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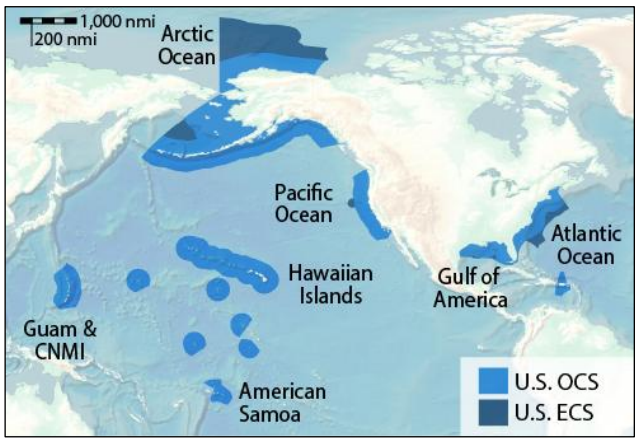
Seabed Mining on the U.S. Outer Continental Shelf: Recent Developments

As part of a national effort to secure reliable supplies of critical minerals, President Trump issued Executive Order (EO) 14285 of April 24, 2025, "Unleashing America's Offshore Critical Minerals and Resources." One potential source of offshore critical minerals is the federally managed U.S. *outer continental shelf* (OCS; **Figure 1**). The Department of the Interior (DOI) has authority under the Outer Continental Shelf Lands Act (OCSLA; 43 U.S.C. §§1331-1356c) to lease OCS areas for the development of offshore energy and non-energy marine minerals, including critical minerals. (This authority is separate from the National Oceanic and Atmospheric Administration's [NOAA's] authority over U.S. seabed mining in areas beyond U.S. jurisdiction.) DOI's authority has been exercised by its Bureau of Ocean Energy Management (BOEM). DOI is merging BOEM and its sister agency, the Bureau of Safety and Environmental Enforcement (BSEE), into a new Marine Minerals Administration.

BOEM's roles include evaluating the OCS for mineral resources and leasing submerged lands to mineral developers. Pursuant to OCSLA, BOEM has issued regulations (30 C.F.R. §§580-582) addressing leasing for non-energy marine minerals. EO 14285 directed the Secretary of the Interior to "identify which critical minerals may be derived from seabed resources" and to "establish an expedited process for reviewing and approving permits for prospecting and granting leases for exploration, development, and production of seabed mineral resources" consistent with applicable law. In June 2025, DOI announced that BOEM and BSEE were "updating [critical mineral] policies across all stages of development" to "reduce delays, improve coordination and provide greater certainty for industry, all while upholding key environmental safeguards." In February 2026, BOEM published a proposed rule to make "administrative revisions" to its mineral leasing regulations. Some stakeholders have supported these executive actions, while others have challenged BOEM's actions, citing environmental concerns. Under the Biden Administration, some federal agencies undertook studies of potential environmental impacts of OCS mining activities.

Congress has conducted oversight of executive actions and debated legislation related to seabed mining on the OCS. Some Members have proposed codifying EO 14285 (e.g., H.R. 3803, 119th Congress) or mandating actions on aspects of the EO (e.g., H.R. 4018 and S. 2860, 119th Congress). Other Members have sought to ban specified seabed mining activities on the OCS (e.g., H.R. 664, 119th Congress). Some committees (e.g., House Committee on Natural Resources) have held hearings to consider whether seabed mining can help diversify U.S. critical mineral supplies and how such activities should be regulated.

Figure 1. U.S. Outer Continental Shelf (OCS)



Source: CRS, modified from BOEM, "Outer Continental Shelf."

Notes: CNMI = Commonwealth of the Northern Mariana Islands. The OCS (i.e., federal waters) generally extends from the outer boundaries of state-controlled waters (generally 3 nautical miles [nmi] from shore) to 200 nmi from shore (royal blue). In some areas, the United States has claimed *extended continental shelf* (ECS) beyond this 200-nmi limit based on geological and geophysical data, thereby extending the outer limits of the OCS (navy blue). In cases where the OCS abuts a neighboring country's continental shelf, the OCS may measure less than 200 nmi from the U.S. shoreline.

Seabed Deposits on the OCS

Seabed deposits that contain critical minerals may occur across the OCS, but not all deposits on the OCS may be economically viable to mine. Five types of OCS seabed deposits that may contain critical minerals are listed below, from nearshore to deeper-water environments:

1. *heavy mineral sands*—mud- and sand-sized grains deposited by a river or glacier in a marine nearshore environment;
2. *phosphorites*—sedimentary rocks containing a high concentration of calcium phosphate that generally occur along continental shelves, slopes, and seamounts;
3. *polymetallic sulfide deposits/hydrothermal deposits*—mineral accumulations formed from hot waters emitted at ocean spreading ridges and in areas of undersea volcanic activity;
4. *ferromanganese crusts*—mineral encrustations that form on hard surfaces from seawater rich in dissolved metals, occurring in volcanically active regions; and
5. *polymetallic nodules*—potato-shaped rocks composed of concentric mineral layers that form around a hard nucleus, such as a shark tooth, lying on the deep seafloor.

