

**(4) Construction of facilities****(A) In general**

The Secretary shall construct the facilities described in subsection (b) at the lowest cost practicable.

**(B) Grants or agreements**

The Secretary may make grants or enter into agreements or contracts with the institutions of higher education described in subsection (b).

**(e) Cost sharing**

The cost of making grants under this section shall be shared in accordance with section 16352 of this title.

**(f) Authorization of appropriations**

There is authorized to be appropriated to carry out this section \$85,000,000 for the period of fiscal years 2006 through 2010.

(Pub. L. 109-58, title IV, §417, Aug. 8, 2005, 119 Stat. 756.)

## PART C—FEDERAL COAL LEASES

**§ 15991. Inventory requirement****(a) Review of assessments****(1) In general**

The Secretary of the Interior, in consultation with the Secretary of Agriculture and the Secretary, shall review coal assessments and other available data to identify—

(A) Federal lands with coal resources that are available for development;

(B) the extent and nature of any restrictions on the development of coal resources on Federal lands identified under paragraph (1); and

(C) with respect to areas of such lands for which sufficient data exists, resources of compliant coal and supercompliant coal.

**(2) Definitions**

For purposes of this subsection—

(A) the term “compliant coal” means coal that contains not less than 1.0 and not more than 1.2 pounds of sulfur dioxide per million Btu; and

(B) the term “supercompliant coal” means coal that contains less than 1.0 pounds of sulfur dioxide per million Btu.

**(b) Completion and updating of the inventory**

The Secretary—

(1) shall complete the inventory under subsection (a) by not later than 2 years after August 8, 2005; and

(2) shall update the inventory as the availability of data and developments in technology warrant.

**(c) Report**

The Secretary shall submit to the Committee on Resources of the House of Representatives and to the Committee on Energy and Natural Resources of the Senate and make publicly available—

(1) a report containing the inventory under this section, by not later than 2 years after the effective date of this section; and

(2) each update of such inventory.

(Pub. L. 109-58, title IV, §437, Aug. 8, 2005, 119 Stat. 762.)

## REFERENCES IN TEXT

The effective date of this section, referred to in subsec. (c)(1), probably means the date of enactment of Pub. L. 109-58, which enacted this section.

## CHANGE OF NAME

Committee on Resources of House of Representatives changed to Committee on Natural Resources of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

## SHORT TITLE

For short title of subtitle D of title IV of Pub. L. 109-58, which enacted this part, as the “Coal Leasing Amendments Act of 2005”, see section 431 of Pub. L. 109-58, set out as a note under section 15801 of this title.

## SUBCHAPTER V—INDIAN ENERGY

**§ 16001. Energy efficiency in federally assisted housing**

The Secretary of Housing and Urban Development shall promote energy conservation in housing that is located on Indian land and assisted with Federal resources through—

(1) the use of energy-efficient technologies and innovations (including the procurement of energy-efficient refrigerators and other appliances);

(2) the promotion of shared savings contracts; and

(3) the use and implementation of such other similar technologies and innovations as the Secretary of Housing and Urban Development considers to be appropriate.

(Pub. L. 109-58, title V, §506(a), Aug. 8, 2005, 119 Stat. 779.)

## SHORT TITLE

For short title of title V of Pub. L. 109-58, which enacted this subchapter, as the “Indian Tribal Energy Development and Self-Determination Act of 2005”, see section 501 of Pub. L. 109-58, set out as a note under section 15801 of this title.

## SUBCHAPTER VI—NUCLEAR MATTERS

## PART A—GENERAL NUCLEAR MATTERS

**§ 16011. Demonstration hydrogen production at existing nuclear power plants****(a) Demonstration projects**

The Secretary shall provide for the establishment of 2 projects in geographic areas that are regionally and climatically diverse to demonstrate the commercial production of hydrogen at existing nuclear power plants.

**(b) Economic analysis**

Prior to making an award under subsection (a), the Secretary shall determine whether the use of existing nuclear power plants is a cost-effective means of producing hydrogen.

**(c) Authorization of appropriations**

There are authorized to be appropriated to the Secretary for the purposes of carrying out this section not more than \$100,000,000.

(Pub. L. 109–58, title VI, §634, Aug. 8, 2005, 119 Stat. 790.)

