

at rates fixed by the Secretary of Energy but not exceeding the daily rate prescribed for GS-18 of the General Schedule under section 5332 of title 5 and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 for persons in the Government service employed intermittently.

(2) Members of the Council who are officers or employees of the Government shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in carrying out their duties on the Council.

(e) Alternate members

Whenever a member of the Council appointed under clauses (1) through (5) is unable to attend a meeting, that member shall appoint an appropriate alternate to represent him for that meeting.

(Pub. L. 95-87, title VIII, §805, Aug. 3, 1977, 91 Stat. 528; Pub. L. 95-617, title VI, §604(c), Nov. 9, 1978, 92 Stat. 3167; Pub. L. 102-285, §10(b), May 18, 1992, 106 Stat. 172.)

AMENDMENTS

1978—Pub. L. 95-617 substituted “Secretary of Energy” for “Administrator” wherever appearing.

CHANGE OF NAME

“United States Bureau of Mines” substituted for “Bureau of Mines” in subsec. (a)(2) pursuant to section 10(b) of Pub. L. 102-285, set out as a note under section 1 of this title. For provisions relating to closure and transfer of functions of the United States Bureau of Mines, see Transfer of Functions note set out under section 1 of this title.

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in subsec. (c) of this section relating to requirement that the President transmit each annual report to Congress, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 153 of House Document No. 103-7.

TERMINATION OF ADVISORY COMMITTEES

Advisory committees established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided for by law. See section 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 776, set out in the Appendix to Title 5, Government Organization and Employees.

REFERENCES IN OTHER LAWS TO GS-16, 17, OR 18 PAY RATES

References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, §101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.

§ 1316. Authorization of appropriations

(a) For the ten institutions referred to in the last sentence of section 1311(a) of this title,

there are authorized to be appropriated not to exceed \$30,000,000 for the fiscal year ending September 30, 1979 (including the cost of construction, equipment, and startup expenses), and not to exceed \$7,500,000 for the fiscal year 1980 and for each fiscal year thereafter through the fiscal year ending before October 1, 1984, to carry out the provisions of this subchapter.

(b) For the three remaining institutions referred to in the last sentence of section 1311(a) of this title, there are authorized to be appropriated not to exceed \$6,500,000 for the fiscal year 1980 (including the cost of construction, equipment, and startup expenses), and not to exceed \$2,000,000 for each fiscal year after fiscal year 1980 ending before October 1, 1984, to carry out the provisions of this subchapter.

(Pub. L. 95-87, title VIII, §806, Aug. 3, 1977, 91 Stat. 529; Pub. L. 95-617, title VI, §604(b), Nov. 9, 1978, 92 Stat. 3166.)

AMENDMENTS

1978—Pub. L. 95-617 designated existing provisions as subsec. (a), inserted reference to ten institutions referred to in last sentence of section 1311(a) of this title and substituted provisions authorizing appropriations for each fiscal year thereafter through the fiscal year ending before October 1, 1984, for provisions authorizing appropriations each fiscal year thereafter through the fiscal year ending June 30, 1983, and added subsec. (b).

SUBCHAPTER IX—ENERGY RESOURCE GRADUATE FELLOWSHIPS

§ 1321. Fellowship awards

(a) Graduate study and research in areas of applied science and engineering relating to production, conservation, and utilization of fuels and energy

The Secretary of Energy is authorized to award under the provisions of this subchapter not to exceed one thousand fellowships for the fiscal year ending September 30, 1979, and each of the five succeeding fiscal years. Fellowships shall be awarded under the provisions of this subchapter for graduate study and research in those areas of applied science and engineering that are related to the production, conservation, and utilization of fuels and energy. Fellowships shall be awarded to students in programs leading to master's degrees. Such fellowships may be awarded for graduate study and research at any institution of higher education, library, archive, or any other research center approved by the Secretary of Energy after consultation with the Secretary of Education.

(b) Term

Such fellowships shall be awarded for such periods as the Secretary of Energy may determine, but not to exceed two years.

(c) Replacement awards

In addition to the number of fellowships authorized to be awarded by subsection (a) of this section, the Secretary of Energy is authorized to award fellowships equal to the number previously awarded during any fiscal year under this subchapter but vacated prior to the end of the period for which they were awarded; except that each fellowship awarded under this subsection shall be for such period of graduate work

or research, not in excess of the remainder of the period for which the fellowship which it replaces was awarded as the Secretary of Energy may determine.

