

105TH CONGRESS
1ST SESSION

H. R. 437

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

IN THE HOUSE OF REPRESENTATIVES

JANUARY 9, 1997

Mr. SAXTON (for himself, Mr. YOUNG of Alaska, Mr. ABERCROMBIE, and Mr. FARR of California) introduced the following bill; which was referred to the Committee on Resources

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 “Marine Resources Re-
5 vitalization Act of 1997”.

6 **SEC. 2. AMENDMENT OF NATIONAL SEA GRANT COLLEGE**
7 **PROGRAM ACT.**

8 Except as otherwise expressly provided, whenever in
9 this Act an amendment or repeal is expressed in terms

1 of an amendment to, or repeal of, a section or other provi-
 2 sion, the reference shall be considered to be made to a
 3 section or other provision of the National Sea Grant Col-
 4 lege Program Act (33 U.S.C. 1121 et seq.).

5 **SEC. 3. AMENDMENTS TO DEFINITIONS.**

6 (a) SEA GRANT INSTITUTION.—Section 203 (33
 7 U.S.C. 1122) is amended by adding at the end the follow-
 8 ing new paragraph:

9 “(16) The term ‘sea grant institution’ means—

10 “(A) any sea grant college or sea grant re-
 11 gional consortium, and

12 “(B) any institution of higher education,
 13 institute, laboratory, or State or local agency
 14 conducting a sea grant program with amounts
 15 provided under this Act.”.

16 (b) FIELD RELATED TO OCEAN, COASTAL, AND
 17 GREAT LAKES RESOURCES.—Section 203(4) (33 U.S.C.
 18 1122(4)) is amended to read as follows:

19 “(4) The term ‘field related to ocean, coastal,
 20 and Great Lakes resources’ means any discipline or
 21 field which is concerned with or likely to improve the
 22 understanding, assessment, development, utilization,
 23 or conservation of ocean, coastal, and Great Lakes
 24 resources.”.

25 (c) SECRETARY.—

1 (1) IN GENERAL.—Section 203(13) (33 U.S.C.
2 1122(13)) is amended to read as follows:

3 “(13) The term ‘Secretary’ means the Secretary
4 of Commerce, acting through the Under Secretary of
5 Commerce for Oceans and Atmosphere.”.

6 (2) CONFORMING AMENDMENTS.—The Act is
7 amended—

8 (A) by striking section 203(15) (33 U.S.C.
9 1122(15));

10 (B) in section 204(c) (33 U.S.C. 1123(c)),
11 in the matter preceding paragraph (1), by strik-
12 ing “ and the Under Secretary”;

13 (C) in section 209(b) (33 U.S.C. 1128(b)),
14 as amended by this Act, by striking “, the
15 Under Secretary,”; and

16 (D) by striking “Under Secretary” every
17 other place it appears and inserting “Sec-
18 retary”.

19 **SEC. 4. CONSULTATIONS REGARDING LONG-RANGE PLAN-**
20 **NING GUIDELINES AND PRIORITIES AND**
21 **EVALUATION.**

22 Section 204(a) (33 U.S.C. 1123(a)) is amended in
23 the last sentence by inserting after “The Secretary” the
24 following: “, in consultation with the sea grant institutions
25 and the panel established under section 209,”.

1 **SEC. 5. DUTIES OF DIRECTOR.**

2 Section 204(c) (33 U.S.C. 1123(c)) is amended to
3 read as follows:

4 “(c) DUTIES OF DIRECTOR.—

5 “(1) IN GENERAL.—The Director shall admin-
6 ister the National Sea Grant College Program sub-
7 ject to the supervision of the Secretary. In addition
8 to any other duty prescribed by law or assigned by
9 the Secretary, the Director shall—

10 “(A) advise the Secretary with respect to
11 the expertise and capabilities which are avail-
12 able within or through the National Sea Grant
13 College Program, and provide (as directed by
14 the Secretary) those which are or could be of
15 use to other offices and activities within the Ad-
16 ministration;

17 “(B) encourage other Federal depart-
18 ments, agencies, and instrumentalities to use
19 and take advantage of the expertise and capa-
20 bilities which are available through the National
21 Sea Grant College Program, on a cooperative or
22 other basis;

23 “(C) encourage cooperation and coordina-
24 tion with other Federal programs concerned
25 with ocean, coastal, and Great Lakes resources
26 conservation and usage;

1 “(D) advise the Secretary on the designa-
2 tion of sea grant institutions and, in appro-
3 priate cases, if any, on the termination or sus-
4 pension of any such designation;

5 “(E) encourage the formation and growth
6 of sea grant programs; and

7 “(F) oversee the operation of the National
8 Sea Grant Office established under subsection
9 (a).

