

maximize the recovery of available coal resources, including the improvement of present underground mining methods, methods for the return of underground mining wastes to the mine void, methods for the underground mining of thick coal seams and very deep seams; and

(2) safety and health in the application of such technologies, methods, and means.

(b) Contracts and grants

In conducting the activities authorized by this section, the Secretary of the Interior may enter into contracts with and make grants to qualified institutions, agencies, organizations, and persons.

(c) Authorization of appropriations

There are authorized to be appropriated to the Secretary of the Interior, to carry out the purposes of this section, \$35,000,000 for each fiscal year beginning with the fiscal year 1979, and for each year thereafter for the next four years.

(d) Publication in Federal Register; report to Congress

At least sixty days before any funds are obligated for any research studies, surveys, experiments or demonstration projects to be conducted or financed under this chapter in any fiscal year, the Secretary of the Interior in consultation with the heads of other Federal agencies having the authority to conduct or finance such projects, shall determine and publish such determinations in the Federal Register that such projects are not being conducted or financed by any other Federal agency. On December 31 of each calendar year, the Secretary shall report to the Congress on the research studies, surveys, experiments or demonstration projects, conducted or financed under this chapter, including, but not limited to, a statement of the nature and purpose of each project, the Federal cost thereof, the identity and affiliation of the persons engaged in such projects, the expected completion date of the projects and the relationship of the projects to other such projects of a similar nature.

(e) Availability of information to public

Subject to the patent provisions of section 306(d) of this Act,¹ all information and data resulting from any research studies, surveys, experiments, or demonstration projects conducted or financed under this chapter shall be promptly made available to the public.

(Pub. L. 95-87, title IX, §908, Aug. 3, 1977, 91 Stat. 531; Pub. L. 95-91, title III, §301(a), title VII, §§703, 707, Aug. 4, 1977, 91 Stat. 577, 606, 607; Pub. L. 97-257, title I, §100, Sept. 10, 1982, 96 Stat. 841.)

Editorial Notes

REFERENCES IN TEXT

Section 306(d) of this Act, referred to in subsec. (e), was classified to section 1226(d) of this title and was omitted from the Code pursuant to the replacement of subchapter III (§1221 et seq.) of this chapter by Pub. L. 98-409. See section 1226(c) of this title.

¹ See References in Text note below.

Statutory Notes and Related Subsidiaries

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in subsec. (d) of this section relating to requirement that on December 31 of each calendar year, the Secretary report to Congress on research studies, surveys, experiments or demonstration projects, conducted or financed under this chapter, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 109 of House Document No. 103-7.

TRANSFER OF FUNCTIONS

“Secretary of the Interior” substituted for “Secretary of Energy” in subsecs. (a) to (d) pursuant to section 100 of Pub. L. 97-257, which is set out as a note under section 7152 of Title 42, The Public Health and Welfare, and which transferred to, and vested in, Secretary of the Interior all functions vested in, or delegated to, Secretary of Energy and Department of Energy under this section.

Previously, “Secretary of Energy” was substituted for “Administrator”, meaning Administrator of Energy Research and Development Administration, in subsecs. (a) to (d) pursuant to sections 301(a), 703, and 707 of Pub. L. 95-91, which are classified to sections 7151(a), 7293, 7297 of Title 42, and which terminated Energy Research and Development Administration and transferred its functions and functions of Administrator thereof (with certain exceptions) to Secretary of Energy.

CHAPTER 26—DEEP SEABED HARD MINERAL RESOURCES

- Sec. 1401. Congressional findings and declaration of purpose.
- 1402. International objectives.
- 1403. Definitions.

SUBCHAPTER I—REGULATION OF EXPLORATION AND COMMERCIAL RECOVERY BY UNITED STATES CITIZENS

- 1411. Prohibited activities by United States citizens.
- 1412. Licenses for exploration and permits for commercial recovery.
- 1413. License and permit applications, review, and certification.
- 1414. License and permit fees.
- 1415. License and permit terms, conditions, and restrictions; issuance and transfer of licenses and permits.
- 1416. Denial of certification of applications and of issuance, transfer, suspension, and revocation of licenses and permits; suspension and modification of activities.
- 1417. Duration of licenses and permits.
- 1418. Diligence requirements.
- 1419. Protection of the environment.
- 1420. Conservation of natural resources.
- 1421. Prevention of interference with other uses of the high seas.
- 1422. Safety of life and property at sea.
- 1423. Records, audits, and public disclosure.
- 1424. Monitoring of activities of licensees and permittees.
- 1425. Relinquishment, surrender, and transfer of licenses and permits.
- 1426. Public notice and hearings.
- 1427. Civil actions.
- 1428. Reciprocating states.

