

“(4) methods to improve and coordinate the development of viable commercial and military applications of improved superconductors;

“(5) foreign government activities designed to promote research, development, and commercial application of improved superconductors;

“(6) the need to provide increased Federal funding of research and development of improved superconductors;

“(7) the impact on the United States national security if the United States must rely on foreign producers of superconductors;

“(8) the benefit, if any, of granting private companies partial exemptions from United States antitrust laws to allow them to coordinate research, development, and products containing improved superconductors;

“(9) options for providing income tax incentives for encouraging research, development, and production in the United States of products containing improved superconductors; and

“(10) methods to strengthen domestic patent and trademark laws to ensure that qualified superconductivity discoveries receive the fullest protection from infringement.

“(g) SUNSET.—The Commission shall disband within a year of its establishment. Thereafter the National Critical Materials Council may review and update the report required by subsection (e) and make further recommendations as it deems appropriate.”

#### **§ 1804. Program and policy for advanced materials research and technology**

##### **(a) Functions of Council**

In addition to the responsibilities described in section 1803 of this title, the Council shall be responsible for coordination with appropriate agencies and departments of the Federal Government relative to Federal materials research and development policies and programs. Such policies and programs shall be consistent with the policies and goals described in the National Materials and Minerals Policy, Research and Development Act of 1980 [30 U.S.C. 1601 et seq.]. In carrying out this responsibility the Council shall—

(1)(A) establish a national Federal program plan for advanced materials research and development, recommend the designation of the key responsibilities for carrying out such research, and to provide<sup>1</sup> for coordination of this plan with the Office of Science and Technology Policy, the Office of Management and Budget, and such other Federal offices and agencies as may be deemed appropriate, and (B) annually review such plan and report thereon to the Congress;

(2) review annually the materials research, development, and technology authorization requests and budgets of all Federal agencies and departments; and in this activity the Council shall make recommendations, in cooperation with the Office of Science and Technology Policy, the Office of Management and Budget, and all other Federal offices and agencies deemed appropriate, to ensure close coordination of the goals and directions of such programs with the policies determined by the Council; and

(3) assist the Office of Science and Technology Policy in the preparation of such long-range materials assessments and reports as may be required by the National Materials and

Minerals Policy, Research and Development Act of 1980, and assist other Federal entities in the preparation of analyses and reporting relating to critical and advanced materials.

##### **(b) Review by Office of Management and Budget**

The Office of Management and Budget, in reviewing the materials research, development, and technology authorization requests of the various Federal departments and agencies for any fiscal year, and the recommendations of the Council, shall consider all of such requests and recommendations as an integrated, coherent, multiagency request which shall be reviewed by the Office of Management and Budget for its adherence to the national Federal materials program plan in effect for such fiscal year under subsection (a).

(Pub. L. 98-373, title II, §205, July 31, 1984, 98 Stat. 1251.)

##### REFERENCES IN TEXT

The National Materials and Minerals Policy, Research and Development Act of 1980, referred to in subsec. (a), is Pub. L. 96-479, Oct. 21, 1980, 94 Stat. 2305, which is classified generally to chapter 28 (§1601 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1601 of this title and Tables.

##### NATIONAL FEDERAL PROGRAM PLAN FOR ADVANCED MATERIALS RESEARCH AND DEVELOPMENT

Pub. L. 100-418, title V, §5181, Aug. 23, 1988, 102 Stat. 1454, directed National Critical Materials Council to prepare the national Federal program plan for advanced materials research and development under 30 U.S.C. 1804(a)(1)(A) and to submit such plan to Congress not later than 180 days after Aug. 23, 1988.

#### **§ 1805. Innovation in basic and advanced materials industries**

##### **(a) Centers for Industrial Technology; recommendations for establishment; activities**

(1) In order to promote the use of more cost-effective, advanced technology and other means of providing for innovation and increased productivity within the basic and advanced materials industries, the Council shall evaluate and make recommendations regarding the establishment of Centers for Industrial Technology as provided in Public Law 96-480 (15 U.S.C. 3705).

(2) The activities of such Centers shall focus on, but not be limited to, the following generic materials areas: corrosion; welding and joining of materials; advanced processing and fabrication technologies; microfabrication; and fracture and fatigue.

##### **(b) Mechanism for dissemination of data; establishment; computerization**

In order to promote better use and innovation of materials in design for improved safety or efficiency, the Council shall establish in cooperation with the appropriate Federal agencies and private industry, an effective mechanism for disseminating materials property data in an efficient and timely manner. In carrying out this responsibility, the Council shall consider, where appropriate, the establishment of a computerized system taking into account, to the maximum extent practicable, existing available resources.

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

(Pub. L. 98-373, title II, §206, July 31, 1984, 98 Stat. 1252.)

