

grams, including those involving research and development so as to complement related efforts by the private sector as well as other domestic and international agencies and organizations;

(3) establish an analytical and forecasting capability for identifying critical mineral demand, supply, and other factors to allow informed actions to be taken to avoid supply shortages, mitigate price volatility, and prepare for demand growth and other market shifts;

(4) promote a vigorous, comprehensive, and coordinated program of materials research and development consistent with the policies and priorities set forth in the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 et seq.);

(5) promote cooperative research and development programs with other nations for the equitable and frugal use of materials and energy;

(6) promote and encourage private enterprise in the development of economically sound and stable domestic materials industries;

(7) facilitate the availability, development, and environmentally responsible production of domestic resources to meet national material or critical mineral needs;

(8) avoid duplication of effort, prevent unnecessary paperwork, and minimize delays in the administration of applicable laws (including regulations) and the issuance of permits and authorizations necessary to explore for, develop, and produce critical minerals and to construct critical mineral manufacturing facilities in accordance with applicable environmental and land management laws;

(9) strengthen—

(A) educational and research capabilities at not lower than the secondary school level; and

(B) workforce training for exploration and development of critical minerals and critical mineral manufacturing;

(10) bolster international cooperation through technology transfer, information sharing, and other means;

(11) promote the efficient production, use, and recycling of critical minerals;

(12) develop alternatives to critical minerals; and

(13) establish contingencies for the production of, or access to, critical minerals for which viable sources do not exist within the United States.

(Pub. L. 96-479, §3, Oct. 21, 1980, 94 Stat. 2305; Pub. L. 116-260, div. Z, title VII, §7002(b)(1), (m)(2), Dec. 27, 2020, 134 Stat. 2563, 2576.)

Editorial Notes

REFERENCES IN TEXT

The National Science and Technology Policy, Organization, and Priorities Act of 1976, referred to in par. (4), is Pub. L. 94-282, May 11, 1976, 90 Stat. 459, which is classified principally to chapter 79 (§6601 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 6601 of Title 42 and Tables.

AMENDMENTS

2020—Pub. L. 116-260, §7002(m)(2), in introductory provisions, substituted “It” for “The Congress declares that it” and “Implementation” for “The Congress further declares that implementation”.

Par. (3). Pub. L. 116-260, §7002(b)(1)(A), added par. (3) and struck out former par. (3) which read as follows: “establish a long-range assessment capability concerning materials demands, supply and needs, and provide for the policies and programs necessary to meet those needs;”.

Pars. (7) to (13). Pub. L. 116-260, §7002(b)(1)(B), (C), added pars. (7) to (13) and struck out former par. (7) which read as follows: “encourage Federal agencies to facilitate availability and development of domestic resources to meet critical materials needs.”

§ 1603. Implementation of policies

The President shall, through the Executive Office of the President, coordinate the responsible departments and agencies to implement the policy described in section 1602 of this title and shall—

(1) direct that the responsible departments and agencies identify, assist, and make recommendations for carrying out appropriate policies and programs to ensure adequate, stable, and economical materials supplies essential to national security, economic well-being, and industrial production;

(2) support basic and applied research and development to provide for, among other objectives—

(A) advanced science and technology for the exploration, discovery, and recovery of nonfuel materials;

(B) enhanced methods or processes for the more efficient production and use of renewable and nonrenewable resources;

(C) improved methods for the extraction, processing, use, recovery, and recycling of materials which encourage the conservation of materials, energy, and the environment; and

(D) improved understanding of current and new materials performance, processing, substitution, and adaptability in engineering designs;

(3) provide for improved collection, analysis, and dissemination of scientific, technical and economic materials information and data from Federal, State, and local governments and other sources as appropriate;

(4) assess the need for and make recommendations concerning the availability and adequacy of supply of technically trained personnel necessary for materials research, development, extraction, harvest and industrial practice, paying particular regard to the problem of attracting and maintaining high quality materials professionals in the Federal service;

(5) establish early warning systems for materials supply problems;

(6) recommend to the Congress appropriate measures to promote industrial innovation in materials and materials technologies;

(7) encourage cooperative materials research and problem-solving by—

(A) private corporations performing the same or related activities in materials industries; and

(B) Federal and State institutions having shared interests or objectives;

(8) assess Federal policies which adversely or positively affect all stages of the materials cycle, from exploration to final product recycling and disposal including but not limited to, financial assistance and tax policies for recycled and virgin sources of materials and make recommendations for equalizing any existing imbalances, or removing any impediments, which may be created by the application of Federal law and regulations to the market for materials; and

(9) assess the opportunities for the United States to promote cooperative multilateral and bilateral agreements for materials development in foreign nations for the purpose of increasing the reliability of materials supplies to the Nation.

