
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress finds that the traditional energy sources of this country are being depleted and we must convert to other forms of energy. In addition, it may be necessary to undertake aggressive conservation programs to cut back on energy consumption and eliminate waste and reduce energy use. In spite of these efforts, Congress finds that domestic energy production in this country must approximately double by the end of this century, and must do so as our domestic sources of petroleum and natural gas decline. Therefore, it is essential that the policy of the Congress be established that every form of energy be put into use at the earliest possible moment, consistent with existing environmental laws, that new elements of energy production be placed on line as quickly as possible.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1977

SEC. 2. In accordance with section 305 of the Energy Reorganization Act of 1974 (42 U.S.C. 5875), and section 16 of the Federal Nonnuclear Energy Research and Development Act of 1974 (42 U.S.C. 5915), there is hereby authorized to be appropriated to the Energy Research and Development Administration for fiscal year 1977, subject to the provisions of this Act, the following:

(A) For nonnuclear energy research, development, and demonstration of fossil, solar, geothermal, and other forms of energy for energy conservation, and for scientific and technical education, $1,175,671,000.

(B) For environmental research and safety, basic energy sciences, program support, and related programs, not directly associated with nuclear programs, $464,362,000.

TITLE I—NONNUCLEAR PROGRAMS

OPERATING EXPENSES

Sec. 101. For “Operating expenses”, for the following programs, a sum of dollars equal to the total of the following amounts:

Fossil Energy Development

(1) Coal:
   (A) Coal liquefaction:
       Costs, $81,130,000.
       Changes in selected resources, $-4,300,000.
   (B) High Btu gasification (coal):
       Costs, $59,254,000.
       Changes in selected resources, $-14,200,000.
(C) Low Btu gasification (coal):
Costs, $50,000,000.
Changes in selected resources, $-3,000,000.

(D) Advanced power systems:
Costs, $12,800,000.
Changes in selected resources, $9,700,000.

(E) Direct combustion (coal):
Costs, $35,116,000.
Changes in selected resources, $2,284,000.

(F) Advanced research and supporting technology:
Costs, $38,500,000.
Changes in selected resources, $1,100,000.
Provided, That the following amounts thereof shall be for systems studies:
Costs, $9,350,000.
Changes in selected resources, $1,000,000.

(G) Demonstration plants (coal):
Costs, $50,600,000.
Changes in selected resources, $2,400,000.

(H) Magnetohydrodynamics:
Costs, $27,841,000.
Changes in selected resources, $10,145,000.

(2) Petroleum and natural gas:
(A) Natural gas and oil extraction:
Costs, $35,269,000.
Changes in selected resources, $7,900,000.

(B) Supporting research:
Costs, $1,831,000.
Changes in selected resources, $0.

(3) In situ technology:
(A) Oil shale:
Costs, $12,085,000.
Changes in selected resources, $9,000,000.

(B) Coal gasification:
Costs, $13,536,000.
Changes in selected resources, $1,500,000.

(C) Supporting research:
Costs, $1,310,000.
Changes in selected resources, $0.

Solar Energy Development

(4) Solar Heating and Cooling:
Costs, $88,000,000.
Changes in selected resources, $26,500,000.

(5) Other Solar Energy Programs:
Costs, $136,100,000.
Changes in selected resources, $35,600,000; including costs of $3,000,000 and changes in selected resources of $1,000,000 for initiation of activities of the Solar Energy Research Institute and costs of $112,200,000 and changes in selected resources of $27,500,000 for solar electric applications.

Geothermal Energy Development

(6) Geothermal Energy:
(A) Hydrothermal Technology Applications:
Costs, $14,200,000.
Changes in selected resources, $1,800,000.
(B) Other Geothermal Energy Development:
Costs, $46,100,000.
Changes in selected resources, $3,600,000.

Conservation Research and Development

(7) Conservation Research and Development:
(A) Electric Energy Systems:
Costs, $22,000,000.
Changes in selected resources, $4,000,000.
(B) Energy Storage:
Costs, $32,000,000.
Changes in selected resources, $6,000,000.
(C) Building Conservation:
Costs, $27,600,000.
Changes in selected resources, $4,400,000.
(D) Industry Conservation:
Costs, $18,000,000.
Changes in selected resources, $4,000,000.
(E) Transportation Energy Conservation, including $3,000,000 for methanol and other alternate fuels:
Costs, $31,400,000.
Changes in selected resources, $4,600,000.
(F) Improved Conversion Efficiency:
Costs, $15,300,000.
Changes in selected resources, $11,700,000.
(G) Energy Conservation Institutes and Extension Service:
Cost, $18,000,000.
Changes in selected resources, $7,000,000.
(H) Small grant program for appropriate technologies:
Costs, $7,500,000.
Changes in selected resources, $2,500,000.
(I) To carry out the municipal solid waste demonstration price guarantee program authorized by section 107 of this Act:
Costs, $200,000.
Changes in selected resources, $4,800,000.

Scientific and Technical Education

(8) Scientific and technical education:
Costs, $3,750,000.
Changes in selected resources, $1,250,000.

PLANT AND CAPITAL EQUIPMENT

Sec. 102. (a) For “Plant and capital equipment”, including construction, acquisition, or modification of facilities, including land acquisition; and acquisition and fabrication of capital equipment not related to construction, a sum of dollars equal to the total of the following amounts:

(1) Fossil energy development coal.
   (A) Project 77–1–a, modifications and additions to energy research centers, $6,900,000.
   (B) Project 77–1–b for a high Btu pipeline gas demonstration plant (which is estimated to cost a total of $500,000,000, including the non-Federal share of such cost) is authorized. The amount authorized for such plant is $10,000,000.
(C) Project 77-1-c for fuel gas low Btu demonstration plant (which is estimated to cost a total of $380,000,000, including the non-Federal share of such cost) is authorized. The amount authorized for such plant is $5,000,000.

(D) Project 77-1-d: MHD component development and integration facility, $6,700,000.

(2) Conservation research and development.
(A) Project 77-17-a Combustion Research Center, $8,500,000.

(3) Capital equipment, not related to construction.
(A) Fossil energy development, $1,020,000.
(B) Conservation research and development, $12,000,000.
(C) Solar energy development, $8,500,000, including $1,500,000 for initiation of activities at the Solar Energy Research Institute in the areas of modification of facilities, acquisition and fabrication of capital equipment, and design of the final installation.
(D) Geothermal energy development, $2,350,000.

