

105TH CONGRESS  
2D SESSION

# S. 1213

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IN THE HOUSE OF REPRESENTATIVES

JANUARY 27, 1998

Referred to the Committee on Resources, and in addition to the Committees on Science, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## AN ACT

To establish a National Ocean Council, a Commission on Ocean Policy, 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 “Oceans Act of 1997”.

1 **SEC. 2. CONGRESSIONAL FINDINGS; PURPOSE AND OBJEC-**  
2 **TIVES.**

3 (a) FINDINGS.—The Congress makes the following  
4 findings:

5 (1) Covering more than two-thirds of the  
6 Earth's surface, the oceans and Great Lakes play a  
7 critical role in the global water cycle and in regulat-  
8 ing climate, sustain a large part of Earth's biodiver-  
9 sity, provide an important source of food and a  
10 wealth of other natural products, act as a frontier  
11 to scientific exploration, are critical to national secu-  
12 rity, and provide a vital means of transportation.  
13 The coasts, transition between land and open ocean,  
14 are regions of remarkably high biological productiv-  
15 ity, contribute more than 30 percent of the Gross  
16 Domestic Product, and are of considerable impor-  
17 tance for recreation, waste disposal, and mineral ex-  
18 ploration.

19 (2) Ocean and coastal resources are susceptible  
20 to change as a direct and indirect result of human  
21 activities, and such changes can significantly impact  
22 the ability of the oceans and Great Lakes to provide  
23 the benefits upon which the Nation depends.  
24 Changes in ocean and coastal processes could affect  
25 global climate patterns, marine productivity and bio-  
26 diversity, environmental quality, national security,

1 economic competitiveness, availability of energy, vul-  
2 nerability to natural hazards, and transportation  
3 safety and efficiency.

4 (3) Ocean and coastal resources are not infi-  
5 nite, and human pressure on them is increasing. One  
6 half of the Nation's population lives within 50 miles  
7 of the coast, ocean and coastal resources once con-  
8 sidered inexhaustible are now threatened with deple-  
9 tion, and if population trends continue as expected,  
10 pressure on and conflicting demands for ocean and  
11 coastal resources will increase further as will vulner-  
12 ability to coastal hazards.

13 (4) Marine transportation is key to United  
14 States participation in the global economy and to  
15 the wide range of activities carried out in ocean and  
16 coastal regions. Inland waterway and ports are the  
17 link between marine activities in ocean and coastal  
18 regions and the supporting transportation infra-  
19 structure ashore. International trade is expected to  
20 triple by 2020. The increase has the potential to  
21 outgrow—

22 (A) the capabilities of the marine transpor-  
23 tation system to ensure safety; and

24 (B) the existing capacity of ports and wa-  
25 terways.

1           (5) Marine technologies hold tremendous prom-  
2           ise for expanding the range and increasing the util-  
3           ity of products from the oceans and Great Lakes,  
4           improving the stewardship of ocean and coastal re-  
5           sources, and contributing to business and manufac-  
6           turing innovations and the creation of new jobs.

7           (6) Research has uncovered the link between  
8           oceanic and atmospheric processes and improved un-  
9           derstanding of world climate patterns and forecasts.  
10          Important new advances, including availability of  
11          military technology, have made feasible the explo-  
12          ration of large areas of the ocean which were inac-  
13          cessible several years ago. In designating 1998 as  
14          “The Year of the Ocean”, the United Nations high-  
15          lights the value of increasing our knowledge of the  
16          oceans.

17          (7) It has been 30 years since the Commission  
18          on Marine Science, Engineering, and Resources  
19          (known as the Stratton Commission) conducted a  
20          comprehensive examination of ocean and coastal ac-  
21          tivities that led to enactment of major legislation  
22          and the establishment of key oceanic and atmos-  
23          pheric institutions.

24          (8) A review of existing activities is essential to  
25          respond to the changes that have occurred over the

1 past three decades and to develop an effective new  
2 policy for the twenty-first century to conserve and  
3 use, in a sustainable manner, ocean and coastal re-  
4 sources, protect the marine environment, explore  
5 ocean frontiers, protect human safety, and create  
6 marine technologies and economic opportunities.

