

the costs directly related to the construction of a system or systems for nonelectric geothermal development pursuant to such subsection, where the Secretary finds that—

(1) all necessary licenses and other required Federal, State, and local approvals for construction of such system or systems have been or will be issued,

(2) the project involved will comply with all applicable laws relating to protection of the environment, and

(3) the applicant requires such assistance to undertake and complete the project.

(d) Interest rate; term

Each loan made pursuant to this section shall bear interest at a discount or interest rate equal to the rate in effect (at the time the loan is made) for water resources planning projects under section 80 of the Water Resources Development Act of 1974 (42 U.S.C. 1962(d)–17(a)).¹ Each loan shall be for such term as the Secretary deems appropriate, but not in excess of ten years for loans under subsection (b) of this section or thirty years for loans under subsection (c) of this section.

(e) Funding; deposit of amount repaid

Loans pursuant to this section shall be made from funds appropriated (pursuant to this subchapter) to the Geothermal Resources Development Fund established under section 1144 of this title; and amounts repaid on such loans shall be deposited in the Geothermal Resources Development Fund for purposes of this subchapter.

(f) Authorization of appropriations

For loans under clause (A) of subsection (b)(1) of this section for fiscal year 1981, there is authorized to be appropriated to the Geothermal Resources Development Fund not to exceed \$5,000,000, which shall remain available until expended. For loans under such clause (A) for subsequent fiscal years, and for loans under clause (B) of subsection (b)(1) of this section or under subsection (c) of this section (for any such subsequent fiscal year), there may be appropriated to such Fund only such sums as are authorized by legislation hereafter enacted.

(g) "Person" defined

As used in this section, the term "person" includes municipalities, cooperatives, industrial development agencies, nonprofit organizations, and Indian tribes, as well as the districts referred to in subsection (a) of this section and the other entities included within such term under section 1 of title 1.

(Pub. L. 96–294, title VI, § 631, June 30, 1980, 94 Stat. 767.)

SUBCHAPTER IV—FEDERAL FACILITIES

§ 1541. Use of geothermal energy in Federal facilities

The option of using geothermal energy or geothermal energy resources shall be considered fully in any new Federal building, facility, or installation which is located in a geothermal resource area as designated by the Secretary.

(Pub. L. 96–294, title VI, § 642, June 30, 1980, 94 Stat. 769.)

§ 1542. Regulations

All regulations made with respect to this subchapter shall be promulgated no later than six months after June 30, 1980.

(Pub. L. 96–294, title VI, § 644, June 30, 1980, 94 Stat. 770.)

REFERENCES IN TEXT

This subchapter, referred to in text, was in the original "this subtitle", meaning subtitle D of title VI of Pub. L. 96–294, June 30, 1980, 94 Stat. 768, which enacted this subchapter and sections 1146 and 1147 of this title and amended sections 1141 and 1143 of this title and sections 796, 824a–3, 824i, and 824j of Title 16, Conservation.

CHAPTER 28—MATERIALS AND MINERALS POLICY, RESEARCH, AND DEVELOPMENT

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| Sec.
1601. | Congressional statement of findings; "materials" defined. |
| 1602. | Congressional declaration of policies. |
| 1603. | Implementation of policies. |
| 1604. | Program administration. <ul style="list-style-type: none"> (a) President; preparation of plan and submission to Congress of report. (b) Director of Office of Science and Technology Policy; coordination, etc., activities. (c) Secretary of Commerce; consultative, etc., requirements; identification and assessment activities. (d) Secretary of Defense and other Cabinet members; assessment, etc., activities. (e) Secretary of the Interior; initiation of actions; report. (f) Secretary of the Interior; collection, evaluation, and analysis activities concerning information. |
| 1605. | Applicability to other statutory national mining and minerals policies. |

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 1803, 1804 of this title.

