

- (1) are in effect on October 24, 1992; or
- (2) have been in effect prior to October 24, 1992.

**(b) Report to Congress**

Not later than 18 months after October 24, 1992, the Secretary shall transmit to the Congress,<sup>1</sup> the results of such study to be accompanied by recommendations for legislation, if any.

**(c) Contents**

**(1) In general**

The study shall identify and quantify the direct and indirect subsidies and other legal and institutional factors that influence decisions in the marketplace concerning fuels and energy technologies.

**(2) Topics for examination**

The study shall examine—

- (A) fuel and technology choices that are—
  - (i) available on October 24, 1992; or
  - (ii) reasonably foreseeable on October 24, 1992;
- (B) production subsidies for the extraction of raw materials;
- (C) subsidies encouraging investment in large capital projects;
- (D) indemnification;
- (E) fuel cycle subsidies, including waste disposal;
- (F) government research and development support; and
- (G) other relevant incentives and disincentives.

**(d) Authorization of appropriations**

There are authorized to be appropriated to carry out this section \$500,000 for each of the fiscal years 1993 and 1994.

(Pub. L. 102-486, title XXX, §3015, Oct. 24, 1992, 106 Stat. 3129.)

**§ 13554. Tar sands**

**(a) Policy**

It is the policy of the United States to promote the development and production, by all means consistent with sound engineering, economic, and environmental practices, of deposits of tar sands.

**(b) “Tar sands” defined**

(1) For purposes of this section, the term “tar sands” means any consolidated or unconsolidated rock (other than coal, oil shale, or gilsonite) that either—

- (A) contains a hydrocarbonaceous material with a gas-free viscosity, at original reservoir temperature, greater than 10,000 centipoise; or
- (B) contains a hydrocarbonaceous material and is produced by mining or quarrying.

(2) Nothing in this section is intended or shall be construed to affect in any way the definition of the term tar sands under any other provision of Federal law.

**(c) Study**

The Secretary, in consultation with the Secretary of the Interior, shall submit a study to

the House of Representatives and the Committee on Energy and Natural Resources of the Senate within one year after October 24, 1992. Such study shall identify and evaluate the development potential of sources of tar sands in the United States. The study shall also identify and evaluate processes for extracting oil from the identified tar sand sources, including existing tar sands waste tailings, and evaluate the environmental benefits of, and the potential for co-production of minerals and metals from, such processes.

**(d) Authorization of appropriations**

There are authorized to be appropriated such sums as may be necessary for each of the fiscal years 1993 and 1994 to carry out this section.

(Pub. L. 102-486, title XXX, §3016, Oct. 24, 1992, 106 Stat. 3129.)

**§ 13555. Consultative Commission on Western Hemisphere Energy and Environment**

**(a) Findings**

The Congress finds that—

- (1) there is growing mutual economic interdependence among the countries of the Western Hemisphere;
- (2) energy and environmental issues are intrinsically linked and must be considered together when formulating policy on the broader issue of sustainable economic development for the Western Hemisphere as a whole;
- (3) when developing their respective energy infrastructures, countries in the Western Hemisphere must consider existing and emerging environmental constraints, and do so in a way that results in sustainable long-term economic growth;
- (4) the coordination of respective national energy and environmental policies of the governments of the Western Hemisphere could be substantially improved through regular consultation among these countries;
- (5) the development, production and consumption of energy can affect environmental quality, and the environmental consequences of energy-related activities are not confined within national boundaries, but are regional and global in scope;
- (6) although the Western Hemisphere is richly endowed with indigenous energy resources, an insufficient energy supply would severely constrain future opportunities for sustainable economic development and growth in each of these member countries; and
- (7) the energy markets of the United States are linked with those in other countries of the Western Hemisphere and the world.

**(b) “Commission” defined**

For purposes of this section, the term “Commission” means the Consultative Commission on Western Hemisphere Energy and Environment.

**(c) Negotiations**

The President is authorized to direct the United States representative to the Organization of American States to initiate negotiations with the Organization of American States for the establishment of a Consultative Commission

<sup>1</sup> So in original. The comma probably should not appear.

on Western Hemisphere Energy and Environment under the auspices of the Organization of American States.