(Pub. L. 96-479, §4, Oct. 21, 1980, 94 Stat. 2306; Pub. L. 116-260, div. Z, title VII, §7002(m)(3), Dec. 27, 2020, 134 Stat. 2576.)

Editorial Notes

AMENDMENTS

2020—Pub. L. 116-260, in introductory provisions, substituted “The” for “For the purpose of implementing the policies set forth in section 1602 of this title and the provisions of section 1604 of this title, the Congress declares that the” and “departments and agencies to implement the policy described in section 1602 of this title” for “departments and agencies.”

§ 1604. Program administration

(a) President; preparation of plan and submission to Congress of report

Within 1 year after December 27, 2020, the President shall submit to the Congress—

(1) a program plan to implement such existing or prospective proposals and organizational structures within the executive branch as he finds necessary to carry out the provisions set forth in sections 1602 and 1603 of this title. The plan shall include program and budget proposals and organizational structures providing for the following minimum elements:

(A) policy analysis and decision determination within the Executive Office of the President;

(B) continuing long-range analysis of materials use to meet national security, economic, industrial and social needs; the adequacy and stability of supplies; and the industrial and economic implications of supply shortages or disruptions;

(C) continuing private sector consultation in Federal materials programs; and

(D) interagency coordination at the level of the President's Cabinet;

(2) recommendations for the collection, analysis, and dissemination of information concerning domestic and international long-range materials demand, supply and needs, including consideration of the establishment of a separate materials information agency patterned after the Bureau of Labor Statistics; and

(3) recommendations for legislation and administrative initiatives necessary to reconcile

policy conflicts and to establish programs and institutional structures necessary to achieve the goals of a national materials policy.

(b) Director of Office of Science and Technology Policy; coordination, etc., activities

In accordance with the provisions of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 et seq.), the Director of the Office of Science and Technology Policy shall:

(1) through the National Science and Technology Council coordinate Federal materials research and development and related activities in accordance with the policies and objectives established in this chapter;

(2) place special emphasis on the long-range assessment of national materials needs related to scientific and technological concerns and the research and development, Federal and private, necessary to meet those needs; and

(3) prepare an assessment of national materials needs related to scientific and technological changes over the next five years. Such assessment shall be revised on an annual basis. Where possible, the Director shall extend the assessment in 10- and 25-year increments over the whole expected lifetime of such needs and technologies.

(c) Secretary of Commerce; consultative, etc., requirements; identification and assessment activities

The Secretary of Commerce, in consultation with such other members of the Cabinet as may be appropriate, shall—

(1) not later than 1 year after December 27, 2020, submit to the Congress a report that assesses critical materials needs and that recommends programs that would assist in meeting such needs, including an assessment of economic stockpiles; and

(2) assess the adequacy and stability of the supply of materials necessary to maintain national security, economic well-being, public health, and industrial production.

(d) Secretary of Defense and other Cabinet members; assessment, etc., activities

The Secretary of Defense, together with such other members of the Cabinet as are deemed necessary by the President, shall prepare a report assessing critical materials needs related to national security and identifying the steps necessary to meet those needs. The report shall include an assessment of the Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.) [now 50 U.S.C. 4501 et seq.], and the Strategic and Critical Materials Stock Piling Act (50 U.S.C. App. 98 et seq.) [50 U.S.C. 98 et seq.]. Such report shall be made available to the Congress within 1 year after December 27, 2020, and shall be revised periodically as deemed necessary.

(e) Secretary of the Interior; initiation of actions; report

The Secretary of the Interior shall promptly initiate actions to—

(1) improve the capacity of the United States Geological Survey to assess international minerals supplies;

(2) increase the level of mining and metallurgical research by the United States Geo-