

contracts 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.

AMENDMENTS

1997—Subsec. (a)(4). Pub. L. 105-135, §604(g)(1), added par. (4).

Subsec. (b)(3). Pub. L. 105-135, §604(g)(2), added par. (3).

EFFECTIVE DATE OF 1997 AMENDMENT

Amendment by Pub. L. 105-135 effective Oct. 1, 1997, see section 3 of Pub. L. 105-135, set out as a note under section 631 of Title 15, Commerce and Trade.

§ 13557. Sense of Congress on risk assessments

It is the sense of Congress that Federal agencies conducting assessments of risks to human health and the environment from energy technology, production, transport, transmission, dis-

tribution, storage, use, or conservation activities shall use sound and objective scientific practices in assessing such risks, shall consider the best available science (including peer reviewed studies), and shall include a description of the weight of the scientific evidence concerning such risks.

(Pub. L. 102-486, title XXX, §3022, as added Pub. L. 109-58, title XIV, §1401, Aug. 8, 2005, 119 Stat. 1061.)

SUBCHAPTER XIII—CLEAN AIR COAL PROGRAM

§ 13571. Purposes

The purposes of this subchapter are to—

- (1) promote national energy policy and energy security, diversity, and economic competitiveness benefits that result from the increased use of coal;
- (2) mitigate financial risks, reduce the cost of clean coal generation, and increase the marketplace acceptance of clean coal generation and pollution control equipment and processes; and
- (3) facilitate the environmental performance of clean coal generation.

(Pub. L. 102-486, title XXXI, §3101, as added Pub. L. 109-58, title IV, §421(a), Aug. 8, 2005, 119 Stat. 757.)

§ 13572. Authorization of program

(a) In general

The Secretary shall carry out a program of financial assistance to—

- (1) facilitate the production and generation of coal-based power, through the deployment of clean coal electric generating equipment and processes that, compared to equipment or processes that are in operation on a full scale—

- (A) improve—
 - (i) energy efficiency; or
 - (ii) environmental performance consistent with relevant Federal and State clean air requirements, including those promulgated under the Clean Air Act (42 U.S.C. 7401 et seq.); and
- (B) are not yet cost competitive; and

- (2) facilitate the utilization of existing coal-based electricity generation plants through projects that—

- (A) deploy advanced air pollution control equipment and processes; and
- (B) are designed to voluntarily enhance environmental performance above current applicable obligations under the Clean Air Act and State implementation efforts pursuant to such Act.

(b) Financial criteria

As determined by the Secretary for a particular project, financial assistance under this subchapter shall be in the form of—

- (1) cost-sharing of an appropriate percentage of the total project cost, not to exceed 50 percent as calculated under section 16352 of this title; or
- (2) financial assistance, including grants, cooperative agreements, or loans as authorized