

119TH CONGRESS
1ST SESSION

S. _____

To unleash United States offshore critical minerals and resources, and for
other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. SHEEHY (for himself, Mr. COTTON, Mrs. BLACKBURN, and Mrs. BRITT)
introduced the following bill; which was read twice and referred to the
Committee on _____

A BILL

To unleash United States offshore critical minerals and
resources, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Revitalizing America’s
5 Offshore Critical Minerals Dominance Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) the United States has a core national secu-
9 rity and economic interest in maintaining leadership

1 in deep sea science and technology and seabed min-
2 eral resources;

3 (2) the United States faces unprecedented eco-
4 nomic and national security challenges in securing
5 reliable supplies of critical minerals independent of
6 foreign adversary control;

7 (3) vast offshore seabed areas hold critical min-
8 erals and energy resources;

9 (4) offshore seabed resources are key to
10 strengthening the economy of the United States, se-
11 curing the energy future, and reducing dependence
12 on foreign suppliers for critical minerals;

13 (5) the United States controls seabed mineral
14 resources in 1 of the largest ocean areas of the
15 world;

16 (6) the United States can, through the exercise
17 of existing authorities and by establishing inter-
18 national partnerships, access potentially vast re-
19 sources in seabed polymetallic nodules, other subsea
20 geologic structures, and coastal deposits containing
21 strategic minerals such as nickel, cobalt, copper,
22 manganese, titanium, and rare earth elements,
23 which are vital to the national security and economic
24 prosperity of the United States;

1 (7) the United States must take immediate ac-
2 tion to accelerate the responsible development of sea-
3 bed mineral resources, quantify the endowment of
4 seabed minerals of the United States, reinvigorate
5 United States leadership in associated extraction
6 and processing technologies, and ensure secure sup-
7 ply chains for the defense, infrastructure, and en-
8 ergy sectors of the United States; and

9 (8) it is the policy of the United States to ad-
10 vance United States leadership in seabed mineral de-
11 velopment by—

12 (A) rapidly developing domestic capabilities
13 for the exploration, characterization, collection,
14 and processing of seabed mineral resources
15 through streamlined permitting without com-
16 promising environmental and transparency
17 standards;

18 (B) supporting investment in deep sea
19 science, mapping, and technology;

20 (C) enhancing coordination among execu-
21 tive departments and agencies with respect to
22 seabed mineral development activities described
23 in this Act;

24 (D) establishing the United States as a
25 global leader in responsible seabed mineral ex-

ploration, development technologies, and practices, and as a partner for countries developing seabed mineral resources in areas within their national jurisdictions, including their exclusive economic zones;

(E) creating a robust domestic supply chain for critical minerals derived from seabed mineral resources to support economic growth, reindustrialization, and military preparedness, including through new processing capabilities; and

(F) strengthening partnerships with allies and industry to counter the growing influence of China over seabed mineral resources, and to ensure that United States companies are well-positioned to support allies and partners interested in developing seabed minerals responsibly in areas within their national jurisdictions, including their exclusive economic zones.

SEC. 3. DEFINITIONS.

In this Act:

(1) **COMMERCIAL RECOVERY.**—The term “commercial recovery” has the meaning given the term in section 4 of the Deep Seabed Hard Mineral Resources Act (30 U.S.C. 1403).

1 (2) CRITICAL MINERAL.—The term “critical
2 mineral” has the meaning given the term in section
3 7002(a) of the Energy Act of 2020 (30 U.S.C.
4 1606(a)).

5 (3) EXPLORATION.—The term “exploration”
6 has the meaning given the term in section 4 of the
7 Deep Seabed Hard Mineral Resources Act (30
8 U.S.C. 1403).

9 (4) LEASE.—The term “lease” has the meaning
10 given the term in section 2 of the Outer Continental
11 Shelf Lands Act (43 U.S.C. 1331).

12 (5) MINERAL.—The term “mineral” means—

13 (A) a critical mineral;

14 (B) uranium;

15 (C) copper;

16 (D) potash;

17 (E) gold; and

18 (F) any other element or compound that
19 the Chair of the National Energy Dominance
20 Council determines appropriate.

21 (6) OUTER CONTINENTAL SHELF.—The term
22 “outer Continental Shelf” has the meaning given the
23 term in section 2 of the Outer Continental Shelf
24 Lands Act (43 U.S.C. 1331).

1 (7) PROCESSING.—The term “processing” in-
2 cludes the concentration, separation, refinement,
3 alloying, and conversion of minerals into usable
4 forms.

5 (8) PROSPECTING.—The term “prospecting”
6 has the meaning given the term “geological and geo-
7 physical (G&G) prospecting activities” in section
8 580.1 of title 30, Code of Federal Regulations (or a
9 successor regulation).

10 (9) SEABED MINERAL RESOURCE.—The term
11 “seabed mineral resource” means a mineral-bearing
12 material located in the seabed of the outer Conti-
13 nental Shelf, including—

- 14 (A) a polymetallic nodule;
- 15 (B) a cobalt-rich ferromanganese crust;
- 16 (C) a polymetallic sulfide;
- 17 (D) a heavy mineral sand; and
- 18 (E) a phosphorite.

19 (10) UNITED STATES COMPANY.—The term
20 “United States company” has the meaning given the
21 term “United States citizen” in section 4 of the
22 Deep Seabed Hard Mineral Resources Act (30
23 U.S.C. 1403).

