EFFECTIVE DATE

Section effective Oct. 1, 1986, see section 1001 of Pub. L. 99–425, set out as an Effective Date of 1986 Amendment note under section 8621 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 8623 of this title.

§ 8629. Studies and reports

(a) The Secretary, after consultation with the Secretary of Energy, shall provide for the collection of data, including—

(1) information concerning home energy consumption;

(2) the amount, cost and type of fuels used for households eligible for assistance under this subchapter;

(3) the type of fuel used by various income groups;

(4) the number and income levels of households assisted by this subchapter;

(5) the number of households which received such assistance and include one or more individuals who are 60 years or older or disabled or include young children; and

(6) any other information which the Secretary determines to be reasonably necessary to carry out the provisions of this subchapter.

Nothing in this subsection may be construed to require the Secretary to collect data which has been collected and made available to the Secretary by any other agency of the Federal Government.

(b) The Secretary shall, no later than June 30 of each fiscal year, submit a report to the Congress containing a detailed compilation of the data under subsection (a) of this section with respect to the prior fiscal year, and a report that describes for the prior fiscal year—

(1) the manner in which States carry out the requirements of clauses (2), (5), (8), and (15) of section 8624(b) of this title; and

(2) the impact of each State's program on recipient and eligible households.

(Pub. L. 97–35, title XXVI, § 2610, Aug. 13, 1981, 95 Stat. 902; Pub. L. 98–558, title VI, § 607, Oct. 30, 1984, 98 Stat. 2893; Pub. L. 99–425, title V, § 506, Sept. 30, 1986, 100 Stat. 976; Pub. L. 103–252, title III, § 311(c)(7), May 18, 1994, 108 Stat. 662.)

AMENDMENTS

1994—Subsec. (a)(2). Pub. L. 103–252, § 311(c)(7)(A), struck out semicolon after ''used'' and inserted semicolon after ''subchapter''.

Subsec. (a)(5). Pub. L. 103–252, § 311(c)(7)(B), substituted ''disabled or include young children'' for ''handicapped''.

1986—Subsec. (b). Pub. L. 99–425 inserted provisions relating to report describing for prior fiscal year the manner of carrying out requirements of clauses of section 8624 of this title and impact of State programs on recipient and eligible households.

1984—Subsec. (a). Pub. L. 98–558, § 607(c), inserted at end ''Nothing in this subsection may be construed to require the Secretary to collect data which has been collected and made available to the Secretary by any other agency of the Federal Government.''

Subsec. (a)(2). Pub. L. 98–558, § 607(a), inserted ''amount,'' before ''cost'' and inserted at end ''for households eligible for assistance under this subchapter''.

Subsec. (a)(5), (6). Pub. L. 98–558, § 607(b), added par. (5) and redesignated former par. (5) as (6).

Subsec. (b). Pub. L. 98–558, § 607(d), in amending subsec. (b) generally, inserted ''no later than June 30 of each fiscal year,'' and substituted ''a detailed compilation of the data under subsection (a) of this section with respect to the prior fiscal year'' for ''a summary of data collected under subsection (a) of this section''.

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103–252 effective Oct. 1, 1994, see section 314 of Pub. L. 103–252, set out as a note under section 8621 of this title.

EFFECTIVE DATE OF 1986 AMENDMENT

Amendment by Pub. L. 99–425 effective Oct. 1, 1986, see section 1001 of Pub. L. 99–425, set out as a note under section 8621 of this title.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98–558 applicable to data collected and compiled after Oct. 30, 1984, and this section as in effect before Oct. 30, 1984, applicable with respect to the report submitted under this section for fiscal year 1984, see section 609(d) of Pub. L. 98–558, set out as a note under section 8621 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 8624 of this title.

CHAPTER 95—UNITED STATES SYNTHETIC FUELS CORPORATION

§ 8701. Omitted

CODIFICATION

Section, Pub. L. 96–294, title I, § 100, June 30, 1980, 94 Stat. 616, which related to Congressional findings, declarations, and purposes, was omitted from the Code in view of termination of United States Synthetic Fuels Corporation. See note set out under section 8791 of this title.

