

OCSLA PROSPECTING

Prospecting for Minerals Other than Oil, Gas, and Sulphur on the Outer Continental Shelf



PURPOSE

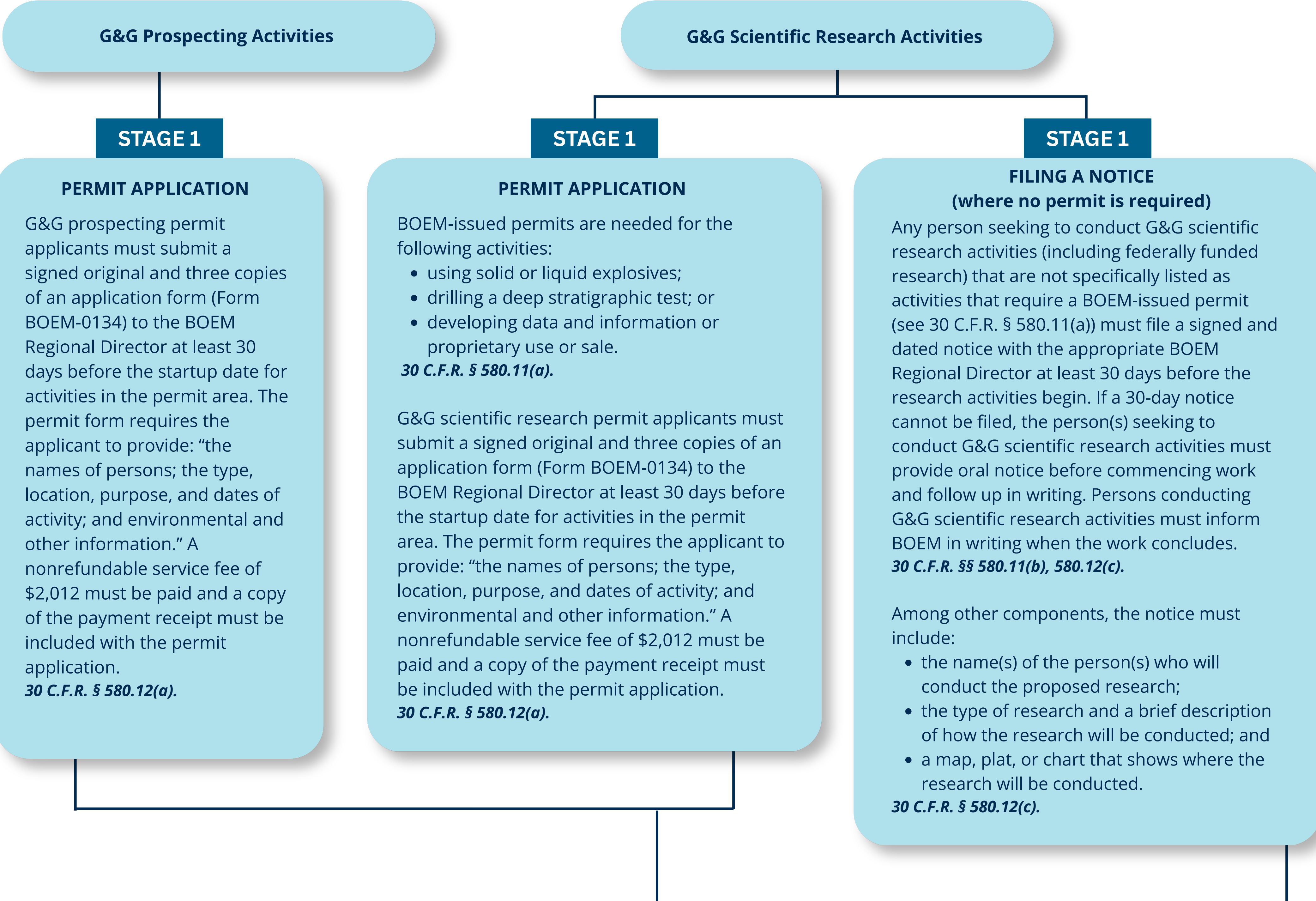
- OCSLA implementing regulations establish a framework that allows for geological and geophysical (G&G) prospecting activities and G&G scientific research activities “on the OCS in federal waters related to hard minerals on unleased lands or on lands leased to a third party.” **30 C.F.R. § 580.2(a).**
- G&G prospecting permits authorize the “commercial search for mineral resources other than oil, gas, and sulphur.” **30 C.F.R. § 580.1.**
- G&G prospecting activities include, but are not limited to:
 - “geological and geophysical marine and airborne surveys where magnetic, gravity, seismic reflection, seismic refraction, or the gathering through coring or other geological samples are used to detect or imply the presence of hard minerals; and
 - any drilling, whether on or off a geological structure.” **30 C.F.R. § 580.1.**
- Depending on the nature of the research activities, G&G scientific research activities may be carried out only after a BOEM-issued permit is obtained or a notice is filed. **30 C.F.R. § 580.11.**
- G&G scientific research activities include “any investigations related to hard minerals that are conducted on the OCS for academic or scientific research. These investigations would involve gathering and analyzing geological, geochemical, or geophysical data and information that are made available to the public for inspection and reproduction at the earliest practical time. The term does not include commercial G&G exploration or commercial G&G prospecting activities.” **30 C.F.R. § 580.1.**