(b) There is authorized an additional sum of $50,000,000 for the clean boiler fuel demonstration plant (project 76-1-a) authorized by section 101(b)(1) of the Act of December 31, 1975 (89 Stat. 1065).

(c) There is authorized an additional sum of $15,000,000 for the five megawatt solar thermal test facility (76-2-a) authorized by section 101(b)(2) of the Act of December 31, 1975 (89 Stat. 1065).

(d) Solar Energy Development:
Project 77-18-j, $10,000,000 for the following solar Energy Development Projects:

(i) OTEC sea test facility, $1,000,000.
(ii) one 200 kW wind energy facility, $2,000,000.
(iii) total solar energy plant, $2,000,000.
(iv) 5 MW solar thermal demonstration for small community, $2,000,000.
(v) biomass conversion facility, $3,000,000 (A-E and long-lead procurement).

PROVISIONS RELATING ONLY TO FOSSIL ENERGY DEVELOPMENT PROGRAMS

Sec. 103. Funds appropriated pursuant to this Act for “Operating expenses” for fossil energy purposes may be used for (1) any facilities which may be required at locations, other than installations of the Administration, for the performance of research and development contracts, and (2) grants to any organization for purchase or construction of research facilities. No such funds shall be used for the acquisition of land. Fee title to all such facilities shall be vested in the United States, unless the Administrator determines in writing that the programs of research and development authorized by this Act shall best be implemented by vesting fee title in any entity other than the United States: Provided, That, before approving the vesting of title in such entity the Administrator shall (A) transmit such determination, together with all pertinent data, to the Committee on Science and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, and (B) wait a period of thirty calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain), unless prior to the expiration of such period each such committee has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action. Each grant shall be made under such conditions as the Administrator deems necessary to insure that
the United States will receive therefrom benefits adequate to justify
the making of the grant. No such funds shall be used under clause
(1) of the first sentence of this section for the construction of any major
facility the estimated cost of which, including collateral equipment,
exceeds $250,000 unless the Administrator shall (i) transmit a report
on such major facility showing the nature, purpose, location, and
estimated cost of such facility to the Committee on Science and Tech­
nology of the House of Representatives and the Committee on Energy
and Natural Resources of the Senate, and (ii) wait a period of thirty
calendar days (not including any day in which either House of Con­
gress is not in session because of adjournment of more than three
calendar days to a day certain), unless prior to the expiration of such
period each such committee has transmitted to the Administrator
written notice to the effect that such committee has no objection to the
proposed action.

SEC. 104. Not to exceed 3 per centum of all funds appropriated
pursuant to this Act of “Operating expenses” for fossil energy pur­
poses may be used by the Administrator to construct, expand, or mod­
ify laboratories and other facilities, including the acquisition of land,
at any location under the control of the Administrator, if the Admin­
istrator determines that (1) such action would be necessary because
of changes in the national programs authorized to be funded by this
Act or because of new scientific or engineering developments, and (2)
deferral of such action until the enactment of the next authorization
Act would be inconsistent with the policies established by Congress
for the Administration. No portion of such sums may be obligated
for expenditure or expended for such activities, unless (A) a period
of thirty calendar days (not including any day in which either
House of Congress is not in session because of adjournment of more
than three calendar days to a day certain) has passed after the
Administrator has transmitted to the Committee on Science and
Technology of the House of Representatives and the Committee on
Energy and Natural Resources of the Senate a written report contain­
ing a full and complete statement concerning (i) the nature of con­
struction, expansion, or modification, (ii) the cost thereof, including
the cost of any real estate action pertaining thereto, and (iii) the
reason why such construction, expansion, or modification is necessary
and in the national interest, or (B) each such committee before the
expiration of such period has transmitted to the Administrator written
notice to the effect that such committee has no objection to the pro­
posed action: Provided, That this sentence shall not apply to projects
to construct, expand, or modify such laboratories or facilities, the
estimated total cost of which does not exceed $25,000.

SEC. 105. Notwithstanding any other applicable provision of law,
the initial authorization in this Act or any other Act heretofore or
hereafter enacted to construct, pursuant to section 8 of the Federal
Nonnuclear Energy Research and Development Act of 1974 (42
U.S.C. 5907), any fossil energy demonstration plant shall expire at
the end of the three full fiscal years following the date of enactment
of such authorization, unless (1) funds to construct each such plant
are appropriated or otherwise provided pursuant to applicable law
prior thereto, or (2) such authorization period is extended by specific
Act of Congress hereafter enacted.

SEC. 106. All moneys received by the Administrator from any fossil
energy activity shall be paid into the Treasury to the credit of mis­
cellaneous receipts, except that on December 1 of each year the Admin­
istrator shall provide to the Committee on Science and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report of all such receipts for the preceding fiscal year, including, but not limited to, the amount and source of such revenues and the program and subprogram activity generating such revenues.

GENERAL PROVISIONS RELATING TO NONNUCLEAR PROGRAMS OTHER THAN FOSSIL ENERGY DEVELOPMENT

SEC. 107. The Administrator is authorized, subject to the appropriation of funds pursuant to section 101(7)(1) of this Act, to establish and implement, under section 7(a)(4) of the Federal Nonnuclear Energy Research and Development Act of 1974 (42 U.S.C. 5906(a)(4)) and in accordance with section 7(c) of such Act (42 U.S.C. 5906(c)), a price-support program to demonstrate municipal solid waste reprocessing for the production of fuels and energy intensive products. Prior to entering into any contract for such demonstration, the Administrator shall submit to the Committee on Science and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a full and complete report on the proposed commercial demonstration facility and the necessary project demonstration guarantees. Such contract shall not be finalized under the authority granted by this section prior to the expiration of ninety calendar days (not including any day on which either House of Congress is not in session because of an adjournment of more than three calendar days to a day certain) from the date on which such report is received by such committees.

GENERAL PROVISIONS RELATING TO ALL NONNUCLEAR PROGRAMS

SEC. 108. Except as otherwise provided in this Act—
(a) no amount appropriated pursuant to this Act may be used for any nonnuclear program in excess of the amount actually authorized for that particular program by this Act,
(b) no amount appropriated pursuant to this Act may be used for any nonnuclear program which has not been presented to, or requested of, the Congress,
unless (1) a period of thirty calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) has passed after the receipt by the Committee on Science and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate of notice given by the Administrator containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon to support such proposed action, or (2) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action; Provided, That the following categories may not, as a result of reprogramming, be decreased by more than 10 per centum of the sums appropriated pursuant to this Act for such categories: Coal, petroleum and natural gas, in situ technology, solar, geothermal, and conservation.

