

peal by Pub. L. 115-232, div. A, title XVII, §1766(a), Aug. 13, 2018, 132 Stat. 2232.

#### AMENDMENTS

1979—Subsec. (e)(3). Pub. L. 96-72 substituted “12” for “7” and “1979” for “1969”.

1978—Subsecs. (a)(1), (c). Pub. L. 95-619 substituted “Secretary” for “Administrator”, meaning Administrator of the Federal Energy Administration, wherever appearing.

#### EFFECTIVE DATE OF 1979 AMENDMENT

Amendment by Pub. L. 96-72 effective upon the expiration of the Export Administration Act of 1969, which terminated on Sept. 30, 1979, or upon any prior date which the Congress by concurrent resolution or the President by proclamation designated, see Pub. L. 96-72, §19(a), Sept. 29, 1979, 93 Stat. 535, which was classified to section 4621 of Title 50, War and National Defense, prior to repeal by Pub. L. 115-232, div. A, title XVII, §1766(a), Aug. 13, 2018, 132 Stat. 2232.

### § 6275. Relationship between standby emergency authorities and international energy program

The purpose of the Congress in enacting this subchapter is to provide standby energy emergency authority to deal with energy shortage conditions and to minimize economic dislocations and adverse impacts on employment. While the authorities contained in this subchapter may, to the extent authorized by this subchapter, be used to carry out obligations incurred by the United States in connection with the International Energy Program, this subchapter shall not be construed in any way as advice and consent, ratification, endorsement, or other form of congressional approval of the specific terms of such program.

(Pub. L. 94-163, title II, §255, Dec. 22, 1975, 89 Stat. 900.)

### § 6276. Domestic renewable energy industry and related service industries

#### (a) Purpose

It is the purpose of this section to implement the responsibilities of the United States under chapter VII of the international energy program with respect to development of alternative energy by facilitating the overall abilities of the domestic renewable energy industry and related service industries to create new markets.

#### (b) Evaluation; report to Congress

(1) Before the later of—

- (A) 6 months after July 18, 1984, and
- (B) May 31, 1985,

the Secretary of Commerce shall conduct an evaluation regarding the domestic renewable energy industry and related service industries and submit a report of his findings to the Congress.

(2) Such evaluation shall include—

(A) an assessment of the technical and commercial status of the domestic renewable energy industry and related service industries in domestic and foreign markets;

(B) an assessment of the Federal Government's activities affecting commerce in the domestic renewable energy industry and related service industries and in consolidating and coordinating such activities within the Federal Government; and

(C) an assessment of the aspects of the domestic renewable energy industry and related service industries in which improvements must be made to increase the international commercialization of such industry.

#### (c) Program for enhancing commerce in renewable energy technologies; funding

(1) On the basis of the evaluation under subsection (b), the Secretary of Commerce shall, consistent with existing law, establish a program for enhancing commerce in renewable energy technologies and consolidating or coordinating existing activities for such purpose.

(2) Such program shall provide for—

(A) the broadening of the participation by the domestic renewable energy industry and related service industries in such activities;

(B) the promotion of the domestic renewable energy industry and related service industries on a worldwide basis;

(C) the participation by the Federal Government and the domestic renewable energy industry and related service industries in international standard-setting activities; and

(D) the establishment of an information program under which—

(i) technical information about the domestic renewable energy industry and related service industries shall be provided to appropriate public and private officials engaged in commerce, and to potential end users, including other industry sectors in foreign countries such as health care, rural development, communications, and refrigeration, and others, and

(ii) marketing information about export and export financing opportunities shall be available to the domestic renewable energy industry and related service industries.

(3) Necessary funds required for carrying out such program shall be requested in connection with fiscal years beginning after September 30, 1984.

#### (d) Interagency working group

##### (1) Establishment

(A) There shall be established an interagency working group that, in consultation with the representative industry groups and relevant agency heads, shall make recommendations to coordinate the actions and programs of the Federal Government affecting exports of renewable energy and energy efficiency products and services. The interagency working group shall establish a program to inform foreign countries of the benefits of policies that would increase energy efficiency or would allow facilities that use renewable energy to compete effectively with producers of energy from nonrenewable sources.

(B) There shall be established an Interagency Working Subgroup on Renewable Energy and an Interagency Working Subgroup on Energy Efficiency that shall, in consultation with representative industry groups, nonprofit organizations, and relevant Federal agencies, make recommendations to coordinate the actions and programs of the Federal Government to promote the export of domestic renewable energy and energy efficiency products and services, respectively.

(C) The Secretary of Energy, or the Secretary's designee, shall chair the interagency working group and each subgroup established under this paragraph. The Administrator of the Agency for International Development and the Secretary of Commerce, or their designees, shall be members of both subgroups established under this paragraph. The Secretary shall provide staff for carrying out the functions of the interagency working group and each subgroup established under this paragraph. The heads of appropriate agencies may detail such personnel and may furnish such services to such group and subgroups, with or without reimbursement, as may be necessary to carry out their functions.