SUBCHAPTER II—TRANSITION TO INTERNATIONAL AGREEMENT

- 1441. Declaration of Congressional intent.
- 1442. Effect of international agreement.
- 1443. Protection of interim investments.

Sec.	
1444.	Disclaimer of obligation to pay compensation.
SUBCHAPTER III—ENFORCEMENT AND MISCELLANEOUS PROVISIONS	
1461.	Prohibited acts.
1462.	Civil penalties.
1463.	Criminal offenses.
1464.	Enforcement.
1465.	Liability of vessels.
1466.	Civil forfeitures.
1467.	Jurisdiction of courts.
1468.	Regulations.
1469.	Omitted.
1470.	Authorization of appropriations.
1471.	Severability.
1472.	Deep Seabed Revenue Sharing Trust Fund; establishment.
1473.	Revenue and customs or tariff treatment of deep seabed mining unaffected.

§ 1401. Congressional findings and declaration of purpose

(a) Findings

The Congress finds that—

(1) the United States' requirements for hard minerals to satisfy national industrial needs will continue to expand and the demand for such minerals will increasingly exceed the available domestic sources of supply;

(2) in the case of certain hard minerals, the United States is dependent upon foreign sources of supply and the acquisition of such minerals from foreign sources is a significant factor in the national balance-of-payments position;

(3) the present and future national interest of the United States requires the availability of hard mineral resources which is independent of the export policies of foreign nations;

(4) there is an alternate source of supply, which is significant in relation to national needs, of certain hard minerals, including nickel, copper, cobalt, and manganese, contained in the nodules existing in great abundance on the deep seabed;

(5) the nations of the world, including the United States, will benefit if the hard mineral resources of the deep seabed beyond limits of national jurisdiction can be developed and made available for their use;

(6) in particular, future access to the nickel, copper, cobalt, and manganese resources of the deep seabed will be important to the industrial needs of the nations of the world, both developed and developing;

(7) on December 17, 1970, the United States supported (by affirmative vote) the United Nations General Assembly Resolution 2749 (XXV) declaring inter alia the principle that the mineral resources of the deep seabed are the common heritage of mankind, with the expectation that this principle would be legally defined under the terms of a comprehensive international Law of the Sea Treaty yet to be agreed upon;

(8) it is in the national interest of the United States and other nations to encourage a widely acceptable Law of the Sea Treaty, which will provide a new legal order for the oceans covering a broad range of ocean interests, in-

cluding exploration for and commercial recovery of hard mineral resources of the deep seabed;

(9) the negotiations to conclude such a Treaty and establish the international regime governing the exercise of rights over, and exploration of, the resources of the deep seabed, referred to in General Assembly Resolution 2749 (XXV) are in progress but may not be concluded in the near future;

(10) even if such negotiations are completed promptly, much time will elapse before such an international regime is established and in operation;

(11) development of technology required for the exploration and recovery of hard mineral resources of the deep seabed will require substantial investment for many years before commercial production can occur, and must proceed at this time if deep seabed minerals are to be available when needed;

(12) it is the legal opinion of the United States that exploration for and commercial recovery of hard mineral resources of the deep seabed are freedoms of the high seas subject to a duty of reasonable regard to the interests of other states in their exercise of those and other freedoms recognized by general principles of international law;

(13) pending a Law of the Sea Treaty, and in the absence of agreement among states on applicable principles of international law, the uncertainty among potential investors as to the future legal regime is likely to discourage or prevent the investments necessary to develop deep seabed mining technology;

(14) pending a Law of the Sea Treaty, the protection of the marine environment from damage caused by exploration or recovery of hard mineral resources of the deep seabed depends upon the enactment of suitable interim national legislation;

(15) a Law of the Sea Treaty is likely to establish financial arrangements which obligate the United States or United States citizens to make payments to an international organization with respect to exploration or recovery of the hard mineral resources of the deep seabed; and

(16) legislation is required to establish an interim legal regime under which technology can be developed and the exploration and recovery of the hard mineral resources of the deep seabed can take place until such time as a Law of the Sea Treaty enters into force with respect to the United States.

(b) Purposes

The Congress declares that the purposes of this chapter are—

(1) to encourage the successful conclusion of a comprehensive Law of the Sea Treaty, which will give legal definition to the principle that the hard mineral resources of the deep seabed are the common heritage of mankind and which will assure, among other things, non-discriminatory access to such resources for all nations;

(2) pending the ratification by, and entering into force with respect to, the United States of such a Treaty, to provide for the establish-