



Bureau of Industry and Security

[Docket No. 210823-0167]

RIN: 0694-XC082

National Defense Stockpile Market Impact Committee Request for Public Comments on the Potential Market Impact of the Proposed Fiscal Year 2023 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 2023 National Defense Stockpile Annual Materials Plan (AMP). Potential 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 this 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 National Defense 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, 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, e-mail: McManusMT@state.gov.

FOR FURTHER INFORMATION CONTACT: Marina Youssef, Office of Strategic Industries and Economic Security, Bureau of Industry and Security, U.S. Department of Commerce, telephone: (202) 655-1136, (Attn: Marina Youssef), 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. See 50 U.S.C. 98e (b)(2).

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 types

of materials stored in the stockpile.

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 to this notice, 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 2023 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. 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 by Congress for acquisition, disposal, conversion, or recovery.

The Committee is seeking public comments on the potential market impact associated with the proposed FY 2023 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 2023 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 comment period closes 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. Any person 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 2023 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	167,000	1/
Aerospace Alloys	Lbs	1,500,000	
Platinum	Tr Oz	8,380	1/
PGM – Iridium	Tr Oz	489	1/
Quartz Crystals	Lbs	15,759	1/
Tantalum	Lbs	190	1/
Tin	MT	688	
Titanium Based Alloys	Lbs	600,000	
Tungsten Ores and Concentrates	Lbs W	2,500,000	
Zinc	ST	2,500	

Potential Acquisitions

Material	Unit	Quantity
Antimony	MT	1,100
Carbon Fibers (Pitch Based)	Lbs	5,000
Cerium	MT	550
Electrolytic Manganese Metal	MT	5,000
Lanthanum	MT	1,300

Neodymium	MT	600
Praseodymium	MT	70
Rare Earth Magnet Block	MT	100
Rayon	MT	600
Titanium	MT	1,500
TNT/HMX/RDX	Lbs	4,000,000

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

Beryllium Metal	ST	8
CZT (Cadmium Zinc Tellurium substrates)	EA	5
Carbon Fibers	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

Aerospace Alloys	Lbs	1,500,000	
Battery Materials	MT	50	
Boron Carbide	MT	150	
Cobalt	Lbs	25,000	
E-Waste	MT	100	2/
Germanium	kg	5,000	
Iridium Catalyst	Lbs	200	
Magnesium Metal	MT	25	

Rare Earths	Lbs	20,000
Tantalum	MT	10
Yttrium Aluminum Garnet Rods	kg	250

Footnote Key:

1/ Actual quantity will be limited to remaining inventory.

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

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