SEC. 109. The Administrator shall submit to the Committee on Science and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a detailed explanation of the allocation of all of the funds appropriated pur-
suant to this Act for nonnuclear energy programs and subprograms, reflecting the relationships, consistencies, and dissimilarities between those allocations and (a) the comprehensive program definition transmitted pursuant to section 102 of the Geothermal Energy Research, Development, and Demonstration Act, (b) the comprehensive program definition transmitted pursuant to section 15 of the Solar Energy Research, Development, and Demonstration Act of 1974 (42 U.S.C. 5564), (c) the comprehensive plan for nonnuclear energy research, development, and demonstration transmitted pursuant to section 6 of the Federal Nonnuclear Energy Research and Development Act of 1974 (42 U.S.C. 5905).

SEC. 110. Section 13 of the Federal Nonnuclear Energy Research and Development Act of 1974 (42 U.S.C. 5912) is amended by—

(1) striking, in the first sentence of subsection (a), the words “At the request of the Administrator, the” and inserting therein “The”;
(2) striking, in the first sentence of subsection (b), the words “prepare or have prepared an assessment of the availability of adequate water resources.” and inserting therein the following: “request the Water Resources Council to prepare an assessment of water requirements and availability for such project.”; and
(3) adding at the end thereof a new subsection to read as follows:

“(f) The Administrator shall, upon enactment of this subsection, be a member of the Council.”

SEC. 111. (a) The Administrator shall classify each recipient of any award, contract, or other financial arrangement in any nonnuclear research, development, or demonstration category as—

(1) a Federal agency,
(2) a non-Federal governmental entity,
(3) a profitmaking enterprise (indicating whether or not it is a small business concern),
(4) a nonprofit enterprise other than an educational institution, or
(5) a nonprofit educational institution.

(b) The information required by subsection (a), along with the dollar amount of each award, contract, or other financial arrangement made, shall be included as an appendix to the annual report required by section 15(a) of the Federal Nonnuclear Energy Research and Development Act of 1974 (42 U.S.C. 5914) : Provided, That small purchases or contracts of less than $10,000, which are excepted from the requirements of advertising by section 252(c) (3) of title 41, United States Code, shall be exempt from the reporting requirements of this section.

SEC. 112. (a) There shall be established within the Administration a program for appropriate technology under the direction of the Assistant Administrator for Conservation Research and Development. The Administrator shall develop and implement a program of small grants for the purpose of encouraging development and demonstration projects described in subsection (c) of this section.

(b) The aggregate amount of financial support made available to any participant in such program, including affiliates, under this section shall not exceed $50,000 during any two-year period.

(c) Funds made available under this section shall be used to provide for a coordinated and expanded effort for the development and demonstration of, and the dissemination of information with respect to, energy-related systems and supporting technologies appropriate to—
(1) the needs of local communities and the enhancement of community self-reliance through the use of available resources;

(2) the use of renewable resources and the conservation of non-renewable resources;

(3) the use of existing technologies applied to novel situations and uses;

(4) applications which are energy-conserving, environmentally sound, small scale, durable and low cost; and

(5) applications which demonstrate simplicity of installation, operation and maintenance.

(d) (1) Grants, agreements or contracts under this section may be made to individuals, local nonprofit organizations and institutions, State and local agencies, Indian tribes and small businesses. The Administration shall develop simplified procedures with respect to application for support under this section.

(2) Each grant, agreement or contract under this section shall be governed by the provisions of section 9 of the Federal Nonnuclear Energy Research and Development Act of 1974 and shall contain effective provisions under which the Administration shall receive a full written report of activities supported in whole or in part by funds made available by the Administration; and

(3) In determining the allocation of funds among applicants for support under this section the Administrator may take into consideration:

(A) the potential for energy savings or energy production;

(B) the type of fuel saved or produced;

(C) the potential impact on local or regional energy or environmental problems; and

(D) such other criteria as the Administrator finds necessary to achieve the purposes of this Act or the purposes of the Federal Nonnuclear Energy Research and Development Act of 1974.

Guidelines implementing this section shall be promulgated with full opportunity for public comment.

(e) The Administrator shall—

(1) prepare and submit no later than October 1, 1977, a detailed report on plans for implementation, including the timing of implementation, of the provisions of this section to the Committee on Energy and Natural Resources of the Senate and the Committee on Science and Technology of the House of Representatives and shall keep such committees fully and currently informed concerning the development of such plans; and

(2) include as a part of the annual report required by section 15(a)(1) of the Federal Nonnuclear Energy Research and Development Act of 1974 beginning in 1977, a full and complete report on the program under this section.

Sec. 113. The Administrator, in consultation with the Administrator of the Environmental Protection Agency, shall submit a report to the Congress, six months after enactment of this Act, on the environmental monitoring, assessment, and control efforts, relating to environment, safety, and health, which are required to successfully demonstrate any project, which is subject to sections 8(e) and (f) of the Federal Nonnuclear Energy Research and Development Act of 1974 (42 U.S.C. 5907(e) and (f)), and is authorized by this Act or any prior Act. The report shall contain the extent to which monitoring and control is required, the estimated costs thereof.
TITLE II—FOR NONNUCLEAR ENVIRONMENTAL RESEARCH AND SAFETY, BASIC ENERGY SCIENCES, PROGRAM SUPPORT, AND RELATED PROGRAMS

OPERATING EXPENSES

Sec. 201. For "Operating expenses", for the following programs, a sum of dollars equal to the total of the following amounts:

(1) Biomedical and environmental research, $119,500,000, of which $1,000,000 shall be made available to the Water Resources Council to carry out the provisions of section 13 of the Federal Nonnuclear Energy Research and Development Act of 1974 (42 U.S.C. 5912).

(2) Operational safety, $4,500,000.

(3) Environmental control technology, $13,100,000.

(4) Basic energy sciences for the following:

(A) Material sciences, $45,600,000.

(B) Molecular, mathematical, and geosciences, $46,700,000.

(5) Program support, $205,635,000: Provided, That $1,250,000 is authorized to be appropriated pursuant to this subparagraph to reimburse the National Bureau of Standards for costs incurred in carrying out the provisions of section 14 of the Federal Nonnuclear Energy Research and Development Act of 1974 (42 U.S.C. 5913).

(6) To carry out the provisions of section 11 of the Federal Nonnuclear Energy Research and Development Act of 1974 (42 U.S.C. 5910), $500,000 for the Council on Environmental Quality.

