

complete classification of this Act to the Code, see Short Title note set out under section 9001 of this title and Tables.

The Food Security Act of 1985, referred to in subsecs. (a)(5)(A)(ii), (B)(iii), (iv), and (c)(3)(B)(ii), (5)(D), is Pub. L. 99-198, Dec. 23, 1985, 99 Stat. 1354. Subtitles B, C, and H of title XII of the Act are classified generally to subchapters II (§3811 et seq.), III (§3821 et seq.), and VII (§3865 et seq.), respectively, of chapter 58 of Title 16, Conservation. Subchapter B of chapter 1 of subtitle D of title XII of the Act is classified generally to subpart B (§3831 et seq.) of part I of subchapter IV of chapter 58 of Title 16. For complete classification of this Act to the Code, see Short Title of 1985 Amendment note set out under section 1281 of this title and Tables.

The date of enactment of the Food, Conservation, and Energy Act of 2008, referred to in subsecs. (a)(5)(B)(ii), is the date of enactment of Pub. L. 110-246, which was approved June 18, 2008.

#### CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 enacted identical sections. Pub. L. 110-234 was repealed by section 4(a) of Pub. L. 110-246.

#### PRIOR PROVISIONS

A prior section 9011 of Pub. L. 107-171 was classified to section 8109 of this title, prior to the general amendment of this chapter by Pub. L. 110-246.

#### AMENDMENTS

2014—Pub. L. 113-79 amended section generally. Prior to amendment, section related to the Biomass Crop Assistance Program.

2013—Subsec. (f). Pub. L. 112-240 designated existing provisions as par. (1), inserted heading, and added par (2).

#### EFFECTIVE DATE OF 2013 AMENDMENT

Amendment by Pub. L. 112-240 effective Sept. 30, 2012, see section 701(j) of Pub. L. 112-240, set out in a 1-Year Extension of Agricultural Programs note under section 8701 of this title.

#### EFFECTIVE DATE

Enactment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, see section 4 of Pub. L. 110-246, set out as a note under section 8701 of this title.

### § 8112. Repealed. Pub. L. 113-79, title IX, § 9011, Feb. 7, 2014, 128 Stat. 938

Section, Pub. L. 107-171, title IX, §9012, as added Pub. L. 110-234, title IX, §9001(a), May 22, 2008, 122 Stat. 1331, and Pub. L. 110-246, §4(a), title IX, §9001(a), June 18, 2008, 122 Stat. 1664, 2093; amended Pub. L. 112-240, title VII, §701(f)(11), Jan. 2, 2013, 126 Stat. 2366, related to a competitive research and development program to encourage use of forest biomass for energy.

### § 8113. Community wood energy program

#### (a) Definitions

In this section:

##### (1) Biomass consumer cooperative

The term “biomass consumer cooperative” means a consumer membership organization the purpose of which is to provide members with services or discounts relating to the purchase of biomass heating products or biomass heating systems.

##### (2) Community wood energy plan

The term “community wood energy plan” means an assessment of—

(A) available feedstocks necessary to supply a community wood energy system; and

(B) the long-term feasibility of supplying and operating a community wood energy system.

### (3) Community wood energy system

#### (A) In general

The term “community wood energy system” means an energy system that—

(i) primarily services public facilities owned or operated by State or local governments, including schools, town halls, libraries, and other public buildings; and

(ii) uses woody biomass as the primary fuel.

#### (B) Inclusions

The term “community wood energy system” includes single facility central heating, district heating, combined heat and energy systems, and other related biomass energy systems.

### (b) Grant program

#### (1) In general

The Secretary, acting through the Chief of the Forest Service, shall establish a program to be known as the “Community Wood Energy Program” to provide—

(A) grants of up to \$50,000 to State and local governments (or designees) to develop community wood energy plans;

(B) competitive grants to State and local governments to acquire or upgrade community wood energy systems; and

(C) grants of up to \$50,000 to biomass consumer cooperatives for the purpose of establishing or expanding biomass consumer cooperatives that will provide consumers with services or discounts relating to—

(i) the purchase of biomass heating systems;

(ii) biomass heating products, including wood chips, wood pellets, and advanced biofuels; or

(iii) the delivery and storage of biomass of heating products.

#### (2) Considerations

In selecting applicants for grants under paragraph (1)(B), the Secretary shall consider—

(A) the energy efficiency of the proposed system;

(B) the cost effectiveness of the proposed system; and

(C) other conservation and environmental criteria that the Secretary considers appropriate.

#### (3) Use of plan

A State or local government applying to receive a competitive grant described in paragraph (1)(B) shall submit to the Secretary as part of the grant application the applicable community wood energy plan.