SUBCHAPTER I—INTRODUCTORY PROVISIONS

§ 8702. Omitted

CODIFICATION

Section, Pub. L. 96–294, title I, § 112, June 30, 1980, 94 Stat. 633, which defined terms for this chapter, was omitted from the Code in view of termination of United States Synthetic Fuels Corporation. See note set out under section 8791 of this title.

SUBCHAPTER II—ESTABLISHMENT OF CORPORATION

§§ 8711 to 8719. Omitted

CODIFICATION

Sections 8711 to 8719 were omitted from the Code in view of termination of United States Synthetic Fuels Corporation. See note set out under section 8791 of this title.

Section 8711, Pub. L. 96–294, title I, § 115, June 30, 1980, 94 Stat. 636, created the Corporation, provided for its offices and residence status, and referred to its general powers.

Section 8712, Pub. L. 96–294, title I, § 116, June 30, 1980, 94 Stat. 636, provided for board of directors of Corporation.

Section 8713, Pub. L. 96–294, title I, § 117, June 30, 1980, 94 Stat. 638; Pub. L. 98–473, title I, § 101(c) [title II, § 201], Oct. 12, 1984, 98 Stat. 1837, 1860, related to officers and employees of Corporation.

Section 8714, Pub. L. 96–294, title I, § 118, June 30, 1980, 94 Stat. 638, related to conflicts of interest and financial disclosure.

Section 8715, Pub. L. 96–294, title I, § 119, June 30, 1980, 94 Stat. 639, related to delegation of authority and transfer of functions.

Section 8716, Pub. L. 96–294, title I, § 120, June 30, 1980, 94 Stat. 640, authorized administrative expenses.

Section 8717, Pub. L. 96–294, title I, § 121, June 30, 1980, 94 Stat. 641, related to public access to information.

Section 8718, Pub. L. 96–294, title I, § 122, June 30, 1980, 94 Stat. 641, related to Inspector General of Corporation.

Section 8719, Pub. L. 96–294, title I, § 123, June 30, 1980, 94 Stat. 644, established an Advisory Committee to the Board of Directors. For continuation of Advisory Committee, see section 7404(c) of Pub. L. 99–272, set out as a note under section 8791 of this title.

SUBCHAPTER III—PRODUCTION GOAL OF THE CORPORATION

§§ 8721 to 8725. Omitted

CODIFICATION

Sections 8721 to 8725 were omitted from the Code in view of termination of United States Synthetic Fuels Corporation. See note set out under section 8791 of this title.

Section 8721, Pub. L. 96–294, title I, § 125, June 30, 1980, 94 Stat. 644, established a national synthetic fuel production goal.

Section 8722, Pub. L. 96–294, title I, § 126, June 30, 1980, 94 Stat. 644, related to production strategy.

Section 8723, Pub. L. 96–294, title I, § 127, June 30, 1980, 94 Stat. 649, related to solicitation of proposals.

Section 8724, Pub. L. 96–294, title I, § 128, June 30, 1980, 94 Stat. 650, related to Congressional disapproval procedure.

Section 8725, Pub. L. 96–294, title I, § 129, June 30, 1980, 94 Stat. 652, related to Congressional approval procedure.

SUBCHAPTER IV—FINANCIAL ASSISTANCE

§§ 8731 to 8740. Omitted

CODIFICATION

Sections 8731 to 8740 were omitted from the Code in view of termination of United States Synthetic Fuels Corporation. See note set out under section 8791 of this title.

Section 8731, Pub. L. 96–294, title I, § 131, June 30, 1980, 94 Stat. 654, authorized financial assistance.

Section 8732, Pub. L. 96–294, title I, § 132, June 30, 1980, 94 Stat. 658, related to loans made by Corporation.

Section 8733, Pub. L. 96–294, title I, § 133, June 30, 1980, 94 Stat. 660, related to loan guarantees made by Corporation.

Section 8734, Pub. L. 96–294, title I, § 134, June 30, 1980, 94 Stat. 661, related to price guarantees by Corporation.

Section 8735, Pub. L. 96–294, title I, § 135, June 30, 1980, 94 Stat. 661, related to purchase agreements made by Corporation.

Section 8736, Pub. L. 96–294, title I, § 136, June 30, 1980, 94 Stat. 662, related to joint ventures by Corporation.

