

AMENDMENTS

2009—Subsec. (a)(1). Pub. L. 111-85, § 312(a)(1)(A), inserted “an ultra efficient vehicle or” after “means” in introductory provisions.

Subsec. (a)(5). Pub. L. 111-85, § 312(a)(1)(B), added par. (5).

Subsec. (b). Pub. L. 111-85, § 312(a)(2)(A), inserted “, ultra efficient vehicle manufacturers,” after “automobile manufacturers” in introductory provisions.

Subsec. (b)(1)(C). Pub. L. 111-85, § 312(a)(2)(B), added subpar. (C).

Subsec. (b)(2). Pub. L. 111-85, § 312(a)(2)(C), inserted “, ultra efficient vehicles,” after “qualifying vehicles”.

Subsec. (g). Pub. L. 111-85, § 312(a)(3), inserted “or are utilized primarily for the manufacture of ultra efficient vehicles” after “20 years”.

Subsec. (h)(1)(B). Pub. L. 111-85, § 312(a)(4), substituted “ultra efficient vehicles, automobiles,” for “automobiles”.

2008—Subsec. (d)(1). Pub. L. 110-329, § 129(c)(1), inserted at end “The loans shall be made through the Federal Financing Bank, with the full faith and credit of the United States Government on the principal and interest. The full credit subsidy shall be paid by the Secretary using appropriated funds.”

Subsec. (e). Pub. L. 110-329, § 129(c)(2), substituted “Not later than 60 days after September 30, 2008, the Secretary shall promulgate an interim final rule establishing regulations that the Secretary deems necessary to administer this section and any loans made by the Secretary pursuant to this section. Such interim final rule shall require that,” for “The Secretary shall issue regulations that require that.”

Subsec. (j). Pub. L. 110-329, § 129(c)(3), added subsec. (j).

RECONSIDERATION OF PRIOR APPLICATIONS

Pub. L. 111-85, title III, § 312(b), Oct. 28, 2009, 123 Stat. 2875, provided that: “The Secretary of Energy shall reconsider applications for assistance under section 136 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17013) that were—

“(1) timely filed under that section before January 1, 2009;

“(2) rejected on the basis that the vehicles to which the proposal related were not advanced technology vehicles; and

“(3) related to ultra efficient vehicles.”

SUBCHAPTER II—ENERGY SECURITY THROUGH INCREASED PRODUCTION OF BIOFUELS

PART A—RENEWABLE FUEL STANDARD

§ 17021. Biomass-based diesel and biodiesel labeling

(a) In general

Each retail diesel fuel pump shall be labeled in a manner that informs consumers of the percent of biomass-based diesel or biodiesel that is contained in the biomass-based diesel blend or biodiesel blend that is offered for sale, as determined by the Federal Trade Commission.

(b) Labeling requirements

Not later than 180 days after December 19, 2007, the Federal Trade Commission shall promulgate biodiesel labeling requirements as follows:

(1) Biomass-based diesel blends or biodiesel blends that contain less than or equal to 5 percent biomass-based diesel or biodiesel by volume and that meet ASTM D975 diesel specifications shall not require any additional labels.

(2) Biomass-based diesel blends or biodiesel blends that contain more than 5 percent biomass-based diesel or biodiesel by volume but not more than 20 percent by volume shall be labeled “contains biomass-based diesel or biodiesel in quantities between 5 percent and 20 percent”.

(3) Biomass-based diesel or biodiesel blends that contain more than 20 percent biomass based or biodiesel by volume shall be labeled “contains more than 20 percent biomass-based diesel or biodiesel”.

(c) Definitions

In this section:

(1) ASTM

The term “ASTM” means the American Society of Testing and Materials.

(2) Biomass-based diesel

The term “biomass-based diesel” means biodiesel as defined in section 13220(f) of this title.

(3) Biodiesel

The term “biodiesel” means the monoalkyl esters of long chain fatty acids derived from plant or animal matter that meet—

(A) the registration requirements for fuels and fuel additives under this section; and

(B) the requirements of ASTM standard D6751.

(4) Biomass-based diesel and biodiesel blends

The terms “biomass-based diesel blend” and “biodiesel blend” means a blend of “biomass-based diesel” or “biodiesel” fuel that is blended with petroleum-based diesel fuel.

(Pub. L. 110-140, title II, § 205, Dec. 19, 2007, 121 Stat. 1529.)

§ 17022. Grants for production of advanced biofuels

(a) In general

The Secretary of Energy shall establish a grant program to encourage the production of advanced biofuels.

(b) Requirements and priority

In making grants under this section, the Secretary—

(1) shall make awards to the proposals for advanced biofuels with the greatest reduction in lifecycle greenhouse gas emissions compared to the comparable motor vehicle fuel lifecycle emissions during calendar year 2005; and

(2) shall not make an award to a project that does not achieve at least an 80 percent reduction in such lifecycle greenhouse gas emissions.

