

PUBLIC LAW 106-193—MAY 2, 2000

**METHANE HYDRATE RESEARCH AND
DEVELOPMENT ACT OF 2000**

Public Law 106–193
106th Congress

An Act

May 2, 2000
[H.R. 1753]

To promote the research, identification, assessment, exploration, and development of methane hydrate resources, and for other purposes.

Methane Hydrate
Research and
Development Act
of 2000.
30 USC 1902
note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Methane Hydrate Research and Development Act of 2000”.

SEC. 2. DEFINITIONS.

In this Act:

(1) **CONTRACT.**—The term “contract” means a procurement contract within the meaning of section 6303 of title 31, United States Code.

(2) **COOPERATIVE AGREEMENT.**—The term “cooperative agreement” means a cooperative agreement within the meaning of section 6305 of title 31, United States Code.

(3) **DIRECTOR.**—The term “Director” means the Director of the National Science Foundation.

(4) **GRANT.**—The term “grant” means a grant awarded under a grant agreement, within the meaning of section 6304 of title 31, United States Code.

(5) **INDUSTRIAL ENTERPRISE.**—The term “industrial enterprise” means a private, nongovernmental enterprise that has an expertise or capability that relates to methane hydrate research and development.

(6) **INSTITUTION OF HIGHER EDUCATION.**—The term “institution of higher education” means an institution of higher education, within the meaning of section 102(a) of the Higher Education Act of 1965 (20 U.S.C. 1002(a)).

(7) **SECRETARY.**—The term “Secretary” means the Secretary of Energy, acting through the Assistant Secretary for Fossil Energy.

(8) **SECRETARY OF COMMERCE.**—The term “Secretary of Commerce” means the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration.

(9) **SECRETARY OF DEFENSE.**—The term “Secretary of Defense” means the Secretary of Defense, acting through the Secretary of the Navy.

(10) **SECRETARY OF THE INTERIOR.**—The term “Secretary of the Interior” means the Secretary of the Interior, acting through the Director of the United States Geological Survey and the Director of the Minerals Management Service.

SEC. 3. METHANE HYDRATE RESEARCH AND DEVELOPMENT PROGRAM.**(a) IN GENERAL.—**

(1) **COMMENCEMENT OF PROGRAM.**—Not later than 180 days after the date of the enactment of this Act, the Secretary, in consultation with the Secretary of Commerce, the Secretary of Defense, the Secretary of the Interior, and the Director, shall commence a program of methane hydrate research and development in accordance with this section. Deadline.

(2) **DESIGNATIONS.**—The Secretary, the Secretary of Commerce, the Secretary of Defense, the Secretary of the Interior, and the Director shall designate individuals to carry out this section.

(3) **COORDINATION.**—The individual designated by the Secretary shall coordinate all activities within the Department of Energy relating to methane hydrate research and development.

(4) **MEETINGS.**—The individuals designated under paragraph (2) shall meet not later than 270 days after the date of the enactment of this Act and not less frequently than every 120 days thereafter to— Deadline.

(A) review the progress of the program under paragraph (1); and

(B) make recommendations on future activities to occur subsequent to the meeting.

(b) GRANTS, CONTRACTS, COOPERATIVE AGREEMENTS, INTER-AGENCY FUNDS TRANSFER AGREEMENTS, AND FIELD WORK PROPOSALS.—

(1) **ASSISTANCE AND COORDINATION.**—In carrying out the program of methane hydrate research and development authorized by this section, the Secretary may award grants or contracts to, or enter into cooperative agreements with, institutions of higher education and industrial enterprises to—

(A) conduct basic and applied research to identify, explore, assess, and develop methane hydrate as a source of energy;

(B) assist in developing technologies required for efficient and environmentally sound development of methane hydrate resources;

(C) undertake research programs to provide safe means of transport and storage of methane produced from methane hydrates;

(D) promote education and training in methane hydrate resource research and resource development;

(E) conduct basic and applied research to assess and mitigate the environmental impacts of hydrate degassing (including both natural degassing and degassing associated with commercial development);

(F) develop technologies to reduce the risks of drilling through methane hydrates; and

(G) conduct exploratory drilling in support of the activities authorized by this paragraph.

(2) **COMPETITIVE MERIT-BASED REVIEW.**—Funds made available under paragraph (1) shall be made available based on a competitive merit-based process.