10 “(2) DUTIES WITH RESPECT TO SEA GRANT IN-
11 STITUTIONS.—With respect to the sea grant institu-
12 tions, the Director shall—

13 “(A) evaluate the programs of the institu-
14 tions, using the guidelines and priorities estab-
15 lished by the Secretary under subsection (a), to
16 ensure that the objective set forth in section
17 202(b) is achieved;

18 “(B) subject to the availability of appro-
19 priations, allocate funding among the sea grant
20 institutions so as to—

21 “(i) promote healthy competition
22 among those institutions,

23 “(ii) promote successful implementa-
24 tion of the programs developed by the in-
25 stitutions under subsection (e), and

1 “(iii) to the maximum extent consist-
 2 ent with the other provisions of this sub-
 3 paragraph, provide a stable base of fund-
 4 ing for the institutions; and
 5 “(C) ensure compliance by the institutions
 6 with the guidelines for merit review published
 7 pursuant to section 207(b)(2).”.

8 **SEC. 6. DUTIES OF SEA GRANT INSTITUTIONS.**

9 Section 204 (33 U.S.C. 1123) is amended by adding
 10 at the end the following new subsection:

11 “(e) DUTIES OF THE SEA GRANT INSTITUTIONS.—
 12 Subject to any regulations or guidelines promulgated by
 13 the Secretary, it shall be the responsibility of each sea
 14 grant institution to—

15 “(1) develop and implement, in consultation
 16 with the Secretary and the panel established under
 17 section 209, a program that is consistent with the
 18 guidelines and priorities developed under section
 19 204(a); and

20 “(2) conduct merit review of all applications for
 21 project grants or contracts to be awarded under sec-
 22 tion 205.”.

23 **SEC. 7. REPEAL OF SEA GRANT INTERNATIONAL PROGRAM.**

24 (a) REPEAL.—Section 3 of the Sea Grant Program
 25 Improvement Act of 1976 (33 U.S.C. 1124a) is repealed.

1 (b) CONFORMING AMENDMENT.—Section 209(b)(1)
 2 (33 U.S.C. 1128(b)(1)) is amended by striking “and sec-
 3 tion 3 of the Sea Grant Program Improvement Act of
 4 1976”.

5 **SEC. 8. DESIGNATION OF SEA GRANT INSTITUTIONS.**

6 Section 207 (33 U.S.C. 1126) is amended to read as
 7 follows:

8 **“SEC. 207. SEA GRANT COLLEGES AND SEA GRANT RE-**
 9 **GIONAL CONSORTIA.**

10 “(a) DESIGNATION.—The Secretary may designate
 11 an institution of higher learning as a sea grant college,
 12 and an association or alliance of two or more persons as
 13 a sea grant regional consortium, if the institution, associa-
 14 tion, or alliance—

15 “(1) is maintaining a balanced program of re-
 16 search, education, training, and advisory services in
 17 fields related to ocean, coastal, and Great Lakes re-
 18 sources and has received financial assistance under
 19 section 205 of this Act or under section 204(c) of
 20 the National Sea Grant College and Program Act of
 21 1966;

22 “(2) will cooperate with other sea grant institu-
 23 tions and other persons to solve problems or meet
 24 needs relating to ocean, coastal, and Great Lakes re-
 25 sources;

1 “(3) will act in accordance with such guidelines
2 as are prescribed under subsection (b)(2); and

3 “(4) meets such other qualifications as the Sec-
4 retary considers necessary or appropriate.

5 “(b) REGULATIONS AND GUIDELINES.—

6 “(1) IN GENERAL.—The Secretary shall by reg-
7 ulation prescribe the qualifications required to be
8 met under subsection (a)(4).

9 “(2) MERIT REVIEW.—Within 6 months of the
10 date of enactment of the Marine Resources Revital-
11 ization Act of 1997, the Secretary, after consultation
12 with the sea grant institutions, shall establish guide-
13 lines for the conduct of merit review by the sea
14 grant institutions of project proposals for grants and
15 contracts to be awarded under section 205. The
16 guidelines shall, at a minimum, provide for peer re-
17 view of all research projects and require standard-
18 ized documentation of all peer review.”.

