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§ 641. Establishment and maintenance of program for exploration; financial assistance

The Secretary of the Interior is hereby authorized and directed, in order to provide for discovery of additional domestic mineral reserves, to establish and maintain a program for exploration by private industry within the United States, its Territories and possessions for such minerals, excluding organic fuels, as he shall from time to time designate, and to provide Federal financial assistance on a participating basis for that purpose.

(Pub. L. 85-701, § 1, Aug. 21, 1958, 72 Stat. 700.)

CONGRESSIONAL DECLARATION OF POLICY

The recital clause of Pub. L. 85-701, which preceded section 1, provided: "That it is declared to be the policy of the Congress to stimulate exploration for minerals within the United States, its Territories and possessions."

§ 642. Exploration contracts

(a) Terms and conditions; interest rates

In order to carry out the purposes of this chapter, and subject to the provisions of this section, the Secretary is authorized to enter into exploration contracts with individuals, partnerships, corporations, or other legal entities which shall provide for such Federal financial participation as he deems in the national interest. Such contracts shall contain terms and conditions as the Secretary deems necessary and appropriate, including terms and conditions for the repayment of the Federal funds made available under any contract together with interest thereon, as a royalty on the value of the production from the area described in the contract. Interest shall be calculated from the date of the loan. Such interest shall be at rates which (1) are not less than the rates of interest which the Secretary of the Treasury shall determine the Department of the Interior would have to pay if it borrowed such funds from the Treasury of the United States, taking into consideration current average yields on outstanding marketable obligations of the United States with maturities comparable to the terms of the particular contracts involved and (2) plus 2 per centum per annum in lieu of recovering the cost of administering the particular contracts.

(b) Deposit of royalty payments

Royalty payments received under subsection (a) of this section shall be covered into the miscellaneous receipts of the Treasury.

(c) Certification of exploration projects; payment of royalties; time limitation on payment; royalty agreements

When in the opinion of the Secretary an analysis and evaluation of the results of the exploration project disclose that mineral production from the area covered by the contract may be possible he shall so certify within the time

specified in the contract. Upon certification, payment of royalties shall be a charge against production for the full period specified in the contract or until the obligation has been discharged, but in no event shall such royalty payments continue for a period of more than twenty-five years from the date of contract. When the Secretary determines not to certify he shall promptly notify the contractor. When the Secretary deems it necessary and in the public interest, he may enter into royalty agreements to provide for royalty payments in the same manner as though the project had been certified.

(d) Production

No provision of this chapter, nor any rule or regulation which may be issued by the Secretary shall be construed to require any production from the area described in the contract.

(e) Rules and regulations; adjustment of contracts

The Secretary shall establish and promulgate such rules and regulations as may be necessary to carry out the purposes of this chapter: *Provided, however*, That he may modify and adjust the terms and conditions of any contract to reduce the amount and term of any royalty payment when he shall determine that such action is necessary and in the public interest: *Provided further*, That no such single contract shall authorize Government participation in excess of \$250,000.

(f) Availability of funds

No funds shall be made available under this chapter unless the applicant shall furnish evidence that funds from commercial sources are unavailable on reasonable terms.

(Pub. L. 85-701, § 2, Aug. 21, 1958, 72 Stat. 700.)

§ 643. "Exploration" defined

As used in this chapter, the term "exploration" means the search for new or unexplored deposits of minerals, including related development work, within the United States, its Territories and possessions, whether conducted from the surface or underground, using recognized and sound procedures including standard geophysical and geochemical methods for obtaining mineralogical and geological information.

(Pub. L. 85-701, § 3, Aug. 21, 1958, 72 Stat. 701.)

§ 644. Advice and assistance by Government departments and agencies; expenditure of funds

Departments and agencies of the Government are authorized to advise and assist the Secretary of the Interior, upon his request, in carrying out the provisions of this chapter and may expend their funds for such purposes, with or without reimbursement, in accordance with such agreements as may be necessary.

(Pub. L. 85-701, § 4, Aug. 21, 1958, 72 Stat. 701.)

§ 645. Repealed. Pub. L. 93-608, § 1(13), Jan. 2, 1975, 88 Stat. 1969

Section, Pub. L. 85-701, § 5, Aug. 21, 1958, 72 Stat. 701; Pub. L. 89-348, § 2(5), Nov. 8, 1965, 79 Stat. 1312, required Secretary of the Interior to report to Congress on operations of programs authorized pursuant to this chapter.

§ 646. Authorization of appropriations

There are hereby authorized to be appropriated, from any funds in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this chapter.

(Pub. L. 85-701, § 6, Aug. 21, 1958, 72 Stat. 701.)

CHAPTER 18—COAL RESEARCH AND DEVELOPMENT

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CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in title 42 section 5814.

§ 661. Definitions

As used in this chapter

- (a) The term "Secretary" means the Secretary of the Interior.
- (b) The term "research" means scientific, technical, and economic research and the practical application of that research.

(Pub. L. 86-599, § 1, July 7, 1960, 74 Stat. 336.)

TRANSFER OF FUNCTIONS

Functions of Secretary of the Interior, Department of the Interior, and officers components of such Department relating to or utilized by Office of Coal Research transferred to Administrator of Energy Research and Development Administration by section 5814 of Title 42, The Public Health and Welfare. Energy Research and Development Administration was 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 Title 42.

§ 662. Office of Coal Research; powers and duties

The Secretary shall establish within the Department of the Interior an Office of Coal Research, and through such Office shall—

- (1) develop through research, new and more efficient methods of mining, preparing, and utilizing coal;
- (2) contract for, sponsor, cosponsor, and promote the coordination of, research with recognized interested groups, including but not limited to, coal trade associations, coal research associations, educational institutions, and agencies of States and political subdivisions of States;
- (3) establish technical advisory committees composed of recognized experts in various aspects of coal research to assist in the examina-

tion and evaluation of research progress and of all research proposals and contracts and to insure the avoidance of duplication of research; and

- (4) cooperate to the fullest extent possible with other departments, agencies, and independent establishments of the Federal Government and with State governments, and with all other interested agencies, governmental and nongovernmental.

(Pub. L. 86-599, § 2, July 7, 1960, 74 Stat. 336.)

TRANSFER OF FUNCTIONS

See note set out under section 661 of this title.

TERMINATION OF ADVISORY COMMITTEES

Advisory committees in existence on Jan. 5, 1973, to terminate not later than the expiration of the 2-year period following Jan. 5, 1973, 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 by law. 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 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.

§ 663. Advisory committees**(a) Minutes of meetings**

Any advisory committee appointed under the provisions of this chapter shall keep minutes of each meeting, which shall contain as a minimum (1) the name of each person attending such meeting, (2) a copy of the agenda, and (3) a record of all votes or polls taken during the meeting.

(b) Availability of minutes or reports

A copy of any such minutes or of any report made by any such committee after final action has been taken thereon by the Secretary shall be available to the public upon request and payment of the cost of furnishing such copy.

(c) Compensation; travel expenses

Members of any advisory committee appointed from private life under authority of this section shall each receive \$50 per diem when engaged in the actual performance of their duties as a member of such advisory committee. Such members shall also be entitled to travel expenses and per diem in lieu of subsistence at the rates authorized by section 5703 of title 5 for all persons employed intermittently as consultants or experts receiving compensation on a per diem basis.

(d) Exemption from conflict-of-interest statutes

Service by an individual as a member of such an advisory committee shall not subject him to the provisions of section 1914 of title 18, or, except with respect to a particular matter which directly involves the Office of Coal Research or in which the Office of Coal Research is directly