- Establishment. (c) CONSULTATION.—The Secretary shall establish an advisory panel consisting of experts from industrial enterprises, institutions of higher education, and Federal agencies to—
- (1) advise the Secretary on potential applications of methane hydrate;
 - (2) assist in developing recommendations and priorities for the methane hydrate research and development program carried out under subsection (a)(1); and
 - (3) not later than 2 years after the date of the enactment of this Act, and at such later dates as the panel considers advisable, submit to Congress a report on the anticipated impact on global climate change from—
 - (A) methane hydrate formation;
 - (B) methane hydrate degassing (including natural degassing and degassing associated with commercial development); and
 - (C) the consumption of natural gas produced from methane hydrates.
- Not more than 25 percent of the individuals serving on the advisory panel shall be Federal employees.
- (d) LIMITATIONS.—
- (1) ADMINISTRATIVE EXPENSES.—Not more than 5 percent of the amount made available to carry out this section for a fiscal year may be used by the Secretary for expenses associated with the administration of the program carried out under subsection (a)(1).
 - (2) CONSTRUCTION COSTS.—None of the funds made available to carry out this section may be used for the construction of a new building or the acquisition, expansion, remodeling, or alteration of an existing building (including site grading and improvement and architect fees).
- (e) RESPONSIBILITIES OF THE SECRETARY.—In carrying out subsection (b)(1), the Secretary shall—
- (1) facilitate and develop partnerships among government, industrial enterprises, and institutions of higher education to research, identify, assess, and explore methane hydrate resources;
 - (2) undertake programs to develop basic information necessary for promoting long-term interest in methane hydrate resources as an energy source;
 - (3) ensure that the data and information developed through the program are accessible and widely disseminated as needed and appropriate;
 - (4) promote cooperation among agencies that are developing technologies that may hold promise for methane hydrate resource development; and
 - (5) report annually to Congress on accomplishments under this section.
- Reports.

SEC. 4. AMENDMENTS TO THE MINING AND MINERALS POLICY ACT OF 1970.

Section 201 of the Mining and Minerals Policy Act of 1970 (30 U.S.C. 1901) is amended—

- (1) in paragraph (6)—
 - (A) in subparagraph (F), by striking “and” at the end;
 - (B) by redesignating subparagraph (G) as subparagraph (H); and

- (C) by inserting after subparagraph (F) the following:
“(G) for purposes of this section and sections 202 through 205 only, methane hydrate; and”;
- (2) by redesignating paragraph (7) as paragraph (8); and
- (3) by inserting after paragraph (6) the following:
“(7) The term ‘methane hydrate’ means—
“(A) a methane clathrate that is in the form of a methane-water ice-like crystalline material and is stable and occurs naturally in deep-ocean and permafrost areas; and
“(B) other natural gas hydrates found in association with deep-ocean and permafrost deposits of methane hydrate.”.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary of Energy to carry out this Act—

- (1) \$5,000,000 for fiscal year 2001;
- (2) \$7,500,000 for fiscal year 2002;
- (3) \$11,000,000 for fiscal year 2003;
- (4) \$12,000,000 for fiscal year 2004; and
- (5) \$12,000,000 for fiscal year 2005.

Amounts authorized under this section shall remain available until expended.

SEC. 6. SUNSET.

Section 3 of this Act shall cease to be effective after the end of fiscal year 2005.

SEC. 7. NATIONAL RESEARCH COUNCIL STUDY.

The Secretary shall enter into an agreement with the National Research Council for such council to conduct a study of the progress made under the methane hydrate research and development program implemented pursuant to this Act, and to make recommendations for future methane hydrate research and development needs. The Secretary shall transmit to the Congress, not later than September 30, 2004, a report containing the findings and recommendations of the National Research Council under this section.

Deadline.
Reports.

SEC. 8. REPORTS AND STUDIES.

The Secretary of Energy shall provide to the Committee on Science of the House of Representatives copies of any report or

study that the Department of Energy prepares at the direction of any committee of the Congress.

Approved May 2, 2000.

LEGISLATIVE HISTORY—H.R. 1753 (S. 330):

HOUSE REPORTS: No. 106-377, Pt. 1 (Comm. on Science) and Pt. 2 (Comm. on Resources).

SENATE REPORTS: No. 106-33 accompanying S. 330 (Comm. on Energy and Resources).

CONGRESSIONAL RECORD:

Vol. 145 (1999): Oct. 26, considered and passed House.

Nov. 19, considered and passed Senate, amended.

Vol. 146 (2000): Apr. 3, House concurred in Senate amendments with an amendment pursuant to H. Res. 453.

Apr. 13, Senate concurred in House amendment.

