

“(1) ASSISTANCE AND COORDINATION.—In carrying out the program of methane hydrate research and development authorized by this section, the Secretary may award grants or contracts to, or enter into cooperative agreements with, institutions of higher education and industrial enterprises to—

“(A) conduct basic and applied research to identify, explore, assess, and develop methane hydrate as a source of energy;

“(B) assist in developing technologies required for efficient and environmentally sound development of methane hydrate resources;

“(C) undertake research programs to provide safe means of transport and storage of methane produced from methane hydrates;

“(D) promote education and training in methane hydrate resource research and resource development;

“(E) conduct basic and applied research to assess and mitigate the environmental impacts of hydrate degassing (including both natural degassing and degassing associated with commercial development);

“(F) develop technologies to reduce the risks of drilling through methane hydrates; and

“(G) conduct exploratory drilling in support of the activities authorized by this paragraph.

“(2) COMPETITIVE MERIT-BASED REVIEW.—Funds made available under paragraph (1) shall be made available based on a competitive merit-based process.

“(c) CONSULTATION.—The Secretary shall establish an advisory panel consisting of experts from industrial enterprises, institutions of higher education, and Federal agencies to—

“(1) advise the Secretary on potential applications of methane hydrate;

“(2) assist in developing recommendations and priorities for the methane hydrate research and development program carried out under subsection (a)(1); and

“(3) not later than 2 years after the date of the enactment of this Act [May 2, 2000], and at such later dates as the panel considers advisable, submit to Congress a report on the anticipated impact on global climate change from—

“(A) methane hydrate formation;

“(B) methane hydrate degassing (including natural degassing and degassing associated with commercial development); and

“(C) the consumption of natural gas produced from methane hydrates.

Not more than 25 percent of the individuals serving on the advisory panel shall be Federal employees.

“(d) LIMITATIONS.—

“(1) ADMINISTRATIVE EXPENSES.—Not more than 5 percent of the amount made available to carry out this section for a fiscal year may be used by the Secretary for expenses associated with the administration of the program carried out under subsection (a)(1).

“(2) CONSTRUCTION COSTS.—None of the funds made available to carry out 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).

“(e) RESPONSIBILITIES OF THE SECRETARY.—In carrying out subsection (b)(1), the Secretary shall—

“(1) facilitate and develop partnerships among government, industrial enterprises, and institutions of higher education to research, identify, assess, and explore methane hydrate resources;

“(2) undertake programs to develop basic information necessary for promoting long-term interest in methane hydrate resources as an energy source;

“(3) ensure that the data and information developed through the program are accessible and widely disseminated as needed and appropriate;

“(4) promote cooperation among agencies that are developing technologies that may hold promise for methane hydrate resource development; and

“(5) report annually to Congress on accomplishments under this section.

“SEC. 4. AMENDMENTS TO THE MINING AND MINERALS POLICY ACT OF 1970.

“[Amended section 1901 of this title.]

“SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to the Secretary of Energy to carry out this Act—

“(1) \$5,000,000 for fiscal year 2001;

“(2) \$7,500,000 for fiscal year 2002;

“(3) \$11,000,000 for fiscal year 2003;

“(4) \$12,000,000 for fiscal year 2004; and

“(5) \$12,000,000 for fiscal year 2005.

Amounts authorized under this section shall remain available until expended.

“SEC. 6. SUNSET.

“Section 3 of this Act shall cease to be effective after the end of fiscal year 2005.

“SEC. 7. NATIONAL RESEARCH COUNCIL STUDY.

“The Secretary shall enter into an agreement with the National Research Council for such council to conduct a study of the progress made under the methane hydrate research and development program implemented pursuant to this Act, and to make recommendations for future methane hydrate research and development needs. The Secretary shall transmit to the Congress, not later than September 30, 2004, a report containing the findings and recommendations of the National Research Council under this section.

“SEC. 8. REPORTS AND STUDIES.

“The Secretary of Energy shall provide to the Committee on Science of the House of Representatives copies of any report or study that the Department of Energy prepares at the direction of any committee of the Congress.”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1901 of this title.

§ 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) of this section 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.)

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.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1901 of this title.

§ 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.