

118TH CONGRESS
1ST SESSION

H. R. 4536

To oppose the permitting of deep seabed mining and exploration for deep seabed mining, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 11, 2023

Mr. CASE (for himself, Mr. GRIJALVA, Mr. HUFFMAN, Ms. BONAMICI, Ms. LEE of California, and Ms. PINGREE) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To oppose the permitting of deep seabed mining and exploration for deep seabed mining, 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. OPPOSITION TO PERMITTING OF DEEP SEABED**
4 **MINING AND EXPLORATION FOR DEEP SEA-**
5 **BED MINING.**

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

7 (1) As determined by the United Nations, most
8 recently in its Sustainable Development Goals re-
9 port, our world’s oceans are at great risk from a

1 number of factors, including atmospheric change, re-
2 source extraction and pollution;

3 (2) The United Nation’s 2030 Agenda for Sus-
4 tainable Development, launched by the 2015 UN
5 Summit in New York established Sustainable Devel-
6 opment Goal 14 (SDS 14), to conserve and
7 sustainably use the oceans, seas and marine re-
8 sources. Target 2 of SDS 14 commits States to
9 sustainably manage marine ecosystems to avoid sig-
10 nificant adverse impacts and strengthen their resil-
11 ience.

12 (3) The international marine scientific and pol-
13 icy consensus is that deep seabed mining presents a
14 major risk to the marine environment, including: the
15 direct loss of unique and ecologically important spe-
16 cies; large sediment plumes that will negatively af-
17 fect ecosystems well beyond the actual mining sites;
18 noise pollution that will cause physiological and be-
19 havioral stress to marine species; likely contamina-
20 tion of commercially important species of food fish;
21 and likely negative impacts on carbon sequestration
22 dynamics and deep-ocean carbon storage.

23 (4) The United Nations Convention on Biologi-
24 cal Diversity, 15th Conference of Parties, Decision
25 15/24 encourages member States to ensure that, be-

1 fore deep seabed mineral exploitation is permitted,
2 the related impacts on the marine environment and
3 biodiversity are sufficiently researched and the risks
4 to the marine ecosystem are sufficiently understood,
5 and sufficient regulation and conditions be imposed
6 to ensure that exploitation does not cause harmful
7 effects to the marine environment and biodiversity.

8 (5) The 2022 United Nations Environment
9 Programme Financial Initiative report on deep sea-
10 bed mining states that the financing of such activi-
11 ties is not consistent with Sustainable Blue Economy
12 Finance Principles.

13 (6) There is currently insufficient scientific in-
14 formation on the deep sea and related marine eco-
15 systems to fully and accurately assess the full risks
16 and impacts of deep seabed mining activities.

17 (b) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that—

19 (1) no deep seabed mining should occur in the
20 international seabed area unless and until adoption
21 by the International Seabed Authority of a full and
22 binding regulatory framework in accordance with the
23 United Nations Convention on the Law of the Sea,
24 in particular Article 145 of the Convention;

1 (2) there is currently insufficient scientific un-
2 derstanding of, and an absence of consensus on, the
3 extent of the risks and impacts of deep seabed min-
4 ing on ocean and related ecosystems;

5 (3) a regulatory framework should only be
6 adopted by the International Seabed Authority on
7 the basis of a comprehensive scientific understanding
8 of, and consensus on, the potential risks and impacts
9 of deep seabed mining on ocean ecosystems and
10 communities and activities reliant on ocean eco-
11 systems, including fisheries, indigenous peoples and
12 coastal communities;

13 (4) such a comprehensive scientific under-
14 standing and consensus should only be developed on
15 the basis of sufficient scientific baseline information
16 on the full impacts of deep seabed mining on marine
17 and related ecosystems; and

18 (5) no deep seabed mining should be permitted
19 in the international seabed area unless it is con-
20 ducted in a manner and under a clear and enforce-
21 able regulatory framework that effectively protects
22 the marine environment from harmful effects, does
23 not pose a risk to communities reliant on ocean eco-
24 systems and prevents damage to the flora and fauna
25 of the marine environment consistent with the obli-

1 gations in Article 145 of the United Nations Con-
2 vention on the Law of the Sea and relevant global
3 commitments for the conservation and sustainable
4 use of the marine environment.

5 (c) IN GENERAL.—The President shall, until such
6 time as the President submits to the appropriate congres-
7 sional committees a certification described in subsection
8 (d) and a report described in subsection (e), direct the
9 United States representative to each relevant international
10 organization to which the United States is a member or
11 observer to take such actions as may be necessary to use
12 the voice, vote, and influence of the United States in such
13 organization to—

14 (1) call for a moratorium on the permitting of
15 deep seabed mining and exploration for deep seabed
16 mining; and

17 (3) oppose investments in or other financing or
18 support of deep seabed mining and exploration for
19 deep seabed mining.

20 (d) CERTIFICATION.—A certification described in this
21 subsection is a certification that—

22 (1) deep seabed mining regulations have been
23 promulgated by the International Seabed Authority;
24 and

25 (2) such regulations—

1 (A) are informed by the scientific con-
2 sensus on impacts to ocean ecosystems; and

3 (B) will ensure the effective protection of
4 the marine environment from the harmful ef-
5 fects of deep seabed mining.

6 (e) REPORT.—A report described in this subsection
7 is a report that includes the following:

8 (1) The details of the deep seabed mining regu-
9 lations promulgated by the International Seabed Au-
10 thority as described in subsection (d).

11 (2) The scientific consensus on the risks and
12 impacts of such regulations on ocean ecosystems and
13 communities reliant on ocean ecosystems.

14 (3) The methods by which such regulations en-
15 sure the effective protection of the marine environ-
16 ment from harmful effects of deep seabed mining
17 pursuant to subsection (b)(4).

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