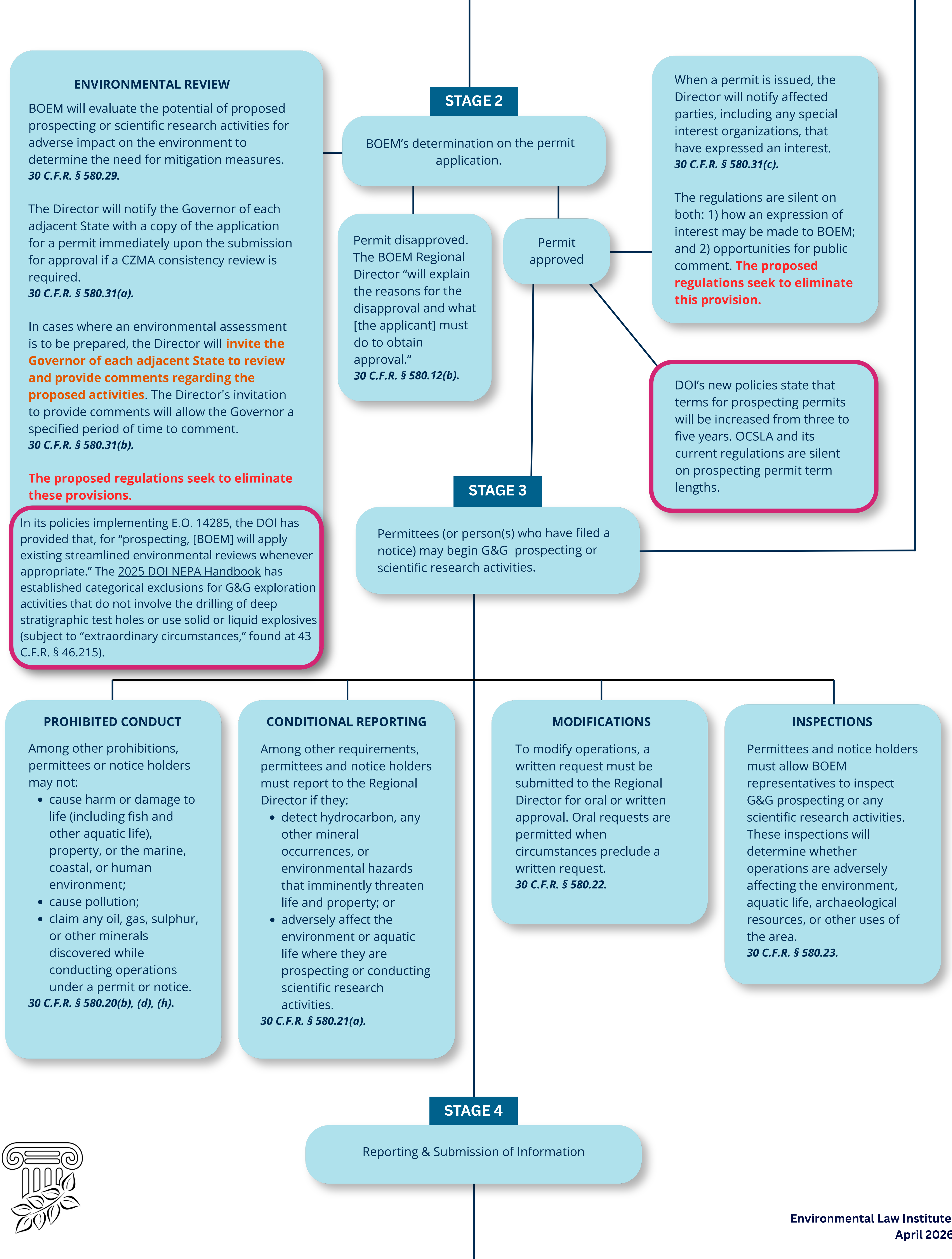
Neither G&G prospecting nor G&G scientific research activities are prerequisites for the award of OCS leases for minerals other than oil, gas, and sulphur.

