

tutes Act, see section 11 of Pub. L. 98-409, as amended, set out as a note under section 1201 of this title.

### § 1222. Research funds to institutes

#### (a) Authorization of appropriations

There is authorized to be appropriated to the Secretary not more than \$15,000,000 for each of the fiscal years ending September 30, 1990, through September 30, 1994, which shall remain available until expended. Such funds when appropriated shall be made available to an institute or to institutes participating in a generic mineral technology center to meet the necessary expenses for purposes of—

(1) specific mineral research and demonstration projects of broad application, which could not otherwise be undertaken, including the expenses of planning and coordinating regional mining and mineral resources research projects by two or more institutes; and

(2) research into any aspects of mining and mineral resources problems related to the mission of the Department of the Interior, which are deemed by the Committee to be desirable and are not otherwise being studied.

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.

#### (b) Application for funds; contents

Each application for funds under subsection (a) of this section shall state, among other things, the nature of the project to be undertaken; the period during which it will be pursued; the qualifications of the personnel who will direct and conduct it; the estimated costs; the importance of the project to the Nation, region, or State concerned; its relation to other known research projects theretofore pursued or being pursued; the extent to which the proposed project will provide opportunity for the training of mining and mineral engineers and scientists; and the extent of participation by nongovernmental sources in the project.

#### (c) Research facilities; selection of institutes; designation of funds for scholarships and fellowships

The Committee shall review all such funding applications and recommend to the Secretary the use of the institutes, insofar as practicable, to perform special research. Recommendations shall be made without regard to the race, religion, or sex of the personnel who will conduct and direct the research, and on the basis of the facilities available in relation to the particular needs of the research project; special geographic, geologic, or climatic conditions within the immediate vicinity of the institute; any

other special requirements of the research project; and the extent to which such project will provide an opportunity for training individuals as mineral engineers and scientists. The Committee shall recommend to the Secretary the designation and utilization of such portions of the funds authorized to be appropriated by this section as it deems appropriate for the purpose of providing scholarships, graduate fellowships, and postdoctoral fellowships.

#### (d) Requirements for receipt of funds

No funds shall be made available under subsection (a) of this section except for a project approved by the Secretary and all funds shall be 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.)

### Editorial Notes

#### 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 fis-