

scribed in subsections (d)(1), (2), and (3) of section 1311 of this title, and in no case supplant such funds.

(Pub. L. 95-87, title VIII, §802, Aug. 3, 1977, 91 Stat. 527; Pub. L. 95-617, title VI, §604(c), Nov. 9, 1978, 92 Stat. 3167.)

#### AMENDMENTS

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

### § 1313. Limitation on payments

(a) No institutions of higher education may receive more than \$4,000,000 for the construction of its coal research laboratory, including initially installed fixed equipment, nor may it receive more than \$1,500,000 for initially installed movable equipment, nor may it receive more than \$500,000 for new program startup expenses.

(b) No institution of higher education may receive more than \$1,500,000 per year from the Federal Government for operating expenses.

(Pub. L. 95-87, title VIII, §803, Aug. 3, 1977, 91 Stat. 528.)

### § 1314. Payments; Federal share of operating expenses

(a) From the amounts appropriated pursuant to section 1316 of this title, the Secretary of Energy shall pay to each institution of higher education having an application approved under this subchapter an amount equal to the Federal share of the cost of carrying out that application. Such payments may be in installments, by way of reimbursement, or by way of advance with necessary adjustments on account of underpayments or overpayments.

(b) The Federal share of operating expenses for any fiscal year shall not exceed 50 per centum of the cost of the operation of a coal research laboratory.

(Pub. L. 95-87, title VIII, §804, Aug. 3, 1977, 91 Stat. 528; Pub. L. 95-617, title VI, §604(c), Nov. 9, 1978, 92 Stat. 3167.)

#### AMENDMENTS

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

### § 1315. Advisory Council on Coal Research

#### (a) Establishment; members

There is established an Advisory Council on Coal Research which shall be composed of—

(1) the Secretary of Energy, who shall be Chairman;

(2) the Director of the United States Bureau of Mines of the Department of the Interior;

(3) the President of the National Academy of Sciences;

(4) the President of the National Academy of Engineering;

(5) the Director of the United States Geological Survey; and

(6) six members appointed by the Secretary of Energy from among individuals who, by virtue of experience or training, are knowledgeable in the field of coal research and mining, and who are representatives of institutions of

higher education, industrial users of coal and coal-derived fuels, the coal industry, mine workers, nonindustrial consumer groups, and institutions concerned with the preservation of the environment.

#### (b) Furnishing advice to Secretary of Energy

The Advisory Council shall advise the Secretary of Energy with respect to the general administration of this subchapter, and furnish such additional advice as he may request.

#### (c) Annual report to President; transmittal to Congress

The Advisory Council shall make an annual report of its findings and recommendations (including recommendations for changes in the provisions of this subchapter) to the President not later than December 31 of each calendar year. The President shall transmit each such report to the Congress.

#### (d) Compensation and travel expenses

(1) Members of the Council who are not regular officers or employees of the United States Government shall, while serving on business of the Council, be entitled to receive compensation 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.