

thority or responsibility of the Inspector General of the Department of the Interior or of the Comptroller General of the United States.

**(d) Lands and land interests entrusted to Tennessee Valley Authority unaffected**

No provision of this chapter impairs or affects lands and interests in land entrusted to the Tennessee Valley Authority.

(Pub. L. 97-451, title III, §304, Jan. 12, 1983, 96 Stat. 2461; Pub. L. 105-362, title IX, §901(j)(2), Nov. 10, 1998, 112 Stat. 3290.)

AMENDMENTS

1998—Subsec. (c). Pub. L. 105-362 substituted “Nothing” for “Except as expressly provided in section 1752(b) of this title, nothing”.

**§ 1754. Funding**

Effective October 1, 1983, there are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this chapter, including such sums as may be necessary for the cooperative agreements, contracts, and delegations authorized by this chapter: *Provided*, That nothing in this chapter shall be construed to affect or impair any authority to enter into contracts or make payments under any other provision of law.

(Pub. L. 97-451, title III, §306, Jan. 12, 1983, 96 Stat. 2462.)

**§ 1755. Statute of limitations**

Except in the case of fraud, any action to recover penalties under this chapter shall be barred unless the action is commenced within 6 years after the date of the act or omission which is the basis for the action.

(Pub. L. 97-451, title III, §307, Jan. 12, 1983, 96 Stat. 2462.)

APPLICABILITY

Section no longer applicable with respect to Federal lands, but applicability of section to Indian leases not affected, see section 8(a) of Pub. L. 104-185, set out as a note under section 1732 of this title.

**§ 1756. Expanded royalty obligations**

Any lessee is liable for royalty payments on oil or gas lost or wasted from a lease site when such loss or waste is due to negligence on the part of the operator of the lease, or due to the failure to comply with any rule or regulation, order or citation issued under this chapter or any mineral leasing law.

(Pub. L. 97-451, title III, §308, Jan. 12, 1983, 96 Stat. 2462.)

**§ 1757. Severability**

If any provision of this chapter or the applicability thereof to any person or circumstances is held invalid, the remainder of this chapter and the application of such provision to other persons or circumstances shall not be affected thereby.

(Pub. L. 97-451, title III, §309, Jan. 12, 1983, 96 Stat. 2462.)

**CHAPTER 30—NATIONAL CRITICAL MATERIALS COUNCIL**

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| Sec.  |                                                                                                                                                                                                                                                                                                                                                                                                             |
| 1801. | Congressional findings and declaration of purposes.                                                                                                                                                                                                                                                                                                                                                         |
| 1802. | Establishment of National Critical Materials Council.                                                                                                                                                                                                                                                                                                                                                       |
| 1803. | Responsibilities and authorities of Council. <ul style="list-style-type: none"> <li>(a) Primary responsibilities of Council.</li> <li>(b) Specific authorities of Council.</li> <li>(c) Collaboration and cooperation of Council and Federal agencies with responsibilities related to materials.</li> </ul>                                                                                                |
| 1804. | Program and policy for advanced materials research and technology. <ul style="list-style-type: none"> <li>(a) Functions of Council.</li> <li>(b) Review by Office of Management and Budget.</li> </ul>                                                                                                                                                                                                      |
| 1805. | Innovation in basic and advanced materials industries. <ul style="list-style-type: none"> <li>(a) Centers for Industrial Technology; recommendations for establishment; activities.</li> <li>(b) Mechanism for dissemination of data; establishment; computerization.</li> </ul>                                                                                                                            |
| 1806. | Compensation of members and reimbursement. <ul style="list-style-type: none"> <li>(a) Basic pay for levels II and III of Executive Schedule.</li> <li>(b) Reimbursement of travel expenses for attendance at meetings.</li> </ul>                                                                                                                                                                           |
| 1807. | Executive Director. <ul style="list-style-type: none"> <li>(a) Function, appointment, and compensation.</li> <li>(b) Personnel and services of experts and consultants; rules and regulations.</li> <li>(c) Consultation with other groups; utilization of public and private services, facilities, and information.</li> <li>(d) Utilization of voluntary and uncompensated labor and services.</li> </ul> |
| 1808. | Responsibilities and duties of Director.                                                                                                                                                                                                                                                                                                                                                                    |
| 1809. | General authority of Council.                                                                                                                                                                                                                                                                                                                                                                               |
| 1810. | Authorization of appropriations.                                                                                                                                                                                                                                                                                                                                                                            |
| 1811. | “Materials” defined.                                                                                                                                                                                                                                                                                                                                                                                        |

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in title 15 section 5202.

