

**STATEMENT OF  
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ENFORCEMENT  
UNITED STATES DEPARTMENT OF THE INTERIOR**

**BEFORE THE**

**HOUSE COMMITTEE ON NATURAL RESOURCES  
SUBCOMMITTEE ON ENERGY AND MINERAL RESOURCES**

**LEGISLATIVE HEARING ON H.R. 2360 AND H.R. 2803**

**September 13, 2011**

Mr. Chairman and members of the Subcommittee, I am pleased to be here today to discuss two bills before the committee, H.R. 2360, the Providing for Our Workforce and Energy Resources (POWER) Act, and H.R. 2803, which directs the Secretary of the Interior, acting through the Bureau of Ocean Energy Management, Regulation and Enforcement (BOEMRE), to conduct a technological capability assessment, survey and economic feasibility study regarding the recovery of non-oil and gas minerals from the shallow and deep seabed of the United States.

**H.R. 2360**

As we read H.R. 2360, the bill clarifies that the Constitution, all laws, and jurisdiction of the United States courts and agencies that apply to installations and devices that are attached to the seabed and used for the exploration and production of oil and gas on the Outer Continental Shelf (OCS) also apply to installations and devices attached to the seabed of the OCS for the production and transmission of energy from sources other than oil and gas. We believe that section 4(a) of the OCS Lands Act already applies to such installations and devices. However, to the extent there is uncertainty as to its application, the language in H.R. 2360 would provide clarification.

**H.R. 2803**

H.R. 2803 directs the Secretary of the Interior, acting through BOEMRE, to conduct a technological capability assessment, survey and economic feasibility study regarding the recovery of non-oil and gas minerals from the shallow and deep seabed of the United States.

BOEMRE and the USGS, working in collaboration, have the expertise to conduct the study proposed in this bill with the resources that this bill would authorize. We would also work with our Federal partners as appropriate. However, unless the OCSLA is extended to cover the waters offshore the territories and possessions of the United States, the provisions in OCSLA governing exploration for and development of minerals in the seabed beneath these waters would not apply. The OCSLA only provides BOEMRE the authority to lease and permit mineral exploration and development offshore of the fifty United States. We would also note that funding for a study would be subject to appropriations and Departmental priorities. We would be happy to work with the Subcommittee on refining this legislation.

**Conclusion**

I thank you for your time and attention and am happy to answer any questions.