

(B) the financial and operational burden on a Commission licensee in complying with section 2210 of this title is not greater as a result of the enactment of this section.

**(3) Applicability of provision**

Section 553 of title 5 shall apply with respect to the promulgation of regulations under this subsection.

**(4) Effect of subsection**

The authority provided under this subsection is in addition to, and does not impair or otherwise affect, any other authority of the Secretary or the Commission to prescribe regulations.

**(m) Effective date**

This section shall take effect on December 19, 2007.

(Pub. L. 110-140, title IX, §934, Dec. 19, 2007, 121 Stat. 1741.)

**Editorial Notes**

REFERENCES IN TEXT

Presidential Proclamation Number 5928, referred to in subsec. (b)(10)(B)(iv), is set out as a note under section 1331 of Title 43, Public Lands.

Executive Order 12958, referred to in subsec. (k)(3), which was formerly set out as a note under section 435 (now section 3161) of Title 50, War and National Defense, was revoked by Ex. Ord. No. 13526, §6.2(g), Dec. 29, 2009, 75 F.R. 731.

**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.

**§ 17374. Transparency in extractive industries resource payments**

**(a) Purpose**

The purpose of this section is to—

(1) ensure greater United States energy security by combating corruption in the governments of foreign countries that receive revenues from the sale of their natural resources; and

(2) enhance the development of democracy and increase political and economic stability in such resource rich foreign countries.

**(b) Statement of policy**

It is the policy of the United States—

(1) to increase energy security by promoting anti-corruption initiatives in oil and natural gas rich countries; and

(2) to promote global energy security through promotion of programs such as the Extractive Industries Transparency Initiative (EITI) that seek to instill transparency and accountability into extractive industries resource payments.

**(c) Sense of Congress**

It is the sense of Congress that the United States should further global energy security and promote democratic development in resource-rich foreign countries by—

(1) encouraging further participation in the EITI by eligible countries and companies; and

(2) promoting the efficacy of the EITI program by ensuring a robust and candid review mechanism.

**(d) Report**

**(1) Report required**

Not later than 180 days after December 19, 2007, and annually thereafter, the Secretary of State, in consultation with the Secretary of Energy, shall submit to the appropriate congressional committees a report on progress made in promoting transparency in extractive industries resource payments.

**(2) Matters to be included**

The report required by paragraph (1) shall include a detailed description of United States participation in the EITI, bilateral and multilateral diplomatic efforts to further participation in the EITI, and other United States initiatives to strengthen energy security, deter energy kleptocracy, and promote transparency in the extractive industries.

**(e) Authorization of appropriations**

There is authorized to be appropriated \$3,000,000 for the purposes of United States contributions to the Multi-Donor Trust Fund of the EITI.

(Pub. L. 110-140, title IX, §935, Dec. 19, 2007, 121 Stat. 1748.)

**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.

**§ 17375. Regional clean energy innovation program**

**(a) Definitions**

In this section:

**(1) Regional clean energy innovation partnership**

The term “regional clean energy innovation partnership” means a group of one or more persons, including a covered consortium, who perform a collection of activities that are coordinated by such covered consortium to carry out the purposes of the program under subsection (c) in a region of the United States.

**(2) Covered consortium**

The term “covered consortium” means an individual or group of individuals in partnership with a government entity, including a State, territorial, local, or tribal government or unit of such government, and at least 2 or more of the following additional entities—

(A) an institution of higher education or a consortium of institutions of higher education, including community colleges;

(B) a workforce development program;

(C) a private sector entity or group of entities, including a trade or industry association;

(D) a nonprofit organization;

(E) a community group or community-based organization;

(F) a labor organization or joint labor-management organization;

- (G) a National Laboratory;
- (H) a venture development organization;
- (I) a community development financial institution or minority depository institution;
- (J) a worker cooperative membership association or state or local employee ownership or cooperative development center;
- (K) an organization focused on clean energy technology innovation or entrepreneurship;
- (L) a business or clean energy accelerator or incubator;
- (M) an economic development organization;
- (N) a manufacturing facility or organization;
- (O) a multi-institutional collaboration; or
- (P) any other entity that the Secretary determines to be relevant.

**(3) Program**

The term “program” means the Regional Clean Energy Innovation Program authorized in subsection (b).

**(4) Institution of higher education**

The term “institution of higher education” has the meaning given such term in section 1001 or 1002(a)(1)(B) of title 20.

**(5) National Laboratory**

The term “National Laboratory” has the meaning given that term in section 15801 of this title.

**(6) Clean energy technology**

The term “clean energy technology” means a technology that significantly reduces energy use, increases energy efficiency, reduces greenhouse gas emissions, reduces emissions of other pollutants, or mitigates other negative environmental consequences of energy production, transmission or use.

**(7) Community-based organization**

The term “community-based organization” has the meaning given the term in section 3102 of title 29.

**(8) Community college**

The term “community college” means—

- (A) a public institution of higher education, including additional locations, at which the highest degree, or the predominantly awarded degree, is an associate degree; or

- (B) any Tribal college or university (as defined in section 1059c of title 20).

