

seq.) of chapter 2 of Title 15, Commerce and Trade. For complete classification of this Act to the Code, see section 58 of Title 15 and Tables.

§ 17305. Effect on other laws

(a) Other authority of the Commission

Nothing in this part limits or affects the authority of the Federal Trade Commission to bring an enforcement action or take any other measure under the Federal Trade Commission Act (15 U.S.C. 41 et seq.) or any other provision of law.

(b) Antitrust law

Nothing in this part shall be construed to modify, impair, or supersede the operation of any of the antitrust laws. For purposes of this subsection, the term “antitrust laws” shall have the meaning given it in subsection (a) of the first section of the Clayton Act (15 U.S.C. 12), except that it includes section 5 of the Federal Trade Commission Act (15 U.S.C. 45) to the extent that such section 5 applies to unfair methods of competition.

(c) State law

Nothing in this part preempts any State law. (Pub. L. 110–140, title VIII, §815, Dec. 19, 2007, 121 Stat. 1724.)

REFERENCES IN TEXT

The Federal Trade Commission Act, referred to in subsec. (a), is act Sept. 26, 1914, ch. 311, 38 Stat. 717, which is classified generally to subchapter I (§41 et seq.) of chapter 2 of Title 15, Commerce and Trade. For complete classification of this Act to the Code, see section 58 of Title 15 and Tables.

SUBCHAPTER VIII—INTERNATIONAL ENERGY PROGRAMS

§ 17321. Definitions

In this subchapter:

(1) Appropriate congressional committees

The term “appropriate congressional committees” means—

(A) the Committee on Foreign Affairs and the Committee on Energy and Commerce of the House of Representatives; and

(B) the Committee on Foreign Relations, the Committee on Energy and Natural Resources, the Committee on Environment and Public Works, and the Committee on Commerce, Science, and Transportation of the Senate.

(2) Clean and efficient energy technology

The term “clean and efficient energy technology” means an energy supply or end-use technology that, compared to a similar technology already in widespread commercial use in a recipient country, will—

(A) reduce emissions of greenhouse gases; or

(B)(i) increase efficiency of energy production; or

(ii) decrease intensity of energy usage.

(3) Greenhouse gas

The term “greenhouse gas” means—

(A) carbon dioxide;

(B) methane;

(C) nitrous oxide;

(D) hydrofluorocarbons;

(E) perfluorocarbons; or

(F) sulfur hexafluoride.

(Pub. L. 110–140, title IX, §901, Dec. 19, 2007, 121 Stat. 1725.)

REFERENCES IN TEXT

This subchapter, referred to in text, was in the original “this title”, meaning title IX of Pub. L. 110–140, Dec. 19, 2007, 121 Stat. 1725, which enacted this subchapter and amended section 5314 of Title 5, Government Organization and Employees, section 9101 of Title 31, Money and Finance, and section 3021 of Title 50, War and National Defense. For complete classification of title IX to the Code, see Tables.

PART A—ASSISTANCE TO PROMOTE CLEAN AND EFFICIENT ENERGY TECHNOLOGIES IN FOREIGN COUNTRIES

§ 17331. United States assistance for developing countries

(a) Assistance authorized

The Administrator of the United States Agency for International Development shall support policies and programs in developing countries that promote clean and efficient energy technologies—

(1) to produce the necessary market conditions for the private sector delivery of energy and environmental management services;

(2) to create an environment that is conducive to accepting clean and efficient energy technologies that support the overall purpose of reducing greenhouse gas emissions, including—

(A) improving policy, legal, and regulatory frameworks;

(B) increasing institutional abilities to provide energy and environmental management services; and

(C) increasing public awareness and participation in the decision-making of delivering energy and environmental management services; and

(3) to promote the use of American-made clean and efficient energy technologies, products, and energy and environmental management services.

(b) Report

The Administrator of the United States Agency for International Development shall submit to the appropriate congressional committees an annual report on the implementation of this section for each of the fiscal years 2008 through 2012.

(c) Authorization of appropriations

To carry out this section, there are authorized to be appropriated to the Administrator of the United States Agency for International Development \$200,000,000 for each of the fiscal years 2008 through 2012.

