

maximum rate feasible) using available appropriations and programs implementing sections 431 through 435 and 525¹ (and amendments made by those sections), by not later than the date that is 5 years after December 19, 2007.

(3) Contents of plan

The plan shall—

(A) with respect to cost-effective technologies and practices—

(i) identify the specific activities needed to comply with sections 431 through 435;¹

(ii) identify the specific activities needed to achieve at least a 20-percent reduction in operational costs through the application of cost-effective technologies and practices from 2003 levels at GSA facilities by not later than 5 years after December 19, 2007;

(iii) describe activities required and carried out to estimate the funds necessary to achieve the reduction described in clauses (i) and (ii);

(B) include an estimate of the funds necessary to carry out this section;

(C) describe the status of the implementation of cost-effective technologies and practices at GSA facilities, including—

(i) the extent to which programs, including the program established under subsection (b), are being carried out in accordance with this part; and

(ii) the status of funding requests and appropriations for those programs;

(D) identify within the planning, budgeting, and construction processes, all types of GSA facility-related procedures that inhibit new and existing GSA facilities from implementing cost-effective technologies;

(E) recommend language for uniform standards for use by Federal agencies in implementing cost-effective technologies and practices;

(F) in coordination with the Office of Management and Budget, review the budget process for capital programs with respect to alternatives for—

(i) implementing measures that will assure that Federal agencies retain all identified savings accrued as a result of the use of cost-effective technologies, consistent with section 8253(a)(1) of this title, and other applicable law; and

(ii) identifying short- and long-term cost savings that accrue from the use of cost-effective technologies and practices;

(G) with respect to cost-effective technologies and practices, achieve substantial operational cost savings through the application of the technologies; and

(H) include recommendations to address each of the matters, and a plan for implementation of each recommendation, described in subparagraphs (A) through (G).

(4) Administration

Notwithstanding any provision of this section, the program required under this section shall fully comply with the requirements of sections 321 through 324, 431 through 438, 461,

511 through 518, and 523 through 525¹ and amendments made by those sections, which shall be applicable to the extent that they are more stringent or would achieve greater energy or water savings than required by this section.

(e) Authorization of appropriations

There are authorized to be appropriated such sums as are necessary to carry out this section, to remain available until expended.

(Pub. L. 110-140, title IV, § 439, Dec. 19, 2007, 121 Stat. 1620.)

REFERENCES IN TEXT

This Act, referred to in subssecs. (b)(2)(D), (c)(2)(B)(ii), and (d)(1)(B), is Pub. L. 110-140, Dec. 19, 2007, 121 Stat. 1492, known as the Energy Independence and Security Act of 2007, which enacted this chapter and enacted and amended numerous other sections and notes in the Code. For complete classification of this Act to the Code, see Short Title note set out under section 17001 of this title and Tables.

Sections 321 through 324, 431 through 438, 461, 511 through 518, and 523 through 525, referred to in subssecs. (b)(2)(D), (c)(2)(A), (B)(ii), and (d)(4), are sections 321 to 324, 431 to 438, 461, 511 to 518, and 523 to 525, respectively, of Pub. L. 110-140, which enacted sections 17091 to 17094 of this title, part A (§ 17131) of subchapter IV of this chapter, subchapter V (§ 2695 et seq.) of chapter 53 of Title 15, Commerce and Trade, and section 3313 of Title 40, Public Buildings, Property, and Works, amended sections 6291 to 6294, 6295, 6297, 6302, 6304, 6832, 6834, 8253, 8256, 8258, 8259b, 8287, and 8287c of this title, section 2913 of Title 10, Armed Forces, and sections 3307, 3310, and 3314 to 3316 of Title 40, and enacted provisions set out as notes under sections 6294, 6295, 6834, and 8259b of this title.

Sections 432 and 525, referred to in subsec. (c)(2)(A), are sections 432 and 525 of Pub. L. 110-140, which amended sections 8253 and 8259b of this title and enacted provisions set out as a note under section 8259b of this title.

Sections 431 through 435, referred to in subssecs. (c)(2)(B) and (d)(2), (3)(A)(i), are sections 431 to 435 of Pub. L. 110-140, which enacted section 17091 of this title, amended sections 6832, 6834, and 8253 of this title, and enacted provisions set out as a note under section 6834 of this title.

Section 432, referred to in subsec. (d)(1), is section 432 of Pub. L. 110-140, Dec. 19, 2007, 121 Stat. 1607, which amended section 8253 of this title.

Section 525, referred to in subsec. (d)(2), is section 525 of Pub. L. 110-140, December 19, 2007, 121 Stat. 1663, which amended section 8259b of this title and enacted provisions set out as a note under section 8259b of this title.

This part, referred to in subsec. (d)(3)(C)(i), was in the original “this subtitle”, meaning subtitle C (§§ 431-441) of title IV of Pub. L. 110-140, Dec. 19, 2007, 121 Stat. 1607, which enacted this part, amended sections 6832, 6834, 8253, and 8254 of this title, and enacted provisions set out as a note under section 6834 of this title. For complete classification of subtitle C to the Code, see Tables.

EFFECTIVE DATE

Section effective on the date that is 1 day after Dec. 19, 2007, see section 1601 of Pub. L. 110-140, set out as a note under section 1824 of Title 2, The Congress.

§ 17096. Authorization of appropriations

There is authorized to be appropriated to carry out sections 434 through 439 and 482¹

¹ See References in Text note below.

\$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.

EFFECTIVE DATE

Section effective on the date that is 1 day after Dec. 19, 2007, see section 1601 of Pub. L. 110-140, set out as a note under section 1824 of Title 2, The Congress.

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 en-

ergy-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;

(E) the incorporation of technologies and innovations that would significantly improve the energy efficiency and utilization