

Union Calendar No. 243

107TH CONGRESS
2^D SESSION

H. R. 3389

[Report No. 107-369, Parts I and II]

To reauthorize the National Sea Grant College Program Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 30, 2001

Mr. GILCHREST introduced the following bill; which was referred to the Committee on Resources

MARCH 7, 2002

Reported from the Committee on Resources with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

MARCH 7, 2002

Referred to the Committee on Science for a period ending not later than April 17, 2002 for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(n), rule X

APRIL 15, 2002

Additional sponsors: Mr. UNDERWOOD, Mr. SAXTON, Mr. YOUNG of Alaska, Mr. FALCONE, Mr. KENNEDY of Rhode Island, Mr. SERRANO, Mr. FARR of California, Mr. TAUZIN, Mr. SPRATT, Mr. CLYBURN, Mr. ETHERIDGE, Mr. FOLEY, Mr. MEEKS of New York, Mr. GRUCCI, Mr. DEUTSCH, Mr. MCHUGH, Mr. ACKERMAN, Mr. HORN, Mr. RANGEL, Mrs. MEEK of Florida, Mr. ANDREWS, Mr. McNULTY, Mr. EHRLICH, Mr. LAFALCE, Ms. ROS-LEHTINEN, Mrs. LOWEY, Mrs. MORELLA, Mr. FRANK, Mr. TOWNS, Mr. PALLONE, Mr. LANGEVIN, Mr. MARKEY, Mr. BLUMENAUER, Mr. CALLAHAN, Mr. WICKER, Mr. DAVIS of Florida, Mr. KING, Mr. OWENS, Mr. HINCHEY, Mr. DELAHUNT, Mr. WILSON of South Carolina, Mr. HOEFFEL, Mr. CRENSHAW, Mr. BRADY of Texas, Mr. WALSH, Mr. BOUCHER, Mr. STEARNS, Mr. ACEVEDO-VILÁ, Ms. SANCHEZ, Mr. NEAL of Massachusetts, Mr. LATOURETTE, Mr. HOUGHTON, Mr. BROWN of Ohio, Mr. QUINN, Mrs. JO ANN DAVIS of Virginia,

Mr. GILMAN, Mrs. ROUKEMA, Mr. ROTHMAN, Mr. RILEY, Mr. GRAHAM, Mr. MCINTYRE, Mr. GILLMOR, Mr. BURR of North Carolina, Mrs. MCCARTHY of New York, Mrs. CAPPS, Mr. JEFF MILLER of Florida, Mr. BILIRAKIS, Mr. WATT of North Carolina, Mr. DIAZ-BALART, Ms. MCCOLLUM, Mr. HASTINGS of Florida, Ms. HOOLEY of Oregon, Mr. KINGSTON, Mr. THOMPSON of Mississippi, Mr. ISRAEL, Mr. ENGLISH, Mr. PUTNAM, Mr. ENGEL, Mr. KILDEE, Mr. ALLEN, Mrs. DAVIS of California, Mrs. MINK of Hawaii, Mr. PRICE of North Carolina, Mrs. CLAYTON, Mr. WEXLER, Ms. BALDWIN, Mr. BALDACCI, Mr. KUCINICH, Mr. CAPUANO, Mr. FILNER, Mr. SMITH of Washington, Mrs. THURMAN, Mr. MORAN of Virginia, Mr. BAKER, Mr. SCOTT, Mrs. MALONEY of New York, Mr. SCHROCK, Ms. MCKINNEY, Mr. PICKERING, Mr. OLVER, Mr. DEMINT, Mr. NORWOOD, Mr. HOLDEN, Ms. WOOLSEY, Mr. PASCARELL, Mr. TIERNEY, Ms. ESHOO, Mr. JEFFERSON, Mr. SHERMAN, Mr. CHAMBLISS, Ms. RIVERS, Mr. ISAKSON, and Mr. OXLEY

APRIL 15, 2002

Reported from the Committee on Science with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in boldface roman]