(Pub. L. 110–140, title IX, §911, Dec. 19, 2007, 121 Stat. 1725.)

§ 17332. United States exports and outreach programs for India, China, and other countries

(a) Assistance authorized

The Secretary of Commerce shall direct the United States and Foreign Commercial Service to expand or create a corps of the Foreign Commercial Service officers to promote United States exports in clean and efficient energy technologies and build the capacity of government officials in India, China, and any other country the Secretary of Commerce determines appropriate, to become more familiar with the available technologies—

(1) by assigning or training Foreign Commercial Service attachés, who have expertise in clean and efficient energy technologies from the United States, to embark on business development and outreach efforts to such countries; and

(2) by deploying the attachés described in paragraph (1) to educate provincial, state, and local government officials in such countries on the variety of United States-based technologies in clean and efficient energy technologies for the purposes of promoting United States exports and reducing global greenhouse gas emissions.

(b) Report

The Secretary of Commerce shall submit to the appropriate congressional committees an annual report on the implementation of this section for each of the fiscal years 2008 through 2012.

(c) Authorization of appropriations

To carry out this section, there are authorized to be appropriated to the Secretary of Commerce such sums as may be necessary for each of the fiscal years 2008 through 2012.

(Pub. L. 110–140, title IX, §912, Dec. 19, 2007, 121 Stat. 1726.)

§ 17333. United States trade missions to encourage private sector trade and investment

(a) Assistance authorized

The Secretary of Commerce shall direct the International Trade Administration to expand or create trade missions to and from the United States to encourage private sector trade and investment in clean and efficient energy technologies—

(1) by organizing and facilitating trade missions to foreign countries and by matching United States private sector companies with opportunities in foreign markets so that clean and efficient energy technologies can help to combat increases in global greenhouse gas emissions; and

(2) by creating reverse trade missions in which the Department of Commerce facilitates the meeting of foreign private and public sector organizations with private sector companies in the United States for the purpose of showcasing clean and efficient energy technologies in use or in development that could be exported to other countries.

(b) Report

The Secretary of Commerce shall submit to the appropriate congressional committees an

annual report on the implementation of this section for each of the fiscal years 2008 through 2012.

(c) Authorization of appropriations

To carry out this section, there are authorized to be appropriated to the Secretary of Commerce such sums as may be necessary for each of the fiscal years 2008 through 2012.

(Pub. L. 110–140, title IX, §913, Dec. 19, 2007, 121 Stat. 1726.)

§ 17334. Actions by Overseas Private Investment Corporation

(a) Sense of Congress

It is the sense of Congress that the Overseas Private Investment Corporation should promote greater investment in clean and efficient energy technologies by—

(1) proactively reaching out to United States companies that are interested in investing in clean and efficient energy technologies in countries that are significant contributors to global greenhouse gas emissions;

(2) giving preferential treatment to the evaluation and awarding of projects that involve the investment or utilization of clean and efficient energy technologies; and

(3) providing greater flexibility in supporting projects that involve the investment or utilization of clean and efficient energy technologies, including financing, insurance, and other assistance.

(b) Report

The Overseas Private Investment Corporation shall include in its annual report required under section 2200a of title 22—

(1) a description of the activities carried out to implement this section; or

(2) if the Corporation did not carry out any activities to implement this section, an explanation of the reasons therefor.

(Pub. L. 110–140, title IX, §914, Dec. 19, 2007, 121 Stat. 1727.)

§ 17335. Actions by United States Trade and Development Agency

(a) Assistance authorized

The Director of the Trade and Development Agency shall establish or support policies that—

(1) proactively seek opportunities to fund projects that involve the utilization of clean and efficient energy technologies, including in trade capacity building and capital investment projects;

(2) where appropriate, advance the utilization of clean and efficient energy technologies, particularly to countries that have the potential for significant reduction in greenhouse gas emissions; and

(3) recruit and retain individuals with appropriate expertise or experience in clean, renewable, and efficient energy technologies to identify and evaluate opportunities for projects that involve clean and efficient energy technologies and services.

(b) Report

The President shall include in the annual report on the activities of the Trade and Develop-