**(2) Duties of the interagency working subgroups**

(A) The interagency working subgroups established under paragraph (1)(B), through the member agencies of the interagency working group, shall promote the development and application in foreign countries of renewable energy and energy efficiency products and services, respectively, that—

- (i) reduce dependence on unreliable sources of energy by encouraging the use of sustainable biomass, wind, small-scale hydroelectric, solar, geothermal, and other renewable energy and energy efficiency products and services; and
- (ii) use hybrid fossil-renewable energy systems.

(B) In addition, the interagency working subgroups shall explore mechanisms for assisting domestic firms, particularly small businesses, with the export of their renewable energy and energy efficiency products and services and with the identification of potential projects.

**(3) Training and assistance**

The interagency working subgroups shall encourage the member agencies of the interagency working group to—

- (A) provide technical training and education for international development personnel and local users in their own country;
- (B) provide financial and technical assistance to nonprofit institutions that support the marketing and export efforts of domestic companies that provide renewable energy and energy efficiency products and services;
- (C) develop environmentally sustainable renewable energy and energy efficiency projects in foreign countries;
- (D) provide technical assistance and training materials to loan officers of the World Bank, international lending institutions, commercial and energy attaches at embassies of the United States and other appropriate personnel in order to provide information about renewable energy and energy efficiency products and services to foreign governments or other potential project sponsors;
- (E) support, through financial incentives, private sector efforts to commercialize and export renewable energy and energy efficiency products and services; and

(F) augment budgets for trade and development programs in order to support pre-feasibility or feasibility studies for projects that utilize renewable energy and energy efficiency products and services.

**(4) Study of export promotion practices**

The interagency working group shall conduct a study of subsidies, incentives, and policies that foreign countries use to promote exports of their own renewable energy and energy efficiency technologies and products. Such study shall also identify foreign trade barriers to the import of renewable energy and energy efficiency technologies and products produced in the United States. The interagency working group shall report to the appropriate committees of the House of Representatives and the Senate the results of such study within 18 months after October 24, 1992.

**(e) Omitted**

**(f) Functions of interagency working group; plan to increase United States exports of renewable energy and energy efficiency technologies**

(1) The interagency working group shall—

- (A) establish, in consultation with representatives of affected industries, a plan to increase United States exports of renewable energy and energy efficiency technologies, and include in such plan recommended guidelines for agencies that are represented on the working group with respect to the financing of, or other actions they can take within their programs to promote, exports of such renewable energy and energy efficiency technologies;
- (B) develop, in consultation with representatives of affected industries, recommended administrative guidelines for Federal export loan programs to simplify application by firms seeking export assistance for renewable energy and energy efficiency technologies from agencies implementing such programs; and
- (C) recommend specific renewable energy and energy efficiency technology markets for primary emphasis by Federal export loan programs, development programs, and private sector assistance programs.

(2) The interagency working group shall include a description of the plan established under paragraph (1)(A) in no later than the second report submitted under subsection (e),<sup>1</sup> and shall include in subsequent reports a description of any modifications to such plan and of the progress in implementing the plan.

**(g) Repealed. Pub. L. 102-486, title XII, § 1207(c), Oct. 24, 1992, 106 Stat. 2963**

**(h) Authorization of appropriations**

There are authorized to be appropriated such sums as may be necessary to implement this part, to remain available until expended.

(Pub. L. 94-163, title II, § 256, as added Pub. L. 98-370, § 2, July 18, 1984, 98 Stat. 1211; amended Pub. L. 101-218, § 7, Dec. 11, 1989, 103 Stat. 1867; Pub. L. 102-486, title XII, §§ 1207, 1208, Oct. 24,

<sup>1</sup> See References in Text note below.

1992, 106 Stat. 2962, 2964; Pub. L. 104-306, §1(3), Oct. 14, 1996, 110 Stat. 3810; Pub. L. 106-469, title I, §104(2), Nov. 9, 2000, 114 Stat. 2033; Pub. L. 108-7, div. F, title III, §339(b)(1), Feb. 20, 2003, 117 Stat. 278.)

## REFERENCES IN TEXT

Subsection (e) of this section, referred to in subsec. (f)(2), was omitted from the Code.

## CODIFICATION

Subsec. (e) of this section, which required the interagency working group established under subsec. (d) of this section to annually report to Congress, describing the actions of each agency represented by a member of the working group taken during the previous fiscal year to achieve the purposes of such working group and of this section and describing the exports of renewable energy technology that have occurred as a result of such agency actions, terminated, effective May 15, 2000, pursuant to section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance. See, also, the 6th item on page 175 of House Document No. 103-7.

