

cordance with sections 17152(b) and 17154 of this title.

(3) Approval by Secretary

(A) In general

The Secretary shall approve or disapprove a proposed strategy under paragraph (2)(B) by not later than 120 days after the date of submission of the proposed strategy.

(B) Disapproval

If the Secretary disapproves a proposed strategy under subparagraph (A)—

- (i) the Secretary shall provide to the State the reasons for the disapproval; and
- (ii) the State may revise and resubmit the proposed strategy as many times as necessary until the Secretary approves a proposed strategy.

(C) Requirement

The Secretary shall not provide to a State any grant under the program until a proposed strategy of the State is approved by the Secretary under this paragraph.

(4) Limitations on use of funds

A State may use not more than 10 percent of amounts provided under the program for administrative expenses.

(5) Annual reports

Each State that receives a grant under the program shall submit to the Secretary an annual report that describes—

- (A) the status of development and implementation of the energy efficiency and conservation strategy of the State during the preceding calendar year;
- (B) the status of the subgrant program of the State under paragraph (1);
- (C) the energy efficiency gains achieved through the energy efficiency and conservation strategy of the State during the preceding calendar year; and
- (D) specific energy efficiency and conservation goals of the State for subsequent calendar years.

(Pub. L. 110-140, title V, §545, Dec. 19, 2007, 121 Stat. 1670.)

REFERENCES IN TEXT

Reorganization Plan Numbered 14 of 1950, referred to in subsec. (a)(2)(A), is set out in the Appendix to Title 5, Government Organization and Employees. Section 903 of Title 5 relates to Presidential authority regarding reorganization plans.

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.

§ 17156. Competitive grants

(a) In general

Of the total amount made available for each fiscal year to carry out this part, the Secretary shall use not less than 2 percent to provide grants under this section, on a competitive basis, to—

- (1) units of local government (including Indian tribes) that are not eligible entities; and

(2) consortia of units of local government described in paragraph (1).

(b) Applications

To be eligible to receive a grant under this section, a unit of local government or consortia shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including a plan of the unit of local government to carry out an activity described in section 17154 of this title.

(c) Priority

In providing grants under this section, the Secretary shall give priority to units of local government—

- (1) located in States with populations of less than 2,000,000; or
- (2) that plan to carry out projects that would result in significant energy efficiency improvements or reductions in fossil fuel use.

(Pub. L. 110-140, title V, §546, Dec. 19, 2007, 121 Stat. 1673.)

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.

§ 17157. Review and evaluation

(a) In general

The Secretary may review and evaluate the performance of any eligible entity that receives a grant under the program, including by conducting an audit, as the Secretary determines to be appropriate.

(b) Withholding of funds

The Secretary may withhold from an eligible entity any portion of a grant to be provided to the eligible entity under the program if the Secretary determines that the eligible entity has failed to achieve compliance with—

- (1) any applicable guideline or regulation of the Secretary relating to the program, including the misuse or misappropriation of funds provided under the program; or
- (2) the energy efficiency and conservation strategy of the eligible entity.

(Pub. L. 110-140, title V, §547, Dec. 19, 2007, 121 Stat. 1674.)

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.

§ 17158. Funding

(a) Authorization of appropriations

(1) Grants

There is authorized to be appropriated to the Secretary for the provision of grants under the program \$2,000,000,000 for each of fiscal years 2008 through 2012.

(2) Administrative costs

There are authorized to be appropriated to the Secretary for administrative expenses of the program—