1 **SEC. 4. STRATEGIC SEABED CRITICAL MINERAL ACCESS.**

2 (a) EXPEDITING ISSUANCE OF CERTAIN AUTHORIZA-
3 TIONS.—

4 (1) DEEP SEABED HARD MINERAL RESOURCES
5 ACT.—Not later than 60 days after the date of en-
6 actment of this Act, the Secretary of Commerce, act-
7 ing through the Administrator of the National Oce-
8 anic and Atmospheric Administration, in consulta-
9 tion with the Secretary of State and Secretary of the
10 Interior, acting through the Director of the Bureau
11 of Ocean Energy Management, shall—

12 (A) expedite the process for reviewing and
13 issuing licenses for exploration and permits for
14 commercial recovery under the Deep Seabed
15 Hard Mineral Resources Act (30 U.S.C. 1401
16 et seq.); and

17 (B) carry out subparagraph (A) in a man-
18 ner ensuring efficiency, predictability, and com-
19 petitiveness for United States companies.

20 (2) OUTER CONTINENTAL SHELF LANDS ACT.—
21 Not later than 60 days after the date of enactment
22 of this Act, the Secretary of the Interior shall—

23 (A) establish an expedited process for re-
24 viewing and approving permits for prospecting
25 and granting leases under the Outer Conti-

1 nental Shelf Lands Act (43 U.S.C. 1331 et
2 seq.); and

3 (B) carry out subparagraph (A) in a man-
4 ner ensuring efficiency, predictability, and com-
5 petitiveness for United States companies.

6 (b) SEABED MAPPING PLAN.—Not later than 60
7 days after the date of enactment of this Act, the Secretary
8 of the Interior, in consultation with the Secretary of State,
9 the Secretary of Commerce, and the heads of other rel-
10 evant Federal departments and agencies, and in coopera-
11 tion with commercial and other nongovernmental organi-
12 zations, shall develop a plan to map priority areas of the
13 seabed and outer Continental Shelf of the United States,
14 to include extended areas of the outer Continental Shelf,
15 such as those with abundant or accessible seabed mineral
16 resources, to accelerate data collection and characteriza-
17 tion.

18 (c) IDENTIFICATION OF CERTAIN CRITICAL MIN-
19 ERALS.—Not later than 60 days after the date of enact-
20 ment of this Act, the Secretary of the Interior shall—

21 (1) identify critical minerals that may be de-
22 rived from seabed mineral resources; and

23 (2) in coordination with the Secretary of De-
24 fense and Secretary of Energy, determine which crit-
25 ical minerals derived from seabed mineral resources

1 are essential for applications such as defense infra-
2 structure, manufacturing, and energy.

3 (d) ENGAGEMENT WITH KEY PARTNERS AND AL-
4 LIES.—

5 (1) IN GENERAL.—Not later than 60 days after
6 the date of enactment of this Act, the Secretary of
7 Commerce, in coordination with the Secretary of
8 State, Secretary of the Interior, and Secretary of
9 Energy, shall engage with key partners and allies to
10 offer support for seabed mineral resource explo-
11 ration, extraction, processing, and environmental
12 monitoring in areas within the jurisdictions of such
13 key partners and allies, including by—

14 (A) seeking scientific collaboration and
15 commercial development opportunities for
16 United States companies; and

17 (B) developing a prioritized list of foreign
18 countries for engagement.

19 (2) KEY PARTNER OR ALLY DETERMINATION.—

20 (A) IN GENERAL.—The Secretary of State
21 shall determine whether an entity is a key part-
22 ner or ally for the purposes of paragraph (1)
23 based on several factors, including—

24 (i) existing agreements with the
25 United States;

- 1 (ii) alignment with strategic interests
2 of the United States; and
3 (iii) participation in joint initiatives.

4 (B) NOTIFICATION.—The Secretary of
5 State shall notify the Secretary of Commerce,
6 Secretary of the Interior, and Secretary of En-
7 ergy of any determination made under subpara-
8 graph (A).

9 (e) REPORTS.—Not later than 60 days after the date
10 of enactment of this Act—

11 (1) the Secretary of the Interior, in coordina-
12 tion with the Secretary of Commerce and Secretary
13 of Energy, and in consultation with the heads of
14 other relevant Federal departments and agencies,
15 shall submit to the Committees on Energy and Nat-
16 ural Resources and Commerce, Science, and Trans-
17 portation of the Senate and the Committee on Nat-
18 ural Resources of the House of Representatives a re-
19 port that identifies private sector interest in and op-
20 portunities for seabed mineral resource exploration
21 and mining on the outer Continental Shelf, in areas
22 beyond national jurisdiction, and in areas within the
23 jurisdiction of a foreign country that expresses inter-
24 est in partnering with United States companies with
25 respect to seabed mineral resource development; and

1 (2) the Secretary of the Interior, jointly with
2 the Secretary of State, Secretary of Commerce, and
3 Secretary of Energy, shall submit to the Committees
4 on Energy and Natural Resources and Commerce,
5 Science, and Transportation of the Senate and the
6 Committee on Natural Resources of the House of
7 Representatives a report regarding the feasibility of
8 an international benefit-sharing mechanism for sea-
9 bed mineral resource extraction and development
10 that occurs in an area beyond the jurisdiction of any
11 country.

12 (f) RULES OF CONSTRUCTION.—Nothing in this
13 Act—

14 (1) impairs or otherwise affects the authority
15 granted by law to any executive department or agen-
16 cy; or

17 (2) creates any right or benefit, substantive or
18 procedural, enforceable at law or in equity by any
19 party against the United States, any department,
20 agency, or entity of the United States, any officer,
21 employee, or agent of the United States, or any
22 other person.