

**§ 5878a. Funding and encouragement of small business; information for inclusion in report**

The Secretary of Energy shall,<sup>1</sup> include, in the report required by section 204(b) of the Department of Energy Act of 1978—Civilian Applications (42 U.S.C. 7256, note; 92 Stat. 60), information detailing the extent to which small business and nonprofit organizations are being funded by the nonnuclear research, development, and demonstration programs of the Secretary of Energy, and the extent to which small business involvement pursuant to section 5801(d) of this title is being encouraged by the Secretary of Energy.

(Pub. L. 94-187, title III, §308, Dec. 31, 1975, 89 Stat. 1074; Pub. L. 96-470, title II, §203(e), Oct. 19, 1980, 94 Stat. 2243.)

REFERENCES IN TEXT

Section 204(b) of the Department of Energy Act 1978—Civilian Applications (42 U.S.C. 7256, note; 92 Stat. 60), referred to in text, is section 204(b) of Pub. L. 95-238, title II, Feb. 25, 1978, 92 Stat. 59, as amended, which is set out as a note under section 7256 of this title.

CODIFICATION

Section was not enacted as a part of the Energy Reorganization Act of 1974 which comprises this chapter.

AMENDMENTS

1980—Pub. L. 96-470 substituted “include, in the report required by section 204(b) of the Department of Energy Act of 1978—Civilian Applications, information” for “by June 30, 1976, and by the end of each fiscal year thereafter, submit a report to the Committee on Science and Technology of the House of Representatives and the Committee on Interior and Insular Affairs of the Senate” and “Secretary of Energy” for “Administrator” wherever appearing.

**§ 5879. Transfer of funds**

The Administrator, when authorized in an appropriation Act, may, in any fiscal year, transfer funds from one appropriation to another within the Administration; except, that no appropriation shall be either increased or decreased pursuant to this section by more than 5 per centum of the appropriation for such fiscal year.

(Pub. L. 93-438, title III, §309, Oct. 11, 1974, 88 Stat. 1252.)

TRANSFER OF FUNCTIONS

Energy Research and Development Administration terminated and functions vested by law in Administrator thereof transferred to Secretary of Energy (unless otherwise specifically provided) by sections 7151(a) and 7293 of this title.

SUBCHAPTER IV—SEX DISCRIMINATION

**§ 5891. Sex discrimination prohibited**

No person shall on the ground of sex be excluded from participation in, be denied a license under, be denied the benefits of, or be subjected to discrimination under any program or activity carried on or receiving Federal assistance under any subchapter of this chapter. This provision will be enforced through agency provisions and

<sup>1</sup> So in original. The comma probably should not appear.

rules similar to those already established, with respect to racial and other discrimination, under title VI of the Civil Rights Act of 1964 [42 U.S.C. 2000d et seq.]. However, this remedy is not exclusive and will not prejudice or cut off any other legal remedies available to a discriminatee.

(Pub. L. 93-438, title IV, §401, Oct. 11, 1974, 88 Stat. 1254.)

REFERENCES IN TEXT

Any subchapter of this chapter, referred to in text, was in the original “any title of this Act”, meaning Pub. L. 93-438, Oct. 11, 1974, 88 Stat. 1233, as amended, which enacted this chapter, amended sections 5313 to 5316 of Title 5, Government Organization and Employees, repealed sections 2031 and 2032 of this title, and enacted provisions set out as notes under section 5801 of this title.

The Civil Rights Act of 1964, referred to in text, is Pub. L. 88-352, July 2, 1964, 78 Stat. 241, as amended. Title VI of the Civil Rights Act of 1964 is classified generally to subchapter V (§2000d et seq.) of chapter 21 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2000a of this title and Tables.

**CHAPTER 74—NONNUCLEAR ENERGY RESEARCH AND DEVELOPMENT**

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- 5901. Congressional statement of findings.
- 5902. Congressional declaration of policy and purpose; implementation and administration of program by Secretary of Energy.
- 5903. Duties and authorities of the Secretary.
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- 5903b. Environmental and safety research, development, and demonstration program.
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- 5903d. Clean coal technology projects; proposals, implementation, funding, etc.
- 5904. Research, development, and demonstration program governing principles.
- 5905. Comprehensive planning and programming.
- 5906. Federal assistance and participation in programs.
- 5907. Demonstration projects.
- 5907a. Small grant program.
- 5908. Patents and inventions.
- 5909. Relationship to antitrust laws.
- 5910. Repealed.
- 5911. Acquisition of essential materials.
- 5912. Water resource assessments.
- 5913. Evaluation by National Institute of Standards and Technology of energy-related inventions prior to awarding of grants by Secretary; promulgation of regulations.
- 5914. Omitted.
- 5915. Authorization of appropriations.
- 5915a. Expiration of initial authorization to construct fossil energy demonstration plants.
- 5916. Central source of nonnuclear energy information.
- 5917 to 5920. Repealed.

**§ 5901. Congressional statement of findings**

The Congress hereby finds that—  
 (a) The Nation is suffering from a shortage of environmentally acceptable forms of energy.  
 (b) Compounding this energy shortage is our past and present failure to formulate a comprehensive and aggressive research and development program designed to make available to