

119 Stat. 3580; Pub. L. 110-140, title I, §134(b), Dec. 19, 2007, 121 Stat. 1513; Pub. L. 116-260, div. Z, title IX, §9010(b), Dec. 27, 2020, 134 Stat. 2605; Pub. L. 117-58, div. D, title IV, §40401(a)(2)(A), Nov. 15, 2021, 135 Stat. 1034.)

Editorial Notes

AMENDMENTS

2021—Subsec. (b)(13). Pub. L. 117-58 added par. (13).

2020—Subsec. (a)(1). Pub. L. 116-260, §9010(b)(1)(A), inserted “, utilize” after “reduce”.

Subsec. (a)(2). Pub. L. 116-260, §9010(b)(1)(B), inserted “, including projects that employ elements of commercial technologies in combination with new or significantly improved technologies” before period at end.

Subsec. (b)(4). Pub. L. 116-260, §9010(b)(2)(A), inserted “, including manufacturing of nuclear supply components for advanced nuclear reactors” after “facilities”.

Subsec. (b)(5). Pub. L. 116-260, §9010(b)(2)(B), amended par. (5) generally. Prior to amendment, par. (5) read as follows: “Carbon capture and sequestration practices and technologies, including agricultural and forestry practices that store and sequester carbon.”

Subsec. (b)(11), (12). Pub. L. 116-260, §9010(b)(2)(C), added pars. (11) and (12).

Subsec. (f). Pub. L. 116-260, §9010(b)(3), added subsec. (f).

2007—Subsec. (b)(8). Pub. L. 110-140 added par. (8) and struck out former par. (8) which read as follows: “Production facilities for fuel efficient vehicles, including hybrid and advanced diesel vehicles.”

2006—Subsec. (c)(4). Pub. L. 109-168 substituted “Department of Energy’s Clean Coal Power Initiative for Fischer-Tropsch” for “clean coal power initiative under part A of subchapter IV for”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2007 AMENDMENT

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

WAGE RATE REQUIREMENTS

For provisions relating to rates of wages to be paid to laborers and mechanics on projects for construction, alteration, or repair work funded under div. D or an amendment by div. D of Pub. L. 117-58, including authority of Secretary of Labor, see section 18851 of this title.

§ 16514. Authorization of appropriations

(a) In general

There are authorized to be appropriated such sums as are necessary to provide the cost of guarantees under this subchapter.

(b) Use of other appropriated funds

The Department may use amounts awarded under the Clean Coal Power Initiative to carry out the project described in section 16513(c)(1)(C) of this title, on the request of the recipient of such award, for a loan guarantee, to the extent that the amounts have not yet been disbursed to, or have been repaid by, the recipient.

(c) Administrative and other expenses

There are authorized to be appropriated—

(1) \$32,000,000 for each of fiscal years 2021 through 2025 to carry out this subchapter; and

(2) for fiscal year 2021, in addition to amounts authorized under paragraph (1), \$25,000,000, to remain available until expended,

for administrative expenses described in section 16512(h)(1) of this title that are not covered by fees collected pursuant to section 16512(h) of this title.

(Pub. L. 109-58, title XVII, §1704, Aug. 8, 2005, 119 Stat. 1122; Pub. L. 109-168, §1(b)(2), Jan. 10, 2006, 119 Stat. 3580; Pub. L. 116-260, div. Z, title IX, §9010(c), Dec. 27, 2020, 134 Stat. 2606.)

Editorial Notes

AMENDMENTS

2020—Subsec. (c). Pub. L. 116-260 added subsec. (c).

2006—Subsec. (b). Pub. L. 109-168 substituted “Clean Coal Power Initiative” for “clean coal power initiative under part A of subchapter IV”.

§ 16515. Limitation on commitments to guarantee loans

(a) Notwithstanding section 101,¹ subject to the Federal Credit Reform Act of 1990, as amended [2 U.S.C. 661 et seq.], commitments to guarantee loans under title XVII of the Energy Policy Act of 2005 [42 U.S.C. 16501 et seq.] shall not exceed a total principal amount, any part of which is to be guaranteed, of \$4,000,000,000: *Provided*, That there are appropriated for the cost of the guaranteed loans such sums as are hereafter derived from amounts received from borrowers pursuant to section 16512(b)(2) of this title, to remain available until expended: *Provided further*, That the source of payments received from borrowers for the subsidy cost shall not be a loan or other debt obligation that is made or guaranteed by the Federal government.² In addition, fees collected pursuant to section 16512(h) of this title in fiscal year 2007 shall be credited as offsetting collections to the Departmental Administration account for administrative expenses of the Loan Guarantee Program: *Provided further*, That the sum appropriated for administrative expenses for the Loan Guarantee Program shall be reduced by the amount of fees received during fiscal year 2007: *Provided further*, That any fees collected under section 16512(h) of this title in excess of the amount appropriated for administrative expenses shall not be available until appropriated.

(b) No loan guarantees may be awarded under title XVII of the Energy Policy Act of 2005 [42 U.S.C. 16501 et seq.] until final regulations are issued that include—

(1) programmatic, technical, and financial factors the Secretary will use to select projects for loan guarantees;

(2) policies and procedures for selecting and monitoring lenders and loan performance; and

(3) any other policies, procedures, or information necessary to implement title XVII of the Energy Policy Act of 2005.

(c) The Secretary of Energy shall enter into an arrangement with an independent auditor for annual evaluations of the program under title XVII of the Energy Policy Act of 2005 [42 U.S.C. 16501 et seq.]. In addition to the independent audit, the Comptroller General shall conduct a review every three years of the Department’s

¹ See References in Text note below.

² So in original. Probably should be capitalized.