Section 8737, Pub. L. 96–294, title I, § 137, June 30, 1980, 94 Stat. 663, related to control of assets.

Section 8738, Pub. L. 96–294, title I, § 138, June 30, 1980, 94 Stat. 665, related to unlawful contracts.

Section 8739, Pub. L. 96–294, title I, § 139, June 30, 1980, 94 Stat. 665, related to fees and application of receipts.

Section 8740, Pub. L. 96–294, title I, § 140, June 30, 1980, 94 Stat. 665, related to disposition of securities.

SUBCHAPTER V—CORPORATION CONSTRUCTION PROJECTS

§§ 8741 to 8745. Omitted

CODIFICATION

Sections 8741 to 8745 were omitted from the Code in view of termination of United States Synthetic Fuels Corporation. See note set out under section 8791 of this title.

Section 8741, Pub. L. 96–294, title I, § 141, June 30, 1980, 94 Stat. 665, related to construction and operation of synthetic fuel projects.

Section 8742, Pub. L. 96–294, title I, § 142, June 30, 1980, 94 Stat. 666, limited construction projects.

Section 8743, Pub. L. 96–294, title I, § 143, June 30, 1980, 94 Stat. 666, subjected construction projects and joint ventures to certain Federal laws and provided for monitoring of environmental and health related emissions.

Section 8744, Pub. L. 96–294, title I, § 144, June 30, 1980, 94 Stat. 667, related to construction project reports.

Section 8745, Pub. L. 96–294, title I, § 145, June 30, 1980, 94 Stat. 667, related to financial record requirements for contract recipients.

SUBCHAPTER VI—CAPITALIZATION AND FINANCE

§§ 8751 to 8755. Omitted

CODIFICATION

Sections 8751 to 8755 were omitted from the Code in view of termination of United States Synthetic Fuels Corporation. See note set out under section 8791 of this title.

Section 8751, Pub. L. 96–294, title I, § 151, June 30, 1980, 94 Stat. 667, related to issue by Corporation of obligations purchasable by United States only.

Section 8752, Pub. L. 96–294, title I, § 152, June 30, 1980, 94 Stat. 668, related to limitations on total amount of obligational authority.

Section 8753, Pub. L. 96–294, title I, § 153, June 30, 1980, 94 Stat. 669, related to budgetary treatment.

Section 8754, Pub. L. 96–294, title I, § 154, June 30, 1980, 94 Stat. 669, related to receipts of Corporation.

Section 8755, Pub. L. 96–294, title I, § 155, June 30, 1980, 94 Stat. 669, related to tax status of Corporation.

SUBCHAPTER VII—UNLAWFUL ACTS, PENALTIES, AND SUITS AGAINST THE CORPORATION

§§ 8761 to 8768. Omitted

CODIFICATION

Sections 8761 to 8768 were omitted from the Code in view of termination of United States Synthetic Fuels Corporation. See note set out under section 8791 of this title.

Section 8761, Pub. L. 96–294, title I, § 161, June 30, 1980, 94 Stat. 670, related to penalty for false statements.

Section 8762, Pub. L. 96–294, title I, § 162, June 30, 1980, 94 Stat. 670, related to penalty for forgery.

Section 8763, Pub. L. 96–294, title I, § 163, June 30, 1980, 94 Stat. 671, related to penalties and injunctive relief for misappropriation of funds and for unauthorized activities.

Section 8764, Pub. L. 96–294, title I, § 164, June 30, 1980, 94 Stat. 671, related to penalty for conspiracy.

Section 8765, Pub. L. 96–294, title I, § 165, June 30, 1980, 94 Stat. 672, related to deceptive use of corporate name.

Section 8766, Pub. L. 96–294, title I, § 166, June 30, 1980, 94 Stat. 672, authorized an action for damages by Corporation in addition to penalties prescribed for violations.

Section 8767, Pub. L. 96–294, title I, § 167, June 30, 1980, 94 Stat. 672, related to actions by Attorney General.

Section 8768, Pub. L. 96–294, title I, § 168, June 30, 1980, 94 Stat. 672; Pub. L. 98–473, title I, § 101(c) [title II, § 201], Oct. 12, 1984, 98 Stat. 1837, 1860, related to civil actions against Corporation.