§ 1601. Congressional statement of findings; "materials" defined

(a) The Congress finds that—

(1) the availability of materials is essential for national security, economic well-being, and industrial production;

(2) the availability of materials is affected by the stability of foreign sources of essential industrial materials, instability of materials markets, international competition and demand for materials, the need for energy and materials conservation, and the enhancement of environmental quality;

(3) extraction, production, processing, use, recycling, and disposal of materials are closely linked with national concerns for energy and the environment;

(4) the United States is strongly interdependent with other nations through international trade in materials and other products;

(5) technological innovation and research and development are important factors which contribute to the availability and use of materials;

¹ So in original. Should be "(42 U.S.C. 1962d–17(a))."

(6) the United States lacks a coherent national materials policy and a coordinated program to assure the availability of materials critical for national economic well-being, national defense, and industrial production, including interstate commerce and foreign trade; and

(7) notwithstanding the enactment of section 21a of this title, the United States does not have a coherent national materials and minerals policy.

(b) As used in this chapter, the term “materials” means substances, including minerals, of current or potential use that will be needed to supply the industrial, military, and essential civilian needs of the United States in the production of goods or services, including those which are primarily imported or for which there is a prospect of shortages or uncertain supply, or which present opportunities in terms of new physical properties, use, recycling, disposal or substitution, with the exclusion of food and of energy fuels used as such.

(Pub. L. 96-479, §2, Oct. 21, 1980, 94 Stat. 2305.)

SHORT TITLE

Section 1 of Pub. L. 96-479 provided: “That this Act [enacting this chapter] may be cited as the ‘National Materials and Minerals Policy, Research and Development Act of 1980.’”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1811 of this title.

§ 1602. Congressional declaration of policies

The Congress declares that it is the continuing policy of the United States to promote an adequate and stable supply of materials necessary to maintain national security, economic well-being and industrial production with appropriate attention to a long-term balance between resource production, energy use, a healthy environment, natural resources conservation, and social needs. The Congress further declares that implementation of this policy requires that the President shall, through the Executive Office of the President, coordinate the responsible departments and agencies to, among other measures—

(1) identify materials needs and assist in the pursuit of measures that would assure the availability of materials critical to commerce, the economy, and national security;

(2) establish a mechanism for the coordination and evaluation of Federal materials programs, 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 a long-range assessment capability concerning materials demands, supply and needs, and provide for the policies and programs necessary to meet those needs;

(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; and

(7) encourage Federal agencies to facilitate availability and development of domestic resources to meet critical materials needs.

(Pub. L. 96-479, §3, Oct. 21, 1980, 94 Stat. 2305.)

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, as amended, 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.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1603, 1604, 1605 of this title.

§ 1603. Implementation of policies

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 President shall, through the Executive Office of the President, coordinate the responsible departments and agencies, 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 qual-

ity 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.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1604 of this title.

§ 1604. Program administration

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

Within 1 year after October 21, 1980, 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 Federal Coordinating Council for Science, Engineering, and Technology 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 the Federal Emergency Management Administration, the Secretary of the Interior, the Secretary of Defense, the Director of the Central Intelligence Agency, and such other members of the Cabinet as may be appropriate shall—

(1) within 3 months after October 21, 1980, identify and submit to the Congress a specific materials needs case related to national security, economic well-being and industrial production which will be the subject of the report required by paragraph (2) of this subsection;

(2) within 1 year after October 21, 1980, submit to the Congress a report which assesses critical materials needs in the case identified in paragraph (1) of this subsection, and which recommends programs that would assist in meeting such needs, including an assessment of economic stockpiles; and

(3) continually thereafter identify and assess additional cases, as necessary, to ensure an adequate and stable supply of materials to meet national security, economic well-being and industrial production needs.

(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.), 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 October 21, 1980, 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 Bureau of Mines to assess international minerals supplies;
- (2) increase the level of mining and metallurgical research by the United States Bureau of Mines in critical and strategic minerals; and
- (3) improve the availability and analysis of mineral data in Federal land use decision-making.

A report summarizing actions required by this subsection shall be made available to the Congress within 1 year after October 21, 1980.