**§ 16012. Prohibition on assumption by United States Government of liability for certain foreign incidents**

**(a) In general**

Notwithstanding any other provision of law, no officer of the United States or of any department, agency, or instrumentality of the United States Government may enter into any contract or other arrangement, or into any amendment or modification of a contract or other arrangement, the purpose or effect of which would be to directly or indirectly impose liability on the United States Government, or any department, agency, or instrumentality of the United States Government, or to otherwise directly or indirectly require an indemnity by the United States Government, for nuclear incidents occurring in connection with the design, construction, or operation of a production facility or utilization facility in any country whose government has been identified by the Secretary of State as engaged in state sponsorship of terrorist activities (specifically including any country the government of which, as of September 11, 2001, had been determined by the Secretary of State under section 2371(a) of title 22, section 2405(j)(1) of title 50, Appendix, or section 2780(d) of title 22 to have repeatedly provided support for acts of international terrorism). This section shall not apply to nuclear incidents occurring as a result of missions, carried out under the direction of the Secretary, the Secretary of Defense, or the Secretary of State, that are necessary to safely secure, store, transport, or remove nuclear materials for nuclear safety or non-proliferation purposes.

**(b) Definitions**

The terms used in this section shall have the same meaning as those terms have under section 2014 of this title, unless otherwise expressly provided in this section.

(Pub. L. 109–58, title VI, §635, Aug. 8, 2005, 119 Stat. 790.)

**§ 16013. Authorization of appropriations**

There are authorized to be appropriated such sums as are necessary to carry out this subtitle and the amendments made by this subtitle.

(Pub. L. 109–58, title VI, §636, Aug. 8, 2005, 119 Stat. 791.)

REFERENCES IN TEXT

This subtitle, referred to in text, is subtitle B (§§621–639) of title VI of Pub. L. 109–58, Aug. 8, 2005, 119 Stat. 782, which enacted this part and sections 2015b, 2210c, and 5853 of this title, amended sections 2133, 2135, 2158, 2160d, 2201, 2210a, 2214, 2297h–8, and 5851 of this title, repealed section 2213 of this title, and enacted provisions set out as notes under sections 2158 and 2214 of this title. For complete classification of this subtitle to the Code, see Tables.

**§ 16014. Standby support for certain nuclear plant delays**

**(a) Definitions**

In this section:

**(1) Advanced nuclear facility**

The term “advanced nuclear facility” means any nuclear facility the reactor design for which is approved after December 31, 1993, by the Commission (and such design or a substantially similar design of comparable capacity was not approved on or before that date).

**(2) Combined license**

The term “combined license” means a combined construction and operating license for an advanced nuclear facility issued by the Commission.

**(3) Commission**

The term “Commission” means the Nuclear Regulatory Commission.

**(4) Sponsor**

The term “sponsor” means a person who has applied for or been granted a combined license.

**(b) Contract authority**

**(1) In general**

The Secretary may enter into contracts under this section with sponsors of an advanced nuclear facility that cover a total of 6 reactors, with the 6 reactors consisting of not more than 3 different reactor designs, in accordance with paragraph (2).

**(2) Requirement for contracts**

**(A) Definition of loan cost**

In this paragraph, the term “loan cost” has the meaning given the term “cost of a loan guarantee” under section 661a(5)(C) of title 2.

**(B) Establishment of accounts**

There is established in the Department 2 separate accounts, which shall be known as the—

- (i) “Standby Support Program Account”;
- and
- (ii) “Standby Support Grant Account”.

**(C) Requirement**

The Secretary shall not enter into a contract under this section unless the Secretary deposits—

- (i) in the Standby Support Program Account established under subparagraph (B), funds appropriated to the Secretary in advance of the contract or a combination of appropriated funds and loan guarantee fees that are in an amount sufficient to cover the loan costs described in subsection (d)(5)(A); and
- (ii) in the Standby Support Grant Account established under subparagraph (B), funds appropriated to the Secretary in advance of the contract, paid to the Secretary by the sponsor of the advanced nuclear facility, or a combination of appropriations and payments that are in an amount sufficient<sup>1</sup> cover the costs described in subparagraphs (B), (C), and (D) of subsection (d)(5).

**(c) Covered delays**

**(1) Inclusions**

Under each contract authorized by this section, the Secretary shall pay the costs speci-

<sup>1</sup> So in original. Probably should be followed by “to”.