(c) Authorization of appropriations

There is authorized to be appropriated to carry out this section \$500,000,000 for the period of fiscal years 2008 through 2015, except that the amount authorized to be appropriated to carry out this section not appropriated as of October 2, 2013, shall be reduced by \$6,000,000.

(Pub. L. 110-140, title II, § 207, Dec. 19, 2007, 121 Stat. 1531; Pub. L. 113-40, § 10(f), Oct. 2, 2013, 127 Stat. 546.)

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2013—Subsec. (c). Pub. L. 113-40 inserted “, except that the amount authorized to be appropriated to carry out this section not appropriated as of October 2, 2013, shall be reduced by \$6,000,000” before period at end.

PART B—BIOFUELS RESEARCH AND DEVELOPMENT

§ 17031. Biodiesel**(a) Biodiesel study**

Not later than 180 days after December 19, 2007, the Secretary, in consultation with the Administrator of the Environmental Protection Agency, shall submit to Congress a report on any research and development challenges inherent in increasing the proportion of diesel fuel sold in the United States that is biodiesel.

(b) Material for the establishment of standards

The Director of the National Institute of Standards and Technology, in consultation with the Secretary, shall make publicly available the physical property data and characterization of biodiesel and other biofuels as appropriate.

(Pub. L. 110-140, title II, §221, Dec. 19, 2007, 121 Stat. 1533.)

§ 17032. Grants for biofuel production research and development in certain States**(a) In general**

The Secretary shall provide grants to eligible entities for research, development, demonstration, and commercial application of biofuel production technologies in States with low rates of ethanol production, including low rates of production of cellulosic biomass ethanol, as determined by the Secretary.

(b) Eligibility

To be eligible to receive a grant under this section, an entity shall—

(1)(A) be an institution of higher education (as defined in section 15801 of this title), including tribally controlled colleges or universities, located in a State described in subsection (a); or

(B) be a consortium including at least 1 such institution of higher education and industry, State agencies, Indian tribal agencies, National Laboratories, or local government agencies located in the State; and

(2) have proven experience and capabilities with relevant technologies.

(c) Authorization of appropriations

There are authorized to be appropriated to the Secretary to carry out this section \$25,000,000 for each of fiscal years 2008 through 2010.

(Pub. L. 110-140, title II, §223, Dec. 19, 2007, 121 Stat. 1533.)

§ 17033. Biofuels and biorefinery information center**(a) In general**

The Secretary, in cooperation with the Secretary of Agriculture, shall establish a biofuels and biorefinery information center to make available to interested parties information on—

(1) renewable fuel feedstocks, including the varieties of fuel capable of being produced from various feedstocks;

(2) biorefinery processing techniques related to various renewable fuel feedstocks;

(3) the distribution, blending, storage, and retail dispensing infrastructure necessary for the transport and use of renewable fuels;

(4) Federal and State laws and incentives related to renewable fuel production and use;

(5) renewable fuel research and development advancements;

(6) renewable fuel development and biorefinery processes and technologies;

(7) renewable fuel resources, including information on programs and incentives for renewable fuels;

(8) renewable fuel producers;

(9) renewable fuel users; and

(10) potential renewable fuel users.

(b) Administration

In administering the biofuels and biorefinery information center, the Secretary shall—

(1) continually update information provided by the center;

(2) make information available relating to processes and technologies for renewable fuel production;

(3) make information available to interested parties on the process for establishing a biorefinery; and

(4) make information and assistance provided by the center available through a toll-free telephone number and website.

(c) Coordination and nonduplication

To the maximum extent practicable, the Secretary shall ensure that the activities under this section are coordinated with, and do not duplicate the efforts of, centers at other government agencies.

(d) Authorization of appropriations

There are authorized to be appropriated such sums as are necessary to carry out this section.

(Pub. L. 110-140, title II, §229, Dec. 19, 2007, 121 Stat. 1535.)

§ 17034. Cellulosic ethanol and biofuels research**(a) Definition of eligible entity**

In this section, the term “eligible entity” means—

(1) an 1890 Institution (as defined in section 7601 of title 7);

(2) a part B institution (as defined in section 1061 of title 20) (commonly referred to as “Historically Black Colleges and Universities”);

(3) a tribal college or university (as defined in section 1059c(b) of title 20); or

(4) a Hispanic-serving institution (as defined in section 1101a(a) of title 20).

(b) Grants

The Secretary shall make cellulosic ethanol and biofuels research and development grants to 10 eligible entities selected by the Secretary to receive a grant under this section through a peer-reviewed competitive process.

(c) Collaboration

An eligible entity that is selected to receive a grant under subsection (b) shall collaborate with