

eral users of technologies and data related to marine mineral resources in planning and priority setting.

(Pub. L. 91-631, title II, §202, as added Pub. L. 104-325, §2(3), Oct. 19, 1996, 110 Stat. 3995.)

Statutory Notes and Related Subsidiaries

METHANE HYDRATE RESEARCH AND DEVELOPMENT

Pub. L. 106-193, May 2, 2000, 114 Stat. 234, known as the Methane Hydrate Research and Development Act of 2000, which was set out as a note under this section, was amended and transferred to chapter 32 (§2001 et seq.) of this title by Pub. L. 109-58, title IX, §968, Aug. 8, 2005, 119 Stat. 894.

§ 1903. Grants, contracts, and cooperative agreements

(a) Assistance and coordination

(1) In general

The Secretary shall award grants or contracts to, or enter into cooperative agreements with, eligible entities to support research for the development or utilization of—

(A) methods, equipment, systems, and components necessary for the identification, assessment, and exploration of marine mineral resources in an environmentally responsible manner;

(B) methods of detecting, monitoring, and predicting the presence of adverse environmental effects in the marine environment and remediating the environmental effects of marine mineral resource exploration, development, and production; and

(C) education and training material in marine mineral research and resource management.

(2) Cost-sharing for contracts or cooperative agreements

(A) Federal share

Except as provided in subparagraph (B)(ii), the Federal share of the cost of a contract or cooperative agreement carried out under this subsection shall not be greater than 80 percent of the total cost of the project.

(B) Non-Federal share

The remaining non-Federal share of the cost of a project carried out under this section may be—

(i) in the form of cash or in-kind contributions, or both; and

(ii) comprised of funds made available under other Federal programs, except that non-Federal funds shall be used to defray at least 10 percent of the total cost of the project.

(C) Consultation

Not later than 180 days after October 19, 1996, the Secretary shall establish, after consultation with other Federal agencies, terms and conditions under which Federal funding will be provided under this subsection that are consistent with the Agreement on Subsidies and Countervailing Measures referred to in section 3511(d)(12) of title 19.

(b) Competitive review

(1) In general

An entity shall not be eligible to receive a grant or contract, or participate in a cooperative agreement, under subsection (a) unless—

(A) the entity submits a proposal to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require; and

(B) the proposal has been evaluated by a competitive review panel under paragraph (3).

(2) Competitive review panels

(A) Composition

A competitive review panel shall be chaired by the Secretary or by the Secretary's designee and shall be composed of members who meet the following criteria:

(i) Appointment

The members shall be appointed by the Secretary.

(ii) Experience

Not less than 50 percent of the members shall represent or be employed by private marine resource companies that are involved in exploration of the marine environment or development of marine mineral resources.

(iii) Interest

None of the members may have an interest in a grant, contract, or cooperative agreement being evaluated by the panel.

(B) No compensation

A review panel member who is not otherwise a Federal employee shall receive no compensation for performing duties under this section, except that, while engaged in the performance of duties away from the home or regular place of business of the member, the member may be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as a person employed intermittently in the Government service under section 5703 of title 5.

(3) Evaluation

A competitive review panel shall base an evaluation of a proposal on criteria developed by the Secretary that shall include—

(A) the merits of the proposal;

(B) the research methodology and costs of the proposal;

(C) the capability of the entity submitting the proposal and any other participating entity to perform the proposed work and provide in-kind contributions;

(D) the amount of matching funds provided by the entity submitting the proposal or provided by other Federal, State, or private entities;

(E) the extent of collaboration with other Federal, State, or private entities;

(F) in the case of a noncommercial entity, the existence of a cooperative agreement with a commercial entity that provides for collaboration in the proposed research;

(G) whether the proposal promotes responsible environmental stewardship; and

(H) such other factors as the Secretary considers appropriate.

(c) Limitations

(1) Administrative expenses

Not more than 10 percent of the amount made available to carry out this section during a fiscal year may be used by the Secretary for expenses associated with administration of the program authorized by this section.

(2) Construction costs

None of the funds made available under this section may be used for the construction of a new building or the acquisition, expansion, remodeling, or alteration of an existing building (including site grading and improvement and architect fees).

(d) Reports

An eligible entity that receives a grant or contract or enters into a cooperative agreement under this section shall submit an annual progress report and a final technical report to the Secretary that—

(1) describes project activities, implications of the project, the significance of the project to marine mineral research, identification, assessment, and exploration, and potential commercial and economic benefits and effects of the project; and

(2) in the case of an annual progress report, includes a project plan for the subsequent year.

(Pub. L. 91-631, title II, §203, as added Pub. L. 104-325, §2(3), Oct. 19, 1996, 110 Stat. 3995.)

Editorial Notes

CODIFICATION

October 19, 1996, referred to in subsec. (a)(2)(C), was in the original “the date of enactment of this Act”, which was translated as meaning the date of enactment of Pub. L. 104-135, which enacted this chapter, to reflect the probable intent of Congress.

§ 1904. Marine mineral research centers

(a) In general

No later than 90 days after October 19, 1996, the Secretary shall designate 3 centers for marine mineral research and related activities.

(b) Concentration

One center shall concentrate primarily on research in the continental shelf regions of the United States, 1 center shall concentrate primarily on research in deep seabed and near-shore environments of islands, and 1 center shall concentrate primarily on research in arctic and cold water regions.

(c) Criteria

In designating a center under this section, the Secretary shall give priority to a university that—

(1) administers a federally funded center for marine minerals research;

(2) matriculates students for advanced degrees in marine geological sciences, nonenergy natural resources, and related fields of science and engineering;

(3) is a United States university with established programs and facilities that primarily focus on marine mineral resources;

(4) has engaged in collaboration and cooperation with industry, governmental agencies, and other universities in the field of marine mineral resources;

(5) has demonstrated significant engineering, development, and design experience in two or more of the following areas;¹

(A) seabed exploration systems;

(B) marine mining systems; and

(C) marine mineral processing systems; and

(6) has been designated by the Secretary as a State Mining and Mineral Resources Research Institute.

(d) Center activities

A center shall—

(1) provide technical assistance to the Secretary concerning marine mineral resources;

(2) advise the Secretary on pertinent international activities in marine mineral resources development;

(3) engage in research, training, and education transfer associated with the characterization and utilization of marine mineral resources; and

(4) promote the efficient identification, assessment, exploration, and management of marine mineral resources in an environmentally sound manner.

(e) Allocation of funds

In distributing funds to the centers designated under subsection (a), the Secretary shall, to the extent practicable, allocate an equal amount to each center.

(f) Limitations

(1) Administrative expenses

Not more than 5 percent of the amount made available to carry out this section during a fiscal year may be used by the Secretary for expenses associated with administration of the program authorized by this section.

(2) Construction costs

None of the funds made available under this section may be used for the construction of a new building or the acquisition, expansion, remodeling, or alteration of an existing building (including site grading and improvement and architect fees).

(Pub. L. 91-631, title II, §204, as added Pub. L. 104-325, §2(3), Oct. 19, 1996, 110 Stat. 3998.)

§ 1905. Authorization of appropriations

There is authorized to be appropriated such sums as are necessary to carry out this chapter.

(Pub. L. 91-631, title II, §205, as added Pub. L. 104-325, §2(3), Oct. 19, 1996, 110 Stat. 3999.)

CHAPTER 32—METHANE HYDRATE RESEARCH AND DEVELOPMENT

Sec.	
2001.	Findings.
2002.	Definitions.
2003.	Methane hydrate research and development program.

¹ So in original. The semicolon probably should be a colon.