



Billing Code 3510-33

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

[Docket No. 200828-0228]

XRIN: 0694-XC066

National Defense Stockpile Market Impact Committee Request for Public Comments on the Potential Market Impact of the Proposed Fiscal Year 2022 Annual Materials Plan

AGENCY: Bureau of Industry and Security, Commerce.

ACTION: Notice of inquiry; request for comments.

SUMMARY: The purpose of this notice is to request public comments on the potential market impact of the proposed Fiscal Year 2022 National Defense Stockpile Annual Materials Plan (AMP). Changes to the AMP are discussed and decided by the National Defense Stockpile Market Impact Committee, co-chaired by the Departments of Commerce and State. The role of the Market Impact Committee is to advise the National Defense Stockpile Manager on the projected domestic and foreign economic effects of all acquisitions, conversions, and disposals involving the stockpile and related material research and development projects. Public comments are an important element of the Committee's market impact review process.

DATES: To be considered, written comments must be received by **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

ADDRESSES: Address all comments concerning this notice to Eric Longnecker, U.S. Department of Commerce, Bureau of Industry and Security, Office of Strategic Industries and Economic Security, 1401 Constitution Avenue NW, Room 3876, Washington, DC 20230, (Attn: Eric Longnecker), e-mail: MIC@bis.doc.gov ; and Matthew McManus, Deputy Director,

Office of Policy Analysis and Public Diplomacy, U.S. Department of State, Bureau of Energy Resources, 2201 C Street NW, Washington, DC 20520 (Attn: Matthew McManus), e-mail: McManusMT@state.gov .

FOR FURTHER INFORMATION CONTACT: Liam McMEnamin, Office of Strategic Industries and Economic Security, Bureau of Industry and Security, U.S. Department of Commerce, telephone: (202) 482-2233, (Attn: Liam McMEnamin), e-mail: MIC@bis.doc.gov .

SUPPLEMENTARY INFORMATION:

Background

Under the authority of the Strategic and Critical Materials Stock Piling Revision Act of 1979, as amended (the Stock Piling Act) (50 U.S.C. 98 *et seq.*), the Department of Defense's Defense Logistics Agency (DLA), as National Defense Stockpile Manager, maintains a stockpile of strategic and critical materials to supply the military, industrial, and essential civilian needs of the United States for national defense. Section 9(b)(2)(G)(ii) of the Stock Piling Act (50 U.S.C. 98h(b)(2)(H)(ii)) authorizes the National Defense Stockpile Manager to fund material research and development projects to develop new materials for the stockpile.

Section 3314 of the National Defense Authorization Act for Fiscal Year 1993 (FY 1993 NDAA) (50 U.S.C. 98h-1) formally established a Market Impact Committee (the Committee) to "advise the National Defense Stockpile Manager on the projected domestic and foreign economic effects of all acquisitions and disposals of materials from the stockpile...." The Committee must also balance market impact concerns with the statutory requirement to protect the U.S. Government against avoidable loss.

The Committee is comprised of representatives from the Departments of Commerce, State, Agriculture, Defense, Energy, Interior, the Treasury, and Homeland Security, and is co-

chaired by the Departments of Commerce and State. The FY 1993 NDAA directs the Committee to consult with industry representatives that produce, process, or consume the materials stored in or of interest to the National Defense Stockpile Manager.

As the National Defense Stockpile Manager, the DLA must produce an Annual Materials Plan (AMP) proposing the maximum quantity of each listed material that may be acquired, disposed of, upgraded, converted, recovered, or sold by the DLA in a particular fiscal year. In Attachment 1, the DLA lists the quantities and types of activity (potential disposals, potential acquisitions, potential conversions (upgrade, rotation, reprocessing, etc.) or potential recovery from government sources) associated with each material in its proposed FY 2022 AMP. The quantities listed in Attachment 1 are not acquisition, disposal, upgrade, conversion, recovery, reprocessing, or sales target quantities, but rather a statement of the proposed maximum quantity of each listed material that may be acquired, disposed of, upgraded, converted, recovered, or sold in a particular fiscal year by the DLA, as noted. The quantity of each material that will actually be acquired or offered for sale will depend on the market for the material at the time of the acquisition or offering, as well as on the quantity of each material approved for acquisition, disposal, conversion (upgrade, rotation, reprocessing, etc.), or recovery by Congress.