(Pub. L. 95-87, title IX, §901, Aug. 3, 1977, 91 Stat. 529; Pub. L. 95-91, title III, §301(a), title VII, §§703, 707, Aug. 4, 1977, 91 Stat. 577, 606, 607; Pub. L. 96-88, title III, §301(a)(1), title V, §507, Oct. 17, 1979, 93 Stat. 677, 692.)

CODIFICATION

In subsec. (a), the words “(hereafter referred to as ‘Administrator’ in this subchapter),” which followed “Secretary of Energy” the first time it appears were omitted in view of the substitution of “Secretary of Energy” for “Administrator ERDA” and “Administrator” wherever such terms appear in this subchapter and the fact that the term “Secretary” is defined for the purposes of this chapter by section 1291(23) of this title as meaning the Secretary of the Interior. See Transfer of Functions note set out below.

TRANSFER OF FUNCTIONS

“Secretary of Energy” substituted in text for “Administrator ERDA” and “Administrator”, meaning Administrator of Energy Research and Development Administration, pursuant to sections 301(a), 703, and 707 of Pub. L. 95-91, which are classified to sections 7151(a), 7293, 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.

“Secretary of Education” substituted for “Commissioner of Education” in subsec. (a), pursuant to sections 301(a)(1) and 507 of Pub. L. 96-88, which are classified to sections 3441(a)(1) and 3507 of Title 20, Education, and which transferred all functions of Commissioner of Education to Secretary of Education.

§ 1322. Fellowship recipients

Recipients of fellowships under this subchapter shall be—

(a) persons who have been accepted by an institution of higher education for graduate study leading to an advanced degree or for a professional degree, and

(b) persons who plan a career in the field of energy resources, production, or utilization.

(Pub. L. 95-87, title IX, §902, Aug. 3, 1977, 91 Stat. 530.)

§ 1323. Distribution of fellowships

In awarding fellowships under the provisions of this subchapter, the Secretary of Energy shall endeavor to provide equitable distribution of such fellowships throughout the Nation, except that the Secretary of Energy shall give special attention to institutions of higher education, libraries, archives, or other research centers which have a demonstrated capacity to offer courses of study or research in the field of energy resources and conservation and conversion and related disciplines. In carrying out his responsibilities under this section, the Secretary of Energy shall take into consideration the projected need for highly trained engineers and scientists in the field of energy sources.

(Pub. L. 95-87, title IX, §903, Aug. 3, 1977, 91 Stat. 530; Pub. L. 95-91, title III, §301(a), title VII, §§703, 707, Aug. 4, 1977, 91 Stat. 577, 606, 607.)

TRANSFER OF FUNCTIONS

“Secretary of Energy” substituted in text for “Administrator”, meaning Administrator of Energy Research and Development Administration, pursuant to sections 301(a), 703, and 707 of Pub. L. 95-91, which are classified to sections 7151(a), 7293, 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.

§ 1324. Stipends and allowances

(a) Each person awarded a fellowship under this subchapter shall receive a stipend of not more than \$10,000 for each academic year of study. An additional amount of \$500 for each such calendar year of study shall be paid to such person on account of each of his dependents.

(b) In addition to the amount paid to such person pursuant to subsection (a) there shall be paid to the institution of higher education at which each such person is pursuing his course of study, 100 per centum of the amount paid to such person less the amount paid on account of such person's dependents, to such person less any amount charged such person for tuition.

(Pub. L. 95-87, title IX, §904, Aug. 3, 1977, 91 Stat. 530.)

§ 1325. Limitation on fellowships

No fellowship shall be awarded under this subchapter for study at a school or department of divinity. For the purpose of this section, the term “school or department of divinity” means an institution or department or branch of an institution, whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation or to prepare them to teach theological subjects.

(Pub. L. 95-87, title IX, §905, Aug. 3, 1977, 91 Stat. 530.)

§ 1326. Fellowship conditions

(a) A person awarded a fellowship under the provisions of this subchapter shall continue to receive the payments provided in section 1324(a) of this title only during such periods as the Secretary of Energy finds that he is maintaining satisfactory proficiency in, and devoting essentially full time to, study or research in the field in which such fellowship was awarded, in an institution of higher education, and is not engaging in gainful employment other than part-time employment in teaching, research, or similar activities, approved by the Secretary of Energy.

(b) The Secretary of Energy shall require reports containing such information in such forms and to be filed at such times as he determines necessary from each person awarded a fellowship under the provisions of this subchapter. Such reports shall be accompanied by a certificate from an appropriate official at the institution of higher education, library, archive, or other research center approved by the Secretary of Energy, stating that such person is making satisfactory progress in, and is devoting essentially full time to the research for which the fellowship was awarded.