[For text of introduced bill, see copy of bill as introduced on November 30, 2001]

A BILL

To reauthorize the National Sea Grant College Program Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “National Sea Grant Col-*
 5 *lege Program Act Amendments of 2002”.*

6 **SEC. 2. AMENDMENTS TO FINDINGS AND OBJECTIVE.**

7 *(a) FINDINGS.—Section 202(a)(6) of the National Sea*
 8 *Grant College Program Act (33 U.S.C. 1121(a)(6)) is*
 9 *amended by striking the period at the end and inserting*

1 “, including strong collaborations between Administration
2 scientists and scientists at academic institutions.”.

3 (b) *OBJECTIVE.*—Section 202(b) of the National Sea
4 Grant College Program Act (33 U.S.C. 1121(b)) is amended
5 by striking “and” before “multidisciplinary”, and by strik-
6 ing the period at the end and inserting “, and the conserva-
7 tion and management of coastal and ocean resources.”.

8 **SEC. 3. REQUIREMENTS APPLICABLE TO NATIONAL SEA**
9 **GRANT COLLEGE PROGRAM.**

10 (a) *PROGRAM ELEMENTS.*—Section 204(b)(4) of the
11 National Sea Grant College Program Act (33 U.S.C.
12 1123(b)(4)) is amended to read as follows:

13 “(4) the coastal ocean research program, a na-
14 tional competitive research program to support ac-
15 tivities designed to improve our understanding of and
16 ability to manage coastal and Great Lakes resources
17 and to promote partnerships between the national sea
18 grant college program and other programs within the
19 Administration.”.

20 (b) *FUNCTIONS OF DIRECTOR.*—Section 204(d)(3)(B)
21 of the National Sea Grant College Program Act (33 U.S.C.
22 1123(d)(3)(B)) is amended by striking “and” after the
23 semicolon at the end of clause (ii) and by adding at the
24 end the following:

1 “(iv) encourage and promote coordina-
2 tion and cooperation between the research,
3 education, and outreach programs of the
4 Administration and those of academic insti-
5 tutions; and”.

6 **SEC. 4. COST SHARE OF COASTAL OCEAN RESEARCH**
7 **GRANTS.**

8 Section 205(a) of the National Sea Grant College Pro-
9 gram Act (33 U.S.C. 1124(a)) is amended by striking “sec-
10 tion 204(d)(6)” and inserting “section 204(c)(4)(F) and in
11 the case of grants under subsection (a) of this section to
12 assist coastal and ocean research”.

13 **SEC. 5. TERMS OF MEMBERSHIP FOR SEA GRANT REVIEW**
14 **PANEL.**

15 Section 209(c)(2) of the National Sea Grant College
16 Program Act (33 U.S.C. 1128(c)(2)) is amended by striking
17 the first sentence and inserting the following: “The term of
18 office of a voting member of the panel shall be 3 years for
19 a member appointed before the date of enactment of the Na-
20 tional Sea Grant College Program Act Amendments of
21 2002, and 4 years for a member appointed or reappointed
22 after the date of enactment of the National Sea Grant Col-
23 lege Program Act Amendments of 2002. The Director may
24 extend the term of office of a voting member of the panel
25 appointed before the date of enactment of the National Sea

1 *Grant College Program Act Amendments of 2002 by up to*
2 *1 year.”.*

3 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

4 *(a) IN GENERAL.—Subsections (a) and (b) of section*
5 *212 of the National Sea Grant College Program Act (33*
6 *U.S.C. 1131) are amended to read as follows:*

7 *“(a) AUTHORIZATION.—*

8 *“(1) IN GENERAL.—There is authorized to be ap-*
9 *propriated to the Secretary to carry out this title—*

