

Section 17200, Pub. L. 110-140, title VI, § 621, Dec. 19, 2007, 121 Stat. 1684, related to reports to Congress.

§ 17201. Applicability of other laws

Nothing in this part shall be construed as waiving, modifying, or superseding the applicability of any requirement under any environmental or other Federal or State law. To the extent that activities authorized in this part take place in coastal and ocean areas, the Secretary shall consult with the Secretary of Commerce, acting through the Under Secretary of Commerce for Oceans and Atmosphere, regarding the potential marine environmental impacts and measures to address such impacts.

(Pub. L. 110-140, title VI, § 622, Dec. 19, 2007, 121 Stat. 1684.)

Statutory Notes and Related Subsidiaries

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.

§ 17202. Authorization of appropriations

There are authorized to be appropriated to the Secretary to carry out the programs under this part \$170,000,000 for each of fiscal years 2021 through 2025.

(Pub. L. 110-140, title VI, § 623, Dec. 19, 2007, 121 Stat. 1684; Pub. L. 116-260, div. Z, title III, § 3002(j), Dec. 27, 2020, 134 Stat. 2495.)

Editorial Notes

AMENDMENTS

2020—Pub. L. 116-260 amended section generally. Prior to amendment, section related to authorization of appropriations for fiscal years 2008 to 2012.

Statutory Notes and Related Subsidiaries

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.

§ 17203. International geothermal energy development

(a) In general

The Secretary of Energy, in coordination with other appropriate Federal and multilateral agencies (including the United States Agency for International Development) shall support collaborative efforts with international partners to promote the research, development, and demonstration of geothermal technologies used to develop hydrothermal and enhanced geothermal system resources.

(b) United States Trade and Development Agency

The Director of the United States Trade and Development Agency may—

- (1) encourage participation by United States firms in actions taken to carry out subsection (a); and
- (2) provide grants and other financial support for feasibility and resource assessment

studies conducted in, or intended to benefit, less developed countries.

(Pub. L. 110-140, title VI, § 624, Dec. 19, 2007, 121 Stat. 1684; Pub. L. 116-260, div. Z, title III, § 3002(k), Dec. 27, 2020, 134 Stat. 2495.)

Editorial Notes

AMENDMENTS

2020—Subsec. (a). Pub. L. 116-260, § 3002(k)(1), amended subsec. (a) generally. Prior to amendment, text read as follows: “The Secretary of Energy, in coordination with other appropriate Federal and multilateral agencies (including the United States Agency for International Development) shall support international collaborative efforts to promote the research, development, and deployment of geothermal technologies used to develop hydrothermal and enhanced geothermal system resources, including as partners (as appropriate) the African Rift Geothermal Development Facility, Australia, China, France, the Republic of Iceland, India, Japan, and the United Kingdom.”

Subsec. (c). Pub. L. 116-260, § 3002(k)(2), struck out subsec. (c). Text read as follows: “There are authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2008 through 2012.”

Statutory Notes and Related Subsidiaries

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.

§ 17204. High cost region geothermal energy grant program

(a) Definitions

In this section:

(1) Eligible entity

The term “eligible entity” means—

- (A) a utility;
- (B) an electric cooperative;
- (C) a State;
- (D) a political subdivision of a State;
- (E) an Indian tribe; or
- (F) a Native corporation.

(2) High-cost region

The term “high-cost region” means a region in which the average cost of electrical power or heat exceeds 150 percent of the national average retail cost, as determined by the Secretary.

(b) Program

The Secretary shall use amounts made available to carry out this section to make grants to eligible entities for activities described in subsection (c).

(c) Eligible activities

An eligible entity may use grant funds under this section, with respect to a geothermal energy project in a high-cost region, only—

- (1) to conduct a feasibility study, including a study of exploration, geochemical testing, geomagnetic surveys, geologic information gathering, baseline environmental studies, well drilling, resource characterization, permitting, and economic analysis;
- (2) for design and engineering costs, relating to the project; and

(3) to demonstrate and promote commercial application of technologies related to geothermal energy as part of the project.

