

104TH CONGRESS
2^D SESSION

S. 1194

AN ACT

To promote the research, identification, assessment, and exploration of marine mineral 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 “Marine Mineral Re-
5 sources Research Act of 1996”.

1 **SEC. 2. RESEARCH PROGRAM.**

2 The Mining and Minerals Policy Act of 1970 (30
3 U.S.C. 21a) is amended—

4 (1) by inserting after the first section the fol-
5 lowing:

6 **“TITLE I—MINING POLICY”;**

7 (2) by redesignating section 2 as section 101;
8 and

9 (3) by adding at the end the following:

10 **“TITLE II—MARINE MINERAL RE-**
11 **SOURCES RESEARCH PRO-**
12 **GRAM**

13 **“SEC. 201. DEFINITIONS.**

14 “In this title:

15 “(1) The term ‘contract’ has the same meaning
16 as ‘procurement contract’ in section 6303 of title 31,
17 United States Code.

18 “(2) The term ‘cooperative agreement’ has the
19 same meaning as in section 6305 of title 31, United
20 States Code.

21 “(3) The term ‘eligible entity’ means—

22 “(A) a research or educational entity char-
23 tered or incorporated under Federal or State
24 law;

25 “(B) an individual who is a United States
26 citizen; or

1 “(C) a State or regional agency.

2 “(4) The term ‘grant’ has the same meaning as
3 ‘grant agreement’ in section 6304 of title 31, United
4 States Code.

5 “(5) The term ‘in-kind contribution’ means a
6 noncash contribution provided by a non-Federal en-
7 tity that directly benefits and is related to a specific
8 project or program. An in-kind contribution may in-
9 clude real property, equipment, supplies, other ex-
10 pendable property, goods, and services.

11 “(6) The term ‘marine mineral resource’
12 means—

13 “(A) sand and aggregates;

14 “(B) placers;

15 “(C) phosphates;

16 “(D) manganese nodules;

17 “(E) cobalt crusts;

18 “(F) metal sulfides; and

19 “(G) other marine resources that are not—

20 “(i) oil and gas;

21 “(ii) fisheries; or

22 “(iii) marine mammals.

23 “(7) The term ‘Secretary’ means the Secretary
24 of the Interior.

1 **“SEC. 202. RESEARCH PROGRAM.**

2 “(a) IN GENERAL.—The Secretary shall establish
3 and carry out a program of research on marine mineral
4 resources.

5 “(b) PROGRAM GOAL.—The goal of the program shall
6 be to—

7 “(1) promote research, identification, assess-
8 ment, and exploration of marine mineral resources
9 in an environmentally responsible manner;

10 “(2) assist in developing domestic technologies
11 required for efficient and environmentally sound de-
12 velopment of marine mineral resources;

13 “(3) coordinate and promote the use of tech-
14 nologies developed with Federal assistance, and the
15 use of available Federal assets, for research, identi-
16 fication, assessment, exploration, and development of
17 marine mineral resources; and

18 “(4) encourage academia and industry to con-
19 duct basic and applied research, on a joint basis,
20 through grants, cooperative agreements, or contracts
21 with the Federal Government.

22 “(c) RESPONSIBILITIES OF THE SECRETARY.—In
23 carrying out the program, the Secretary shall—

24 “(1) promote and coordinate partnerships be-
25 tween industry, government, and academia to re-

1 search, identify, assess, and explore marine mineral
2 resources in an environmentally sound manner;

3 “(2) undertake programs to develop the basic
4 information necessary to the long-term national in-
5 terest in marine mineral resources (including seabed
6 mapping) and to ensure that data and information
7 are accessible and widely disseminated as needed
8 and appropriate;

9 “(3) identify, and promote cooperation among
10 agency programs that are developing, technologies
11 developed by other Federal programs that may hold
12 promise for facilitating undersea applications related
13 to marine mineral resources, including technologies
14 related to vessels and other platforms, underwater
15 vehicles, survey and mapping systems, remote power
16 sources, data collection and transmission systems,
17 and various seabed research systems; and

18 “(4) foster communication and coordination be-
19 tween Federal and State agencies, universities, and
20 private entities concerning marine mineral research
21 on seabeds of the continental shelf, ocean basins,
22 and arctic and cold water areas.

