

Section was enacted as part of the Mining and Mineral Resources Research Institute Act of 1984, and not as part of the Surface Mining Control and Reclamation Act of 1977 which comprises this chapter.

PRIOR PROVISIONS

A prior section 1224, Pub. L. 95-87, title III, §304, Aug. 3, 1977, 91 Stat. 454, contained provisions similar to this section covering fiscal years 1978 through 1984.

AMENDMENTS

1988—Subsec. (a). Pub. L. 100-483 inserted “, acting through the Director of the Bureau of Mines,” after “The Secretary”.

CHANGE OF NAME

“United States Bureau of Mines” substituted for “Bureau of Mines” in subsec. (a) pursuant to section 10(b) of Pub. L. 102-285, set out as a note under section 1 of this title. For provisions relating to closure and transfer of functions of the United States Bureau of Mines, see Transfer of Functions note set out under section 1 of this title.

§ 1225. Effect on colleges and universities

Nothing in this subchapter shall be construed to impair or modify the legal relationship existing between any of the colleges or universities under whose direction an institute is established and the government of the State in which it is located, and nothing in this subchapter shall in any way be construed to authorize Federal control or direction of education at any college or university.

(Pub. L. 98-409, §5, Aug. 29, 1984, 98 Stat. 1539.)

CODIFICATION

Section was enacted as part of the Mining and Mineral Resources Research Institute Act of 1984, and not as part of the Surface Mining Control and Reclamation Act of 1977 which comprises this chapter.

PRIOR PROVISIONS

A prior section 1225, Pub. L. 95-87, title III, §305, Aug. 3, 1977, 91 Stat. 454, contained provisions similar to this section covering fiscal years 1978 through 1984.

§ 1226. Research

(a) Coordination with existing programs; availability of information to public

The Secretary shall obtain the continuing advice and cooperation of all agencies of the Federal Government concerned with mining and mineral resources, of State and local governments, and of private institutions and individuals to assure that the programs authorized by this subchapter will supplement and not be redundant with respect to established mining and minerals research programs, and to stimulate research in otherwise neglected areas, and to contribute to a comprehensive nationwide program of mining and minerals research, with due regard for the protection and conservation of the environment. The Secretary shall make generally available information and reports on projects completed, in progress, or planned under the provisions of this subchapter, in addition to any direct publication of information by the institutes themselves.

(b) Effect on Federal agencies

Nothing in this subchapter is intended to give or shall be construed as giving the Secretary

any authority over mining and mineral resources research conducted by any agency of the Federal Government, or as repealing or diminishing existing authorities or responsibilities of any agency of the Federal Government to plan and conduct, contract for, or assist in research in its area of responsibility and concern with regard to mining and mineral resources.

(c) Availability of results to public

No research, demonstration, or experiment shall be carried out under this subchapter by an institute financed by grants under this subchapter, unless all uses, products, processes, patents, and other developments resulting therefrom, with such exception or limitation, if any, as the Secretary may find necessary in the public interest, are made available promptly to the general public. Patentable inventions shall be governed by the provisions of Public Law 96-517. Nothing contained in this section shall deprive the owner of any background patent relating to any such activities of any rights which that owner may have under that patent.

(d) Authorization of appropriations

(1) There is authorized to be appropriated to the Secretary \$450,000 for each of the fiscal years ending September 30, 1990, through September 30, 1994, to administer this subchapter. No funds may be withheld by the Secretary for administrative expenses from those authorized to be appropriated by sections 1221 and 1222 of this title.

(2) There are authorized to be appropriated to the Secretary such sums as are necessary for the printing and publishing of the results of activities carried out by institutes and generic mineral technology centers under this subchapter, but such appropriations shall not exceed \$550,000 in any single fiscal year.

(Pub. L. 98-409, §6, Aug. 29, 1984, 98 Stat. 1539; Pub. L. 100-483, §7, Oct. 12, 1988, 102 Stat. 2340.)

REFERENCES IN TEXT

Public Law 96-517, referred to in subsec. (c), is Pub. L. 96-517, Dec. 12, 1980, 94 Stat. 3015. Section 6(a) of Pub. L. 96-517, relating to patent rights in inventions made with Federal assistance, is classified to chapter 18 (§200 et seq.) of Title 35, Patents. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section was enacted as part of the Mining and Mineral Resources Research Institute Act of 1984, and not as part of the Surface Mining Control and Reclamation Act of 1977 which comprises this chapter.

PRIOR PROVISIONS

A prior section 1226, Pub. L. 95-87, title III, §306, Aug. 3, 1977, 91 Stat. 454, contained provisions similar to this section covering fiscal years 1978 through 1984.

AMENDMENTS

1988—Subsec. (d). Pub. L. 100-483 amended subsec. (d) generally. Prior to amendment, subsec. (d) read as follows: “There are authorized to be appropriated after September 30, 1984, such sums as are necessary for the printing and publishing of the results of activities carried out by institutes under this subchapter and for administrative planning and direction, but such appropriations shall not exceed \$1,000,000 in any single fiscal year.”

