

made available upon the basis of merit of the project, the need for the knowledge which it is expected to produce when completed, and the opportunity it provides for the training of individuals as mineral engineers and scientists.

(e) Restriction on application of funds

No funds made available under this section shall be applied to the acquisition by purchase or lease of any land or interests therein, or the rental, purchase, construction, preservation, or repair of any building.

(Pub. L. 98-409, §2, Aug. 29, 1984, 98 Stat. 1537; Pub. L. 100-483, §5, Oct. 12, 1988, 102 Stat. 2339; Pub. L. 104-312, §1(a), Oct. 19, 1996, 110 Stat. 3819.)

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 1222, Pub. L. 95-87, title III, §302, Aug. 3, 1977, 91 Stat. 452, contained provisions similar to this section covering fiscal years 1978 through 1984.

AMENDMENTS

1996—Subsec. (a). Pub. L. 104-312 inserted at end “There is authorized to be appropriated to the Secretary not more than \$1,800,000 for each of the fiscal years after fiscal year 1996 to be made available by the Secretary to an institute or institutes experienced in investigating the continental shelf regions of the United States, the deep seabed and near shore environments of islands, and the Arctic and cold water regions as a source for nonfuel minerals. Such funds are to be used by the institute or institutes to assist in developing domestic technological capabilities required for the location of, and the efficient and environmentally sound recovery of, minerals (other than oil and gas) from the Nation’s shallow and deep seabed.”

1988—Subsec. (a). Pub. L. 100-483, in introductory provisions, substituted “not more than \$15,000,000 for each of the fiscal years ending September 30, 1990, through September 30, 1994” for “\$10,000,000 for the fiscal year ending September 30, 1985. This amount shall be increased by \$1,000,000 for each fiscal year thereafter for four additional years” and “an institute or to institutes participating in a generic mineral technology center” for “institutes”.

§ 1223. Funding criteria

(a) Funds available to institutes under sections 1221 and 1222 of this title shall be paid at such times and in such amounts during each fiscal year as determined by the Secretary, and upon vouchers approved by him. Each institute shall—

(1) set forth its plan to provide for the training of individuals as mineral engineers and scientists under a curriculum appropriate to the field of mineral resources and mineral engineering and related fields;

(2) set forth policies and procedures which assure that Federal funds made available under this subchapter for any fiscal year will supplement and, to the extent practicable, increase the level of funds that would, in the absence of such Federal funds, be made available for purposes of this subchapter, and in no case supplant such funds; and

(3) have an officer appointed by its governing authority who shall receive and account

for all funds paid under the provisions of this subchapter and shall make an annual report to the Secretary on or before the first day of September of each year, on work accomplished and the status of projects underway, together with a detailed statement of the amounts received under any provisions of this subchapter during the preceding fiscal year, and of its disbursements on schedules prescribed by the Secretary.

If any of the funds received by the authorized receiving officer of any institute under the provisions of this subchapter shall by any action or contingency be found by the Secretary to have been improperly diminished, lost, or misapplied, such funds shall be replaced by the State concerned and until so replaced no subsequent appropriation shall be allotted or paid to any institute of such State.

(b) The institutes are authorized and encouraged to plan and conduct programs under this subchapter in cooperation with each other and with such other agencies and individuals as may contribute to the solution of the mining and mineral resources problems involved. Moneys appropriated pursuant to this subchapter shall be available for paying the necessary expenses of planning, coordinating, and conducting such cooperative research.

(Pub. L. 98-409, §3, Aug. 29, 1984, 98 Stat. 1538.)

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 1223, Pub. L. 95-87, title III, §303, Aug. 3, 1977, 91 Stat. 453, contained provisions similar to this section covering fiscal years 1978 through 1984.

§ 1224. Duties of Secretary

(a) Consulting with other agencies; prescribing rules and regulations; furnishing advice and assistance; coordinating research

The Secretary, acting through the Director of the United States Bureau of Mines, shall administer this subchapter and, after full consultation with other interested Federal agencies, shall prescribe such rules and regulations as may be necessary to carry out its provisions. The Secretary shall furnish such advice and assistance as will best promote the purposes of this subchapter, shall participate in coordinating research initiated under this subchapter by the institutes, shall indicate to them such lines of inquiry that seem most important, and shall encourage and assist in the establishment and maintenance of cooperation by and between the institutes and between them and other research organizations, the United States Department of the Interior, and other Federal establishments.

(b) Annual ascertainment of compliance

On or before the first day of July in each year beginning after August 29, 1984, the Secretary shall ascertain whether the requirements of section 1223(a) of this title have been met as to each institute and State.

(Pub. L. 98-409, §4, Aug. 29, 1984, 98 Stat. 1538; Pub. L. 100-483, §6, Oct. 12, 1988, 102 Stat. 2340;