### (c) Limitation

A community wood energy system acquired with grant funds provided under subsection (b)(1)(B) shall not exceed an output of—

- (1) 50,000,000 Btu per hour for heating; and
- (2) 2 megawatts for electric power production.

**(d) Matching funds**

**(1) State and local governments**

A State or local government that receives a grant under subparagraph (A) or (B) of subsection (b)(1) shall contribute an amount of non-Federal funds towards the development of the community wood energy plan, or acquisition of the community wood energy systems that is at least equal to the amount of grant funds received by the State or local government under that subsection.

**(2) Biomass consumer cooperatives**

A biomass consumer cooperative that receives a grant under subsection (b)(1)(C) shall contribute an amount of non-Federal funds (which may include State, local, and nonprofit funds and membership dues) toward the establishment or expansion of a biomass consumer cooperative that is at least equal to 50 percent of the amount of Federal funds received for that purpose.

**(e) Authorization of appropriations**

There is authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2009 through 2018.

(Pub. L. 107-171, title IX, §9013, as added Pub. L. 110-234, title IX, §9001(a), May 22, 2008, 122 Stat. 1332, and Pub. L. 110-246, §4(a), title IX, §9001(a), June 18, 2008, 122 Stat. 1664, 2094; amended Pub. L. 112-240, title VII, §701(f)(12), Jan. 2, 2013, 126 Stat. 2366; Pub. L. 113-79, title IX, §9012, Feb. 7, 2014, 128 Stat. 938.)

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 enacted identical sections. Pub. L. 110-234 was repealed by section 4(a) of Pub. L. 110-246.

AMENDMENTS

2014—Subsec. (a). Pub. L. 113-79, §9012(a), added par. (1) and redesignated former pars. (1) and (2) as (2) and (3), respectively.

Subsec. (b)(1)(C). Pub. L. 113-79, §9012(b), added subpar. (C).

Subsec. (d). Pub. L. 113-79, §9012(c), designated existing provisions as par. (1) and inserted heading, substituted “A State or local government that receives a grant under subparagraph (A) or (B) of subsection (b)(1)” for “A State or local government that receives a grant under subsection (b)”, and added par. (2).

Subsec. (e). Pub. L. 113-79, §9012(d), substituted “2018” for “2013”.

2013—Subsec. (e). Pub. L. 112-240 substituted “2013” for “2012”.

EFFECTIVE DATE OF 2013 AMENDMENT

Amendment by Pub. L. 112-240 effective Sept. 30, 2012, see section 701(j) of Pub. L. 112-240, set out in a 1-Year Extension of Agricultural Programs note under section 8701 of this title.

EFFECTIVE DATE

Enactment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, see section 4 of Pub. L. 110-246, set out as a note under section 8701 of this title.

**§ 8114. Sun grant program**

**(a) Establishment**

The Secretary shall establish and carry out a program to provide grants to the sun grant centers and subcenter specified in subsection (b)—

(1) to enhance national energy security through the development, distribution, and implementation of biobased energy technologies;

(2) to promote diversification in, and the environmental sustainability of, agricultural production in the United States through biobased energy and product technologies;

(3) to promote economic diversification in rural areas of the United States through biobased energy and product technologies; and

(4) to enhance the efficiency of bioenergy and biomass research and development programs through improved coordination and collaboration among—

(A) the Department of Agriculture;

(B) other appropriate Federal agencies (as determined by the Secretary); and

(C) land-grant colleges and universities.

**(b) Grants**

**(1) In general**

The Secretary shall use amounts made available under subsection (g) to provide grants to each of the following:

**(A) North-central center**

A north-central sun grant center for the region composed of the States of Illinois, Indiana, Iowa, Minnesota, Montana, Nebraska, North Dakota, South Dakota, Wisconsin, and Wyoming.

**(B) Southeastern center**

A southeastern sun grant center for the region composed of—

(i) the States of Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia;

(ii) the Commonwealth of Puerto Rico; and

(iii) the United States Virgin Islands.

**(C) South-central center**

A south-central sun grant center for the region composed of the States of Arkansas, Colorado, Kansas, Louisiana, Missouri, New Mexico, Oklahoma, and Texas.

**(D) Western center**

A western sun grant center for the region composed of—

(i) the States of Alaska, Arizona, California, Hawaii, Idaho, Nevada, Oregon, Utah, and Washington; and

(ii) insular areas (as defined in section 3103 of this title (other than the insular areas referred to in clauses (ii) and (iii) of subparagraph (B))).

**(E) Northeastern center**

A northeastern sun grant center for the region composed of the States of Connecticut, Delaware, Massachusetts, Maryland, Maine, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, and West Virginia.