23 In carrying out these responsibilities, the Secretary shall
24 ensure the participation of nonfederal users of tech-

1 nologies and data related to marine mineral resources in
2 planning and priority setting.

3 **“SEC. 203. GRANTS, CONTRACTS, AND COOPERATIVE**
4 **AGREEMENTS.**

5 “(a) ASSISTANCE AND COORDINATION.—

6 “(1) IN GENERAL.—The Secretary shall award
7 grants or contracts to, or enter into cooperative
8 agreements with, eligible entities to support research
9 for the development or utilization of—

10 “(A) methods, equipment, systems, and
11 components necessary for the identification, as-
12 sessment, and exploration of marine mineral re-
13 sources in an environmentally responsible man-
14 ner;

15 “(B) methods of detecting, monitoring,
16 and predicting the presence of adverse environ-
17 mental effects in the marine environment and
18 remediating the environmental effects of marine
19 mineral resource exploration, development, and
20 production; and

21 “(C) education and training material in
22 marine mineral research and resource manage-
23 ment.

24 “(2) COST-SHARING FOR CONTRACTS OR COOP-
25 ERATIVE AGREEMENTS.—

1 “(A) FEDERAL SHARE.—Except as pro-
2 vided in subparagraph (B)(ii), the Federal
3 share of the cost of a contract or cooperative
4 agreement carried out under this subsection
5 shall not be greater than 80 percent of the total
6 cost of the project.

7 “(B) NON-FEDERAL SHARE.—The remain-
8 ing non-Federal share of the cost of a project
9 carried out under this section may be—

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

12 “(ii) comprised of funds made avail-
13 able under other Federal programs, except
14 that non-Federal funds shall be used to de-
15 fray at least 10 percent of the total cost of
16 the project.

17 “(C) CONSULTATION.—Not later than 180
18 days after the date of enactment of this Act,
19 the Secretary shall establish, after consultation
20 with other Federal agencies, terms and condi-
21 tions under which Federal funding will be pro-
22 vided under this subsection that are consistent
23 with the Agreement on Subsidies and Counter-
24 vailing Measures referred to in section

1 101(d)(12) of the Uruguay Round Agreement
2 Act (19 U.S.C. 3511(d)(12)).

3 “(b) COMPETITIVE REVIEW.—

4 “(1) IN GENERAL.—An entity shall not be eligi-
5 ble to receive a grant or contract, or participate in
6 a cooperative agreement, under subsection (a) un-
7 less—

8 “(A) the entity submits a proposal to the
9 Secretary at such time, in such manner, and ac-
10 companied by such information as the Secretary
11 may reasonably require; and

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

14 “(2) COMPETITIVE REVIEW PANELS.—

15 “(A) COMPOSITION.—A competitive review
16 panel shall be chaired by the Secretary or by
17 the Secretary’s designee and shall be composed
18 of members who meet the following criteria:

19 “(i) APPOINTMENT.—The members
20 shall be appointed by the Secretary.

21 “(ii) EXPERIENCE.—Not less than 50
22 percent of the members shall represent or
23 be employed by private marine resource
24 companies that are involved in exploration

1 of the marine environment or development
2 of marine mineral resources.

3 “(iii) INTEREST.—None of the mem-
4 bers may have an interest in a grant, con-
5 tract, or cooperative agreement being eval-
6 uated by the panel.

7 “(B) NO COMPENSATION.—A review panel
8 member who is not otherwise a Federal em-
9 ployee shall receive no compensation for per-
10 forming duties under this section, except that,
11 while engaged in the performance of duties
12 away from the home or regular place of busi-
13 ness of the member, the member may be al-
14 lowed travel expenses, including per diem in lieu
15 of subsistence, in the same manner as a person
16 employed intermittently in the Government
17 service under section 5703 of title 5, United
18 States Code.

