

**§ 15882. Hydroelectric efficiency improvement****(a) Incentive payments**

The Secretary shall make incentive payments to the owners or operators of hydroelectric facilities at existing dams to be used to make capital improvements in the facilities that are directly related to improving the efficiency of such facilities by at least 3 percent.

**(b) Limitations**

Incentive payments under this section shall not exceed 10 percent of the costs of the capital improvement concerned and not more than 1 payment may be made with respect to improvements at a single facility. No payment in excess of \$750,000 may be made with respect to improvements at a single facility.

**(c) Authorization of appropriations**

There are authorized to be appropriated to carry out this section not more than \$10,000,000 for each of the fiscal years 2006 through 2015.

(Pub. L. 109-58, title II, §243, Aug. 8, 2005, 119 Stat. 678.)

## PART D—INSULAR ENERGY

**§ 15891. Projects enhancing insular energy independence****(a) Project feasibility studies****(1) In general**

On a request described in paragraph (2), the Secretary shall conduct a feasibility study of a project to implement a strategy or project identified in the plans submitted to Congress pursuant to section 1492 of title 48 as having the potential to—

- (A) significantly reduce the dependence of an insular area on imported fossil fuels; or
- (B) provide needed distributed generation to an insular area.

**(2) Request**

The Secretary shall conduct a feasibility study under paragraph (1) on—

- (A) the request of an electric utility located in an insular area that commits to fund at least 10 percent of the cost of the study; and
- (B) if the electric utility is located in the Federated States of Micronesia, the Republic of the Marshall Islands, or the Republic of Palau, written support for that request by the President or the Ambassador of the affected freely associated state.

**(3) Consultation**

The Secretary shall consult with regional utility organizations in—

- (A) conducting feasibility studies under paragraph (1); and
- (B) determining the feasibility of potential projects.

**(4) Feasibility**

For the purpose of a feasibility study under paragraph (1), a project shall be determined to be feasible if the project would significantly reduce the dependence of an insular area on imported fossil fuels, or provide needed distributed generation to an insular area, at a reasonable cost.

**(b) Implementation****(1) In general**

On a determination by the Secretary (in consultation with the Secretary of the Interior) that a project is feasible under subsection (a) and a commitment by an electric utility to operate and maintain the project, the Secretary may provide such technical and financial assistance as the Secretary determines is appropriate for the implementation of the project.

**(2) Regional utility organizations**

In providing assistance under paragraph (1), the Secretary shall consider providing the assistance through regional utility organizations.

**(c) Authorization of appropriations****(1) In general**

There are authorized to be appropriated to the Secretary—

- (A) \$500,000 for each fiscal year for project feasibility studies under subsection (a); and
- (B) \$4,000,000 for each fiscal year for project implementation under subsection (b).

**(2) Limitation of funds received by insular areas**

No insular area may receive, during any 3-year period, more than 20 percent of the total funds made available during that 3-year period under subparagraphs (A) and (B) of paragraph (1) unless the Secretary determines that providing funding in excess of that percentage best advances existing opportunities to meet the objectives of this section.

(Pub. L. 109-58, title II, §252, Aug. 8, 2005, 119 Stat. 682.)

## SUBCHAPTER III—OIL AND GAS

## PART A—PRODUCTION INCENTIVES

**§ 15901. Definition of Secretary**

In this part, the term “Secretary” means the Secretary of the Interior.

(Pub. L. 109-58, title III, §341, Aug. 8, 2005, 119 Stat. 697.)

## REFERENCES IN TEXT

This part, referred to in text, was in the original “this subtitle”, meaning subtitle E (§§341–357) of title III of Pub. L. 109-58, Aug. 8, 2005, 119 Stat. 697, which enacted this part, amended sections 6504, 6506a, 6507, and 6508 of this title, sections 184 and 226 of Title 30, Mineral Lands and Mining, and section 1337 of Title 43, Public Lands, and enacted provisions set out as a note under section 226 of Title 30. For complete classification of subtitle E to the Code, see Tables.

**§ 15902. Program on oil and gas royalties in-kind****(a) Applicability of section**

Notwithstanding any other provision of law, this section applies to all royalty in-kind accepted by the Secretary on or after August 8, 2005, under any Federal oil or gas lease or permit under—

- (1) section 192 of title 30;
- (2) section 1353 of title 43; or