2025 DOI/BOEM Policy Updates are outlined in pink. As of April 2026, these policies are not formally codified in the law.

Opportunities for comment are noted in orange text.

2026 Proposed Regulatory Revisions are noted in red text.





REGULAR REPORTING

Regular status reports and a daily log of operations must be submitted on a schedule specified in a permit. Final reports that, among other things, describe the work completed and summary of hard minerals, hydrocarbons, or sulphur encountered must be submitted 30 days after acquisitions activities are completed.

30 C.F.R. 580.24.

SUBMISSION OF GEOLOGICAL DATA & INFORMATION

Permittees and notice holders must notify the Regional Director, in writing, when the initial analysis, processing, or interpretation of any geological data and information is completed. Initial analysis and processing are the stages of analysis or processing where the data and information first become available for in-house interpretation by the permittee or become available commercially to third parties via sale, trade, license agreement, or other means.

The Regional Director may ask if the permittee or notice holder has further analyzed, processed, or interpreted any geological data and information. When asked, the permittee or notice holder must respond to BOEM in writing within 30 days.

The Regional Director may ask the permittee, notice holder, or a third party to submit the analyzed, processed, or interpreted geologic data and information for BOEM to inspect or permanently retain. The permittee or notice holder must submit the data and information within 30 days after such a request.

30 C.F.R. § 580.40.

SUBMISSION OF GEOPHYSICAL DATA & INFORMATION

Permittees and notice holders must notify the Regional Director, in writing, when the initial analysis, processing, or interpretation of any geophysical data and information is completed. Initial analysis and processing are the stages of analysis or processing where the data and information first become available for in-house interpretation by the permittee or become available commercially to third parties via sale, trade, license agreement, or other means.

The Regional Director may ask if the permittee or notice holder has further analyzed, processed, or interpreted any geological data and information. When asked, the permittee or notice holder must respond to BOEM in writing within 30 days.

The Regional Director may ask the permittee, notice holder, or a third party to submit the analyzed, processed, or interpreted geophysical data and information for BOEM to inspect or permanently retain.

The permittee or notice holder must submit the data and information within 30 days after such a request.

At any time before final selection, the Regional Director may review and return any or all geophysical data and information. The RD will notify the permittee in writing of any data the RD decides to retain.