**(d) The Commission**

In the course of the negotiations, the following shall be pursued:

**(1) Objectives**

The objectives of the Commission shall be—

(A) to evaluate from the viewpoint of the Western Hemisphere as a whole the energy and environmental situations, trends, and policies of the countries of the participating governments necessary to support sustainable economic development;

(B) to recommend to the participating governments actions, policies, and institutional arrangements that will enhance cooperation and policy coordination among their respective countries in the future development and use of indigenous energy resources and technologies, and in the future development and implementation of measures to protect the environment of the Western Hemisphere; and

(C) to recommend to the participating governments actions and policies that will enhance energy and environmental cooperation and coordination among the countries of the Western Hemisphere and the world.

**(2) Composition of Commission**

The Commission shall include representatives of—

(A) the respective foreign energy and environmental ministries or departments of the participating governments;

(B) the parliamentary or legislative bodies with legislative responsibilities for energy and environmental matters; and

(C) other governmental and non-governmental observers appointed by the heads of each participating government on the basis of their experience and expertise.

**(3) Secretariat**

A small secretariat shall be chosen by the participating governments for their expertise in the areas of energy and the environment.

**(4) Sunset provision**

The Commission's authority—

(A) shall terminate five years from the date of the agreement under which it was created; and

(B) may be extended for a five-year term at the expiration of the previous term by agreement of the participating governments.

**(e) Report**

The President shall, within one year after October 24, 1992, report to the Committee on Energy and Commerce and the Committee on Foreign Affairs of the House of Representatives, and to the Committee on Energy and Natural Resources and the Committee on Foreign Relations of the Senate, on the progress toward the establishment of the Commission and achievement of the purposes of this section.

(Pub. L. 102-486, title XXX, §3020, Oct. 24, 1992, 106 Stat. 3131.)

CHANGE OF NAME

Committee on Energy and Commerce of House of Representatives treated as referring to Committee on

Commerce of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress, Committee on Commerce of House of Representatives changed to Committee on Energy and Commerce of House of Representatives, and jurisdiction over matters relating to securities and exchanges and insurance generally transferred to Committee on Financial Services of House of Representatives by House Resolution No. 5, One Hundred Seventh Congress, Jan. 3, 2001.

**§ 13556. Disadvantaged business enterprises**

**(a) General rule**

To the extent practicable, the head of each agency shall provide that the obligation of not less than 10 percent of the total combined amounts obligated for contracts and subcontracts by each agency under this Act and amendments made by this Act pursuant to competitive procedures within the meaning of either division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41, or chapter 137 of title 10, shall be expended either with—

(1) small business concerns controlled by socially and economically disadvantaged individuals or women;

(2) historically Black colleges and universities;

(3) colleges and universities having a student body in which more than 20 percent of the students are Hispanic Americans or Native Americans; or

(4) qualified HUBZone small business concerns.

**(b) Definitions**

For purposes of this section, the following definitions shall apply:

(1) The term "small business concern" has the meaning such term has under section 632 of title 15. However, for purposes of contracts and subcontracts requiring engineering services the applicable size standard shall be that established for military and aerospace equipment and military weapons.

(2) The term "socially and economically disadvantaged individuals" has the meaning such term has under section 637(d) of title 15 and relevant subcontracting regulations promulgated pursuant thereto.

(3) The term "qualified HUBZone small business concern" has the meaning given that term in section 632(p) of title 15.

(Pub. L. 102-486, title XXX, §3021, Oct. 24, 1992, 106 Stat. 3133; Pub. L. 105-135, title VI, §604(g), Dec. 2, 1997, 111 Stat. 2634.)

REFERENCES IN TEXT

This Act, referred to in subsec. (a), is Pub. L. 102-486, Oct. 24, 1992, 106 Stat. 2776, known as the Energy Policy Act of 1992. For complete classification of this Act to the Code, see Short Title note set out under section 13201 of this title and Tables.

CODIFICATION

In subsec. (a), "division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41" substituted for "the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.);" on authority of Pub. L. 111-350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.