

described in paragraph (3) or (4) of section 2014(e) of this title); and

(III) the program of the State for licensing such byproduct material is adequate to protect the public health and safety.

**(C) Publication**

The Commission shall publish in the Federal Register a notice of any waiver granted under this subsection.

(Pub. L. 109–58, title VI, §651, Aug. 8, 2005, 119 Stat. 799.)

**Editorial Notes**

REFERENCES IN TEXT

For references to “the amendments made by this section”, “an amendment made by this section”, and “the amendments made by subsection (c)(1)”, appearing in subsecs. (e)(4)(A)(i), (e)(5)(A), and (e)(5)(B)(i)(I), respectively, see Codification note below.

CODIFICATION

Section is comprised of section 651 of Pub. L. 109–58. Subsec. (a)(1), (2) of section 651 of Pub. L. 109–58 enacted sections 2210d and 2210e of this title, subsec. (c)(1) of section 651 of Pub. L. 109–58 amended section 2051 of this title, subsecs. (c)(2) to (5) and (d) of section 651 of Pub. L. 109–58 enacted sections 2210f to 2210h and 2015c of this title, and subsec. (e)(1) to (3) of section 651 of Pub. L. 109–58 amended sections 2014, 2021, 2021b, and 2111 of this title.

**§ 16042. Department of Homeland Security consultation**

Before issuing a license for a utilization facility, the Nuclear Regulatory Commission shall consult with the Department of Homeland Security concerning the potential vulnerabilities of the location of the proposed facility to terrorist attack.

(Pub. L. 109–58, title VI, §657, Aug. 8, 2005, 119 Stat. 814.)

SUBCHAPTER VII—VEHICLES AND FUELS

PART A—EXISTING PROGRAMS

**§ 16051. Joint flexible fuel/hybrid vehicle commercialization initiative**

**(a) Definitions**

In this section:

**(1) Eligible entity**

The term “eligible entity” means—

- (A) a for-profit corporation;
- (B) a nonprofit corporation; or
- (C) an institution of higher education.

**(2) Program**

The term “program” means a program established under subsection (b).

**(b) Establishment**

The Secretary shall establish a program to improve technologies for the commercialization of—

- (1) a combination hybrid/flexible fuel vehicle; or
- (2) a plug-in hybrid/flexible fuel vehicle.

**(c) Grants**

In carrying out the program, the Secretary shall provide grants that give preference to proposals that—

(1) achieve the greatest reduction in miles per gallon of petroleum fuel consumption;

(2) achieve not less than 250 miles per gallon of petroleum fuel consumption; and

(3) have the greatest potential of commercialization to the general public within 5 years.

**(d) Verification**

Not later than 90 days after August 8, 2005, the Secretary shall publish in the Federal Register procedures to verify—

(1) the hybrid/flexible fuel vehicle technologies to be demonstrated; and

(2) that grants are administered in accordance with this section.

**(e) Report**

Not later than 260 days after August 8, 2005, and annually thereafter, the Secretary shall submit to Congress a report that—

(1) identifies the grant recipients;

(2) describes the technologies to be funded under the program;

(3) assesses the feasibility of the technologies described in paragraph (2) in meeting the goals described in subsection (c);

(4) identifies applications submitted for the program that were not funded; and

(5) makes recommendations for Federal legislation to achieve commercialization of the technology demonstrated.

**(f) Authorization of appropriations**

There are authorized to be appropriated to carry out this section, to remain available until expended—

(1) \$3,000,000 for fiscal year 2006;

(2) \$7,000,000 for fiscal year 2007;

(3) \$10,000,000 for fiscal year 2008; and

(4) \$20,000,000 for fiscal year 2009.

(Pub. L. 109–58, title VII, §706, Aug. 8, 2005, 119 Stat. 817.)

PART B—HYBRID VEHICLES, ADVANCED VEHICLES, AND FUEL CELL BUSES

SUBPART 1—HYBRID VEHICLES

**§ 16061. Hybrid vehicles**

The Secretary shall accelerate efforts directed toward the improvement of batteries and other rechargeable energy storage systems, power electronics, hybrid systems integration, and other technologies for use in hybrid vehicles.

(Pub. L. 109–58, title VII, §711, Aug. 8, 2005, 119 Stat. 818.)

**§ 16062. Domestic manufacturing conversion grant program**

**(a) Program**

**(1) In general**

The Secretary shall establish a program to encourage domestic production and sales of efficient hybrid and advanced diesel vehicles and components of those vehicles.

**(2) Inclusions**

The program shall include grants and loan guarantees under section 16513 of this title to automobile manufacturers and suppliers and