19 “(3) EVALUATION.—A competitive review panel
20 shall base an evaluation of a proposal on criteria de-
21 veloped by the Secretary that shall include—

22 “(A) the merits of the proposal;

23 “(B) the research methodology and costs
24 of the proposal;

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

5 “(D) the amount of matching funds pro-
6 vided by the entity submitting the proposal or
7 provided by other Federal, State, or private en-
8 tities;

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

11 “(F) in the case of a noncommercial entity,
12 the existence of a cooperative agreement with a
13 commercial entity that provides for collabora-
14 tion in the proposed research;

15 “(G) whether the proposal promotes re-
16 sponsible environmental stewardship; and

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

19 “(c) LIMITATIONS.—

20 “(1) ADMINISTRATIVE EXPENSES.—Not more
21 than 10 percent of the amount made available to
22 carry out this section during a fiscal year may be
23 used by the Secretary for expenses associated with
24 administration of the program authorized by this
25 section.

1 “(2) CONSTRUCTION COSTS.—None of the
2 funds made available under this section may be used
3 for the construction of a new building or the acquisi-
4 tion, expansion, remodeling, or alteration of an exist-
5 ing building (including site grading and improve-
6 ment and architect fees).

7 “(d) REPORTS.—An eligible entity that receives a
8 grant or contract or enters into a cooperative agreement
9 under this section shall submit an annual progress report
10 and a final technical report to the Secretary that—

11 “(1) describes project activities, implications of
12 the project, the significance of the project to marine
13 mineral research, identification, assessment, and ex-
14 ploration, and potential commercial and economic
15 benefits and effects of the project; and

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

18 **“SEC. 204. MARINE MINERAL RESEARCH CENTERS.**

19 “(a) IN GENERAL.—No later than 90 days after the
20 date of enactment of this section, the Secretary shall des-
21 ignate 3 centers for marine mineral research and related
22 activities.

23 “(b) CONCENTRATION.—One center shall concentrate
24 primarily on research in the continental shelf regions of
25 the United States, 1 center shall concentrate primarily on

1 research in deep seabed and near-shore environments of
2 islands, and 1 center shall concentrate primarily on re-
3 search in arctic and cold water regions.

4 “(c) CRITERIA.—In designating a center under this
5 section, the Secretary shall give priority to a university
6 that—

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

9 “(2) matriculates students for advanced degrees
10 in marine geological sciences, nonenergy natural re-
11 sources, and related fields of science and engineer-
12 ing;

13 “(3) is a United States university with estab-
14 lished programs and facilities that primarily focus
15 on marine mineral resources;

16 “(4) has engaged in collaboration and coopera-
17 tion with industry, governmental agencies, and other
18 universities in the field of marine mineral resources;

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

22 “(A) seabed exploration systems;

23 “(B) marine mining systems; and

24 “(C) marine mineral processing systems;

25 and

1 “(6) has been designated by the Secretary as a
2 State Mining and Mineral Resources Research Insti-
3 tute.

4 “(d) CENTER ACTIVITIES.—A center shall—

5 “(1) provide technical assistance to the Sec-
6 retary concerning marine mineral resources;

7 “(2) advise the Secretary on pertinent inter-
8 national activities in marine mineral resources devel-
9 opment;

10 “(3) engage in research, training, and edu-
11 cation transfer associated with the characterization
12 and utilization of marine mineral resources; and

13 “(4) promote the efficient identification, assess-
14 ment, exploration, and management of marine min-
15 eral resources in an environmentally sound manner.

16 “(e) ALLOCATION OF FUNDS.—In distributing funds
17 to the centers designated under subsection (a), the Sec-
18 retary shall, to the extent practicable, allocate an equal
19 amount to each center.

20 “(f) LIMITATIONS.—

21 “(1) ADMINISTRATIVE EXPENSES.—Not more
22 than 5 percent of the amount made available to
23 carry out this section during a fiscal year may be
24 used by the Secretary for expenses associated with

1 administration of the program authorized by this
2 section.

3 “(2) CONSTRUCTION COSTS.—None of the
4 funds made available under this section may be used
5 for the construction of a new building or the acqui-
6 sition, expansion, remodeling, or alteration of an exist-
7 ing building (including site grading and improve-
8 ment and architect fees).

9 **“SEC. 205. AUTHORIZATION OF APPROPRIATIONS.**

10 “There is authorized to be appropriated such sums
11 as are necessary to carry out this title.”.

Passed the Senate September 28, 1996.

Attest:

Secretary.

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