30 C.F.R. § 580.50.

STAGE 5

DISCLOSURE OF PROSPECTING DATA AND INFORMATION

The BOEM Regional Director must follow FOIA, DOI FOIA rules, OCSLA, and BOEM's OCS regulations in deciding what prospecting data can be disclosed to the public. The Regional Director must withhold information exempted under FOIA unless limited regulatory or consent conditions are met. The regulations:

- establish fixed confidentiality periods (e.g., 10 years for geological data, 25–50 years for geophysical data and information, and special rules for data and information related to a deep stratigraphic test);
- require contractual confidentiality commitments from contractors who handle the data;
- and allow sharing of proprietary data with coastal states only under written confidentiality agreements that preserve federal ownership and waive certain immunity defenses for breaches.

30 C.F.R. §§ 580.70–580.73.



OCSLA PROSPECTING

GLOSSARY



BOEM	Bureau of Ocean Energy Management	Situated within DOI; Administers offshore energy and mineral leasing on the OCS, pursuant to OCSLA.
CZMA	Coastal Zone Management Act	This act, administered by NOAA, provides for the management of the nation’s coastal resources, including the Great Lakes.
DOI	U.S. Department of Interior	Manages public lands and minerals, national parks, and wildlife refuges and upholds Federal trust responsibilities to Native American tribes and Alaska Native entities.
E.O. 14285	“Unleashing America's Offshore Critical Minerals and Resources”	Executive Order that directs the federal government to accelerate and streamline the exploration, mining, and processing of offshore seabed minerals.
FOIA	Freedom of Information Act	Provides the public the right to request access to records from any federal agency. Federal agencies are required to disclose any information requested under the FOIA unless it falls under one of nine exemptions which protect interests such as personal privacy, national security, and law enforcement.
NEPA	National Environmental Policy Act of 1970	Requires a detailed environmental review before any major Federal action, including the sale of leases on the OCS and the setup of facilities.
OCS	U.S. Outer Continental Shelf	All submerged lands beyond submerged state and territorial lands that are within the U.S. jurisdiction, including lands within the US. exclusive economic zone adjacent to territories; “a vital national resource reserve held by the Federal Government for the public.”
OCSLA	Outer Continental Shelf Lands Act	Enacted by Congress in 1953, the Act governs the leasing and development of the U.S. offshore mineral and energy resources.

OCSLA PROSPECTING SOURCES



Executive Orders

- [Exec. Order No. 14,156](#), Declaring a National Energy Emergency, 90 Fed. Reg. 8,433 (Jan. 29, 2025).
- [Exec. Order No. 14,285](#), Unleashing America's Offshore Critical Minerals and Resources, 90 Fed. Reg. 17,735 (Apr. 29, 2025).

Statutes

- [Outer Continental Shelf Lands Act](#), 43 U.S.C. §§ 1331–1356c (2026).
- [Coastal Zone Management Act](#), 16 U.S.C. §§ 1451–1468 (2026).
- [Freedom of Information Act](#), 5 U.S.C. § 522 (2026).

DOI & BOEM Regulations

- [Prospecting for Minerals other than Oil, Gas, and Sulphur on the Outer Continental Shelf](#), 30 C.F.R. pt. 580 (2026).
- [Dep't of Interior, Freedom of Information Act; Records and Testimony](#), 43 C.F.R. pt. 2 (2026).

BOEM Proposed Regulations

- [Administrative Revisions to Regulations Related to Outer Continental Shelf Minerals Other Than Oil, Gas, and Sulphur](#), 91 Fed. Reg. 8,803 (proposed Feb. 24, 2026) (to be codified at 30 C.F.R. pts. 580, 581, and 582).

DOI Policy & Procedures

- U.S. Dep't of Interior, [Department of the Interior Implements Emergency Permitting Procedures to Strengthen Domestic Energy Supply](#) (Apr. 23, 2025).
- U.S. Dep't of Interior, [Interior Streamlines Offshore Mineral Policies to Strengthen U.S. Supply Chains and Security](#) (June 6, 2025).