

(C) the demonstration of the collection and treatment of a variety of biomass feedstocks.

**(2) Proposals**

Not later than 6 months after August 8, 2005, the Secretary shall solicit proposals for demonstration of advanced biorefineries. The Secretary shall select only proposals that—

(A) demonstrate that the project will be able to operate profitably without direct Federal subsidy after initial construction costs are paid; and

(B) enable the biorefinery to be easily replicated.

**(e) University biodiesel program**

The Secretary shall establish a demonstration program to determine the feasibility of the operation of diesel electric power generators, using biodiesel fuels with ratings as high as B100, at electric generation facilities owned by institutions of higher education. The program shall examine—

(1) heat rates of diesel fuels with large quantities of cellulosic content;

(2) the reliability of operation of various fuel blends;

(3) performance in cold or freezing weather;

(4) stability of fuel after extended storage; and

(5) other criteria, as determined by the Secretary.

**(g)<sup>1</sup> Biorefinery energy efficiency**

The Secretary shall establish a program of research, development, demonstration, and commercial application for increasing energy efficiency and reducing energy consumption in the operation of biorefinery facilities.

**(h) Retrofit technologies for the development of ethanol from cellulosic materials**

The Secretary shall establish a program of research, development, demonstration, and commercial application on technologies and processes to enable biorefineries that exclusively use corn grain or corn starch as a feedstock to produce ethanol to be retrofitted to accept a range of biomass, including lignocellulosic feedstocks.

(Pub. L. 109–58, title IX, §932, Aug. 8, 2005, 119 Stat. 870; Pub. L. 110–140, title II, §224, Dec. 19, 2007, 121 Stat. 1533.)

AMENDMENTS

2007—Subsecs. (g), (h). Pub. L. 110–140 added subsecs. (g) and (h).

EFFECTIVE DATE OF 2007 AMENDMENT

Amendment by Pub. L. 110–140 effective on the date that is 1 day after Dec. 19, 2007, see section 1601 of Pub. L. 110–140, set out as an Effective Date note under section 1824 of Title 2, The Congress.

**§ 16233. Low-cost renewable hydrogen and infrastructure for vehicle propulsion**

The Secretary shall—

(1) establish a research, development, and demonstration program to determine the fea-

sibility of using hydrogen propulsion in light-weight vehicles and the integration of the associated hydrogen production infrastructure using off-the-shelf components; and

(2) identify universities and institutions that—

(A) have expertise in researching and testing vehicles fueled by hydrogen, methane, and other fuels;

(B) have expertise in integrating off-the-shelf components to minimize cost; and

(C) within 2 years can test a vehicle based on an existing commercially available platform with a curb weight of not less than 2,000 pounds before modifications, that—

(i) operates solely on hydrogen;

(ii) qualifies as a light-duty passenger vehicle; and

(iii) uses hydrogen produced from water using only solar energy.

(Pub. L. 109–58, title IX, §933, Aug. 8, 2005, 119 Stat. 872.)

**§ 16234. Concentrating solar power research program**

**(a) In general**

The Secretary shall conduct a program of research and development to evaluate the potential for concentrating solar power for hydrogen production, including cogeneration approaches for both hydrogen and electricity.

**(b) Administration**

The program shall take advantage of existing facilities to the extent practicable and shall include—

(1) development of optimized technologies that are common to both electricity and hydrogen production;

(2) evaluation of thermochemical cycles for hydrogen production at the temperatures attainable with concentrating solar power;

(3) evaluation of materials issues for the thermochemical cycles described in paragraph (2);

(4) cogeneration of solar thermal electric power and photo-synthetic-based hydrogen production;

(5) system architectures and economics studies; and

(6) coordination with activities under the Next Generation Nuclear Plant Project established under part B of subchapter VI on high temperature materials, thermochemical cycles, and economic issues.

**(c) Assessment**

In carrying out the program under this section, the Secretary shall—

(1) assess conflicting guidance on the economic potential of concentrating solar power for electricity production received from the National Research Council in the report entitled “Renewable Power Pathways: A Review of the U.S. Department of Energy’s Renewable Energy Programs” and dated 2000 and subsequent reviews of that report funded by the Department; and

(2) provide an assessment of the potential impact of technology used to concentrate solar power for electricity before, or concur-

<sup>1</sup> So in original. No subsec. (f) has been enacted.

rent with, submission of the budget for fiscal year 2008.