§ 1227. Center for cataloging

The Secretary shall establish a center for cataloging current and projected scientific research

in all fields of mining and mineral resources. Each Federal agency doing mining and mineral resources research shall cooperate by providing the cataloging center with information on work underway or scheduled by it. The cataloging center shall classify and maintain for public use a catalog of mining and mineral resources research and investigation projects in progress or scheduled by all Federal agencies and by such non-Federal agencies of government, colleges, universities, private institutions, firms, and individuals as may make such information available.

(Pub. L. 98-409, § 7, Aug. 29, 1984, 98 Stat. 1540.)

CODIFICATION

Section was enacted as part of the Mining and Mineral Resources Research Institute Act of 1984, and not as part of the Surface Mining Control and Reclamation Act of 1977 which comprises this chapter.

PRIOR PROVISIONS

A prior section 1227, Pub. L. 95-87, title III, § 307, Aug. 3, 1977, 91 Stat. 455, contained provisions similar to this section covering fiscal years 1978 through 1984.

§ 1228. Interagency cooperation

The President shall, by such means as he deems appropriate, clarify agency responsibility for Federal mining and mineral resources research and provide for interagency coordination of such research, including the research authorized by this subchapter. Such coordination shall include—

- (1) continuing review of the adequacy of the Government-wide program in mining and mineral resources research;
- (2) identification and elimination of duplication and overlap between agency programs;
- (3) identification of technical needs in various mining and mineral resources research categories;
- (4) recommendations with respect to allocation of technical effort among Federal agencies;
- (5) review of technical manpower needs, and findings concerning management policies to improve the quality of the Government-wide research effort; and
- (6) actions to facilitate interagency communication at management levels.

(Pub. L. 98-409, § 8, Aug. 29, 1984, 98 Stat. 1540.)

CODIFICATION

Section was enacted as part of the Mining and Mineral Resources Research Institute Act of 1984, and not as part of the Surface Mining Control and Reclamation Act of 1977 which comprises this chapter.

PRIOR PROVISIONS

A prior section 1228, Pub. L. 95-87, title III, § 308, Aug. 3, 1977, 91 Stat. 455, contained provisions similar to this section covering fiscal years 1978 through 1984.

§ 1229. Committee on Mining and Mineral Resources Research

(a) Appointment; composition

The Secretary shall appoint a Committee on Mining and Mineral Resources Research composed of—

- (1) the Assistant Secretary of the Interior responsible for minerals and mining research, or his delegate;

- (2) the Director, United States Bureau of Mines, or his delegate;

- (3) the Director, United States Geological Survey, or his delegate;

- (4) the Director of the National Science Foundation, or his delegate;

- (5) the President, National Academy of Sciences, or his delegate;

- (6) the President, National Academy of Engineering, or his delegate; and

- (7) not more than 7 other persons who are knowledgeable in the fields of mining and mineral resources research, including two university administrators involved in the conduct of programs authorized by this subchapter, 3 representatives from the mining industry, a working miner, and a representative from the conservation community. In making these 7 appointments, the Secretary shall consult with interested groups.

(b) Consultation and recommendations

The Committee shall consult with, and make recommendations to, the Secretary on all matters relating to mining and mineral resources research and the determinations that are required to be made under this subchapter. The Secretary shall consult with, and consider recommendations of, such Committee in such matters.

(c) Compensation, travel, subsistence and related expenses

Committee members, other than officers or employees of Federal, State, or local governments, shall be, for each day (including travel-time) during which they are performing Committee business, paid at a rate fixed by the Secretary but not¹ excess of the daily equivalent of the maximum rate of pay for grade GS-18 of the General Schedule under section 5332 of title 5, and shall be fully reimbursed for travel, subsistence, and related expenses.

(d) Chairmanship of Committee

The Committee shall be jointly chaired by the Assistant Secretary of the Interior responsible for minerals and mining and a person to be elected by the Committee from among the members referred to in paragraphs (5), (6), and (7) of subsection (a) of this section.

(e) National plan for research

The Committee shall develop a national plan for research in mining and mineral resources, considering ongoing efforts in the universities, the Federal Government, and the private sector, and shall formulate and recommend a program to implement the plan utilizing resources provided for under this subchapter. The Committee shall submit such plan to the Secretary, the President, and the Congress on or before March 1, 1986, and shall submit an annual update of such plan by January 15 of each calendar year.

(f) Application of Federal Advisory Committee Act

Section 10 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Committee.

(Pub. L. 98-409, § 9, Aug. 29, 1984, 98 Stat. 1540; Pub. L. 100-483, §§ 8, 9, Oct. 12, 1988, 102 Stat. 2340;

¹ So in original. Probably should be followed by "in".