19 **SEC. 9. REPEAL OF POSTDOCTORAL FELLOWSHIP PRO-**
20 **GRAM.**

21 Section 208(c) (33 U.S.C. 1127(c)) is repealed.

22 **SEC. 10. AUTHORIZATIONS OF APPROPRIATIONS.**

23 (a) GRANTS, CONTRACTS, AND FELLOWSHIPS.—Sec-
24 tion 212(a) (33 U.S.C. 1131(a)) is amended to read as
25 follows:

1 “(a) AUTHORIZATION.—There is authorized to be ap-
 2 propriated to carry out this Act—

3 “(1) \$54,300,000 for fiscal year 1998;

4 “(2) \$55,400,000 for fiscal year 1999; and

5 “(3) \$56,500,000 for fiscal year 2000.”.

6 (b) ADMINISTRATION.—Section 212(b) (33 U.S.C.
 7 1131(b)) is amended—

8 (1) by striking so much as precedes paragraph
 9 (2) and inserting the following:

10 “(b) ADMINISTRATION.—

11 “(1) LIMITATION.—Of the amount appropriated
 12 for each fiscal year under subsection (a), no more
 13 than 5 percent may be used for the administration
 14 of this Act, including section 209, by the National
 15 Sea Grant Office and the Administration.”;

16 (2) in paragraph (2)—

17 (A) by striking “subsections (a) and (c)”
 18 and inserting “subsection (a)”; and

19 (B) by striking “(2)” and inserting “(2)
 20 LIMITATION ON USE OF OTHER AMOUNTS.—”;
 21 and

22 (3) by moving paragraph (2) 2 ems to the
 23 right, so that the left margin of paragraph (2) is
 24 aligned with the left margin of paragraph (1), as
 25 amended by paragraph (1) of this subsection.

1 (c) REPEAL.—Section 212 (33 U.S.C. 1131) is
2 amended by repealing subsection (c) and redesignating
3 subsections (d) and (e) in order as subsections (c) and
4 (d).

5 **SEC. 11. CLERICAL AND CONFORMING AMENDMENTS.**

6 (a) CLERICAL AMENDMENTS.—

7 (1) Section 203(3) (33 U.S.C. 1122(3)) is
8 amended by striking “the term” and inserting “The
9 term”.

10 (2) Section 203(6) (33 U.S.C. 1122(6)) is
11 amended by moving subparagraph (F) 2 ems to the
12 right, so that the left margin of subparagraph (F)
13 is aligned with the left margin of subparagraph (E).

14 (3) The heading for section 204 (33 U.S.C.
15 1124) is amended to read as follows:

16 **“SEC. 204. NATIONAL SEA GRANT COLLEGE PROGRAM.”.**

17 (4) Section 209 (33 U.S.C. 1128) is amended
18 by striking all of the matter that follows the first
19 full sentence through “shall advise”, and inserting
20 “(b) DUTIES.—The panel shall advise”.

21 (5) Section 205(b)(3) (33 U.S.C. 1124(b)(3)) is
22 amended by striking “or section 206”.

23 (b) CONFORMING AMENDMENTS.—

24 (1) Section 204(b)(2) (33 U.S.C. 1123(b)(2)) is
25 amended by striking “maximum rate for GS–18”

1 and all that follows through the end of the sentence
2 and inserting “maximum rate payable under section
3 5376 of title 5, United States Code.”.

4 (2) Section 209(c)(5)(A) (33 U.S.C.
5 1128(c)(5)(A)) is amended by striking “the daily
6 rate for GS–18 of the General Schedule under sec-
7 tion 5332 of title 5, United States Code” and insert-
8 ing “the maximum daily rate payable under section
9 5376 of title 5, United States Code”.

10 (3) Section 209 (33 U.S.C. 1128) is amended—

11 (A) in subsection (b)(3) by striking “col-
12 leges and sea grant regional consortia” and in-
13 serting “institutions”; and

14 (B) in subsection (c)(1) in the last sen-
15 tence in clause (A) by striking “college, sea
16 grant regional consortium,” and inserting “in-
17 stitution”.

○