**(d) Report**

Not later than 5 years after August 8, 2005, the Secretary shall provide to Congress a report on the economic and technical potential for electricity or hydrogen production, with or without cogeneration, with concentrating solar power, including the economic and technical feasibility of potential construction of a pilot demonstration facility suitable for commercial production of electricity or hydrogen from concentrating solar power.

(Pub. L. 109–58, title IX, §934, Aug. 8, 2005, 119 Stat. 872.)

**§ 16235. Renewable energy in public buildings**

**(a) Demonstration and technology transfer program**

The Secretary shall establish a program for the demonstration of innovative technologies for solar and other renewable energy sources in buildings owned or operated by a State or local government, and for the dissemination of information resulting from such demonstration to interested parties.

**(b) Limit on Federal funding**

Notwithstanding section 16352 of this title, the Secretary shall provide under this section no more than 40 percent of the incremental costs of the solar or other renewable energy source project funded.

**(c) Requirements**

As part of the application for awards under this section, the Secretary shall require all applicants—

- (1) to demonstrate a continuing commitment to the use of solar and other renewable energy sources in buildings they own or operate; and
- (2) to state how they expect any award to further their transition to the significant use of renewable energy.

(Pub. L. 109–58, title IX, §935, Aug. 8, 2005, 119 Stat. 873.)

PART D—AGRICULTURAL BIOMASS RESEARCH AND DEVELOPMENT PROGRAMS

**§ 16251. Production incentives for cellulosic biofuels**

**(a) Purpose**

The purpose of this section is to—

- (1) accelerate deployment and commercialization of biofuels;
- (2) deliver the first 1,000,000,000 gallons in annual cellulosic biofuels production by 2015;
- (3) ensure biofuels produced after 2015 are cost competitive with gasoline and diesel; and
- (4) ensure that small feedstock producers and rural small businesses are full participants in the development of the cellulosic biofuels industry.

**(b) Definitions**

In this section:

**(1) Cellulosic biofuels**

The term “cellulosic biofuels” means any fuel that is produced from cellulosic feedstocks.

**(2) Eligible entity**

The term “eligible entity” means a producer of fuel from cellulosic biofuels the production facility of which—

- (A) is located in the United States;
- (B) meets all applicable Federal and State permitting requirements; and
- (C) meets any financial criteria established by the Secretary.

**(c) Program**

**(1) Establishment**

The Secretary, in consultation with the Secretary of Agriculture, the Secretary of Defense, and the Administrator of the Environmental Protection Agency, shall establish an incentive program for the production of cellulosic biofuels.

**(2) Basis of incentives**

Under the program, the Secretary shall award production incentives on a per gallon basis of cellulosic biofuels from eligible entities, through—

- (A) set payments per gallon of cellulosic biofuels produced in an amount determined by the Secretary, until initiation of the first reverse auction; and
- (B) reverse auction thereafter.

**(3) First reverse auction**

The first reverse auction shall be held on the earlier of—

- (A) not later than 1 year after the first year of annual production in the United States of 100,000,000 gallons of cellulosic biofuels, as determined by the Secretary; or
- (B) not later than 3 years after August 8, 2005.

**(4) Reverse auction procedure**

**(A) In general**

On initiation of the first reverse auction, and each year thereafter until the earlier of the first year of annual production in the United States of 1,000,000,000 gallons of cellulosic biofuels, as determined by the Secretary, or 10 years after August 8, 2005, the Secretary shall conduct a reverse auction at which—

- (i) the Secretary shall solicit bids from eligible entities;
- (ii) eligible entities shall submit—
  - (I) a desired level of production incentive on a per gallon basis; and
  - (II) an estimated annual production amount in gallons; and

(iii) the Secretary shall issue awards for the production amount submitted, beginning with the eligible entity submitting the bid for the lowest level of production incentive on a per gallon basis and meeting such other criteria as are established by the Secretary, until the amount of funds available for the reverse auction is committed.

**(B) Amount of incentive received**

An eligible entity selected by the Secretary through a reverse auction shall receive the amount of performance incentive