PLANT AND CAPITAL EQUIPMENT

Sec. 202. For "Plant and capital equipment", including construction, acquisition, or modification of facilities, including land acquisition; and acquisition and fabrication of capital equipment not related to construction, a sum of dollars equal to the total of the following amounts:

(1) Biomedical and Environmental Research:

Project 77–6–a, modification and additions to biomedical and environmental research facilities, various locations, $4,200,000.

(2) Program Support:

Project 77–16–a, laboratory support complex, Los Alamos Scientific Laboratory, New Mexico, $6,000,000.

(3) Capital Equipment, not related to construction:

(A) Biomedical and environmental research, $6,660,000.

(B) Environmental control technology, $282,000.

(C) Basic energy sciences for the following:

(i) Material sciences, $3,300,000.

(ii) Molecular, mathematical, and geosciences, $3,000,000.

(D) Program Support, $4,725,000.

LIMITATIONS

Sec. 203. The Administration is authorized to start any project set forth in title II, subsection 202 (1) and (2) only if the currently estimated cost of that project does not exceed by more than 25 per centum the estimated cost set forth for that project.
TITLE III—GENERAL PROVISIONS

SEC. 301. Subject to the applicable requirements and limitations of this Act, when so specified in appropriations Acts amounts appropriated for the Administration pursuant to this Act for “Operating expenses” or for “Plant and capital equipment” may be merged with any other amounts appropriated for like purposes pursuant to any other Act authorizing appropriations for the Administration.

SEC. 302. When so specified in appropriation Acts, amounts appropriated pursuant to this Act for “Operating expenses” or for “Plant and capital equipment” may remain available until expended.

SEC. 303. (a) Any Government-owned contractor operated laboratory, energy research center, or other laboratory performing functions under contract to the Administration may, with the approval of the Administrator, use a reasonable amount of its operating budget for the funding of employee-suggested research projects up to the pilot stage of development. It shall be a condition of any such approval that the director of the laboratory or center involved form an internal review mechanism for determining which employee-suggested projects merit funding in a given fiscal year; and any such project may be funded in one or more succeeding years if the review process indicates that it merits such funding.

(b) Each director of a laboratory or center specified in subsection (a) of this section shall submit an annual report to the Administrator on projects being funded under this section; and on completion of each such project shall submit a report to the Technical Information Center of the Administration for inclusion in its data base.

SEC. 304. The Administrator is authorized to perform construction design services for any Administration construction project whenever the Administrator determines that the project is of such urgency that construction of the project should be initiated promptly upon enactment of legislation appropriating funds for its construction in order to meet the needs of national defense or protection of life and property or health and safety.

SEC. 305. Any moneys received by the Administration may be retained and used, as provided in annual appropriations Acts for operating expenses (except sums received from disposal of property under the Atomic Energy Community Act of 1955 and the Strategic and Critical Materials Stockpiling Act, as amended, and fees received for tests or investigations under the Act of May 16, 1910, as amended (42 U.S.C. 2301; 50 U.S.C. 98h; 30 U.S.C. 7)), notwithstanding the provisions of section 3617 of the Revised Statutes (31 U.S.C. 484), and may remain available until expended. Funds may be obligated for purposes stated in this section only to the extent provided in appropriations Acts.

SEC. 306. Transfers of sums from the “Operating expenses” appropriation may be made to other agencies of the Government for the performance of the work for which the appropriation is made, and in such cases the sums so transferred may be merged with the appropriation to which transferred.

SEC. 307. Notwithstanding any other provision of this Act, provisions of sections 304, 305, and 306 of this Act shall not be applicable to any fossil energy activity, program, or subprogram.

SEC. 308. (a) Each officer or employee of the Energy Research and Development Administration who—

(1) performs any functions or duty under this Act or any other Act amended by this Act; and
(2) has any known financial interest—
   (A) in any person engaged in the business, other than at
   the retail level, of developing, producing, refining, transport­
   ing by pipeline, or converting into synthetic fuel, minerals,
   wastes, or renewable resources, or in the generation of energy
   from such minerals, wastes, or renewable resources, or in
   conducting research, development, and demonstration with
   financial assistance under this Act or any other Act amended
   by this Act, or
   (B) in property from which minerals are commercially
   produced,
shall, beginning on February 1, 1977, annually file with the
Administrator a written statement concerning all such interests
held by such officer or employee during the preceding calendar
year. Such statements shall be available to the public.

(b) The Administrator shall—
   (1) act within ninety days after the date of enactment of this
   section—
      (A) to define the term "known financial interest" for pur­
      poses of paragraph (2) of subsection (a) of this section; and
      (B) to establish the methods by which the requirement to
      file written statements specified in subsection (a) of this
      section will be monitored and enforced, including appropriate
      provisions for the filing by such officers and employees of such
      statements and the review by the Administrator of such
      statements; and

   (2) report to the Congress on June 1 of each calendar year
   with respect to such disclosures and the actions taken in regard
   thereto during the preceding calendar year.

(c) In the rules prescribed in subsection (b) of this section, the
Administrator may identify specific positions within the Adminis­
tration which are of a nonpolicymaking nature and provide that
officers or employees occupying such positions shall be exempt from
the requirements of this section.

(d) Any officer or employee who is subject to, and knowingly vio­
lates, this section or any regulation issued thereunder, shall be fined
not more than $2,500 or imprisoned not more than one year, or both.

90 Stat. 889.

In utilizing the funds which have been made available by
Public Law 94–355, as amended, the Administrator is hereby directed
to observe the limitations of clauses (1) through (8) and clauses (12)
through (14) of section 202, sections 203 through 207, and section
208 except subsection (e) (5) of the bill H.R. 13350 (Ninety-fourth
Congress) as set forth in the conference report thereon (House Report
94–1718).

TITLE IV—ORGANIZATIONAL CONFLICTS

Sec. 401. The Federal Nonnuclear Energy Research and Develop­
ment Act of 1974 (42 U.S.C. 4901) is amended by adding a new sec­
tion to read as follows:

"Sec. 19. (a) The Administrator shall by regulation require any
person proposing to enter into a contract, agreement, or other arrange­
ment, with the Energy Research and Development Administration
whether by advertising or negotiation, or for technical consulting and
management support services or other such similar services to provide
the Administrator, prior to entering into any such contract, agree­
ment, or arrangement, with all relevant information bearing on
whether that person has a possible conflict of interest with respect to
(1) being able to render impartial, technically sound, or objective
assistance or advice in light of other interests or relationships with
other persons or (2) being given an unfair competitive advantage.
Such person shall insure, in accordance with regulations published by
the Administrator, compliance with this section by subcontractors of
such person who are engaged to perform similar services.

