

The background features a stylized ocean scene. At the top left, a large teal shark swims towards the right. To its left is a piece of light blue coral. In the top center, a wavy line represents the water surface. On the right side, a dark teal rock formation is visible, with several small light blue fish swimming near it. At the bottom left, there is a teal rock formation with a purple fan-shaped sea anemone. At the bottom right, another teal rock formation is shown with light blue coral. In the bottom center, a wavy line represents the water surface, and several small light blue fish are swimming below it.

Deep Sea Mining Under the Deep Seabed Hard Mineral Resources Act:

DSHMRA Overview

ELI Webinar June 8, 2026

Lori Osmundsen, Independent Deep - Sea Mining Expert
Environmental Lawyer & Principal, PaxMaris Solutions



Topics

Historical Context

Key Substantive Requirements

Licensing & Permitting Processes

Public Engagement & Judicial Review

Gaps & Ambiguities

Current Applications

The Act and Regulations

Deep Seabed Hard Mineral Resources Act (DSHMRA)

Pub. L. No. 96-283, 94 Stat. 553, codified at 30 USC §§ 1401-1473

- Enacted 1980
- Intended as interim legal framework for exploration & commercial recovery of seabed minerals in areas beyond national jurisdiction
- Covers polymetallic nodules only

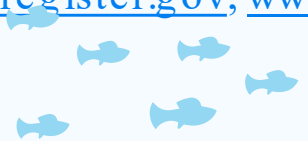
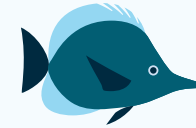


Exploration License Regulations / 15 CFR 970

Commercial Recovery Permit Regulations / 15 CFR 971

Revised Regulations (January 21, 2026)

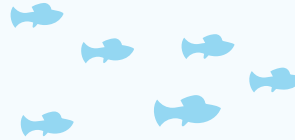
(see www.federalregister.gov; www.ecfr.gov)



Required Application Contents

Exploration License

- Statement of financial resources
- Statement of technological capacity
- Exploration Plan (6 required elements)
- Environmental and Use Conflict analysis (including scientific information re: proposed area)
- Vessel safety/certification
- Statement of ownership
- Antitrust information
- Payment of application fee



Commercial Recovery Permit

- Statement of financial resources
- Statement of technological capacity
- Commercial Recovery Plan and resource assessment
- Environmental and Use Conflict analysis (including data obtained during exploration)
- Vessel safety/certification
- Statement of ownership
- Antitrust information
- Mineral processing location
- Payment of application fee

Required Application Contents (II)

Consolidated Exploration License + Commercial Recovery Permit

- Past exploration experience
- Statement of financial resources
- Statement of technological capacity
- Exploration Plan
- Commercial Recovery Plan
- Environmental and Use Conflict analysis
- Vessel safety/certification
- Statement of ownership
- Antitrust information
- Mineral processing location
- Payment of application fee

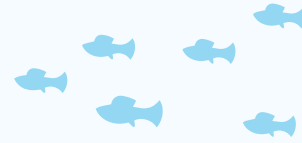
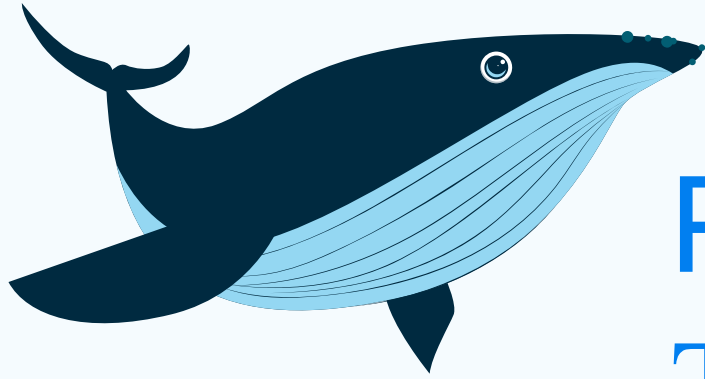
Required Agency Findings

At the Certification Stage:

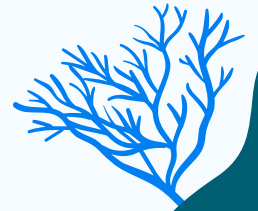
- Applicant's financial responsibility
- Technical capability
- Fulfillment of past DSHMRA obligations
- Adequate exploration and/or commercial recovery plan
- Approved size & location of mining area (for commercial recovery permit)