**(9) Workforce development program**

The term “workforce development program” has the meaning given the term in section 3102 of title 29.

**(b) In general**

The Secretary shall establish a Regional Clean Energy Innovation Program, a research, development, demonstration, and commercial application program designed to enhance the economic, environmental, and energy security of the United States and accelerate the pace of innovation of diverse clean energy technologies through the formation or support of regional clean energy innovation partnerships.

**(c) Purposes of the Program**

The purposes of the Program established under subsection (b) are to—

- (1) improve the competitiveness of United States’ clean energy technology research, development, demonstration, and commercial application; and

- (2) support the development of tools and technologies best suited for use in diverse regions of the United States, including in rural, tribal, and low-income communities.

**(d) Regional clean energy innovation partnerships**

**(1) In general**

The Secretary shall competitively award grants to covered consortia to establish or support regional clean energy innovation partnerships that achieve the purposes of the Program in subsection (c).

**(2) Permissible activities**

Grants awarded under this subsection shall be used for activities determined appropriate by the Secretary to achieve the purposes of the Program in subsection (c), including—

- (A) facilitating the commercial application of clean energy products, processes, and services, including through research, development, demonstration, or technology transfer;

- (B) planning among participants of a regional clean energy innovation partnership to improve the strategic and cost-effective coordination of the partnership;

- (C) improving stakeholder involvement in the development of goals and activities of a regional clean energy innovation partnership;

- (D) assessing different incentive mechanisms for clean energy development and commercial application in the region;

- (E) hosting events and conferences; and

- (F) establishing and updating roadmaps to measure progress on relevant goals, such as those relevant to metrics developed under subsection (g).

**(3) Applications**

Each application submitted to the Secretary under paragraph (1) may include—

- (A) a list of members and roles of members of the covered consortia, as well as any other stakeholders supporting the activities of the regional clean energy innovation partnership;

- (B) an assessment of the relevant clean energy innovation assets needed in a region to achieve proposed outcomes, such as education and workforce development programs, research facilities, infrastructure or site development, access to capital, manufacturing capabilities, or other assets;

- (C) a description of proposed activities that the regional clean energy innovation partnership plans to undertake and how the proposed activities will achieve the purposes described in subsection (c);

- (D) a plan for attracting additional funds and identification of funding sources from non-Federal sources to deliver the proposed

outcomes of the regional clean energy innovation partnership;

(E) a plan for partnering and collaborating with community development financial institutions and minority depository institutions, labor organizations and community groups, worker cooperative membership associations, local and state employee ownership and cooperative development centers, and other local institutions in order to promote employee, community, and public ownership in the clean energy sector, and advance models of local economic development that build and retain wealth in the region;

(F) a plan for sustaining activities of the regional clean energy innovation partnership after funds received under this program have been expended; and

(G) a proposed budget, including financial contributions from non-Federal sources.

**(4) Considerations**

In selecting covered consortia for funding under the Program, the Secretary shall, to the maximum extent practicable—

(A) give special consideration to applications from rural, tribal, and low-income communities; and

(B) ensure that there is geographic diversity among the covered consortia selected to receive funding.

**(5) Award amount**

Grants given out under this Program shall be in an amount not greater than \$10,000,000, with the total grant award in any year less than that in the previous year.

**(6) Cost share**

For grants that are disbursed over the course of three or more years, the Secretary shall require, as a condition of receipt of funds under this section, that a covered consortium provide not less than 50 percent of the funding for the activities of the regional clean energy partnership under this section for years 3, 4, and 5.

**(7) Duration**

Each grant under paragraph shall be for a period of not longer than 5 years.

**(8) Renewal**

A grant awarded under this section may be renewed for a period of not more than 5 years, subject to a rigorous merit review based on the progress of a regional clean energy innovation partnership towards achieving the purposes of the program in subsection (c) and the metrics developed under subsection (g).

**(9) Termination**

Consistent with the existing authorities of the Department, the Secretary may terminate grant funding under this subsection to covered consortia during the performance period if the Secretary determines that the regional clean energy innovation partnership is underperforming.

**(10) Administrative costs**

The Secretary may allow a covered consortium that receives funds under this section to

allocate a portion of the funding received to be used for administrative or indirect costs.

**(11) Funding**

The Secretary may accept funds from other Federal agencies to support funding and activities under this section.

**(e) Planning funds**

The Secretary may competitively award grants in an amount no greater than \$2,000,000 for a period not longer than 2 years to an entity consisting of a government entity, including a State, territorial, local, or tribal government or unit of such government or any entity listed under subsection (a)(2) to plan a regional clean energy innovation partnership or establish a covered consortium for the purpose of applying for funds under subsection (b).

**(f) Information sharing**

As part of the program, the Secretary shall support the gathering, analysis, and dissemination of information on best practices for developing and operating successful regional clean energy innovation partnerships.

**(g) Metrics**

In evaluating a grant renewal under subsection (d)(8), the Secretary shall work with program evaluation experts to develop and make publicly available metrics to assess the progress of a regional clean energy innovation partnership towards achieving the purposes of the program in subsection (c).

