

(2) Subsequent State and Indian tribe share for certified States and Indian tribes

(A) In general

Notwithstanding section 1231(f)(3)(B) of this title, from funds referred to in section 1232(i)(2) of this title, the Secretary shall pay to each certified State or Indian tribe an amount equal to the sum of the aggregate unappropriated amount allocated on or after October 1, 2007, to the certified State or Indian tribe under subparagraph (A) or (B) of section 1232(g)(1) of this title.

(B) Certified State or Indian tribe defined

In this paragraph the term “certified State or Indian tribe” means a State or Indian tribe for which a certification is made under subsection (a) in which the Secretary concurs.

(3) Manner of payment

(A) In general

Subject to subparagraph (B), payments to States or Indian tribes under this subsection shall be made without regard to any limitation in section 1231(d) of this title and concurrently with payments to States under that section.

(B) Initial payments

The first 3 payments made to any State or Indian tribe shall be reduced to 25 percent, 50 percent, and 75 percent, respectively, of the amounts otherwise required under paragraph (2)(A).

(C) Installments

Amounts withheld from the first 3 annual installments as provided under subparagraph (B) shall be paid in 2 equal annual installments beginning with fiscal year 2018.

(4) Reallocation

(A) In general

The annual amount allocated under subparagraph (A) or (B) of section 1232(g)(1) of this title to any State or Indian tribe that makes a certification under subsection (a) of this section in which the Secretary concurs shall be reallocated and available for grants under section 1232(g)(5) of this title.

(B) Allocation

The grants shall be allocated based on the amount of coal historically produced before August 3, 1977, in the same manner as under section 1232(g)(5) of this title.

(5) Limitation on annual payments

Notwithstanding any other provision of this subsection, the total annual payment to a certified State or Indian tribe under this subsection shall be not more than \$15,000,000.

(Pub. L. 95–87, title IV, §411, as added Pub. L. 101–508, title VI, §6010(2), Nov. 5, 1990, 104 Stat. 1388–296; amended Pub. L. 109–432, div. C, title II, §206, Dec. 20, 2006, 120 Stat. 3016; Pub. L. 112–141, div. F, title I, §100125, July 6, 2012, 126 Stat. 915; Pub. L. 112–175, §142, Sept. 28, 2012, 126 Stat. 1321.)

REFERENCES IN TEXT

The Uranium Mill Tailings Radiation Control Act of 1978, referred to in subsec. (d), is Pub. L. 95–604, Nov. 8,

1978, 92 Stat. 3021, as amended, which is classified principally to chapter 88 (§7901 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 7901 of Title 42 and Tables.

The Comprehensive Environmental Response Compensation and Liability Act of 1980, referred to in subsec. (d), probably means the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, Pub. L. 96–510, Dec. 11, 1980, 94 Stat. 2767, as amended, which is classified principally to chapter 103 (§9601 et seq.) of Title 42. For complete classification of this Act to the Code, see Short Title note set out under section 9601 of Title 42 and Tables.

PRIOR PROVISIONS

A prior section 411 of Pub. L. 95–87 was renumbered section 412 and was classified to section 1241 of this title, prior to being omitted from the Code.

AMENDMENTS

2012—Subsec. (h)(4)(A). Pub. L. 112–175 amended subpar. (A) generally. Prior to amendment, text read as follows: “The amount allocated to any State or Indian tribe under subparagraph (A) or (B) of section 1232(g)(1) of this title that is paid to the State or Indian tribe as a result of a payment under paragraph (1) or (2) shall be reallocated and available for grants under section 1232(g)(5) of this title.”

Subsec. (h)(5). Pub. L. 112–141 added par. (5).

2006—Subsec. (a). Pub. L. 109–432, §206(1), designated existing provisions as par. (1) and added par. (2).

Subsec. (h). Pub. L. 109–432, §206(2), added subsec. (h).

EFFECTIVE DATE

Section effective Oct. 1, 1991, see section 6014 of Pub. L. 101–508 set out as an Effective Date of 1990 Amendment note under section 1231 of this title.

§ 1241. Omitted

CODIFICATION

Section, Pub. L. 95–87, title IV, §412, formerly §411, Aug. 3, 1977, 91 Stat. 466, renumbered §412, Pub. L. 101–508, title VI, §6010(1), Nov. 5, 1990, 104 Stat. 1388–296, which required the Secretary of the Interior or the State pursuant to an approved State program to report to Congress annually on operations under the fund together with recommendations for future use of the fund, 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, page 109 of House Document No. 103–7.

§ 1242. Powers of Secretary or State

(a) Engage in work, promulgate rules and regulations, etc., to implement and administer this subchapter

The Secretary or the State pursuant to an approved State program, shall have the power and authority, if not granted it otherwise, to engage in any work and to do all things necessary or expedient, including promulgation of rules and regulations, to implement and administer the provisions of this subchapter.

(b) Engage in cooperative projects

The Secretary or the State pursuant to an approved State program, shall have the power and authority to engage in cooperative projects under this subchapter with any other agency of the United States of America, any State and their governmental agencies.

(c) Request for action to restrain interference with regard to this subchapter

The Secretary or the State pursuant to an approved State program, may request the Attor-