(f) Secretary of the Interior; collection, evaluation, and analysis activities concerning information

In furtherance of the policies of this chapter, the Secretary of the Interior shall collect, evaluate, and analyze information concerning mineral occurrence, production, and use from industry, academia, and Federal and State agencies. Notwithstanding the provisions of section 552 of title 5, data and information provided to the Department by persons or firms engaged in any phase of mineral or mineral-material production or large-scale consumption shall not be disclosed outside of the Department of the Interior in a nonaggregated form so as to disclose data and information supplied by a single person or firm, unless there is no objection to the disclosure of such data and information by the donor: *Provided, however,* That the Secretary may disclose nonaggregated data and information to Federal defense agencies, or to the Congress upon official request for appropriate purposes.

(Pub. L. 96-479, §5, Oct. 21, 1980, 94 Stat. 2307; Pub. L. 102-285, §10(b), May 18, 1992, 106 Stat. 172.)

REFERENCES IN TEXT

The National Science and Technology Policy, Organization, and Priorities Act of 1976, referred to in subsec. (b), is Pub. L. 94-282, May 11, 1976, 90 Stat. 459, as amended, 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.

The Defense Production Act of 1950, referred to in subsec. (d), is act Sept. 8, 1950, ch. 932, 64 Stat. 798, as amended, which is classified to section 2061 et seq. of Title 50, Appendix, War and National Defense. For complete classification of this Act to the Code, see section 2061 of Title 50, Appendix, and Tables.

The Strategic and Critical Materials Stock Piling Act, referred to in subsec. (d), is act June 7, 1939, ch. 190, as revised generally by Pub. L. 96-41, §2, July 30, 1979, 93 Stat. 319, which is classified generally to subchapter III (§98 et seq.) of chapter 5 of Title 50. For complete classification of this Act to the Code, see section 98 of Title 50 and Tables.

CHANGE OF NAME

“United States Bureau of Mines” substituted for “Bureau of Mines” in subsec. (e)(1), (2) pursuant to section 10(b) of Pub. L. 102-285, set out as a note under section 1 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1603 of this title.

§ 1605. Applicability to other statutory national mining and minerals policies

Nothing in this chapter shall be interpreted as changing in any manner or degree the provisions of and requirements of section 21a of this title. For the purposes of achieving the objectives set forth in section 1602 of this title, the Congress declares that the President shall direct (1) the Secretary of the Interior to act immediately within the Department’s statutory authority to attain the goals contained in section 21a of this title and (2) the Executive Office of the President to act immediately to promote the goals contained in section 21a of this title among the various departments and agencies.

(Pub. L. 96-479, §6, Oct. 21, 1980, 94 Stat. 2309.)

CHAPTER 29—OIL AND GAS ROYALTY MANAGEMENT

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| Sec. | |
| 1701. | Congressional statement of findings and purposes. |
| 1702. | Definitions. |
| | SUBCHAPTER I—FEDERAL ROYALTY MANAGEMENT AND ENFORCEMENT |
| 1711. | Duties of Secretary. <ol style="list-style-type: none"> (a) Establishment of inspection, collection, and accounting and auditing system. (b) Annual inspection of lease sites; training. (c) Audit and reconciliation of lease accounts; contracts with certified public accountants; availability of books, accounts, records, etc., necessary for audit. |
| 1712. | Duties of lessees, operators, and motor vehicle transporters. <ol style="list-style-type: none"> (a) Liability for royalty payments. (b) Development of and compliance with site security plan and minimum site security measures by operators; notification to Secretary of well production. (c) Possession of documentation by transporters of oil or gas by motor vehicle or pipeline. |
| 1713. | Required recordkeeping. <ol style="list-style-type: none"> (a) Maintenance and availability of records, reports, and information for inspection and duplication. (b) Length of time maintenance required. |
| 1714. | Deposit of royalty funds to Indian accounts. |
| 1715. | Explanation of payments. <ol style="list-style-type: none"> (a) Description, period, source, etc., of payments to States or Indians. (b) Effective date. |
| 1716. | Liabilities and bonding. |
| 1717. | Hearings and investigations. <ol style="list-style-type: none"> (a) Authorization; affidavits, oaths, subpoenas, testimony, and payment of witnesses. (b) Refusal to obey subpoena. |
| 1718. | Inspections. <ol style="list-style-type: none"> (a) Motor vehicles on lease sites; vehicles not on lease site. |