"(b) The Administrator shall not enter into any such contract,
agreement, or arrangement unless he affirmatively finds after evaluat­
ing all such information and any other relevant information other­
wise available to him, either that (1) there is little or no likelihood
that a conflict of interest would exist, or (2) that such conflict has
been avoided after appropriate conditions have been included in such
contract, agreement, or arrangement: Provided, That if he deter­
mines that such conflict of interest exists and that such conflict of
interest cannot be avoided by including appropriate conditions therein,
the Administrator may enter into such contract, agreement, or arrange­
ment, if he determines that it is in the best interests of the United
States to do so and includes appropriate conditions in such contract,
agreement, or arrangement to mitigate such conflict.

"(c) The Administrator shall publish rules for the implementation
of this section, in accordance with section 553 of title 5, United States
Code, as soon as possible after the date of enactment of this section
but in no event later than 180 days after such date."

TITLE V—ENERGY EXTENSION SERVICE

SHORT TITLE

Sec. 501. This title may be cited as the "National Energy Extension
Service Act".

FINDINGS AND PURPOSES

Sec. 502. (a) The Congress hereby declares—

(1) that the general welfare and the common defense and
security require a greater public knowledge of energy conserva­
tion opportunities;

(2) that scientific identification and practical demonstration
of specifically designed energy conservation opportunities, the
dissemination of information relating thereto, and the prompt
delivery and acceptance of specific energy conservation oppor­
tunities require a national effort;

(3) that the national effort required to develop, demonstrate,
and encourage acceptance and adoption of energy conservation
opportunities should be coordinated at the Federal level by the
Energy Research and Development Administration;

(4) that a special effort must be made to develop and demon­
strate practical alternative energy technologies such as solar heat­
ing and cooling;

(5) that successful implementation of energy conservation and
new energy technologies will require both public awareness and
individual capability to use the conservation opportunities and
new technology;

(6) that this required awareness and capability can only be
achieved on a national basis by an active outreach effort;

(7) that existing energy outreach programs are underfunded;

(8) that any Federal outreach program should be organized

Rules.

National Energy
Extension Service
Act.

42 USC 7001
note.

42 USC 7001.
with the States as full participants, and each State should plan and coordinate the outreach activities within the State, optimizing the use of existing outreach capabilities;

(9) that Federal assistance should be provided for energy outreach activity, including coordinated energy outreach activities and technical support in each State for such efforts;

(10) that the Energy Research and Development Administration should provide overall national direction and review of federally assisted State energy outreach programs.

(b) The Congress declares that the purposes of this title are—

(1) to establish a positive energy outreach program directed toward small business and individual energy consumers and the organizations that influence energy consumption;

(2) to stimulate, provide for and supplement programs for the conduct of evaluation, planning and other technical support of energy conservation efforts, including energy outreach activities of States.

ESTABLISHMENT OF EXTENSION SERVICE

Sec. 503. (a) There is established in the Energy Research and Development Administration an office to be designated as the Energy Extension Service (hereinafter in this Act referred to as the “Service”). The Service shall be headed by a Director who shall be appointed by and directly responsible to the Administrator of the Energy Research and Development Administration (hereinafter referred to as the “Administrator”). The Director shall be a person who by reason of training, experience, and attainments is exceptionally qualified to implement the programs of the Service. There shall be in the Service a Deputy Director who shall be appointed by the Administrator, who shall have such functions, powers, and duties as may be prescribed from time to time by the Director, and who shall act for, and exercise the powers of, the Director during the absence or disability of, or in the event of a vacancy in the office of, the Director.

(b) The Director shall receive basic pay at the rate provided for level IV of the Executive Schedule in section 5315 of title 5, United States Code.

(c) The Director shall have overall responsibility for the national direction of the comprehensive program developed under section 504 and of all other activities conducted under this title and shall annually review the programs of the various States under sections 505 and 506 to insure that they are effectively promoting the realization of the objectives of this title.

DESCRIPTION OF EXTENSION SERVICE

Sec. 504. (a) The Service shall develop and implement a comprehensive program for the identification, development, and practical demonstration of energy conserving opportunities, techniques, materials, and equipment, including opportunities, techniques, or methods responsive to local needs or resources, and alternative energy technologies such as solar heating and cooling, for—

(1) agricultural, commercial, and small business operations, and

(2) new and existing residential, commercial, and agricultural buildings or structures.
Such program shall provide for technical assistance, instruction, information, dissemination, and practical demonstrations in energy conservation opportunities, and shall provide an active interface with end use energy consumers at the local level for the purpose of offering active outreach assistance and affording a communication channel for end user technology requirements. Such outreach assistance shall be provided by means of such appropriate local offices, including metropolitan city offices, county agents, and technical staff assistants, and may be required to provide energy extension services.

(b) The program authorized under subsection (a) of this section shall permit each State to establish a technical support institute at one or more colleges or universities designated by the Governor of that State. Each such institute shall—

(1) have as its purpose to assist in implementation of the State energy extension service; and

(2) provide such analyses and technical support as is necessary for effective State energy extension service activities.

(c) The comprehensive program developed under subsection (a) shall be implemented and carried out within each State pursuant to sections 505 and 506.

(d) The Director shall take such steps as may be necessary to insure that the comprehensive program is implemented in a manner which minimizes conflict with existing services in the private sector of the economy that are similar to those provided under such program.

INITIAL IMPLEMENTATION OF EXTENSION SERVICE

Sec. 505. (a) The Director shall within forty-five days after the effective date of this title invite the Governor of each State through competitive procurement to submit a plan for the conduct of energy extension service activities as described in section 504 of this title throughout such State including provisions for appropriate technical support within such State of such activities, to disseminate information and provide advice and assistance to individuals, groups, and units of State and local government by means of—

(1) specific studies and recommendations applicable to individual residences, businesses, and agricultural or commercial establishments;

(2) demonstration projects;

(3) distribution of studies and instructional materials;

(4) seminars and other training sessions for State and local government officials and the public; and

(5) other public outreach programs.