10 *“(A) \$75,000,000 for fiscal year 2004;*

11 *“(B) \$77,500,000 for fiscal year 2005;*

12 *“(C) \$80,000,000 for fiscal year 2006;*

13 *“(D) \$82,500,000 for fiscal year 2007; and*

14 *“(E) \$85,000,000 for fiscal year 2008.*

15 *“(2) ZEBRA MUSSEL, OYSTER, AND HARMFUL*
16 *ALGAL BLOOM RESEARCH.—In addition to the*
17 *amount authorized under paragraph (1), there is au-*
18 *thorized to be appropriated for each of fiscal years*
19 *2004 through 2008—*

20 *“(A) \$5,000,000 for competitive grants for*
21 *university research on the zebra mussel biology*
22 *and control;*

23 *“(B) \$5,000,000 for competitive grants for*
24 *university research on oyster diseases, oyster res-*

1 *toration, and oyster-related human health risks;*
2 *and*

3 *“(C) \$5,000,000 for competitive grants for*
4 *university research on the biology, prevention,*
5 *and forecasting of harmful algal blooms, includ-*
6 *ing *Pfiesteria piscicida*.*

7 *“(3) COASTAL OCEAN RESEARCH PROGRAM.—*
8 *There is authorized to be appropriated to the Sec-*
9 *retary to carry out the coastal ocean research pro-*
10 *gram under section 204(b)(4)—*

11 *“(A) \$22,000,000 for fiscal year 2004;*

12 *“(B) \$24,000,000 for fiscal year 2005;*

13 *“(C) \$26,000,000 for fiscal year 2006;*

14 *“(D) \$28,000,000 for fiscal year 2007; and*

15 *“(E) \$30,000,000 for fiscal year 2008.*

16 *“(b) LIMITATIONS.—*

17 *“(1) ADMINISTRATION.—There may not be used*
18 *for administration of programs under this title in a*
19 *fiscal year more than 5 percent of the lesser of—*

20 *“(A) the amount authorized to be appro-*
21 *priated under this title for the fiscal year; or*

22 *“(B) the amount appropriated under this*
23 *title for the fiscal year.*

24 *“(2) USE FOR OTHER OFFICES OR PROGRAMS.—*

25 *Sums appropriated under the authority of subsection*

1 (a)(2) shall not be available for administration of this
 2 title by the National Sea Grant Office, for any other
 3 Administration or department program, or for any
 4 other administrative expenses.”.

5 (b) REPEAL.—Such section is further amended by re-
 6 pealing subsection (c) and redesignating subsections (d) and
 7 (e) as subsections (c) and (d), respectively.

8 **SEC. 7. ASSISTANCE FOR PACIFIC ISLANDS REGIONAL CON-**
 9 **SORTIUM.**

10 (a) IN GENERAL.—The Secretary of Commerce shall
 11 make grants to an eligible Pacific Islands regional consor-
 12 tium for activities necessary for the consortium to qualify
 13 for designation as a sea grant college under section 207 of
 14 the National Sea Grant College Program Act (33 U.S.C.
 15 1126).

16 (b) ELIGIBLE CONSORTIUM.—For purposes of sub-
 17 section (a) the term “eligible Pacific Islands regional con-
 18 sortium” means an association or alliance of institutions
 19 that includes as members the College of the Marshall Is-
 20 lands, the College of Micronesia-Federated States of Micro-
 21 nesia, Northern Marianas College, Palau Community Col-
 22 lege, and the University of Guam.

23 (c) DISTRIBUTION AND USE OF GRANT FUNDS.—
 24 Amounts provided as a grant under this section to an eligi-
 25 ble Pacific Islands regional consortium shall be distributed

1 *among the members of the consortium for use to develop*
2 *program elements required for the consortium to meet the*
3 *qualifications for designation as a sea grant college.*

4 *(d) ADMINISTRATIVE AND TECHNICAL ASSISTANCE.—*
5 *The Secretary of Commerce shall provide administrative*
6 *and technical assistance to a grantee under this section to*
7 *assist the grantee in becoming designated as a sea grant*
8 *college.*

9 *(e) AUTHORIZATION OF APPROPRIATIONS.—*

10 *(1) IN GENERAL.—In addition to the other*
11 *amounts authorized by this Act, to carry out this sec-*
12 *tion there is authorized to be appropriated to the Sec-*
13 *retary of Commerce \$2,700,000, of which—*