REFERENCES IN TEXT

Public Law 96-480, referred to in subsec. (a)(1), is Pub. L. 96-480, Oct. 21, 1980, 94 Stat. 2311, known as the Stevenson-Wydler Technology Innovation Act of 1980, which is classified generally to chapter 63 (§3701 et seq.) of Title 15, Commerce and Trade. For complete classification of this Act to the Code, see Short Title note set out under section 3701 of Title 15 and Tables.

**§ 1806. Compensation of members and reimbursement**

**(a) Basic pay for levels II and III of Executive Schedule**

The Chairman of the Council, if not otherwise a paid officer or employee of the Federal Government, shall be paid at the rate not to exceed the rate of basic pay provided for level II of the Executive Schedule. The other members of the Council, if not otherwise paid officers or employees of the Federal Government, shall be paid at a per diem rate comparable to the rate not to exceed the rate of basic pay provided for level III of the Executive Schedule.

**(b) Reimbursement of travel expenses for attendance at meetings**

Subject to existing law and regulations governing conflicts of interest, the Council may accept reimbursement from any private nonprofit organization or from any department, agency, or instrumentality of the Federal Government, or from any State or local government, for reasonable travel expenses incurred by any member or employee of the Council in connection with such member's or employee's attendance at any conference, seminar, or similar meeting.

(Pub. L. 98-373, title II, §207, July 31, 1984, 98 Stat. 1252.)

REFERENCES IN TEXT

Levels II and III of the Executive Schedule, referred to in subsec. (a), are set out in sections 5313 and 5314, respectively, of Title 5, Government Organization and Employees.

**§ 1807. Executive Director**

**(a) Function, appointment, and compensation**

There shall be an Executive Director (hereinafter referred to as the "Director"), who shall be chief administrator of the Council. The Director shall be appointed by the Council full time and shall be paid at the rate not to exceed the rate of basic pay provided for level III of the Executive Schedule.

**(b) Personnel and services of experts and consultants; rules and regulations**

The Director is authorized—

(1) to employ such personnel as may be necessary for the Council to carry out its duties and functions under this chapter, but not to exceed twelve compensated employees;

(2) to obtain the services of experts and consultants in accordance with the provisions of section 3109 of title 5; and

(3) to develop, subject to approval by the Council, rules and regulations necessary to carry out the purposes of this chapter.

**(c) Consultation with other groups; utilization of public and private services, facilities, and information**

In exercising his responsibilities and duties under this chapter, the Director—

(1) may consult with representatives of academia, industry, labor, State and local governments, and other groups; and

(2) shall utilize to the fullest extent possible the services, facilities, and information (including statistical information) of public and private agencies, organizations, and individuals.

**(d) Utilization of voluntary and uncompensated labor and services**

Notwithstanding section 1342 of title 31, the Council may utilize voluntary and uncompensated labor and services in carrying out its duties and functions.

(Pub. L. 98-373, title II, §208, July 31, 1984, 98 Stat. 1253.)

REFERENCES IN TEXT

Level III of the Executive Schedule, referred to in subsec. (a), is set out in section 5314 of Title 5, Government Organization and Employees.

CODIFICATION

In subsec. (d), "section 1342 of title 31" substituted for "section 367(b) of the Revised Statutes (31 U.S.C. 665(b))" on authority of Pub. L. 97-258, §4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

PERSONNEL MATTERS

Pub. L. 100-418, title V, §5182, Aug. 23, 1988, 102 Stat. 1454, provided that:

"(a) REQUIREMENT TO INCREASE STAFF.—Not later than 30 days after the date of the enactment of this Act [Aug. 23, 1988], the Executive Director of the National Critical Materials Council shall increase the number of employees of the Council by the equivalent of 5 full-time employees over the number of employees of the Council on the date of the enactment of this Act.

"(b) QUALIFICATIONS OF STAFF.—Not less than the equivalent of 4 full-time employees appointed pursuant to subsection (a) shall be permanent professional employees who have expertise in technical fields that are relevant to the responsibilities of the National Critical Materials Council, such as materials science and engineering, environmental matters, minerals and natural resources, ceramic or composite engineering, metallurgy, and geology."

**§ 1808. Responsibilities and duties of Director**

In carrying out his functions the Director shall assist and advise the Council on policies and programs of the Federal Government affecting critical and advanced materials by—

(1) providing the professional and administrative staff and support for the Council;

(2) assisting the Federal agencies and departments in appraising the effectiveness of existing and proposed facilities, programs, policies, and activities of the Federal Government, including research and development, which affect critical materials availability and needs;

(3) cataloging, as fully as possible, research and development activities of the Government, private industry, and public and private institutions; and