

118TH CONGRESS
2D SESSION

H. R. 7636

To support international governance of seafloor resource exploration and responsible polymetallic nodule collection by allied partners, strengthen domestic processing and refining capabilities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 12, 2024

Mrs. MILLER of West Virginia (for herself and Mr. JOYCE of Pennsylvania) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committees on Ways and Means, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To support international governance of seafloor resource exploration and responsible polymetallic nodule collection by allied partners, strengthen domestic processing and refining capabilities, 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 “Responsible Use of
5 Seafloor Resources Act of 2024”.

1 **SEC. 2. SEAFLOOR RESOURCE EXPLORATION AND EXPLOI-**
2 **TATION.**

3 (a) FINDINGS.—Congress finds the following:

4 (1) The United States is falling behind in com-
5 petitiveness within supply chains for critical defense
6 and clean energy technologies and therefore must
7 develop an alternative supply of critical minerals to
8 lessen dependance on foreign adversaries.

9 (2) Establishing a secure and resilient critical
10 mineral supply chain is a matter of national secu-
11 rity.

12 (3) China controls roughly 60 percent of the
13 global critical mineral production and over 85 per-
14 cent of the world’s refining capacity.

15 (4) This has been achieved by early and aggres-
16 sive investment in mining and processing operations
17 across South America, Africa, and Southeast Asia.

18 (5) Recognizing the potential of marine re-
19 sources to further its position, China is increasing
20 its investment in deep-sea mining, holding the most
21 exploration contracts of any country.

22 (6) Investing in alternatives serving to diversify
23 supply such as the collection of seafloor nodules is
24 integral to ensuring the United States does not con-
25 tinue its over-dependence on China and other adver-
26 sarial nations.

1 (7) As mining has been largely outsourced to
2 other parts of the world, China has become the top
3 producer of 30 of the 50 U.S. critical minerals. With
4 this shift, the governance of environmental and so-
5 cial impacts of mining and processing operations is
6 largely out of the control of the United States.

7 (8) Prioritizing supply with existing or potential
8 for transparent, accountable, and responsible
9 sourcing is integral to ensuring the United States
10 does not continue to export adverse environmental
11 and social (ESG) impacts of mining and processing
12 abroad in countries that are apathetic or less
13 equipped to abide by internationally accepted stand-
14 ards.

15 (9) Investing in the development of mineral re-
16 sources and processing infrastructure quantitatively
17 proven to reduce ESG impacts, such as seafloor nod-
18 ules, is integral to ensuring the raw materials that
19 underpin our domestic industrial base and transition
20 to clean energy do not have adverse planetary im-
21 pacts.

22 (10) Developing U.S. partnerships to secure
23 seafloor resources and domestic capabilities to proc-
24 ess these materials is in the nation's economic, envi-
25 ronmental and security interests.

1 (b) IN GENERAL.—The President shall direct the
2 Secretary of State, the Secretary of Homeland Security,
3 the Secretary of Defense, and the Director of the Office
4 of Science and Technology Policy—

5 (1) together with Federal interagency efforts, to
6 provide financial, diplomatic, or other forms of sup-
7 port for seafloor nodule collection, processing, and
8 refining where upstream sourcing is compliant with
9 regulations; and

10 (2) to coordinate and expedite across Federal
11 agencies the development of infrastructure to proc-
12 ess and refine seafloor nodules within the United
13 States.

14 (c) REPORTS.—

15 (1) OFFICE OF SCIENCE AND TECHNOLOGY
16 POLICY.—The Director of the Office of Science and
17 Technology Policy shall annually submit to the
18 President and Congress a report including the fol-
19 lowing:

20 (A) A quantitative and qualitative analysis
21 of the benefits to the United States to import-
22 ing seafloor nodules and processing and refining
23 such seafloor nodules domestically, including
24 benefits related to—

25 (i) foreign relations;

1 (ii) research and technology develop-
2 ment;

3 (iii) environmental and social impact
4 monitoring;

5 (iv) utilization of existing industrial
6 base, including offshore infrastructure and
7 processing consumables;

8 (v) job creation; and

9 (vi) market impact to various indus-
10 tries, including battery and electric vehicle
11 production.

12 (B) A quantitative analysis comparing the
13 lifecycle environmental and social effects of
14 sourcing a benchmark amount of critical min-
15 erals from seafloor nodules to the environ-
16 mental and social effects of sourcing such
17 amount of critical minerals from land-based
18 projects, based on the most recent data avail-
19 able from both public and private sources, in-
20 cluding consideration of—

21 (i) benefit sharing and capacity build-
22 ing;

23 (ii) human health and labor condi-
24 tions;

25 (iii) revenue streams; and

1 (iv) local ecosystem impacts and the
2 ability to utilize impact mitigation hierar-
3 chies, including avoidance, minimization,
4 rehabilitation, and offsets.

5 (C) An analysis of the applicability of
6 seafloor nodule collection and data acquisition
7 technologies used in the deep-sea environment
8 for the purpose of initiatives carried out by the
9 United States, including the mapping of tech-
10 nologies used and data acquired in the deep-sea
11 environment in international waters and map-
12 ping, exploring, and characterizing minerals in
13 the exclusive economic zone of the United
14 States.

15 (2) DEPARTMENT OF COMMERCE.—The Sec-
16 retary of Commerce shall submit to the President
17 and Congress a report that includes a description of
18 Federal legislation and documents that are relevant
19 to the importation and processing of seafloor nodules
20 and seafloor nodule-derived products sourced from
21 outside the exclusive economic zone of the United
22 States by individuals who are not United States citi-
23 zens, including—

24 (A) the Deep Seabed Hard Mineral Re-
25 sources Act (30 U.S.C. 1401 note et seq.); and

1 (B) the internal advice decision letter of
2 the United States Customs and Border Protec-
3 tion regarding the determination of the origina-
4 tion, tariff, and Harmonized Tariff System
5 classification of seafloor nodules and seafloor
6 nodule-derived products.

7 (d) CRITICAL MINERAL DEFINED.—In this section,
8 the term “critical mineral” has the meaning given the
9 term in section 7002(a)(3) of the Energy Act of 2020 (30
10 U.S.C. 1606(a)(3)).

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