(b) Each State shall be accorded not more than ninety days to submit a plan to the Director under subsection (a) of this section. The Director shall promptly review such proposals and shall, with the approval of the Administrator, and subject to the limitations of section 512(c) (1) and (2), provide funds adequate for the support of the proposed energy outreach plan of a State if the Director finds that, such plan—

(1) meets the objectives of this title;

(2) was prepared with opportunity for input from State, county, and local officials, State universities, colleges and community colleges, cooperative extension services, community service action agencies, and other public or private organizations involved in active energy outreach programs;
(3) consistent with the objectives and requirements of this title, makes optimum use of existing outreach or delivery mechanisms or programs, and includes to the optimum extent any existing State, local, university, college, or other organizations' programs for energy information, education, or technology transfer which have objectives similar to those of this title and activities similar or related to those specified in section 504 and subsection (a) of this section;

(4) provides that the State will maintain, or require other participating entities within the State to maintain, and make available upon request to the Director, such records with respect to the use and expenditure of any Federal funds paid to the State, or to entities within the State, under this title as the Director may require;

(5) provides for the establishment of effective procedures for responding to external inputs and inquiries;

(6) requires that, to the extent possible, within personnel and funding limitations, on-site energy evaluations will be made available to all consumers and small business concerns, and to other business concerns within such limitations (as to size or otherwise) as the Director may specify;

(7) provides that the State will furnish and widely disseminate information on the types of assistance available under this title, and under other Federal and State laws, with respect to the planning, financing, installation, and effective monitoring of energy-related facilities and activities;

(8) provides that the allocation within the State of the funds made available to it under this title will be based on, or give due consideration to, such factors (specifically including potential energy savings and number of persons affected) as the Director determines will best carry out the purpose of this title;

(9) requires the establishment and implementation of policies and procedures designed to assure that assistance provided under this title does not replace or supplant the expenditure of other Federal or State or local funds for the same purposes, but rather supplements such funds and increases the expenditure of such State or local funds to the maximum extent possible: Provided, That there shall be no requirement for matching State or local funds in the guidelines, unless such requirement is included in an annual authorization;

(10) requires effective coordination of the programs under such State plans with other Federal programs which provide funds for university extension programs, in order to avoid duplication;

(11) requires the establishment and implementation of effective procedures specifically designed for the dissemination of information to small business concerns;

(12) limits to a maximum of 20 per centum the portion of the funds made available under this title which may be used for the purchase of equipment, facilities, and library and related materials;

(13) prohibits the use of any such funds for the purchase of land or interests therein or the repair of buildings or structures; and

(14) satisfies such other criteria as the Director may establish to carry out the purpose of this title.
SEC. 506. (a) Notwithstanding the provisions of section 505, the Director, on behalf of the Administrator, is authorized and directed to invite in each State of the United States not then participating in the program at the earliest practicable date, but no later than October 1, 1978, to submit a plan for the conduct of energy extension service activities, including provisions for appropriate technical support in such State, to disseminate information and provide advice and assistance to individuals, groups, and units of State and local government by means of—

(1) specific studies and recommendations applicable to individual residences, businesses, and agricultural or commercial establishments;

(2) demonstration projects;

(3) distribution of studies and instructional materials;

(4) seminars and other training sessions for State and local government officials and the public; and

(5) other public outreach programs.

(b) Pursuant to authority described in subsection (a) of this section, the Director, with the approval of the Administrator, shall issue guidelines for the preparation and submission of State plans under subsection (c). Such guidelines shall be designated to assure that the plans so submitted will be consistent with this title and will effectively contribute to the achievement of its objectives, and shall allow maximum flexibility and the exercise of maximum discretion by the States. In the preparation of such guidelines, the Administrator shall provide a reasonable opportunity for inputs by representatives of the several States and for a reasonable period for public review and comment. In any event, such guidelines—

(1) shall require the establishment and implementation of policies and procedures designed to assure that assistance provided under this title does not replace or supplant the expenditure of other Federal or State or local funds for the same purposes, but rather supplements such funds and increases the expenditure of such State or local funds to the maximum extent possible;

(2) shall require effective coordination of the programs under such State plans with other Federal programs which provide funds for university extension programs, in order to avoid duplication;

(3) shall require the establishment and implementation of effective procedures specifically designed for the dissemination of information to small business concerns;

(4) shall limit to a maximum of 20 per centum the portion of the funds made available under this title which may be used for the purchase of equipment, facilities, and library and related materials; and

(5) shall prohibit the use of any such funds for the purchase of land or interests therein or the repair of buildings or structures.

(c) On the effective date of the guidelines described in subsection (b) of this section, the Director shall invite the Governor of each State not then participating in the program to submit a plan for the conduct of energy extension service activities throughout such State.
State plan, approval.

(d) Each State plan submitted under subsection (c) shall be approved by the Director if the Director finds that such plan—

(1) meets the objectives of this title;

(2) was prepared with opportunity for input from State, county, and local officials, State universities and community colleges, cooperative extension services, community service action agencies, and other public or private organizations involved in active energy outreach programs;

(3) consistent with the objectives and requirements of this title, makes optimum use of existing active outreach or delivery mechanisms or programs, and includes to the optimum extent any existing State, local, university, or other organizations’ programs for energy information, education, or technology transfer which have objectives similar to those of this title and activities similar or related to those specified in section 504 and subsection (a) of this section;

(4) provides that the State will maintain, or require other participating entities within the State to maintain, and make available upon request to the Director, such records with respect to the use and expenditure of any Federal funds paid to the State, or to entities within the State, under this title as the Director may require;

(5) provides for the establishment of effective procedures for responding to external inputs and inquiries;

(6) requires that, to the extent possible, within personnel and funding limitations, on-site energy evaluations will be made available to all consumers and small business concerns, and to other business concerns within such limitations (as to size or otherwise) as the Director may specify;

(7) provides that the State will furnish and widely disseminate information on the types of assistance available under this title, and under other Federal and State laws, with respect to the planning, financing, installation, and effective monitoring of energy-related facilities and activities;

(8) provides that the allocation within the State of the funds made available to it under this title will be based on, or give due consideration to, such factors (specifically including potential energy savings and number of persons affected) as the Director determines will best carry out the purpose of this title; and

(9) satisfies such other criteria as the Director may establish to carry out the purpose of this title.

(e) If the Director finds that a State plan submitted under subsection (c) does not satisfy the requirements of subsection (d), he shall provide a reasonable opportunity for the State to present arguments in support of such plan and to revise the plan within a reasonable period of time to satisfy such requirements.