14 *(A) \$2,500,000 shall be available for*
15 *grants under subsection (a); and*

16 *(B) \$200,000 shall be for administrative ex-*
17 *penses of the Secretary, including site visits, pro-*
18 *gram reviews, and the provision of administra-*
19 *tive and technical assistance.*

20 *(2) CONTINUING AVAILABILITY.—Amounts ap-*
21 *propriated under this section may remain available*
22 *until expended.*

1 SECTION 1. SHORT TITLE.

2 **This Act may be cited as the “National Sea**
3 **Grant College Program Act Amendments of**
4 **2002”.**

5 SEC. 2. AMENDMENTS TO FINDINGS.

6 **Section 202(a)(6) of the National Sea**
7 **Grant College Program Act (33 U.S.C.**
8 **1121(a)(6)) is amended by striking the period**
9 **at the end and inserting “, including strong**
10 **collaborations between Administration sci-**
11 **entists and scientists at academic institu-**
12 **tions.”.**

13 SEC. 3. REQUIREMENTS APPLICABLE TO NATIONAL SEA
14 GRANT COLLEGE PROGRAM.

15 **(a) PROMOTION OF COORDINATION.—Section**
16 **204(d)(3)(B) of the National Sea Grant College**
17 **Program Act (33 U.S.C. 1123(d)(3)(B)) is**
18 **amended by striking “and” after the semi-**
19 **colon at the end of clause (ii) and by adding**
20 **at the end the following:**

21 **“(iv) encourage and promote**
22 **coordination and cooperation be-**
23 **tween the research, education,**
24 **and outreach programs of the Ad-**
25 **ministration and those of aca-**
26 **dem ic institutions; and”.**

1 **(b) ENSURING EQUAL ACCESS.—Section**
2 **208(a) of such Act (33 U.S.C. 1127(a)) is amend-**
3 **ed by adding at the end the following: “The**
4 **Secretary shall strive to ensure equal access**
5 **for minority and economically disadvantaged**
6 **students to the program carried out under**
7 **this subsection.”.**

8 **SEC. 4. COORDINATION.**

9 **Section 204 of the National Sea Grant Pro-**
10 **gram Act (33 U.S.C. 1123) is further amended**
11 **by adding at the end the following new sub-**
12 **section:**

13 **“(e) COORDINATION.—**

14 **“(1) The activities of the national sea**
15 **grant college program shall be coordi-**
16 **nated with related activities of the Na-**
17 **tional Science Foundation, the coastal**
18 **ocean research program of the National**
19 **Oceanic and Atmospheric Administra-**
20 **tion, and any other related Federal pro-**
21 **grams in order to avoid duplication of ef-**
22 **forts and to ensure that research areas**
23 **are covered adequately.**

24 **“(2) Not later than February 15 of**
25 **each year, the Director of the national**

1 **sea grant program, the Director of the**
2 **coastal ocean research program, and the**
3 **Director of the National Science Founda-**
4 **tion shall jointly submit to Congress a re-**
5 **port on how the activities of those pro-**
6 **grams will be coordinated during the fis-**
7 **cal year following the fiscal year in**
8 **which the report is submitted. The report**
9 **shall describe in detail any overlapping**
10 **research interests among the programs**
11 **and specify how such research interests**
12 **will be pursued by the programs in a**
13 **complementary manner.”.**

14 **SEC. 5. TERMS OF MEMBERSHIP FOR SEA GRANT REVIEW**
15 **PANEL.**

16 **Section 209(c)(2) of the National Sea**
17 **Grant College Program Act (33 U.S.C.**
18 **1128(c)(2)) is amended by striking the first**
19 **sentence and inserting the following: “The**
20 **term of office of a voting member of the panel**
21 **shall be 3 years for a member appointed be-**
22 **fore the date of enactment of the National Sea**
23 **Grant College Program Act Amendments of**
24 **2002, and 4 years for a member appointed or**
25 **reappointed after the date of enactment of the**