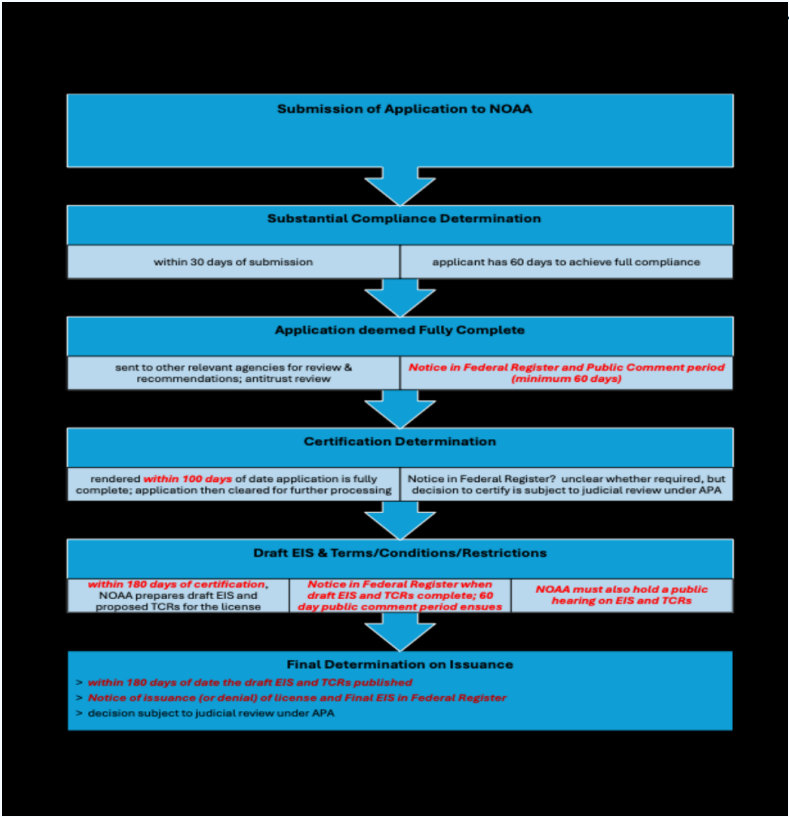
Before Issuing a License or Permit:

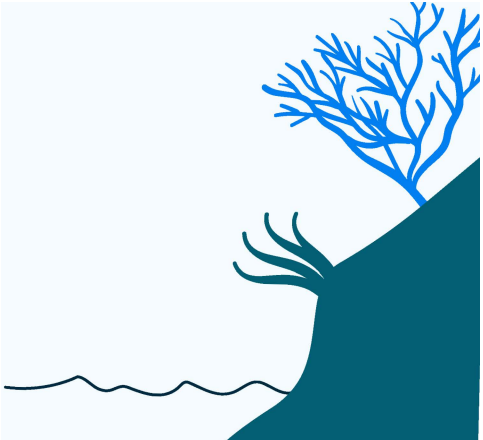
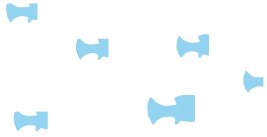
- Freedom of the high seas
- International obligations of U.S.
- Breach of international peace & security involving armed conflict
- Environmental effects*
- Safety at sea
- Proposed processing outside U.S. (for commercial recovery permit)



Process Stages & Timeframes



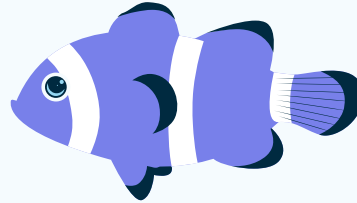




Opportunities for public engagement

Federal Register notice
of *fully complete* app

Minimum 60 day
comment period; may
be oral + written



Federal Register notice of
proposal to issue license/permit,
draft EIS, proposed TCRs

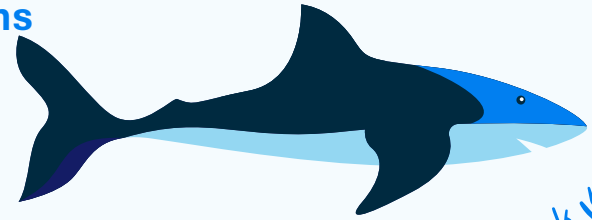
Minimum 60 day comment
period; public hearing

Judicial review available

- Final determination granting or denying **certification of an application**
- Final determination granting or denying **issuance of a license or permit**

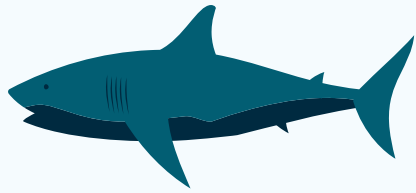
Some questions...

- **How does: (a) DOMES data from 1970s; (b) applicant-provided data; and (c) absence of available data factor into area-specific EIS preparation?**
- **How/when are NOAA's required "findings" that are prerequisites to certification and issuance decisions made known?**
- **What criteria apply in deciding eligibility under the new consolidated license and permit procedure in 15 CFR §971.214?**
- **How will international conflicts, both potential and actual (e.g. ISA overlaps), be evaluated?**



Current Known Pending Applications (as of 6/4/2026)

Applicant	Type	Notice Date	Status
TMC USA/App A	exploration	12/23/25	full compliance
TMC USA/App B	exploration	12/23/25	certified (5/26/26)
American Metal Resources	exploration	4/23/26	full compliance
SeaXInc.	exploration	4/23/26	full compliance
American Deep Sea Minerals Inc.	exploration	6/02/26	full compliance (in comment period)
TMC USA	consolidated		full compliance (5/01/26? but not yet published)



For information about pending
published DSHMRA applications, see:

<https://oceanservice.noaa.gov/deep-seabed-mineral-resources/deep-seabed-mining/>

Thanks and Happy World Oceans Day!

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