(f) (1) If a State does not submit a plan under subsection (a) or its plan as so submitted (with any revisions made under subsection (e)) is not acceptable, the Director (after giving notice and an opportunity for comment to the Governor of such State) shall develop consistent with other subsections of this section an energy extension service plan for the State involved, which conforms to the requirements of subsec-
tion (d). In conducting energy extension service activities under any plan developed under this subsection, the Director is authorized to enter into agreements for the utilization of existing Agriculture Extension Service offices and personnel, or such other offices and personnel as may be appropriate, and to provide funds for such operations; and in carrying out the functions of such offices the Director shall make maximum use of any existing delivery mechanisms for the State or local region concerned which are appropriate for purposes of this section, while coordinating his activities in connection with the performance of such functions with all such mechanisms in the State or region which are related to, but not directly involved, in the program under this title.

(2) Each State shall have a period of one hundred and eighty days after the issuance of the indication referred to in subsection (b) (or a longer period if the Director finds, at the request of the Governor of such State, that an extension is justified) within which to submit its plan under subsection (c) and if necessary to revise such plan under subsection (e) before the Director may undertake the development of a plan for such State under paragraph (1) of this subsection.

(3) Any such plan developed by the Director shall be transmitted to the Governor of such State and shall not be implemented for ninety days after the date of transmittal: Provided, That notwithstanding the provisions of paragraphs (1) and (2) of this subsection, no such plan shall be implemented if the Governor within the ninety-day period notifies the Administration in writing of his objection to the implementation of said plan.

(g) The Director shall annually review the implementation of State plans approved under subsection (d) to insure continued conformance with the requirements of this title. If the Director determines that the implementation of any approved State plan does not satisfy any of such requirements, he shall notify the Governor of the State and any other designated officials of the deficiency, with specific details, and shall provide a reasonable time and opportunity for remedial action. If, after such reasonable time and opportunity, satisfying remedial action has not been taken to place the implementation in conformance with such requirements, the Director shall so inform the Administrator, who shall give the Governor notice of intention to terminate Federal assistance, after the opportunity for the Governor's comment, if the implementation continues to not satisfy all such requirements. Federal assistance shall be terminated thereafter if satisfactory action is not taken. In the event Federal assistance is terminated under this subsection, the Director shall proceed in accordance with the procedures in subsection (f) to develop an energy extension service for the State. In so doing, the Director shall provide for continuation of all activities under the State plan which were in conformance with the requirements of this title and shall effect only such changes in the activities under such plan as are necessary to satisfy such requirements. The Director shall give the Governor notice of any such changes and shall provide a reasonable opportunity for the Governor to comment prior to proceeding with the changes.

(h) In any case where a State has submitted a State energy conservation plan under part C of title III of the Energy Policy and Conservation Act, as amended, the State's plan submitted under subsection (c) of this section shall specifically indicate how its proposed extension service program will complement or supplement any pro-
grams of public education under section 362(d)(4) of such Act which are included under such energy conservation plan. In any event, each State plan submitted under subsection (c) of this section shall indicate how its proposed extension service program will complement or supplement any other energy conservation programs being carried out within the State with assistance from Federal funds or under other Federal laws.

(i) The Director shall provide financial assistance to each State having a plan approved under subsection (d), from funds allocated to such State under section 515(c), and shall provide information and technical assistance to such State, for the development, implementation, or modification of the State's plan submitted under subsection (c) of this section.

(j) Nothing in this title, or in the comprehensive program developed under section 504 or any State plan approved under this section, shall have the effect of modifying or altering the relationships existing between educational institutions and the States in which they are located in connection with activities provided for under this title.

ADMINISTRATIVE PROVISIONS

Sec. 507. (a) The Director shall promulgate such regulations and directives as may be necessary to carry out the functions and projects of the Service.

(b) The Director shall consult and cooperate with the Secretary of Housing and Urban Development, the Administrator of the Federal Energy Administration, the Secretary of Agriculture, the Administrator of the Environmental Protection Agency, the Secretary of Health, Education, and Welfare, the Community Services Administration (and its Institute for Appropriate Technology), the Secretary of Commerce (and the Regional Centers of the Economic Development Administration in the Department of Commerce), the Administrator of the Small Business Administration, and the heads of other Federal agencies administering energy-related programs, with a view toward achieving maximum coordination with such other programs, and for the purpose of insuring to the maximum extent possible that all energy conservation and new energy technology information disseminated by or through Federal programs in a given area are consistent and are fully coordinated in order to minimize duplication of effort and to maximize public confidence in the credibility of Federal or federally assisted programs. It shall be the responsibility of the Director to promote the coordination of programs under this title with other public or private programs or projects of a similar nature.

(c) Federal agencies described in subsection (b) shall cooperate with the Director in disseminating information with respect to the availability of assistance under this title, and in promoting the identification and interests of individuals, groups, or business and commercial establishments eligible for assistance through programs funded under this title.

(d) At such time as the Energy Resources Council is terminated, pursuant to section 108 of the Energy Reorganization Act of 1974, as amended (42 U.S.C. 5818), there shall be established an Interagency Advisory Group, consisting of the Director (as Chairman) and the heads of the Federal agencies described in subsection (b) or their delegates, to assist the Director in carrying out his responsibilities
under this section and to provide a mechanism for use by the Director and the heads of such agencies in the performance of their functions under subsections (b) and (c).

COMPREHENSIVE PLAN AND PROGRAM

Sec. 508. (a) The Administrator is authorized and directed to prepare a comprehensive program and plan for Federal energy education, extension, and information activities authorized by this title and any other law. In the preparation of the program and plan, the Administrator shall utilize and consult with the head of each agency referred to in this title and any other Federal agency with an energy education, extension, or information program. Preparation of such program and plan shall not delay in any way the procedures specified in sections 505 and 506 or the implementation otherwise of this title. Rather, the program and plan should reflect the activities mandated by this title and serve as a mechanism for Federal Government-wide coordination and management of those activities with the activities of other Federal agencies under other law.

(b) The comprehensive program and plan shall include, but not be limited to, the following elements:

(1) specific delineation of responsibility of each participating Federal agency in the conduct of this title;
(2) mechanisms established to coordinate the activities under this title, pursuant to section 507 (b), (c), and (d);
(3) a detailed summary of all related Federal programs under other law, including program descriptions, types of delivery mechanisms, budget, and objectives;
(4) procedures for defining and measuring the effectiveness, in terms of increased energy efficiency, fuel savings, adoption of new energy technologies, and other appropriate criteria, of the activities under this title and related activities under other law;
(5) an assessment of other existing Federal assistance and incentives, other than public education, extension, and outreach programs, and their relation to such programs, in achieving the objectives of this title;
(6) procedures pursuant to section 504(d) to minimize conflict with existing services in the private sector of the economy which are similar to those under this title and other law; and
(7) a comprehensive and integrated plan for the resulting Federal program, taking into account paragraphs (1) through (6).

