

112TH CONGRESS  
1ST SESSION

# H. R. 2184

To establish the Rare Earth Policy Task Force, to direct the Secretary of the Interior to develop a plan to ensure the long-term supply of rare earth materials, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 2011

Mr. COFFMAN of Colorado introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To establish the Rare Earth Policy Task Force, to direct the Secretary of the Interior to develop a plan to ensure the long-term supply of rare earth materials, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Rare Earth Policy  
5 Task Force and Materials Act”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1           (1) Significant quantities of rare earths are  
2           used in the production of clean energy technologies,  
3           including advanced automotive propulsion batteries,  
4           electric motors, high-efficiency light bulbs, solar pan-  
5           els, and wind turbines. These technologies are used  
6           to advance the United States energy policy of reduc-  
7           ing dependence on foreign oil and decreasing green-  
8           house gas emissions through expansion of cleaner  
9           sources of energy.

10           (2) Many modern defense technologies such as  
11           radar and sonar systems, precision-guided weapons,  
12           cruise missiles, and lasers cannot be built, as de-  
13           signed and specified, without the use of rare earths  
14           and materials produced from them.

15           (3) Rare earths also provide core functionality  
16           to a variety of high technology applications in com-  
17           puting, pollution abatement, power generation, water  
18           treatment, oil refining, metal alloying, communica-  
19           tions, health care, agriculture, and other sectors.

20           (4) Though at least 40 percent of the world's  
21           rare earth reserves are located within the United  
22           States and its ally nations, our country now depends  
23           upon imports for nearly 100 percent of its rare earth  
24           needs.

1 **SEC. 3. ACTIONS TO PROMOTE RARE EARTH DEVELOP-**  
2 **MENT.**

3 (a) IN GENERAL.—

4 (1) ESTABLISHMENT.—There is established  
5 within the Department of the Interior a task force  
6 to be known as the “Rare Earth Policy Task Force”  
7 (referred to in this section as the “Task Force”),  
8 which shall report to the President through the Sec-  
9 retary of the Interior.

10 (2) COMPOSITION.—The Task Force shall be  
11 composed of the following:

12 (A) The Secretary of the Interior (or a  
13 designee of such Secretary), who shall serve as  
14 chair of the Task Force.

15 (B) The Secretary of Energy (or a des-  
16 ignee of such Secretary).

17 (C) The Secretary of Agriculture (or a des-  
18 ignee of such Secretary).

19 (D) The Secretary of Defense (or a des-  
20 ignee of such Secretary).

21 (E) The Secretary of Commerce (or a des-  
22 ignee of such Secretary).

23 (F) The Secretary of State (or a designee  
24 of such Secretary).

1                   (G) The Director of the Office of Manage-  
2                   ment and Budget (or a designee of the Direc-  
3                   tor).

4                   (H) The Chairman of the Council on Envi-  
5                   ronmental Quality (or a designee of the Chair-  
6                   man).

7                   (I) Such other members as the Secretary  
8                   of the Interior considers appropriate.

9           (b) DUTIES.—The Task Force shall assist Federal  
10 agencies in reviewing laws (including regulations) and  
11 policies that discourage investment in, exploration for, and  
12 development of domestic rare earths pursuant to Federal  
13 Land Policy and Management Act of 1976, the Act of  
14 June 4, 1897, the National Forest Management Act of  
15 1976, and any other applicable statutory authorities re-  
16 lated to domestic mining operations.

17           (c) ANNUAL REPORTS.—At least once each year, the  
18 Task Force shall submit to the President, the Committee  
19 on Energy and Natural Resources of the Senate, the Com-  
20 mittee on Energy and Commerce of the House of Rep-  
21 resentatives, and the Committee on Natural Resources of  
22 the House of Representatives a report that identifies the  
23 substantive and procedural requirements of Federal,  
24 State, tribal, and local laws (including regulations) and  
25 Executive orders that are inconsistent with, duplicative of,

1 or structured so as to restrict effective implementation of  
2 projects that will increase investment in, exploration for,  
3 and development of domestic rare earths.