SUBCHAPTER VIII—GENERAL PROVISIONS

§§ 8771 to 8780. Omitted

CODIFICATION

Sections 8771 to 8780 were omitted from the Code in view of termination of United States Synthetic Fuels

Corporation. See note set out under section 8791 of this title.

Section 8771, Pub. L. 96–294, title I, § 171, June 30, 1980, 94 Stat. 673, related to general powers of Corporation.

Section 8772, Pub. L. 96–294, title I, § 172, June 30, 1980, 94 Stat. 674, related to coordination by Corporation with Federal entities.

Section 8773, Pub. L. 96–294, title I, § 173, June 30, 1980, 94 Stat. 675, related to patents.

Section 8774, Pub. L. 96–294, title I, § 174, June 30, 1980, 94 Stat. 676, related to utilization of small and disadvantaged businesses.

Section 8775, Pub. L. 96–294, title I, § 175, June 30, 1980, 94 Stat. 676; Pub. L. 98–426, § 27(d)(2), Sept. 28, 1984, 98 Stat. 1654, provided relationship to other Federal laws.

Section 8776, Pub. L. 96–294, title I, § 176, June 30, 1980, 94 Stat. 678, provided for severability of provisions.

Section 8777, Pub. L. 96–294, title I, § 177, June 30, 1980, 94 Stat. 678, specified Corporation's fiscal year and provided for audits and reports.

Section 8778, Pub. L. 96–294, title I, § 178, June 30, 1980, 94 Stat. 679, related to water rights.

Section 8779, Pub. L. 96–294, title I, § 179, June 30, 1980, 94 Stat. 679, related to Western Hemisphere projects.

Section 8780, Pub. L. 96–294, title I, § 180, June 30, 1980, 94 Stat. 680, related to a lender financial protection and completion guarantee study.

SUBCHAPTER IX—DISPOSAL OF ASSETS

§§ 8781, 8782. Omitted

CODIFICATION

Sections 8781 and 8782 were omitted from the Code in view of termination of United States Synthetic Fuels Corporation. See note set out under section 8791 of this title.

Section 8781, Pub. L. 96–294, title I, § 181, June 30, 1980, 94 Stat. 680, related to disposal of corporate tangible assets.

Section 8782, Pub. L. 96–294, title I, § 182, June 30, 1980, 94 Stat. 681, related to disposal of assets other than as provided for in section 8781.

SUBCHAPTER X—TERMINATION OF CORPORATION

§§ 8791 to 8793. Omitted

CODIFICATION

Sections 8791 to 8793 were omitted from the Code in view of termination of United States Synthetic Fuels Corporation. See note below.

Section 8791, Pub. L. 96–294, title I, § 191, June 30, 1980, 94 Stat. 681, related to dates for termination of awards or commitments by Corporation.

Section 8792, Pub. L. 96–294, title I, § 192, June 30, 1980, 94 Stat. 681, related to termination of Corporation's affairs.

Section 8793, Pub. L. 96–294, title I, § 193, June 30, 1980, 94 Stat. 681, transferred Corporation's powers to Department of the Treasury.

TERMINATION OF UNITED STATES SYNTHETIC FUELS CORPORATION

Pub. L. 99–272, title VII, subtitle E, Apr. 7, 1986, 100 Stat. 143, as amended by Pub. L. 101–508, title VI, § 6401, Nov. 5, 1990, 104 Stat. 1388–319, provided that:

''SEC. 7401. SHORT TITLE.

''This subtitle may be cited as the 'Synthetic Fuels Corporation Act of 1985'.

''SEC. 7402. CESSATION OF FINANCIAL ASSISTANCE AUTHORITY.

''Effective on the date of enactment of this Act [Apr. 7, 1986], the United States Synthetic Fuels Corporation (hereafter in this subtitle referred to as the 'Corporation') may not make any legally binding awards or commitments for financial assistance (including any changes in an existing award or commitment) pursuant to the Energy Security Act [Pub. L. 96–294; see Short Title note set out under section 8801 of this title] for synthetic fuel project proposals, except that nothing in this Act [see Tables for classification] shall impair or alter the powers, duties, rights, obligations, privileges, or liabilities of the Corporation, its Board or Chairman, or project sponsors in the performance and completion of the terms and undertakings of a legally binding award or commitment entered into prior to the date of enactment of this Act.