## AMENDMENTS

2003—Subsec. (h). Pub. L. 108-7 amended subsec. (h) generally. Prior to amendment, subsec. (h) read as follows: “There are authorized to be appropriated to the Secretary for purposes of carrying out the programs under subsections (d) and (e) of this section \$10,000,000, to be divided equitably between the interagency working subgroups based on program requirements, for each of the fiscal years 1993 and 1994, and such sums as may be necessary for fiscal year 1995 to carry out the purposes of this subtitle. There are authorized to be appropriated for fiscal year 1997 such sums as may be necessary to carry out this part. There are authorized to be appropriated for fiscal years 2000 through 2003, such sums as may be necessary.”

2000—Subsec. (h). Pub. L. 106-469 inserted at end “There are authorized to be appropriated for fiscal years 2000 through 2003, such sums as may be necessary.”

1996—Subsec. (h). Pub. L. 104-306 inserted at end “There are authorized to be appropriated for fiscal year 1997 such sums as may be necessary to carry out this part.”

1992—Subsec. (d). Pub. L. 102-486, §1207(a), amended subsec. (d) generally. Prior to amendment, subsec. (d) read as follows:

“(1) There shall be established an interagency working group which, in consultation with the representative industry groups and relevant agency heads, shall make recommendations to coordinate the actions and programs of the Federal Government affecting commerce in renewable energy products and related services. The Secretary of Energy shall be the chairman of such group. The heads of appropriate agencies may detail such personnel and may furnish such services to such working group, with or without reimbursement, as may be necessary to carry out its functions.

“(2) The interagency group shall establish a program to inform other countries of the benefits of policies that would allow small facilities which produce renewable energy to compete effectively with producers of energy from nonrenewable sources.”

Subsec. (d)(4). Pub. L. 102-486, §1208, added par. (4).

Subsec. (f)(1). Pub. L. 102-486, §1207(b), inserted “and energy efficiency” after “renewable energy” wherever appearing.

Subsec. (g). Pub. L. 102-486, §1207(c), struck out subsec. (g) which read as follows: “For purposes of this section, the term ‘renewable energy’ includes energy efficiency to the extent it is a part of a renewable energy system or technology.”

Subsec. (h). Pub. L. 102-486, §1207(d), amended subsec. (h) generally. Prior to amendment, subsec. (h) read as

follows: “There are authorized to be appropriated to the Secretary for activities of the interagency working group established under subsection (d) of this section not to exceed—

“(1) \$3,000,000 for fiscal year 1991;

“(2) \$3,300,000 for fiscal year 1992; and

“(3) \$3,600,000 for fiscal year 1993.”

1989—Subsec. (c)(2)(D)(i). Pub. L. 101-218, §7(a)(1), inserted “and to potential end users, including other industry sectors in foreign countries such as health care, rural development, communications, and refrigeration, and others,” after “commerce.”

Subsec. (c)(2)(D)(ii). Pub. L. 101-218, §7(a)(2), substituted “export and export financing opportunities” for “export opportunities”.

Subsec. (d). Pub. L. 101-218, §7(b), designated existing provisions as par. (1) and added par. (2).

Subsecs. (e) to (h). Pub. L. 101-218, §7(c), added subsecs. (e) to (h).

## EFFECTIVE DATE

Pub. L. 98-370, §3, July 18, 1984, 98 Stat. 1212, provided that: “The amendments made by this Act [enacting this section and a provision set out as a note under section 6201 of this title] shall take effect on the date of the enactment of this Act [July 18, 1984].”

## PART C—SUMMER FILL AND FUEL BUDGETING PROGRAMS

## CODIFICATION

Pub. L. 109-58, title III, §301(b)(1), Aug. 8, 2005, 119 Stat. 683, added part heading.

## PRIOR PROVISIONS

A prior part C, consisting of sections 6281 and 6282, was repealed by Pub. L. 106-469, title I, §104(3), Nov. 9, 2000, 114 Stat. 2033.

Section 6281, Pub. L. 94-163, title II, §271, as added Pub. L. 97-229, §3(a), Aug. 3, 1982, 96 Stat. 248, related to congressional findings, policy, and purpose.

Section 6282, Pub. L. 94-163, title II, §272, as added Pub. L. 97-229, §3(a), Aug. 3, 1982, 96 Stat. 249, related to preparation for petroleum supply interruptions.

## § 6283. Summer fill and fuel budgeting programs

## (a) Definitions

In this section:

## (1) Budget contract

The term “budget contract” means a contract between a retailer and a consumer under which the heating expenses of the consumer are spread evenly over a period of months.

## (2) Fixed-price contract

The term “fixed-price contract” means a contract between a retailer and a consumer under which the retailer charges the consumer a set price for propane, kerosene, or heating oil without regard to market price fluctuations.

## (3) Price cap contract

The term “price cap contract” means a contract between a retailer and a consumer under which the retailer charges the consumer the market price for propane, kerosene, or heating oil, but the cost of the propane, kerosene, or heating oil may exceed a maximum amount stated in the contract.

## (b) Assistance

At the request of the chief executive officer of a State, the Secretary shall provide information, technical assistance, and funding—