

- Sec.
1417. Duration of licenses and permits.
 (a) Duration of a license.
 (b) Duration of a permit.
1418. Diligence requirements.
 (a) In general.
 (b) Expenditures.
 (c) Commercial recovery.
1419. Protection of the environment.
 (a) Environmental assessment.
 (b) Terms, conditions, and restrictions.
 (c) Programmatic environmental impact statement.
 (d) Environmental impact statements on issuance of licenses and permits.
 (e) Effect on other law.
 (f) Stable reference areas.
1420. Conservation of natural resources.
1421. Prevention of interference with other uses of the high seas.
1422. Safety of life and property at sea.
 (a) Conditions regarding vessels.
 (b) Applicability of other laws.
1423. Records, audits, and public disclosure.
 (a) Records and audits.
 (b) Submission of data and information.
 (c) Public disclosure.
1424. Monitoring of activities of licensees and permittees.
1425. Relinquishment, surrender, and transfer of licenses and permits.
 (a) Relinquishment and surrender.
 (b) Transfer.
1426. Public notice and hearings.
 (a) Required procedures.
 (b) Adjudicatory hearing.
1427. Civil actions.
 (a) Equitable relief.
 (b) Notice.
 (c) Costs and fees.
 (d) Relationship to other law.
1428. Reciprocating states.
 (a) Designation.
 (b) Effect of designation.
 (c) Notification.
 (d) Revocation of reciprocating state status.
 (e) Authorization.
 (f) International consultations.
- SUBCHAPTER II—TRANSITION TO INTERNATIONAL AGREEMENT
1441. Declaration of Congressional intent.
1442. Effect of international agreement.
1443. Protection of interim investments.
1444. Disclaimer of obligation to pay compensation.
- SUBCHAPTER III—ENFORCEMENT AND MISCELLANEOUS PROVISIONS
1461. Prohibited acts.
1462. Civil penalties.
 (a) Assessment of penalty.
 (b) Review of civil penalty.
 (c) Action upon failure to pay assessment.
 (d) Compromise or other action by the Administrator.
1463. Criminal offenses.
 (a) Offense.
 (b) Punishment.
1464. Enforcement.
 (a) Responsibility.
 (b) Powers of authorized officers.
 (c) Definitions.
 (d) Proprietary information.
1465. Liability of vessels.
1466. Civil forfeitures.
 (a) In general.
 (b) Jurisdiction of courts.

- Sec.
 (c) Judgment.
 (d) Procedure.
 (e) Rebuttable presumption.
1467. Jurisdiction of courts.
1468. Regulations.
 (a) Proposed regulations.
 (b) Final regulations.
 (c) Amendments.
 (d) Consistency.
1469. Omitted.
1470. Authorization of appropriations.
1471. Severability.
1472. Deep Seabed Revenue Sharing Trust Fund; establishment.
 (a) Creation of Trust Fund.
 (b) Transfer to Trust Fund of amounts equivalent to certain taxes.
 (c) Management of Trust Fund.
 (d) Expenditures from Trust Fund.
 (e) Use of funds.
 (f) International deep seabed treaty.
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 wide-

ly acceptable Law of the Sea Treaty, which will provide a new legal order for the oceans covering a broad range of ocean interests, including 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 establishment of an international revenue-sharing fund the proceeds of which shall be used for sharing with the international community pursuant to such Treaty;

(3) to establish, pending the ratification by, and entering into force with respect to, the United States of such a Treaty, an interim program to regulate the exploration for and commercial recovery of hard mineral resources of the deep seabed by United States citizens;

(4) to accelerate the program of environmental assessment of exploration for and commercial recovery of hard mineral resources of the deep seabed and assure that such exploration and recovery activities are conducted in a manner which will encourage the conservation of such resources, protect the quality of the environment, and promote the safety of life and property at sea; and

(5) to encourage the continued development of technology necessary to recover the hard mineral resources of the deep seabed.

(Pub. L. 96-283, § 2, June 28, 1980, 94 Stat. 553.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (b), was in the original “this Act”, meaning Pub. L. 96-283, June 28, 1980, 94 Stat. 553, as amended, known as the Deep Seabed Hard Mineral Resources Act, which is classified principally to this chapter (§1401 et seq.). For complete classification of this Act to the Code, see Short Title note set out below and Tables.

SHORT TITLE OF 1986 AMENDMENT

Pub. L. 99-507, §1, Oct. 21, 1986, 100 Stat. 1847, provided that: “This Act [amending section 1470 of this title] may be cited as the ‘Deep Seabed Hard Mineral Resources Reauthorization Act of 1986’.”

SHORT TITLE

Section 1 of Pub. L. 96-283 provided that: “This Act [enacting this chapter and sections 4495 to 4498 of Title 26, Internal Revenue Code, and enacting a provision set out as a note under section 4495 of Title 26] may be cited as the ‘Deep Seabed Hard Mineral Resources Act’.”

§ 1402. International objectives

(a) Disclaimer of extraterritorial sovereignty

By the enactment of this chapter, the United States—

(1) exercises its jurisdiction over United States citizens and vessels, and foreign persons and vessels otherwise subject to its jurisdiction, in the exercise of the high seas freedom to engage in exploration for, and commercial recovery of, hard mineral resources of the deep seabed in accordance with generally accepted principles of international law recognized by the United States; but

(2) does not thereby assert sovereignty or sovereign or exclusive rights or jurisdiction over, or the ownership of, any areas or resources in the deep seabed.

(b) Secretary of State

(1) The Secretary of State is encouraged to negotiate successfully a comprehensive Law of the