1 **National Sea Grant College Program Act**
2 **Amendments of 2002. The Director may ex-**
3 **tend the term of office of a voting member of**
4 **the panel appointed before the date of enact-**
5 **ment of the National Sea Grant College Pro-**
6 **gram Act Amendments of 2002 by up to 1**
7 **year.”.**

8 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

9 **(a) IN GENERAL.—Subsections (a) and (b) of**
10 **section 212 of the National Sea Grant College**
11 **Program Act (33 U.S.C. 1131) are amended to**
12 **read as follows:**

13 **“(a) AUTHORIZATION.—**

14 **“(1) IN GENERAL.—There is authorized**
15 **to be appropriated to the Secretary to**
16 **carry out this title—**

17 **“(A) \$60,000,000 for fiscal year**
18 **2003;**

19 **“(B) \$75,000,000 for fiscal year**
20 **2004;**

21 **“(C) \$77,500,000 for fiscal year**
22 **2005;**

23 **“(D) \$80,000,000 for fiscal year**
24 **2006;**

1 **“(E) \$82,500,000 for fiscal year**
2 **2007; and**

3 **“(F) \$85,000,000 for fiscal year**
4 **2008.**

5 **“(2) ZEBRA MUSSEL, OYSTER, AND HARM-**
6 **FUL ALGAL BLOOM RESEARCH.—In addition**
7 **to the amount authorized under para-**
8 **graph (1), there is authorized to be ap-**
9 **propriated for each of fiscal years 2003**
10 **through 2008—**

11 **“(A) \$5,000,000 for competitive**
12 **grants for university research on the**
13 **zebra mussel biology and control;**

14 **“(B) \$5,000,000 for competitive**
15 **grants for university research on oys-**
16 **ter diseases, oyster restoration, and**
17 **oyster-related human health risks;**
18 **and**

19 **“(C) \$5,000,000 for competitive**
20 **grants for university research on the**
21 **biology, prevention, and forecasting**
22 **of harmful algal blooms, including**
23 ***Pfiesteria piscicida*.**

24 **“(b) LIMITATIONS.—**

1 **“(1) ADMINISTRATION.—There may not**
2 **be used for administration of programs**
3 **under this title in a fiscal year more than**
4 **5 percent of the lesser of—**

5 **“(A) the amount authorized to be**
6 **appropriated under this title for the**
7 **fiscal year; or**

8 **“(B) the amount appropriated**
9 **under this title for the fiscal year.**

10 **“(2) USE FOR OTHER OFFICES OR PRO-**
11 **GRAMS.—Sums appropriated under the**
12 **authority of subsection (a)(2) shall not be**
13 **available for administration of this title**
14 **by the National Sea Grant Office, for any**
15 **other Administration or department pro-**
16 **gram, or for any other administrative ex-**
17 **penses.”.**

18 **(b) DISTRIBUTION OF FUNDS.—Such section**
19 **is further amended by striking subsection (c)**
20 **and inserting the following:**

21 **“(c) DISTRIBUTION OF FUNDS.—In any fiscal**
22 **year in which the appropriations made pursu-**
23 **ant to subsection (a)(1) exceed the amounts**
24 **appropriated for fiscal year 2002 for the pur-**
25 **poses described in such subsection, the Sec-**

1 **retary shall distribute the excess amounts (ex-**
2 **cept amounts used for the administration of**
3 **programs) solely to—**

4 **“(1) State sea grant programs on a**
5 **merit reviewed, competitive basis to sup-**
6 **port, enhance, and reward programs that**
7 **are best managed and carry out the high-**
8 **est quality research, education, exten-**
9 **sion, and training programs;**

10 **“(2) national strategic initiatives; or**

11 **“(3) both.”.**

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A BILL

To reauthorize the National Sea Grant College
Program Act, and for other purposes.

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mittee of the Whole House on the State of the Union,
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