''SEC. 7403. TERMINATION OF THE CORPORATION.

''(a) Within 60 days of the date of enactment of this Act [Apr. 7, 1986], the Directors of the Corporation shall terminate their duties under the Energy Security Act [Pub. L. 96–294; see Short Title note set out under section 8801 of this title] and be discharged.

''(b) Within 120 days of the date of enactment of this Act [Apr. 7, 1986], the Corporation shall terminate, except as otherwise provided in this subtitle, in accordance with subtitle J of part B of title I of the Energy Security Act [42 U.S.C. 8791 to 8793].

''SEC. 7404. DUTIES OF SECRETARY OF THE TREASURY.

''(a) Within 60 days of the date of enactment of this Act [Apr. 7, 1986] (or earlier, in the event of absence of a Chairman of the Board of Directors of the Corporation), the Secretary of the Treasury shall assume the duties of the Chairman of the Board of Directors of the Corporation. The Secretary of the Treasury shall have the authority to negotiate and execute agreements modifying an existing contract relating to the production of synthetic crude oil from oil shale, entered into under the Defense Production Act Amendments of 1980 [Pub. L. 96–294, title I, part A, see Short Title of 1980 Amendment note set out under section 2061 of Title 50, Appendix, War and National Defense] and subsequently transferred to the Secretary of the Treasury for administration, provided the terms and conditions of any modification(s) are revenue neutral or result in a fiscal savings to the United States Government, and in no event would increase the financial exposure of the United States Government under the contract: *Provided, however*, That the Secretary of the Treasury shall have no authority to increase the total amount of funds originally authorized for the existing contract: *And provided further*, That the Secretary shall have no authority to negotiate and execute any agreement modifying the existing contract if such modification(s) would increase or accelerate the financial support per unit for the synthetic fuel to be produced under the contract.

''(b) Notwithstanding any other provision of law, the duties and responsibilities of the Secretary of the Treasury under subtitle J of part B of title I of the Energy Security Act [42 U.S.C. 8791 to 8793] or this Act [see Tables for classification] may not be transferred to any other Federal department or agency.

''(c) Notwithstanding such termination of the Corporation, the Advisory Committee established under section 123 of the Energy Security Act (42 U.S.C 8719) shall remain in effect to advise the Secretary of the Treasury regarding the administration of any contract or obligation of the Corporation pursuant to subtitle D of part B of title I of such Act [42 U.S.C. 8731 to 8740].

''(d) To the extent that the Secretary of the Treasury may be required to take an action under section 131(q) of the Energy Security Act [42 U.S.C. 8731(q)] in connection with an award or commitment of financial assistance under such Act [Pub. L. 96–294; see Short Title note set out under section 8801 of this title], the Secretary shall complete such action within 30 days of the date of enactment of this Act [Apr. 7, 1986].

''SEC. 7405. SALARIES AND COMPENSATION RIGHTS.

''(a) The Director of the Office of Personnel Management shall, before February 1, 1986, determine the amount of compensation or benefits which each Direc-

tor, officer, or employee of the Corporation shall be legally entitled to under any contract as of the date of enactment of this Act [Apr. 7, 1986].

''(b) Effective on the date of enactment of this Act [Apr. 7, 1986], no change in any Director, officer, or employee compensation or benefits shall be allowed or permitted, unless the Director of the Office of Personnel Management agrees that such change is reasonable.

''(c) Effective on the date of enactment of this Act [Apr. 7, 1986]—

''(1) no officer or employee of the Corporation shall receive a salary in excess of the rate of basic pay payable for level IV of the Executive Schedule under title 5 of the United States Code; and

''(2) the Corporation shall not waive any requirements in its By-Laws which are necessary for a Director, officer, or employee to qualify for pension or termination benefits under the By-Laws and written personnel policies and procedures in effect on the date of enactment of this Act [Apr. 7, 1986].

''SEC. 7406. REPORT TO THE CONGRESS.

