

# New Executive Order: Enhancing Offshore Critical Mineral Development

On April 24, 2025, President Donald J. Trump issued an [executive order](#) titled “*Unleashing America’s Offshore Critical Minerals and Resources*” (the “Executive Order”), which outlines the administration’s policy objectives for the United States to become a leader in seabed mineral development and mandates certain actions to be undertaken by various federal agencies over the next 60 days to advance these policy objectives.

The Executive Order identifies strategic minerals, such as nickel, cobalt, copper, manganese, titanium and rare earth elements, as being of critical importance to the national security and economic prosperity of the United States. Potentially vast quantities of these minerals are expected to be contained in seabed polymetallic nodules, other subsea geologic structures and coastal deposits. The Executive Order aims to expedite and expand seabed mining for critical minerals in the United States Outer Continental Shelf (“OCS”), in foreign national jurisdictions (including in their respective Exclusive Economic Zones) and in international waters.

## STRATEGIC ACTIONS

The Executive Order mandates the following strategic actions to be taken within 60 days by the United States Departments of State, Commerce, Defense, Energy and the Interior and various federal agencies, including the National Oceanic and Atmospheric Administration and the Bureau of Ocean Energy Management:

### *Expedited Seabed Mining Permitting*

- **Extraterritorial Waters**

Expedite the process for reviewing and issuing seabed mineral exploration licenses and commercial recovery permits in areas outside the jurisdiction of the United States pursuant to the *Deep Seabed Hard Mineral Resources Act*.

- **OCS**

Establish an expedited process for reviewing and approving permits for prospecting and granting leases for exploration, development, and production of seabed mineral resources within the OCS pursuant to the *Outer Continental Shelf Lands Act*.

### *Seabed Mapping*

Develop a plan to map priority areas of the seabed with abundant or accessible mineral resources to accelerate data collection and characterization, prioritizing areas within the OCS.

### *Identification of Critical Minerals*

Identify which critical minerals may be derived from seabed resources and which critical minerals are essential for applications such as defense, infrastructure, manufacturing, and energy.

### *Seabed Mining in Foreign Waters:*

Engage with key partners and allies to support seabed mineral resource exploration, extraction, processing, and environmental monitoring in areas within the national jurisdiction of such partners and allies and develop a prioritized list of countries for such engagement.

## *Reports*

- **Private Sector**

Provide a report on private sector interest and opportunities for (i) seabed mineral resource exploration, mining and environmental monitoring in the OCS, in areas beyond the national jurisdiction of the United States and, in partnership with other countries, in areas within the national jurisdiction of such countries; and (ii) processing seabed mineral resources in the United States or on United States-flagged vessels.

- **International Collaboration in International Waters**

Provide a report on the feasibility of an international benefit-sharing mechanism for seabed mineral resource extraction and development that occurs in international waters.

- **National Defense Stockpile**

Provide a report on the feasibility and any potential benefits or drawbacks of using the National Defense Stockpile for physical or virtual storage of materials derived from seabed polymetallic nodules and of entering into offtake agreements for such materials.

- **Other Mechanisms to Support Deepsea Mining**

Provide a report identifying ways to support domestic and international seabed mineral resource exploration, extraction, processing, and environmental monitoring, which will include input from the United States International Development Finance Corporation, the Export-Import Bank of the United States and the Trade and Development Agency.

## *Support of Seabed Mineral Processing*

Review and revise existing regulations to support domestic processing capabilities for seabed mineral resources, including exploring the use of grant and loan authorities, the Defense Production Act and other procurement and financing authorities.

## *National Security Considerations*

Ensure that the Strategic and Critical Materials Board of Directors, which was established by the Department of Defense, considers seabed mineral resource developments when recommending a strategy for ensuring a secure supply of materials designated as critical to national security under the Strategic and Critical Materials Stock Piling Act.

The Executive Order's implementation must be consistent with applicable law and is subject to the availability of appropriations.

## **CONCLUSION**

The Executive Order highlights the administration's focus on securing critical minerals to support the United States' economic and national security interests. By fostering domestic capabilities, enhancing international partnerships, and streamlining regulatory processes, the administration aims to position the United States as a global leader in seabed mineral development, ensuring a secure and sustainable supply of critical minerals for the future.

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