

Act of 2005 [42 U.S.C. 16511 et seq.], beginning in fiscal year 2007, with a listing of responses to loan guarantee solicitations under such title, describing the technologies, amount of loan guarantee sought, and the applicants' assessment of risk.

(Pub. L. 109-289, div. B, title II, §20320, as added Pub. L. 110-5, §2, Feb. 15, 2007, 121 Stat. 21; amended Pub. L. 113-76, div. D, title III, §307, Jan. 17, 2014, 128 Stat. 175.)

Editorial Notes

REFERENCES IN TEXT

Section 101, referred to in subsec. (a), is section 101 of title I of div. B of Pub. L. 109-289, as added by Pub. L. 110-5, §2, Feb. 15, 2007, 121 Stat. 8. Subsec. (b) of section 101 is classified as a note under section 12651i of this title. Subsecs. (a) and (c) of section 101 are not classified to the Code.

The Federal Credit Reform Act of 1990, referred to in subsec. (a), is title V of Pub. L. 93-344, as added by Pub. L. 101-508, title XIII, §13201(a), Nov. 5, 1990, 104 Stat. 1388-609, which is classified generally to subchapter III (§661 et seq.) of chapter 17A of Title 2, The Congress. For complete classification of this Act to the Code, see Short Title note set out under section 621 of Title 2 and Tables.

The Energy Policy Act of 2005, referred to in text, is Pub. L. 109-58, Aug. 8, 2005, 119 Stat. 594. Title XVII of the Act is classified generally to this subchapter. For complete classification of this Act to the Code, see Short Title note set out under section 15801 of this title and Tables.

CODIFICATION

Section was enacted as part of the Continuing Appropriations Resolution, 2007, and not as part of the Energy Policy Act of 2005 which comprises this chapter.

AMENDMENTS

2014—Subsec. (c). Pub. L. 113-76 substituted “a review every three years” for “an annual review”.

§ 16516. Omitted

Editorial Notes

CODIFICATION

Section, Pub. L. 109-58, title XVII, §1705, as added Pub. L. 111-5, div. A, title IV, §406(a), Feb. 17, 2009, 123 Stat. 145, which related to temporary program for rapid deployment of renewable energy and electric power transmission projects, was omitted from the Code due to expiration of authority to enter into guarantees under this section on Sept. 30, 2011.

§ 16517. Energy infrastructure reinvestment financing

(a) In general

Notwithstanding section 16513 of this title, the Secretary may make guarantees, including refinancing, under this section only for projects that—

- (1) retool, repower, repurpose, or replace energy infrastructure that has ceased operations; or
- (2) enable operating energy infrastructure to avoid, reduce, utilize, or sequester air pollutants or anthropogenic emissions of greenhouse gases.

(b) Inclusion

A project under subsection (a) may include the remediation of environmental damage associated with energy infrastructure.

(c) Requirement

A project under subsection (a)(1) that involves electricity generation through the use of fossil fuels shall be required to have controls or technologies to avoid, reduce, utilize, or sequester air pollutants and anthropogenic emissions of greenhouse gases.

(d) Application

To apply for a guarantee under this section, an applicant shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including—

- (1) a detailed plan describing the proposed project;
- (2) an analysis of how the proposed project will engage with and affect associated communities; and
- (3) in the case of an applicant that is an electric utility, an assurance that the electric utility shall pass on any financial benefit from the guarantee made under this section to the customers of, or associated communities served by, the electric utility.

(e) Term

Notwithstanding section 16512(f) of this title, the term of an obligation shall require full repayment over a period not to exceed 30 years.

(f) Definition of energy infrastructure

In this section, the term “energy infrastructure” means a facility, and associated equipment, used for—

- (1) the generation or transmission of electric energy; or
- (2) the production, processing, and delivery of fossil fuels, fuels derived from petroleum, or petrochemical feedstocks.

(Pub. L. 109-58, title XVII, §1706, as added Pub. L. 117-169, title V, §50144(c), Aug. 16, 2022, 136 Stat. 2045.)

SUBCHAPTER XVI—STUDIES

§ 16521. Report on energy integration with Latin America

The Secretary shall submit an annual report to the Committee on Energy and Commerce of the United States House of Representatives and to the Committee on Energy and Natural Resources of the Senate concerning the status of energy export development in Latin America and efforts by the Secretary and other departments and agencies of the United States to promote energy integration with Latin America. The report shall contain a detailed analysis of the status of energy export development in Mexico and a description of all significant efforts by the Secretary and other departments and agencies to promote a constructive relationship with Mexico regarding the development of that nation's energy capacity. In particular this report shall outline efforts the Secretary and other departments and agencies have made to ensure that regulatory approval and oversight of United States/Mexico border projects that result in the expansion of Mexican energy capacity are effectively coordinated across departments and with the Mexican government.