''The Corporation shall, within 60 days of the date of enactment of this Act [Apr. 7, 1986], transmit to the Committee on Energy and Natural Resources of the Senate and to the Committee on Energy and Commerce and Committee on Banking, Housing and Urban Affairs of the House of Representatives a report—

''(1) containing a review of implementation of its Phase I Business Plan dated February 19, 1985; and

''(2) fulfilling the requirements of section 126(b)(3) of the Energy Security Act (42 U.S.C. 8722(b)(3)).''

Similar provisions were contained in Pub. L. 99–190, § 101(d) [title II, § 201], Dec. 19, 1985, 99 Stat. 1224, 1249.

SUBCHAPTER XI—DEPARTMENT OF THE TREASURY

§ 8795. Omitted

CODIFICATION

Section, Pub. L. 96–294, title I, § 195, June 30, 1980, 94 Stat. 682, which authorized appropriations to purchase corporate obligations and authorized public debt status for purchases and redemptions of corporate obligations, was omitted from the Code in view of termination of United States Synthetic Fuels Corporation. See note set out under section 8791 of this title.

CHAPTER 96—BIOMASS ENERGY AND ALCOHOL FUELS

Sec.
8801. Congressional findings.
8802. Definitions.
8803. Funding.
(a) Authorization of appropriations.
(b) Availability of funds until expended.
(c) Determinations respecting amount of appropriations remaining available.
(d) Financial assistance provided only to extent advanced in appropriation Acts.
8804. Coordination with other authorities and programs.

SUBCHAPTER I—GENERAL BIOMASS ENERGY DEVELOPMENT

8811. Biomass energy development plans.
(a) Plan respecting maximized production and use by December 31, 1982; preparation, transmission, etc.
(b) Comprehensive plan respecting maximized production and use from January 1, 1983, to December 31, 1990, preparation, transmission, etc.
(c) Required guidelines.
8812. Program responsibility and administration and effect on other programs.
(a) Duties and functions of Secretary of Agriculture and Secretary of Energy over projects.
(b) Procedural requirements applicable.
(c) Notice to and reviewing functions of other Secretary concerning application for financial assistance.
(d) Notification of applicant upon disapproval of application for financial assistance.
(e) Implementation of functions assigned to Secretary of Agriculture by administrative entities within Department of Agriculture; issuance of regulations; coordination of functions by designated entities.
(f) Implementation of functions assigned to Secretary of Energy by Office of Alcohol Fuels.
(g) Energy equivalency determinations respecting biomass energy and ethanol.
8813. Insured loans.
(a) Authority of Secretary of Agriculture; maximum amount per project.
(b) Estimated project construction costs as determinative of initial and revised amount of loan; interest rate.
(c) Funding requirements; ''insured loan'' defined.
(d) Preconditions.
8814. Loan guarantees.
(a) Authority of Secretary concerned.
(b) Estimated project construction costs as determinative of initial and revised amount of guarantee.
(c) Debt obligation; ineligibility for purchase, etc., by Federal Financing Bank or any Federal agency.
(d) Terms and conditions.
(e) Termination, cancellation, or revocation, and conclusive nature of guarantee.
(f) Payment to lender.
(g) Preconditions.
8815. Price guarantees.
(a) Authority of Secretary concerned; minimum sales price.
(b) Cost-plus arrangements as basis.
(c) Maximum dollar amount of liability of United States.
(d) Renegotiation of sales price and maximum liability.
8816. Purchase agreements.
(a) Authority of Secretary concerned; consultative requirements.
(b) Maximum sales price.
(c) Assurances required.
(d) Arrangements for delivery pursuant to agreement; charge to Federal agency receiving delivery.
(e) Consultative requirements.
(f) Terms and conditions.
(g) Maximum dollar amount of liability of United States.
(h) Renegotiation of sales price and maximum liability.
8817. General requirements regarding financial assistance.
(a) Priorities, terms, availability, etc.
(b) Terms, conditions, maturity, etc., for insured loans, and loan guarantees.
(c) Application requirements.
(d) Reports and recordkeeping.
(e) Contracts and instruments of Secretary concerned backed by full faith and credit of United States.
(f) Contestability of contracts.
(g) Fees for loan guarantees, etc.
(h) Deposit of amounts received by Secretary concerned.