The Committee is seeking public comments on the potential market impact associated with the proposed FY 2022 AMP as enumerated in Attachment 1. Public comments are an important element of the Committee's market impact review process.

Submission of Comments

The Committee requests that interested parties provide written comments, supporting data and documentation, and any other relevant information on the potential market impact of the quantities associated with the proposed FY 2022 AMP. All comments must be submitted to the

addresses indicated in this notice. All comments submitted through e-mail must include the phrase “Market Impact Committee Notice of Inquiry” in the subject line.

The Committee encourages interested persons who wish to comment to do so at the earliest possible time. The period for submission of comments will close on **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**. The Committee will consider all comments received before the close of the comment period. Comments received after the end of the comment period will be considered, if possible, but their consideration cannot be assured.

All comments submitted in response to this notice will be made a matter of public record and will be available for public inspection and copying. Anyone submitting business confidential information should clearly identify the business confidential portion of the submission and also provide a non-confidential submission that can be placed in the public record. The Committee will seek to protect such information to the extent permitted by law.

The Office of Administration, Bureau of Industry and Security, U.S. Department of Commerce, displays public comments on the BIS Freedom of Information Act (FOIA) website at <https://efoia.bis.doc.gov/>. This office does not maintain a separate public inspection facility. If you have technical difficulties accessing this website, please call BIS's Office of Administration at (202) 482-1900 for assistance.

Matthew S. Borman,

Deputy Assistant Secretary for Export Administration.

Attachment 1

PROPOSED FISCAL YEAR 2022 ANNUAL MATERIALS PLAN

Potential Disposals

Material	Unit	Quantity	Footnote
Beryllium Metal	ST	8	
Chromium, Ferro	ST	24,000	
Chromium, Metal	ST	500	
Germanium	kg	5,000	
Manganese, Ferro	ST	50,000	
Manganese, Metallurgical Grade	SDT	322,025	
Aerospace Alloys	Lbs	1,500,000	
Platinum	Tr Oz	8,380	
PGM – Iridium	Tr Oz	489	
Quartz Crystals	Lbs	15,759	
Tantalum	Lbs	190	
Tantalum Carbide Powder	Lbs Ta	3,777	
Tin	MT	4,000	
Titanium Based Alloys	Lbs	600,000	
Tungsten Metal Powder	Lbs W	275,741	
Tungsten Ores and Concentrates	Lbs W	3,000,000	
Zinc	ST	7,993	

Potential Acquisitions

Material	Unit	Quantity
Antimony	MT	1,100

Carbon Fibers (Pitch Based)	Lbs	5,000
Cerium	MT	550
Dysprosium	MT	20
Electrolytic Manganese Metal	MT	5,000
Electrical Steel, Grain Oriented	MT	3,200
Graphite, Iso Molded	MT	900
Lanthanum	MT	1,300
Neodymium	MT	600
Praseodymium	MT	70
Rare Earth Magnet Block	MT	100
Rayon	MT	600
Samarium Cobalt Alloy	MT	50
Tire Cord	MT	2,000
Titanium	MT	1,500
TNT/HMX/RDX	Lbs	2,000,000
Yttrium	MT	25

Potential Conversions (Upgrade, rotation, reprocessing, etc.)

Beryllium Metal	ST	8
CZT (Cadmium Zinc Tellurium substrates)	EA	5
Carbon Fibers (Pan Based)	Lbs	5,000
Europium	MT	35
Germanium	kg	5,000
Iridium Catalyst	Lbs	200

Lithium Ion Materials	MT	25
Rare Earths Elements	MT	12
Silicon Carbide Fibers	Lbs	875
Triamino Trinitrobenzene (TATB)	Lbs	48,000

Potential Recovery from Government sources

Boron Carbide	MT	150	
E-Waste	MT	50	1/
Germanium	kg	5,000	
Iridium Catalyst	Lbs	200	
Battery Materials	MT	50	
Magnesium Metal	MT	25	
Aerospace Alloys	Lbs	1,500,000	
Tantalum	MT	10	
Yttrium Aluminum Garnet Rods	kg	250	

Footnote Key:

1/ Strategic and Critical Materials collected from E-Waste (Strategic Materials collected from electronics waste)