(7) When one or more States, political subdivisions, or Indian tribes would be eligible for assistance under this subsection, but for the fact that construction and operation of the project occurs outside its jurisdiction, the Secretary of Energy is authorized to provide, to the greatest extent possible, arrangements for equitable sharing of such assistance.

(8) Such amounts as may be necessary for direct loans and grants pursuant to this subsection shall be available as provided in annual authorization Acts.

(9) The Secretary of Energy, if appropriate, shall provide assistance in the financing of up to 100 per centum of the costs of the required community development and planning pursuant to this section.

(10) In carrying out the provisions of this section, the Secretary of Energy shall provide that title to any facility receiving financial assistance under this section shall vest in the applicable State, political subdivision, or Indian tribe, as appropriate, and in the case of default by the borrower on a loan guarantee made or committed under subsection (b) of this section, such facility shall not be considered a project asset for the purposes of section 1142 of this title.

(11) The Secretary of Energy shall not use his authority under this subsection to provide Federal assistance unless any Federal funds transferred pursuant to section 9(a) of the Mineral Leasing Act Amendments of 1976 (Public Law 94–377) to the State from the lease of Federal land for or associated with the project have been or, with assurance, will be committed, to the maximum extent allowable under Federal statutes, to financing such essential community development or planning directly resulting from, or necessitated by, a project on leased Federal lands.

(Pub. L. 93–410, title II, § 205, as added Pub. L. 95–238, title V, § 512, Feb. 25, 1978, 92 Stat. 89; amended Pub. L. 95–91, title III, § 301(a), title VII, §§ 703, 707, Aug. 4, 1977, 91 Stat. 577, 606, 607.)

REFERENCES IN TEXT

Section 9(a) of the Mineral Leasing Act Amendments of 1976 (Public Law 94–377), referred to in subsecs. (a) and (c)(11), probably means the Federal Coal Leasing Amendments Act of 1976, Pub. L. 94–377, § 9(a), Aug. 4, 1976, 90 Stat. 1090, as amended, which amended section 191 of this title.

TRANSFER OF FUNCTIONS

''Secretary of Energy'' substituted in text for ''Administrator'' (meaning Administrator of Energy Research and Development Administration, see section 501(2) of Pub. L. 95–238, title V, Feb. 25, 1978, 92 Stat. 86), pursuant to sections 301(a), 703, and 707 of Pub. L. 95–91, which are classified to sections 7151(a), 7293, and 7297 of Title 42, The Public Health and Welfare, and which terminated Energy Research and Development Administration and transferred its functions and functions of Administrator thereof (with certain exceptions) to Secretary of Energy.

§ 1146. Approval or disapproval of loan guarantee applications

The Secretary, within sixty days after June 30, 1980, shall establish and implement procedures providing for a final decision on any loan guarantee application within four months of the date of filing. To the maximum extent practical, an applicant should be advised (prior to the submission of the application) of all information which will be required of the applicant in processing the application; and the date of filing shall be considered to be the date when all of such information has been submitted by the applicant. Any application proposed and filed as of June 30, 1980, shall be subject to final decision within not more than four months after such date.

(Pub. L. 93–410, title II, § 206, as added Pub. L. 96–294, title VI, § 641(3), June 30, 1980, 94 Stat. 769.)

§ 1147. Application of national environmental policy provisions

The Secretary shall ensure, to the maximum extent possible, that any action undertaken pursuant to section 4332(2)(C) of title 42 which is associated with the granting of a loan guarantee under this subchapter takes the maximum cognizance allowable under law of any other action theretofore undertaken pursuant to such section 4332(2)(C) of title 42 with respect to the project which is the subject of such loan guarantee, and that no such action associated with the loan guarantee shall duplicate any action theretofore undertaken under such section 4332(2)(C) of title 42 in connection with such project, so long as all of the requirements which are applicable to such project under such section 4332(2)(C) of title 42 will have been satisfied.

(Pub. L. 93–410, title II, § 207, as added Pub. L. 96–294, title VI, § 641(3), June 30, 1980, 94 Stat. 769.)

SUBCHAPTER III—GENERAL PROVISIONS

§ 1161. Protection of environment

In the conduct of its activities, the Project and any participating public or private persons or agencies shall place particular emphasis upon the objective of assuring that the environment and the safety of persons or property are effectively protected; and the program under subchapter I of this chapter shall include such special research and development as may be necessary for the achievement of that objective.

(Pub. L. 93–410, title III, § 301, Sept. 3, 1974, 88 Stat. 1088.)

§ 1162. Final report to President and Congress on terminated projects

(a) Repealed. Pub. L. 104–66, title I, § 1051(m), Dec. 21, 1995, 109 Stat. 717.

(b) No later than one year after the termination of each demonstration project under section 1125 of this title, the Chairman of the Project shall submit to the President and the Congress a final report on the activities of the Project related to each project, including his recommendations with respect to any further legislative, administrative, and other actions which should be taken in support of the objectives of this chapter.

(Pub. L. 93–410, title III, § 302, Sept. 3, 1974, 88 Stat. 1088; Pub. L. 104–66, title I, § 1051(m), Dec. 21, 1995, 109 Stat. 717.)