**(h) Coordination**

In carrying out the program, the Secretary shall coordinate with, and avoid unnecessary duplication of, the activities carried out under this section with the activities of other research entities of the Department or relevant programs at other Federal agencies.

**(i) Conflicts of interest**

In carrying out the program, the Secretary shall maintain conflict of interest procedures, consistent with the conflict of interest procedures of the Department.

**(j) Evaluation by Comptroller General**

Not later than 3 years after August 9, 2022, and again 3 years later, the Comptroller General shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate an evaluation on the operation of the program during the most recent 3-year period, including—

(1) an assessment of the progress made towards achieving the purposes specified in subsection (c) based on the metrics developed under subsection (g);

(2) the short-term and long-term metrics used to determine the success of the program under subsection (g), and any changes recommended to the metrics used;

(3) the regional clean energy innovation partnerships established or supported by covered consortia that have received grants under subsection (d); and

(4) any recommendations on how the program may be improved.

**(k) National Laboratories**

In supporting technology transfer activities at the National Laboratories, the Secretary shall encourage partnerships with entities that are located in the same region or State as the National Laboratory.

**(l) Security**

In carrying out the activities under this section, the Secretary shall ensure proper security controls are in place to protect sensitive information, as appropriate.

**(m) No funds for construction**

No funds provided to the Department of Energy under this section shall be used for construction.

**(n) Authorization of appropriations**

There are authorized to be appropriated to the Secretary to carry out this section \$50,000,000 for each of fiscal years 2023 through 2027.

(Pub. L. 110-140, title IX, §936, as added Pub. L. 117-167, div. B, title VI, §10622, Aug. 9, 2022, 136 Stat. 1660.)

## SUBCHAPTER IX—SMART GRID

**§ 17381. Statement of policy on modernization of electricity grid**

It is the policy of the United States to support the modernization of the Nation's electricity transmission and distribution system to maintain a reliable and secure electricity infrastructure that can meet future demand growth and to achieve each of the following, which together characterize a Smart Grid:

(1) Increased use of digital information and controls technology to improve reliability, security, and efficiency of the electric grid.

(2) Dynamic optimization of grid operations and resources, with full cyber-security.

(3) Deployment and integration of distributed resources and generation, including renewable resources.

(4) Development and incorporation of demand response, demand-side resources, and energy-efficiency resources.

(5) Deployment of “smart” technologies (real-time, automated, interactive technologies that optimize the physical operation of appliances and consumer devices) for metering, communications concerning grid operations and status, and distribution automation.

(6) Integration of “smart” appliances and consumer devices.

(7) Deployment and integration of advanced electricity storage and peak-shaving technologies, including plug-in electric and hybrid electric vehicles, and thermal-storage air conditioning.

(8) Provision to consumers of timely information and control options.

(9) Development of standards for communication and interoperability of appliances and equipment connected to the electric grid, including the infrastructure serving the grid.

(10) Identification and lowering of unreasonable or unnecessary barriers to adoption of smart grid technologies, practices, and services.

(Pub. L. 110-140, title XIII, §1301, Dec. 19, 2007, 121 Stat. 1783.)

**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.

**§ 17382. Smart grid system report**

The Secretary, acting through the Assistant Secretary of the Office of Electricity Delivery and Energy Reliability (referred to in this section as the “OEDER”) and through the Smart Grid Task Force established in section 17383 of this title, shall, after consulting with any interested individual or entity as appropriate, no later than 1 year after December 19, 2007, and every 2 years thereafter, report to Congress concerning the status of smart grid deployments nationwide and any regulatory or government barriers to continued deployment. The report shall provide the current status and prospects of smart grid development, including information on technology penetration, communications network capabilities, costs, and obstacles. It may include recommendations for State and Federal policies or actions helpful to facilitate the transition to a smart grid. To the extent appropriate, it should take a regional perspective. In preparing this report, the Secretary shall solicit advice and contributions from the Smart Grid Advisory Committee created in section 17383 of this title; from other involved Federal agencies including but not limited to the Federal Energy Regulatory Commission (“Commission”), the National Institute of Standards and Technology (“Institute”), and the Department of Homeland Security; and from other stakeholder groups not already represented on the Smart Grid Advisory Committee.

(Pub. L. 110-140, title XIII, §1302, Dec. 19, 2007, 121 Stat. 1784.)

**Editorial Notes**

## CODIFICATION

December 19, 2007, referred to in text, was in the original “enactment” and was translated as meaning the date of enactment of Pub. L. 110-140 to reflect the probable intent of Congress.

**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.

**§ 17383. Smart Grid Advisory Committee and Smart Grid Task Force****(a) Smart Grid Advisory Committee****(1) Establishment**

The Secretary shall establish, within 90 days of December 19, 2007, a Smart Grid Advisory Committee (either as an independent entity or as a designated sub-part of a larger advisory committee on electricity matters). The Smart Grid Advisory Committee shall include eight