

trical or the energy product equivalent, sites to be determined, conceptual and preliminary design activities only \$5,000,000.

(d) Funds are hereby authorized to be appropriated for fiscal year 1982 to carry out the purposes of section 9004 of this title for plant and capital equipment as follows:

Project 81-ES-1, ocean thermal energy conversion demonstration plants with a combined capacity of at least one hundred megawatts electrical or the energy product equivalent, sites to be determined, conceptual and preliminary design activities only \$25,000,000.

(Pub. L. 96-310, § 10, July 17, 1980, 94 Stat. 946.)

CHAPTER 99—OCEAN THERMAL ENERGY CONVERSION

Sec.

9101. Congressional declaration of policy.
9102. Definitions.

SUBCHAPTER I—REGULATION OF OCEAN THERMAL ENERGY CONVERSION FACILITIES AND PLANTSHIPS

9111. License for ownership, construction, and operation of ocean thermal energy conversion facilities or plantships.
9112. Procedure.
9113. Protection of submarine electric transmission cables and equipment.
9114. Antitrust review.
9115. Adjacent coastal States.
9116. Diligence requirements.
9117. Protection of the environment.
9118. Marine environmental protection and safety of life and property at sea.
9119. Prevention of interference with other uses of high seas.
9120. Monitoring of licensees' activities.
9121. Suspension, revocation, and termination of licenses.
9122. Recordkeeping and public access to information.
9123. Relinquishment or surrender of license.
9124. Civil actions.
9125. Judicial review.
9126. Exempt operations.
9127. Periodic review and revision of regulations.

SUBCHAPTER II—MARITIME FINANCING FOR OCEAN THERMAL ENERGY CONVERSION

9141. Determinations under Merchant Marine Act, 1936.

SUBCHAPTER III—ENFORCEMENT

9151. Prohibited acts.
9152. Remedies and penalties.
9153. Enforcement.

SUBCHAPTER IV—MISCELLANEOUS PROVISIONS

9161. Law of the Sea Treaty.
9162. International negotiations.
9163. Relationship to other laws.
9164. Submarine electric transmission cable and equipment safety.
9165. Omitted.
9166. Authorization of appropriations.
9167. Severability.
9168. Report to Congress on promotion and enhancement of export potential of ocean thermal energy conversion components, facilities, and plantships.

§ 9101. Congressional declaration of policy

(a) It is declared to be the purposes of the Congress in this chapter to—

(1) authorize and regulate the construction, location, ownership, and operation of ocean thermal energy conversion facilities connected to the United States by pipeline or cable, or located in whole or in part between the highwater mark and the seaward boundary of the territorial sea of the United States consistent with the Convention on the High Seas, and general principles of international law;

(2) authorize and regulate the construction, location, ownership, and operation of ocean thermal energy conversion plantships documented under the laws of the United States, consistent with the Convention on the High Seas and general principles of international law;

(3) authorize and regulate the construction, location, ownership, and operation of ocean thermal energy conversion plantships by United States citizens, consistent with the Convention on the High Seas and general principles of international law;

(4) establish a legal regime which will permit and encourage the development of ocean thermal energy conversion as a commercial energy technology;

(5) provide for the protection of the marine and coastal environment, and consideration of the interests of ocean users, to prevent or minimize any adverse impact which might occur as a consequence of the development of such ocean thermal energy conversion facilities or plantships;

(6) make applicable certain provisions of the Merchant Marine Act, 1936 (46 U.S.C. 1177 et seq.)¹ to assist in financing of ocean thermal energy conversion facilities and plantships;

(7) protect the interests of the United States in the location, construction, and operation of ocean thermal energy conversion facilities and plantships; and

(8) protect the rights and responsibilities of adjacent coastal States in ensuring that Federal actions are consistent with approved State coastal zone management programs and other applicable State and local laws.

(b) The Congress declares that nothing in this chapter shall be construed to affect the legal status of the high seas, the superjacent airspace, or the seabed and subsoil, including the Continental Shelf.

(Pub. L. 96-320, § 2, Aug. 3, 1980, 94 Stat. 974; Pub. L. 98-623, title VI, § 602(a)(1), Nov. 8, 1984, 98 Stat. 3410.)

REFERENCES IN TEXT

This chapter, referred to in subsecs. (a) and (b), was in the original a reference to "this Act" meaning Pub. L. 96-320, Aug. 3, 1980, 94 Stat. 974, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out below and Tables.

The Merchant Marine Act, 1936, referred to in subsec. (a)(6), is act June 29, 1936, ch. 858, 49 Stat. 1985, which was classified principally to chapter 27 (§ 1101 et seq.) of the former Appendix to Title 46, Shipping. Most of this Act was repealed and restated mainly as subtitle V of Title 46, Shipping, by Pub. L. 109-304, §§ 8, 19, Oct. 6, 2006, 120 Stat. 1555, 1710. For complete classification of

¹ See References in Text note below.