

industrial storage of gasoline and middle distillates (other than storage in facilities which have capacities of less than 500 gallons or storage used exclusively and directly for agricultural, residential, petroleum refining, or pipeline transportation purposes).

**(b) Contents of report**

Such report shall—

(1) indicate to what extent storage activities have increased since November 1, 1978, and what business establishments (including utilities) have been involved;

(2) the estimated amount of gasoline and middle distillates (in the aggregate and by type and region) which are in storage within the United States at the time of the study, the amounts which were in storage at the same time during the calendar year preceding the study, and the purposes for which such storage is maintained; and

(3) contain such findings and recommendations for legislation and administrative action as the Secretary considers appropriate, including recommendations for improving the availability and quality of data concerning such storage.

(Pub. L. 96-102, title II, §241, Nov. 5, 1979, 93 Stat. 768.)

**§ 8532. Middle distillate monitoring program**

**(a) Monitoring program**

(1) Not later than 60 days after November 5, 1979, the Secretary shall establish and maintain a data collection program for monitoring, at the refining, wholesale, and retail levels, the supply and demand levels of middle distillates on a periodic basis in each State.

(2) The program to be established under paragraph (1) shall provide for—

(A) the prompt collection of relevant demand and supply data under the authority available to the Secretary under other law; and

(B) the submission to Congress of periodic reports each containing a concise narrative analysis of the most recent data which the Secretary determines are accurate, and a discussion on a State-by-State basis of trends in such data which the Secretary determines are significant.

(3) All data and information collected under this program shall be available to the Congress and committees of the Congress, and, in accordance with otherwise applicable law, to appropriate State and Federal agencies and the public.

(4) Nothing in this subsection authorizes the direct or indirect regulation of the price of any middle distillate.

(5) For purposes of this section, the term “middle distillate” has the same meaning as given that term in section 211.51 of title 10, Code of Federal Regulations, as in effect on November 5, 1979.

**(b) Report**

Before December 31, 1979, the President shall submit a report to Congress in which the President shall examine the middle distillate situa-

tion, summarizing the data, information, and analyses described in subsection (a) and discussing in detail matters required to be addressed in findings made pursuant to section 760a(d)(1)<sup>1</sup> of title 15.

(Pub. L. 96-102, title II, §242, Nov. 5, 1979, 93 Stat. 768.)

**Editorial Notes**

REFERENCES IN TEXT

Section 760a of title 15, referred to in subsec. (b), was omitted from the Code pursuant to section 760g of Title 15, Commerce and Trade, which provided for the expiration of the President's authority under that section on Sept. 30, 1981.

SUBCHAPTER IV—ADMINISTRATIVE PROVISIONS

**§ 8541. Administration**

**(a) Information**

(1) The Secretary shall use the authority provided under section 796 of title 15 for the collection of such information as may be necessary for the enforcement of the provisions of subchapters I and II of this chapter.

(2) In carrying out his responsibilities under this chapter, the Secretary shall insure that timely and adequate information concerning the supplies, pricing, and distribution of motor fuels (and other energy sources which are the subject of targets in effect under section 8511 of this title) is obtained, analyzed, and made available to the public. Any Federal agency having responsibility for collection of such information under any other authority shall cooperate fully in facilitating the collection of such information.

**(b) Effect on other laws**

No State law or State program in effect on November 5, 1979, or which may become effective thereafter, shall be superseded by any provision of this chapter, or any rule, regulation, or order thereunder, except insofar as such State law or State program is in conflict with any such provision of section 8513 or 8521 of this title (or any rule, regulation, or order under this subchapter relating thereto) in any case in which measures have been implemented in that State under the authority of section 8513 or 8521 of this title (as the case may be).

**(c) Termination**

(1) The provisions of subchapters I, II, III, and IV of this chapter, including any actions taken thereunder, shall cease to have effect on July 1, 1983.

(2) Such expiration shall not affect any action or pending proceeding, administrative or civil, not finally determined on such date, nor any administrative or civil action or proceeding, whether or not pending, based upon any act committed or liability incurred prior to such expiration date.

(Pub. L. 96-102, title II, §251, Nov. 5, 1979, 93 Stat. 769.)

<sup>1</sup> See References in Text note below.

**CHAPTER 94—LOW-INCOME ENERGY ASSISTANCE**

**SUBCHAPTER I—HOME ENERGY ASSISTANCE**

Sec.  
8601 to 8612. Repealed.

**SUBCHAPTER II—LOW-INCOME HOME ENERGY ASSISTANCE**

- 8621. Home energy grants.
- 8622. Definitions.
- 8623. State allotments.
- 8624. Applications and requirements.
- 8625. Nondiscrimination provisions.
- 8626. Payments to States; fiscal year requirements respecting availability, etc.
- 8626a. Incentive program for leveraging non-Federal resources.
- 8626b. Residential Energy Assistance Challenge option (R.E.A.Ch.).
- 8627. Withholding of funds.
- 8628. Limitation on use of grants for construction.
- 8628a. Technical assistance, training, and compliance reviews.
- 8629. Studies and reports.
- 8630. Renewable fuels.

