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 hancement of export potential of ocean  
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 cilities, and plantships.

**§ 9101. Congressional declaration of policy**

(a) It is declared to be the purposes of the Con-  
 gress in this chapter to—

(1) authorize and regulate the construction,  
 location, ownership, and operation of ocean  
 thermal energy conversion facilities con-  
 nected to the United States by pipeline or  
 cable, or located in whole or in part between  
 the highwater mark and the seaward boundary  
 of the territorial sea of the United States con-  
 sistent with the Convention on the High Seas,  
 and general principles of international law;

(2) authorize and regulate the construction,  
 location, ownership, and operation of ocean  
 thermal energy conversion plantships docu-  
 mented under the laws of the United States,  
 consistent with the Convention on the High  
 Seas and general principles of international  
 law;

(3) authorize and regulate the construction,  
 location, ownership, and operation of ocean  
 thermal energy conversion plantships by  
 United States citizens, consistent with the  
 Convention on the High Seas and general prin-  
 ciples of international law;

(4) establish a legal regime which will per-  
 mit and encourage the development of ocean  
 thermal energy conversion as a commercial  
 energy technology;

(5) provide for the protection of the marine  
 and coastal environment, and consideration of  
 the interests of ocean users, to prevent or min-  
 imize any adverse impact which might occur  
 as a consequence of the development of such  
 ocean thermal energy conversion facilities or  
 plantships;

(6) make applicable certain provisions of the  
 Merchant Marine Act, 1936 (46 U.S.C. 1177 et  
 seq.)<sup>1</sup> to assist in financing of ocean thermal  
 energy conversion facilities and plantships;

(7) protect the interests of the United States  
 in the location, construction, and operation of  
 ocean thermal energy conversion facilities and  
 plantships; and

(8) protect the rights and responsibilities of  
 adjacent coastal States in ensuring that Fed-  
 eral actions are consistent with approved  
 State coastal zone management programs and  
 other applicable State and local laws.

(b) The Congress declares that nothing in this  
 chapter shall be construed to affect the legal  
 status of the high seas, the superjacent airspace,  
 or the seabed and subsoil, including the Con-  
 tinental Shelf.

(Pub. L. 96-320, §2, Aug. 3, 1980, 94 Stat. 974; Pub.  
 L. 98-623, title VI, §602(a)(1), Nov. 8, 1984, 98 Stat.  
 3410.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original  
 “this Act”, meaning Pub. L. 96-320, Aug. 3, 1980, 94 Stat.  
 974, known as the Ocean Thermal Energy Conversion  
 Act of 1980, which is classified principally to this chap-  
 ter. For complete classification of this Act to the Code,  
 see Short Title note set out below and Tables.

The Merchant Marine Act, 1936, referred to in subsec.  
 (a)(6), is act June 29, 1936, ch. 858, 49 Stat. 1985, which  
 was classified principally to chapter 27 (§1101 et seq.) of  
 the former Appendix to Title 46, Shipping. Most of this  
 Act was repealed and restated mainly as subtitle V of  
 Title 46, Shipping, by Pub. L. 109-304, §§8, 19, Oct. 6,  
 2006, 120 Stat. 1555, 1710. For complete classification of  
 this Act to the Code, see Tables. For disposition of sec-  
 tions of the former Appendix to Title 46, see Disposi-  
 tion Table preceding section 101 of Title 46.

AMENDMENTS

1984—Subsec. (a)(1). Pub. L. 98-623 substituted “lo-  
 cated in whole or in part between the highwater mark  
 and the seaward boundary of the territorial sea” for  
 “located in the territorial sea”.

SHORT TITLE

Section 1 of Pub. L. 96-320 provided: “That this Act  
 [enacting this chapter and section 1279c of Title 46, Ap-  
 pendix, Shipping, amending sections 1271, 1273, and 1274  
 of Title 46, Appendix, and enacting provisions set out as  
 a note under section 1273 of Title 46, Appendix] may be  
 cited as the ‘Ocean Thermal Energy Conversion Act of  
 1980.’”

TERRITORIAL SEA OF UNITED STATES

For extension of territorial sea of United States, see  
 Proc. No. 5928, set out as a note under section 1331 of  
 Title 43, Public Lands.

**§ 9102. Definitions**

As used in this chapter, unless the context  
 otherwise requires, the term—

(1) “adjacent coastal State” means any  
 coastal State which is required to be desig-  
 nated as such by section 9115(a)(1) of this  
 title or is designated as such by the Adminis-  
 trator in accordance with section 9115(a)(2) of  
 this title;

(2) “Administrator” means the Adminis-  
 trator of the National Oceanic and Atmos-  
 pheric Administration;

(3) “antitrust laws” includes the Act of July  
 2, 1890, as amended [15 U.S.C. 1 et seq.], the Act  
 of October 15, 1914, as amended [15 U.S.C. 12 et  
 seq.], and sections 73 and 74 of the Act of Au-  
 gust 27, 1894, as amended [15 U.S.C. 8 and 9];

(4) “application” means any application sub-  
 mitted under this chapter (A) for issuance of a  
 license for the ownership, construction, and  
 operation of an ocean thermal energy conver-

<sup>1</sup> See References in Text note below.