(c) The Administrator shall transmit the comprehensive program and plan to the President and to each House of Congress within one hundred and eighty days after the date of enactment of this Act. Thereafter, the Administrator shall revise the program and plan on an annual basis and submit the revisions as part of the annual fiscal year budget submission and the report required by section 15 of the Federal Nonnuclear Energy Research and Development Act of 1974.

ADVISORY BOARD

Sec. 509. (a) There is hereby established a National Energy Extension Service Advisory Board (hereinafter in this section referred to as the "Board"), which shall consist of not less than fifteen nor more than
twenty members appointed by the Administrator from among persons representative of State, county, and local governments, State universities, community colleges, community service action agencies, con-
sumers, small business, and agriculture. The Administrator shall designate one of the members of the Board to serve as its chairman, and shall provide the Board with such services and facilities as may be necessary for the performance of its functions. The Administrator shall reimburse members of the Board for the full amount of any expenses (including travel expenses) necessarily incurred by them in the performance of their duties as such.

(b) The Board shall carry on a continuing review of the operation of the comprehensive program developed under section 504 and the various State plans approved under sections 505 and 506, for the purpose of evaluating their effectiveness in achieving the objectives of this title and determining how their operation might be improved in furtherance of such objectives.

(c) The Board shall report at least annually to the Administrator, the Director, and the Congress on the status of the program under this title, including any recommendations it may have for administrative or legislative changes to improve its operation.

CONFORMING AMENDMENTS

42 U.S.C. 5813.

42 U.S.C. 5818.

Ante, p. 191.

Ante, pp. 198, 199.
42 U.S.C. 6201
note.
Energy
Conservation
Subcommittee.
Establishment.
42 U.S.C. 5818.

Sec. 510. (a) Section 108 of the Energy Reorganization Act of 1974, as amended (42 U.S.C. 5801), is amended by redesignating paragraphs (7) through (11) as paragraphs (8) through (12), respectively, and inserting immediately after paragraph (6) the following new paragraph:

“(7) establishing, in accordance with the National Energy Extension Service Act, an Energy Extension Service to provide technical assistance, instruction, and practical demonstrations on energy conservation measures and alternative energy systems to individuals, businesses, and State and local government officials;”.

(b) Section 108(b) of such Act (42 U.S.C. 5818(b)) is amended by striking out “and” at the end of paragraph (2), by striking out the period at the end of paragraph (3) and inserting in lieu thereof “; and”, and by adding after paragraph (3) the following new paragraph:

“(4) insure that Federal agencies fully discharge their responsibilities under sections 507 and 508 of the National Energy Extension Service Act for coordination and planning of their related activities under such Act and any other law, including but not limited to the Energy Policy and Conservation Act.”.

(c) Section 108 of such Act is further amended by adding at the end thereof the following new subsection:

“(e) There is hereby established an Energy Conservation Subcommittee within the Council, which shall be chaired by the Administrator of the Energy Research and Development Administration, to discharge the responsibilities specified in subsection (b)(4) of this section and other related functions associated with the coordination and management of Federal efforts in the areas of energy conservation and energy conservation research, development and demonstration.”.
SEC. 511. Each State or other entity within a State receiving Federal funds under this title shall make and retain such records as the Administrator shall require, including records which fully disclose the amount and disposition of such funds; the total cost of the facilities and activities for which such funds were given or used; the source and amount of any funds not supplied by the Administrator; and any data and information which the Administrator determines are necessary to protect the interests of the United States and to facilitate an effective financial audit and performance evaluation. Such record-keeping shall be in accordance with Federal Management Circular 74-7 (34 CFR part 256) and any modification thereto. The Administrator, or any of his duly authorized representatives, shall have access until the expiration of three years after the completion of the facilities or activities involved, to any books, documents, papers, and records or receipts which the Administrator deems to be related or pertinent, directly or indirectly, to any such Federal funds.

APPROPRIATION AUTHORIZATION

SEC. 512. (a) There are authorized to be appropriated to the Director to carry out this title such sums as may be included in the annual authorization, for the fiscal year 1977 (as provided in section 101(7) (G) of title I of this Act), for the nonnuclear programs of the Energy Research and Development Administration.

(b) To the extent provided in the Act making the appropriation involved, any portion of the amount appropriated pursuant to subsection (a) for any fiscal year may be transferred by the Director, with the approval of the Administrator, to the head of any other Federal agency for payment to or expenditure within one or more States under sections 505 and 506 upon a determination by the Director that the existence of regular payment channels or administrative relationships between that agency and the State involved (or entities within such State) makes such transfer and such payment or expenditure administratively more efficient or effective or otherwise promotes the achievement of the objectives of this title; but no transfer of funds under this subsection shall result in any loss by the Director of any authority over program direction or control which is vested in him by this title.

(c) (1) The total amount appropriated pursuant to subsection (a) for the initial implementation of the energy extension service (other than the portion thereof needed for administrative expenses and special State projects) shall be allocated among the participating States according to the amounts needed to implement their proposed initial programs.

(2) The total amount appropriated pursuant to subsection (a) for any fiscal year (other than the portion thereof needed for administrative expenses and special State projects) shall be allocated among the States in accordance with the following formula:

(i) one-half shall be divided equally among all the States; and

(ii) one-half shall be divided among the States in proportion to their respective populations, with each State being entitled to a sum that bears the same ratio to one-half of such total amount as such State's population (determined on the basis of the most
recent decennial census) bears to the total population of all the States (as so determined).

(b) During the fiscal year in which this title becomes effective, the Director shall provide funds in accordance with paragraph (1) of this subsection for the implementation of the energy extension service activities in the maximum number of States determined by the Director to be feasible with the total amount appropriated pursuant to subsection (a): Provided, That in no case shall such number be less than ten States.

DEFINITIONS

42 USC 7011.

SEC. 513. As used in this title, the term—

(1) "energy conservation" means energy conservation, efficient energy use and the utilization of renewable energy resources; and

(2) "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, or any territory or possession of the United States.

Approved June 3, 1977.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 95–224 (Comm. on Science and Technology).
SENATE REPORT No. 95–69 (Comm. on Energy and Natural Resources).
Apr. 4, considered and passed Senate.
May 2, considered and passed House, amended.
May 13, Senate concurred in House amendment with amendments.
May 18, House concurred in Senate amendments.
WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 13, No. 23:
June 3, Presidential statement.