**SUBCHAPTER I—HOME ENERGY ASSISTANCE**

**§§ 8601 to 8612. Repealed. Pub. L. 97-35, title XXVI, § 2611, Aug. 13, 1981, 95 Stat. 902**

Section 8601, Pub. L. 96-223, title III, § 302, Apr. 2, 1980, 94 Stat. 288, set forth Congressional findings and declaration of purpose for low-income energy assistance program.

Section 8602, Pub. L. 96-223, title III, § 303, Apr. 2, 1980, 94 Stat. 288, defined “household”, “home energy”, “lower living standard income level”, “Secretary”, and “State”.

Section 8603, Pub. L. 96-223, title III, § 304, Apr. 2, 1980, 94 Stat. 289, related to authorizations for home energy grants.

Section 8604, Pub. L. 96-223, title III, § 305, Apr. 2, 1980, 94 Stat. 289, set forth eligibility requirements for households.

Section 8605, Pub. L. 96-223, title III, § 306, Apr. 2, 1980, 94 Stat. 289, set forth provisions respecting allotments for grants.

Section 8606, Pub. L. 96-223, title III, § 307, Apr. 2, 1980, 94 Stat. 293, set forth limitations on uses of home energy grants for fiscal year 1981.

Section 8607, Pub. L. 96-223, title III, § 308, Apr. 2, 1980, 94 Stat. 294, set forth provisions respecting submission, contents, etc., for State plans.

Section 8608, Pub. L. 96-223, title III, § 309, Apr. 2, 1980, 94 Stat. 298, related to uniform collection data.

Section 8609, Pub. L. 96-223, title III, § 310, Apr. 2, 1980, 94 Stat. 298, related to amount and methods of payment.

Section 8610, Pub. L. 96-223, title III, § 311, Apr. 2, 1980, 94 Stat. 298, related to withholding of payments.

Section 8611, Pub. L. 96-223, title III, § 312, Apr. 2, 1980, 94 Stat. 298, set forth criminal penalties for violations of provisions.

Section 8612, Pub. L. 96-223, title III, § 313(a)-(c)(1), (d)-(g), Apr. 2, 1980, 94 Stat. 298, 299, related to administration and implementation of energy assistance programs.

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE OF REPEAL**

Pub. L. 97-35, title XXVI, § 2611, Aug. 13, 1981, 95 Stat. 902, provided that the repeal made by that section is effective Oct. 1, 1981.

**SHORT TITLE**

Pub. L. 96-223, title III, § 301, Apr. 2, 1980, 94 Stat. 288, provided that title III of Pub. L. 96-223, which enacted

sections 8601 to 8612 of this title, and amended section 2014(d) of Title 7, Agriculture, was to be cited as the “Home Energy Assistance Act of 1980”, prior to repeal by Pub. L. 97-35, title XXVI, § 2611, Aug. 13, 1981, 95 Stat. 902.

**SUBCHAPTER II—LOW-INCOME HOME ENERGY ASSISTANCE**

**§ 8621. Home energy grants**

**(a) Authorization**

The Secretary is authorized to make grants, in accordance with the provisions of this subchapter, to States to assist low-income households, particularly those with the lowest incomes, that pay a high proportion of household income for home energy, primarily in meeting their immediate home energy needs.

**(b) Authorization of appropriations**

There are authorized to be appropriated to carry out the provisions of this subchapter (other than section 8626a of this title), \$2,000,000,000 for each of fiscal years 1995 through 1999, such sums as may be necessary for each of fiscal years 2000 and 2001, and \$5,100,000,000 for each of fiscal years 2005 through 2007. The authorizations of appropriations contained in this subsection are subject to the program year provisions of subsection (c).

**(c) Availability of appropriations**

Amounts appropriated under this section for any fiscal year for programs and activities under this subchapter shall be made available for obligation in the succeeding fiscal year.

**(d) Authorization of appropriations for leveraged resources**

(1) There is authorized to be appropriated to carry out section 8626a of this title, \$30,000,000 for each of fiscal years 1999 through 2004, except as provided in paragraph (2).

(2) For any of fiscal years 1999 through 2004 for which the amount appropriated under subsection (b) is not less than \$1,400,000,000, there is authorized to be appropriated \$50,000,000 to carry out section 8626a of this title.

**(e) Emergency funds**

There is authorized to be appropriated in each fiscal year for payments under this subchapter, in addition to amounts appropriated for distribution to all the States in accordance with section 8623 of this title (other than subsection (e) of such section), \$600,000,000 to meet the additional home energy assistance needs of one or more States arising from a natural disaster or other emergency. Funds appropriated pursuant to this subsection are hereby designated to be emergency requirements pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 [2 U.S.C. 901(b)(2)(D)], except that such funds shall be made available only after the submission to Congress of a formal budget request by the President (for all or a part of the appropriation pursuant to this subsection) that includes a designation of the amount requested as an emergency requirement as defined in such Act [2 U.S.C. 900 et seq.].

(Pub. L. 97-35, title XXVI, § 2602, Aug. 13, 1981, 95 Stat. 893; Pub. L. 98-558, title VI, § 601, Oct. 30,