

# DEEP SEABED HARD MINERAL RESOURCES ACT<sup>1</sup>

**Acronym:** DSHMRA

**Citation:** 30 U.S.C. §§ 1401-1473 (2002).

***Legislative Purpose:***

The act accelerates the program of environmental assessment, exploration, and commercial recovery of hard mineral resources of the deep seabed, and ensures that such exploration is conducted in a manner which will encourage the conservation of such resources, and encourages the continued development of technology necessary to recover the hard mineral resources of the deep seabed.

***Summary:***

The DSHMRA establishes an interim domestic legal regime for deep seabed mining pending adoption of an acceptable international regime. It is this regime that long prevented the ratification of the United Nations Convention on the Law of the Sea (UNCLOS).

The act establishes a licensing regime that ensures protection of the marine environment, safety of life and property at sea, prevention of unreasonable interference with other uses of the high seas, and conservation of mineral resources. The DSHMRA encourages other nations to embark on ocean mining ventures to manage the activities of their nationals in a similar fashion and to respect licenses and permits issued under the statute. The DSHMRA also facilitates the transition from a domestic regime to an acceptable international regime.

The DSHMRA sets forth necessary criteria for an international regime to be acceptable to the United States. These include access for U.S. citizens to deep seabed resources and assured continuity in mining activities undertaken by U.S. citizens prior to an international regime under terms, conditions, and restrictions which do not impose significant new economic burdens.

The Agreement to implement Part XI of the UNCLOS revises Part XI in a manner that satisfies the criteria under DSHMRA. During the period of provisional application of the Agreement, the DSHMRA remains in effect and provides authority to implement likely United States Obligations under the Agreement.

The Administration submitted the United Nations Convention on the Law of the Sea to the Senate and it is pending in the Senate Committee on Foreign Relations. Since that time, the Convention has come into effect and over 123 nations are Parties. The agreement addresses previously expressed concerns regarding the seabed mining portions of the Convention.

With regard to minerals on the deep seabed, seabed nodules contain nickel, copper, cobalt and manganese—minerals important to many industrial uses. No commercial deep seabed mining is currently conducted, nor is such activity anticipated in the near future. However, four licenses have been issued under the Deep Seabed Hard Mineral Resources Act for exploration of seabed areas in the Clarion-Clipperton zone of the south Pacific ocean.

---

<sup>1</sup> Excerpt from the U.S. Ocean Commission, *available at*  
[http://www.oceancommission.gov/documents/gov\\_oceans/Mineral.PDF](http://www.oceancommission.gov/documents/gov_oceans/Mineral.PDF).