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To require the Secretary of the Interior to conduct an assessment of the capability of the Nation to meet our current and future demands for the minerals critical to United States manufacturing competitiveness and economic and national security in a time of expanding resource nationalism, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

May 26, 2011

Mr. LAMBORN (for himself, Mr. HASTINGS of Washington, Mr. GOHMERT, Mr. BISHOP of Utah, Mr. FLEMING, Mr. MCCLINTOCK, Mr. THOMPSON of Pennsylvania, Mr. RIVERA, Mr. GOSAR, Mr. TIPTON, Mr. HARRIS, Mr. FLEISCHMANN, Mr. BENISHEK, Mr. JOHNSON of Ohio, Mr. BOREN, Mr. SIMPSON, Mr. GALLEGLY, Mrs. LUMMIS, Mrs. MCMORRIS RODGERS, Mr. MATHESON, Mr. YOUNG of Alaska, and Mr. DUNCAN of Tennessee) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To require the Secretary of the Interior to conduct an assessment of the capability of the Nation to meet our current and future demands for the minerals critical to United States manufacturing competitiveness and economic and national security in a time of expanding resource nationalism, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'National Strategic and Critical Minerals Policy Act of 2011'.

SEC. 2. FINDINGS.

Congress finds that--

(1) the availability of minerals and metals is essential for economic growth, national security, technological innovation, and the manufacturing supply chain;

(2) the exploration, production, processing, use, and recycling of minerals contribute significantly to the economic well-being, security, and general welfare of the Nation;

(3) the industrialization of China and India has driven demand for nonfuel mineral commodities, sparking a period of resource nationalism exemplified by China's reduction and stoppage of exports of rare-earth mineral elements necessary for telecommunications, military technologies, medical devices, and renewable energy technologies;

(4) the United States has vast mineral resources but is becoming increasingly dependent upon foreign sources;

(5) 25 years ago the United States was dependent on foreign sources for 30 nonfuel mineral materials, 6 of which were entirely imported to meet the Nation's requirements and another 16 of which were imported to meet more than 60 percent of the Nation's needs;

(6) by 2010, United States import dependence for nonfuel mineral materials more than doubled from 30 to 67 commodities, 18 commodities were imported entirely to meet the Nation's requirements, and another 25 commodities required imports of more than 50 percent;

(7) it is essential to the national interest to ensure an expanding and competitive manufacturing industry built upon a healthy mining and minerals industry;

(8) attracting investment necessary to maintain a competitive and growing mining industry requires a fair, predictable, and efficient regulatory framework;

(9) the United States lacks a coherent national policy to assure the availability of minerals essential to manufacturing, national economic well-being and security, and global economic competitiveness; and

(10) the Nation's ability to compete and innovate requires proper planning and preparation today to meet tomorrow's mineral needs.

SEC. 3. CONGRESSIONAL DECLARATION OF POLICY.

(a) In General- It is the continuing policy of the United States to promote an adequate and stable supply of minerals to maintain our Nation's economic well-being, security, and manufacturing, industrial, energy, and technological capabilities.

(b) Policy Goals- Implementation of the policy set forth in subsection (a) requires that the Federal Government coordinate the Federal departments and agencies responsible for ensuring that supply, to--

(1) facilitate the availability, development, and production of domestic mineral resources to meet national needs, including the demands of the Nation's manufacturing industry;

(2) promote and encourage the development of economically sound and stable domestic mining, minerals, metals, and processing industries;

(3) establish an assessment capability for identifying the mineral demands, supply, and needs of our Nation; and

(4) minimize duplication, needless paperwork, and delays in the administration of Federal and State laws and regulations, and issuance of permits and authorizations necessary to explore, develop, and

produce minerals and construct and operate mineral-related facilities.

SEC. 4. SECRETARY OF THE INTERIOR REPORT ON ACCESS AND AUTHORIZATIONS FOR MINERAL DEVELOPMENT.

(a) In General- Not later than 180 days after the date of enactment of this Act, the Secretary of the Interior, through the Bureau of Land Management and the United States Geological Survey, and in consultation with the Secretary of Agriculture (through the Forest Service Mineral and Geology Management Division), the Secretary of Defense, the Secretary of Commerce, and the heads of other appropriate Federal agencies, shall prepare, submit to Congress, and make available to the public a report that includes--

(1) an assessment of the non-fossil-fuel mineral potential of lands under the jurisdiction of the Bureau of Land Management and the Forest Service and an identification of all such lands that have been withdrawn, segregated, or otherwise restricted from mineral exploration and development;

(2) an assessment of--

(A) the mineral requirements to meet current and emerging national security, economic, industrial manufacturing, technological, and social needs;

(B) the Nation's reliance on foreign sources to meet those needs; and

(C) the implications of mineral supply shortages or disruptions;

(3) a detailed description of the time required to process mineral applications, operating plans, leases, licenses, permits, and other use authorizations for mineral-related activities on lands under the jurisdiction of the Bureau of Land Management and the Forest Service, and identification of measures that would streamline the processing of such applications, such as elimination of overlapping requirements or set deadlines;

(4) an itemized list of all use authorizations referred to in paragraph (3) for which applications are pending before the Bureau of Land Management and the Forest Service, and the length of time each of those applications has been pending;

(5) an assessment of the impact of litigation on processing or issuing mineral exploration and mine permits, identification of the statutes the litigation was brought under, and the cost to the agency or the Federal Government, including for payments of attorney fees;

(6) an update of the 2009 Economic Impact of the Department of the Interior's Programs and Activities report to include locatable minerals; and

(7) an assessment of the Federal workforce with educational degrees and expertise in economic geology, geochemistry, mining, industrial minerals, metallurgy, metallurgical engineering, and mining engineering, including--

(A) retirement eligibility and agency plans for retention, recruitment, and succession planning;

(B) comparison of the existing Federal salaries and recruitment and retention bonuses with the salaries, recruitment incentives, and retention packages normally offered in the mineral industry; and

(C) examination of the differences between Federal and private financial packages for early-, mid-, and late-career workers.

(b) Progress Reports- Not later than one year after the date of enactment of this Act, and each year thereafter for the following two years, the Secretary of the Interior shall submit to Congress and make available to the public a report that describes the progress made in reaching the policy goals described in section 3(b), including--

(1) efforts to increase access to domestic supplies of minerals, and facilitation of their production; and

(2) implementation of recommendations contained in--

(A) the National Research Council reports--

(i) Minerals, Critical Minerals, and the U.S. Economy; and

(ii) Managing Minerals for a Twenty-First Century Military; and

(B) the current workforce study authorized in sections 385 and 1830 of the Energy Policy Act of 2005 (119 Stat. 744, 1137).

SEC. 5. AUTHORIZATION OF FUNDS.

There is authorized to be appropriated to the Secretary of the Interior to carry out this Act \$1,000,000 for fiscal years 2012 and 2013.

SEC. 6. APPLICABILITY OF OTHER STATUTORY MINING POLICIES.

Nothing in this Act shall be construed as affecting any provision of or requirement under the Mining and Minerals Policy Act of 1970 (30 U.S.C. 21a).

END