(d) Cost sharing

The cost-sharing requirements of section 16352 of this title shall apply to any project carried out under this section.

(e) Authorization of appropriations

Out of funds authorized under section 17202 of this title, there is authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2021 through 2025.

(Pub. L. 110-140, title VI, §625, Dec. 19, 2007, 121 Stat. 1685; Pub. L. 116-260, div. Z, title III, §3002(*l*), Dec. 27, 2020, 134 Stat. 2496.)

Editorial Notes

AMENDMENTS

2020—Subsec. (a)(2). Pub. L. 116-260, §3002(*l*)(1), inserted “or heat” after “electrical power”.

Subsec. (e). Pub. L. 116-260, §3002(*l*)(2), amended subsec. (e) generally. Prior to amendment, text read as follows: “There are authorized to be appropriated such sums as are necessary to carry out this section.”

Statutory Notes and Related Subsidiaries

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 C—WATER POWER RESEARCH AND DEVELOPMENT

Editorial Notes

CODIFICATION

Subtitle C of title VI of the Energy Independence and Security Act of 2007, known as the Marine and Hydrokinetic Renewable Energy Research and Development Act, comprising this part, was originally enacted by Pub. L. 110-140, title VI, Dec. 19, 2007, 121 Stat. 1686. Such part is shown herein, however, as having been added by Pub. L. 116-260, div. Z, title III, §3001(a), Dec. 27, 2020, 134 Stat. 2479, because of the extensive revision of the part’s provisions by Pub. L. 116-260.

Statutory Notes and Related Subsidiaries

APPLICATION

Provisions of section 3212 of this title applicable to construction, alteration, or repair work of demonstration projects funded by grants or contracts authorized under this part, see section 9006(b) of div. Z of Pub. L. 116-260, set out as a note under section 16237 of this title.

§ 17211. Definitions

In this part:

(1) Eligible entity

The term “eligible entity” means any of the following entities:

- (A) An institution of higher education.
- (B) A National Laboratory.
- (C) A Federal research agency.
- (D) A State research agency.
- (E) A nonprofit research organization.
- (F) An industrial entity or a multi-institutional consortium thereof.

(2) Institution of higher education

The term “institution of higher education” means—

- (A) an institution of higher education (as defined in section 1001(a) of title 20); or
- (B) a postsecondary vocational institution (as defined in section 1002(c) of title 20).

(3) Marine energy

The term “marine energy” means energy from—

- (A) waves, tides, and currents in oceans, estuaries, and tidal areas;
- (B) free flowing water in rivers, lakes, streams, and man-made channels;
- (C) differentials in salinity and pressure gradients; and
- (D) differentials in water temperature, including ocean thermal energy conversion.

(4) National laboratory

The term “National Laboratory” has the meaning given such term in section 15801(3) of this title.

(5) Water power

The term “water power” refers to hydro-power, including conduit power, pumped storage, and marine energy technologies.

(6) Microgrid

The term “microgrid” has the meaning given such term in section 17231 of this title.

(Pub. L. 110-140, title VI, §632, as added Pub. L. 116-260, div. Z, title III, §3001(a), Dec. 27, 2020, 134 Stat. 2479.)

Editorial Notes

PRIOR PROVISIONS

A prior section 17211, Pub. L. 110-140, title VI, §632, Dec. 19, 2007, 121 Stat. 1686, related to definitions of terms, prior to the general amendment of this part by Pub. L. 116-260.

Statutory Notes and Related Subsidiaries

SHORT TITLE

This part was formerly known as the “Marine and Hydrokinetic Renewable Energy Research and Development Act”, see Short Title note formerly set out under section 17001 of this title.

§ 17212. Water power technology research, development, and demonstration

The Secretary shall carry out a program to conduct research, development, demonstration, and commercial application of water power technologies in support of each of the following purposes:

- (1) To promote research, development, demonstration, and commercial application of water power generation technologies in order to increase capacity and reduce the cost of those technologies.
- (2) To promote research and development to improve the environmental impact of water power technologies.
- (3) To provide grid reliability and resilience, including through technologies that facilitate new market opportunities, such as ancillary services, for water power.