4 (d) TERMINATION.—The Task Force shall terminate  
5 10 years after the date of the enactment of this Act.

6 **SEC. 4. RARE EARTH MATERIALS PROGRAM PLAN.**

7 (a) PLAN.—

8 (1) IN GENERAL.—Within 180 days after the  
9 date of enactment of this Act and biennially there-  
10 after, the Secretary of the Interior shall prepare and  
11 submit to the appropriate congressional committees  
12 a plan for research, development, demonstration,  
13 and commercial application to ensure the long-term,  
14 secure, and sustainable supply of rare earth mate-  
15 rials sufficient to satisfy the national security, eco-  
16 nomic well-being, and industrial production needs of  
17 the United States.

18 (2) SPECIFIC REQUIREMENTS.—The plan shall  
19 include a description of—

20 (A) the research and development activities  
21 to be carried out under the plan during the sub-  
22 sequent 2 years;

23 (B) the expected contributions of those ac-  
24 tivities to the creation of innovative methods  
25 and technologies for the efficient and sustain-

1           able provision of rare earth materials to the do-  
2           mestic economy; and

3                   (C) how the plan will promote the broadest  
4           possible participation in those activities by aca-  
5           demic, industrial, and other contributors.

6           (3) CONSULTATION.—In preparing each plan  
7           under paragraph (1), the Secretary of the Interior  
8           shall consult with appropriate representatives of in-  
9           dustry, institutions of higher education, Department  
10          of Energy national laboratories, professional and  
11          technical societies, and other entities, as determined  
12          by the Secretary.

13          (b) ACTIVITIES.—The plan shall support activities  
14          to—

15                   (1) better characterize and quantify virgin  
16          stocks of rare earth materials using theoretical geo-  
17          chemical research;

18                   (2) explore, discover, and recover rare earth  
19          materials using advanced science and technology;

20                   (3) improve methods for the extraction, proc-  
21          essing, use, recovery, and recycling of rare earth ma-  
22          terials;

23                   (4) improve the understanding of the perform-  
24          ance, processing, and adaptability in engineering de-  
25          signs of rare earth materials;

1           (5) identify and test alternative materials that  
2           can be substituted for rare earth materials in par-  
3           ticular applications;

4           (6) engineer and test applications that—

5                   (A) use recycled rare earth materials;

6                   (B) use alternative materials; or

7                   (C) seek to minimize rare earth materials  
8           content;

9           (7) collect, catalogue, archive, and disseminate  
10          information on rare earth materials, including sci-  
11          entific and technical data generated by the research  
12          and development activities supported under the plan,  
13          and assist scientists and engineers in making the  
14          fullest possible use of the data holdings; and

15          (8) facilitate information sharing and collabora-  
16          tion among program participants and stakeholders.

17          (c) IMPROVED PROCESSES AND TECHNOLOGIES.—To  
18          the maximum extent practicable, the Secretary of the Inte-  
19          rior shall support new or significantly improved processes  
20          and technologies as compared to those currently in use  
21          in the rare earth materials industry.

22          (d) EXPANDING PARTICIPATION.—The Secretary of  
23          the Interior shall encourage—

24                  (1) multidisciplinary collaborations among par-  
25          ticipants in activities under the plan; and

1           (2) extensive opportunities for students at insti-  
2           tutions of higher education, including institutions  
3           listed under section 371(a) of the Higher Education  
4           Act of 1965 (20 U.S.C. 1067q(a)).

5           (e) CONSISTENCY.—The plan shall be consistent with  
6           the policies and programs in the National Materials and  
7           Minerals Policy, Research and Development Act of 1980  
8           (30 U.S.C. 1601 et seq.).

9           (f) INTERNATIONAL COLLABORATION.—In carrying  
10          out activities under the plan, the Secretary of the Interior  
11          may collaborate, to the extent practicable, on activities of  
12          mutual interest with the relevant agencies of foreign coun-  
13          tries with interests relating to rare earth materials.

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