OCS Areas Under Consideration for Critical Mineral Leasing

In response to EO 14285 and pursuant to its statutory authority under OCSLA (43 U.S.C. §1337(k)), BOEM has initiated the process for four potential critical mineral lease sales in federal waters offshore of American Samoa, the Commonwealth of the Northern Mariana Islands (CNMI), Virginia, and Alaska. To date, BOEM has not issued any leases for critical mineral activities. BOEM's mineral leasing process may start with an unsolicited request for a lease sale or by BOEM's own initiative. In either case, BOEM may publish a request for information and interest (RFI) specifying areas or minerals to be considered. BOEM may follow this with additional steps to pursue a lease sale.

Unsolicited Requests for Mineral Lease Sales

American Samoa. On April 8, 2025, BOEM received a request from Impossible Metals to commence a leasing process for exploration and potential development of critical minerals on the OCS offshore of American Samoa. During an April 2025 House Committee on Natural Resources hearing, Impossible Metals confirmed it had previously requested a lease sale for polymetallic nodules on the OCS off American Samoa in 2024. At that time, BOEM opted not to initiate leasing steps.

In response to Impossible Metals' second request, BOEM initiated a leasing process by publishing an RFI in June 2025 for a lease sale offshore of American Samoa for development of minerals found in polymetallic nodules and ferromanganese crusts. BOEM conducted an environmental assessment for proposed issuance of two critical mineral leases, pursuant to the National Environmental Policy Act (42 U.S.C. §§4321 et seq.). NOAA's National Marine Fisheries Service (NMFS) issued a letter of concurrence for the proposed leases under consultation requirements of the Endangered Species Act (ESA; 16 U.S.C. §1536). In an October 2026 final leasing notice, BOEM published a lease sale map and lease stipulations. On November 16, 2026, three days before BOEM's planned sale, a federal judge vacated NMFS's letter of concurrence, reasoning that NMFS construed the agency action too narrowly and therefore did not consider potential effects of post-leasing activities on ESA-listed species and critical habitat.

Virginia. On November 13, 2025, BOEM received an unsolicited lease sale request from Odyssey Marine Exploration focused on heavy mineral sands and phosphorites offshore of Virginia. In June 2026, BOEM published an RFI for a lease sale for minerals offshore of Virginia. The RFI area is located 3 to 63.5 miles (mi) offshore of the Delmarva Peninsula seaward of Accomack and Northampton counties. The comment period for the RFI closed on August 22, 2026.

BOEM-Initiated Mineral Leasing Proposals

CNMI. On November 12, 2025, BOEM published an RFI for a mineral lease sale on the OCS offshore of the CNMI. BOEM completed an environmental assessment that analyzed the proposed leasing action. BOEM's most recent activity in this matter, as of the date of this publication, was to publish a proposed leasing notice (PLN) in the *Federal Register* in August 2026, proposing a December 2026 lease sale. BOEM proposes to lease two areas east of the CNMI and three areas west of the CNMI for minerals found in polymetallic nodules, ferromanganese crusts, and polymetallic sulfides, according to the PLN. The southern boundary for the proposed leasing areas west of the CNMI is 57 mi from Saipan and 46 mi from Guam. For the proposed leasing areas east of the CNMI, the southern boundary is 128 mi from Saipan and 127 mi from Guam. Both southern boundaries fall within the CNMI's OCS rather than Guam's, according to BOEM's Area Identification memo. NMFS's letter of concurrence for the proposed CNMI sale has also been challenged in a lawsuit.

Alaska. On January 29, 2026, BOEM published an RFI for a mineral lease sale on the OCS offshore of Alaska. BOEM anticipates that Alaska's OCS contains heavy mineral sands and ferromanganese crusts. The Alaska RFI area covers more than 113 million acres, an area larger than California. Portions of the RFI area lie above 75°N, at water depths over 7,000 meters, and on the U.S. extended continental shelf (ECS; **Figure 1**). Russia, a party to the UN Convention on the Law of the Sea, "does not recognise" the U.S. ECS, as the United States is not a party to the convention. BOEM's most recent activity in this matter, as of the date of this publication, was to close the RFI comment period on April 1, 2026.

Potential Questions Facing Congress

As the federal government works to strengthen and diversify the U.S. domestic critical mineral supply chain, Congress may consider questions related to critical minerals on the OCS, including but not limited to the following.

- Is there sufficient scientific knowledge to reduce seabed mining impacts, if any, to the marine environment? Are BOEM's mining mitigation measures sufficient to reduce potential environmental impacts?
- Do BOEM's regulations for non-energy marine minerals pose economic burdens for the U.S. mining industry?
- What role, if any, should states and U.S. territories have in BOEM's marine mineral leasing process? Should coastal states and territories receive a share of the revenue the federal government collects from seabed mining leases (e.g., see H.R. 10318, 119th Congress)?
- In the absence of U.S. onshore processing facilities, where should marine minerals harvested by U.S. companies be processed? Should the United States include marine minerals in domestic stockpiles as a means to encourage the construction of domestic processing facilities?

For further discussion of OCS seabed mining and issues for Congress, see CRS Report R48302, *Seabed Mining for Critical Minerals on the U.S. Outer Continental Shelf: Issues for Congress*.

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