in—
  - (A) the transportation sector;
  - (B) the building sector; and
  - (C) other appropriate sectors.

(Pub. L. 110-140, title V, § 542, Dec. 19, 2007, 121 Stat. 1668.)

**§ 17153. Allocation of funds****(a) In general**

Of amounts made available to provide grants under this part for each fiscal year, the Secretary shall allocate—

- (1) 34 percent to eligible units of local government—alternative 1, in accordance with subsection (b);
- (2) 34 percent to eligible units of local government—alternative 2, in accordance with subsection (b);
- (3) 28 percent to States in accordance with subsection (c);
- (4) 2 percent to Indian tribes in accordance with subsection (d); and
- (5) 2 percent for competitive grants under section 17156 of this title.

**(b) Eligible units of local government**

Of amounts available for distribution to eligible units of local government under subsection (a)(1) or (2), the Secretary shall provide grants to eligible units of local government under this section based on a formula established by the Secretary according to—

- (1) the populations served by the eligible units of local government, according to the latest available decennial census; and
- (2) the daytime populations of the eligible units of local government and other similar factors (such as square footage of commercial,

office, and industrial space), as determined by the Secretary.

**(c) States**

Of amounts available for distribution to States under subsection (a)(2), the Secretary shall provide—

- (1) not less than 1.25 percent to each State; and
- (2) the remainder among the States, based on a formula to be established by the Secretary that takes into account—
  - (A) the population of each State; and
  - (B) any other criteria that the Secretary determines to be appropriate.

**(d) Indian tribes**

Of amounts available for distribution to Indian tribes under subsection (a)(3), the Secretary shall establish a formula for allocation of the amounts to Indian tribes, taking into account any factors that the Secretary determines to be appropriate.

**(e) Publication of allocation formulas**

Not later than 90 days before the beginning of each fiscal year for which grants are provided under this part, the Secretary shall publish in the Federal Register the formulas for allocation established under this section.

**(f) State and local advisory committee**

The Secretary shall establish a State and local advisory committee to advise the Secretary regarding administration, implementation, and evaluation of the program.

(Pub. L. 110-140, title V, § 543, Dec. 19, 2007, 121 Stat. 1668; Pub. L. 111-5, div. A, title IV, § 404(a), (b), Feb. 17, 2009, 123 Stat. 143.)

## AMENDMENTS

2009—Subsec. (a)(1). Pub. L. 111-5, § 404(a)(2), added par. (1) and struck out former par. (1) which read as follows: “68 percent to eligible units of local government in accordance with subsection (b);”.

Subsec. (a)(2) to (5). Pub. L. 111-5, § 404(a), added par. (2) and redesignated former pars. (2) to (4) as (3) to (5), respectively.

Subsec. (b). Pub. L. 111-5, § 404(b), substituted “subsection (a)(1) or (2)” for “subsection (a)(1)” in introductory provisions.

**§ 17154. Use of funds**

An eligible entity may use a grant received under this part to carry out activities to achieve the purposes of the program, including—

- (1) development and implementation of an energy efficiency and conservation strategy under section 17155(b) of this title;
- (2) retaining technical consultant services to assist the eligible entity in the development of such a strategy, including—
  - (A) formulation of energy efficiency, energy conservation, and energy usage goals;
  - (B) identification of strategies to achieve those goals—
    - (i) through efforts to increase energy efficiency and reduce energy consumption; and
    - (ii) by encouraging behavioral changes among the population served by the eligible entity;
  - (C) development of methods to measure progress in achieving the goals;