**§ 1801. Congressional findings and declaration of purposes**

(a) The Congress finds that—

(1) the availability of adequate supplies of strategic and critical industrial minerals and materials continues to be essential for national security, economic well-being, and industrial production;

(2) the United States is increasingly dependent on foreign sources of materials and vulnerable to supply interruption in the case of many of those minerals and materials essential to the Nation’s defense and economic well-being;

(3) together with increasing import dependence, the Nation’s industrial base, including the capacity to process minerals and materials, is deteriorating—both in terms of facilities and in terms of a trained labor force;

(4) research, development, and technological innovation, especially related to improved materials and new processing technologies, are important factors which affect our long-term capability for economic competitiveness, as well as for adjustment to interruptions in supply of critical minerals and materials;

(5) while other nations have developed and implemented specific long-term research and technology programs to develop high-performance materials, no such policy and program evolution has occurred in the United States;

(6) establishing critical materials reserves, by both the public and private sectors and with proper organization and management, represents one means of responding to the genuine risks to our economy and national defense from dependency on foreign sources;

(7) there exists no single Federal entity with the authority and responsibility for establishing critical materials policy and for coordinating and implementing that policy; and

(8) the importance of materials to national goals requires an organizational means for establishing responsibilities for materials programs and for the coordination, within and at a suitably high level of the Executive Office of the President, with other existing policies within the Federal Government.

(b) It is the purpose of this chapter—

(1) to establish a National Critical Materials Council under and reporting to the Executive Office of the President which shall—

(A) establish responsibilities for and provide for necessary coordination of critical materials policies, including all facets of research and technology, among the various agencies and departments of the Federal Government, and make recommendations for the implementation of such policies;

(B) bring to the attention of the President, the Congress, and the general public such materials issues and concerns, including research and development, as are deemed critical to the economic and strategic health of the Nation; and

(C) ensure adequate and continuing consultation with the private sector concerning critical materials, materials research and development, use of materials, Federal materials policies, and related matters;

(2) to establish a national Federal program for advanced materials research and technology, including basic phenomena through processing and manufacturing technology; and

(3) to stimulate innovation and technology utilization in basic as well as advanced materials industries.

(Pub. L. 98-373, title II, §202, July 31, 1984, 98 Stat. 1249.)

#### SHORT TITLE

Section 201 of Pub. L. 98-373 provided that: “This title [enacting this chapter] may be cited as the ‘National Critical Materials Act of 1984’.”

### § 1802. Establishment of National Critical Materials Council

There is hereby established a National Critical Materials Council (hereinafter referred to as the “Council”) under and reporting to the Executive Office of the President. The Council shall be composed of three members who shall be appointed by the President and who shall serve at the pleasure of the President. Members so appointed who are not already Senate-confirmed officers of the Government shall be appointed by

and with the advice and consent of the Senate. The President shall designate one of the members to serve as Chairman. Each member shall be a person who, as a result of training, experience, and achievement, is qualified to carry out the duties and functions of the Council, with particular emphasis placed on fields relating to materials policy or materials science and engineering. In addition, at least one of the members shall have a background in and understanding of environmentally related issues.

(Pub. L. 98-373, title II, §203, July 31, 1984, 98 Stat. 1250.)

### § 1803. Responsibilities and authorities of Council

#### (a) Primary responsibilities of Council

It shall be the primary responsibility of the Council—

(1) to assist and advise the President in establishing coherent national materials policies consistent with other Federal policies, and making recommendations necessary to implement such policies;

(2) to assist in establishing responsibilities for, and to coordinate, Federal materials-related policies, programs, and research and technology activities, as well as recommending to the Office of Management and Budget budget priorities for materials activities in each of the Federal departments and agencies;

(3) to review and appraise the various programs and activities of the Federal Government in accordance with the policy and directions given in the National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 1601) [30 U.S.C. 1601 et seq.], and to determine the extent to which such programs and activities are contributing to the achievement of such policy and directions;

(4) to monitor and evaluate the critical materials needs of basic and advanced technology industries and the Government, including the critical materials research and development needs of the private and public sectors;

(5) to advise the President of mineral and material<sup>1</sup> trends, both domestic and foreign, the implications thereof for the United States and world economies and the national security, and the probable effects of such trends on domestic industries;

(6) to assess through consultation with the materials academic community the adequacy and quality of materials-related educational institutions and the supply of materials scientists and engineers;

(7) to make or furnish such studies, analyses, reports, and recommendations with respect to matters of materials-related policy and legislation as the President may request;

(8)(A) to prepare a report providing a domestic inventory of critical materials with projections on the prospective needs of Government and industry for these materials, including a long-range assessment, prepared in conjunction with the Office of Science and Technology Policy in accordance with the National Materials and Minerals Policy, Research and Devel-

<sup>1</sup> So in original. Probably should be “materials”.