7 (9) Changes in United States laws and policies  
8 since the Stratton Commission, such as the enact-  
9 ment of the Coastal Zone Management Act, have in-  
10 creased the role of the States in the management of  
11 ocean and coastal resources.

12 (10) While significant Federal and State ocean  
13 and coastal programs are underway, those Federal  
14 programs would benefit from a coherent national  
15 ocean and coastal policy that reflects the need for  
16 cost-effective allocation of fiscal resources, improved  
17 interagency coordination, and strengthened partner-  
18 ships with State, private, and international entities  
19 engaged in ocean and coastal activities.

20 (b) PURPOSE AND OBJECTIVES.—The purpose of this  
21 Act is to develop and maintain, consistent with the obliga-  
22 tions of the United States under international law, a co-  
23 ordinated, comprehensive, and long-range national policy  
24 with respect to ocean and coastal activities that will assist  
25 the Nation in meeting the following objectives:

1           (1) The protection of life and property against  
2 natural and manmade hazards.

3           (2) Responsible stewardship, including use, of  
4 fishery resources and other ocean and coastal re-  
5 sources.

6           (3) The protection of the marine environment  
7 and prevention of marine pollution.

8           (4) The enhancement of marine-related com-  
9 merce and transportation, the resolution of conflicts  
10 among users of the marine environment, and the en-  
11 gagement of the private sector in innovative ap-  
12 proaches for sustainable use of marine resources.

13           (5) The expansion of human knowledge of the  
14 marine environment including the role of the oceans  
15 in climate and global environmental change and the  
16 advancement of education and training in fields re-  
17 lated to ocean and coastal activities.

18           (6) The continued investment in and develop-  
19 ment and improvement of the capabilities, perform-  
20 ance, use, and efficiency of technologies for use in  
21 ocean and coastal activities.

22           (7) Close cooperation among all government  
23 agencies and departments to ensure—

24                   (A) coherent regulation of ocean and coast-  
25 al activities;

1 (B) availability and appropriate allocation  
2 of Federal funding, personnel, facilities, and  
3 equipment for such activities; and

4 (C) cost-effective and efficient operation of  
5 Federal departments, agencies, and programs  
6 involved in ocean and coastal activities.

7 (8) The enhancement of partnerships with  
8 State and local governments with respect to oceans  
9 and coastal activities, including the management of  
10 ocean and coastal resources and identification of ap-  
11 propriate opportunities for policy-making and deci-  
12 sion-making at the State and local level.

13 (9) The preservation of the role of the United  
14 States as a leader in ocean and coastal activities,  
15 and, when it is in the national interest, the coopera-  
16 tion by the United States with other nations and  
17 international organizations in ocean and coastal ac-  
18 tivities.

19 **SEC. 3. DEFINITIONS.**

20 As used in this Act—

21 (1) The term “Commission” means the Com-  
22 mission on Ocean Policy.

23 (2) The term “Council” means the National  
24 Ocean Council.

25 (3) The term “marine environment” includes—

- 1 (A) the oceans, including coastal and off-  
2 shore waters and the adjacent shore lands;  
3 (B) the continental shelf;  
4 (C) the Great Lakes; and  
5 (D) the ocean and coastal resources there-  
6 of.

7 (4) The term “ocean and coastal activities” in-  
8 cludes activities related to oceanography, fisheries  
9 and other ocean and coastal resource stewardship  
10 and use, marine aquaculture, energy and mineral re-  
11 source extraction, marine transportation, recreation  
12 and tourism, waste management, pollution mitiga-  
13 tion and prevention, and natural hazard reduction.

14 (5) The term “ocean and coastal resource”  
15 means, with respect to the oceans, coasts, and Great  
16 Lakes, any living or non-living natural resource (in-  
17 cluding all forms of animal and plant life found in  
18 the marine environment, habitat, biodiversity, water  
19 quality, minerals, oil, and gas) and any significant  
20 historic, cultural or aesthetic resource.

21 (6) The term “oceanography” means scientific  
22 exploration, including marine scientific research, en-  
23 gineering, mapping, surveying, monitoring, assess-  
24 ment, and information management, of the oceans,  
25 coasts, and Great Lakes—



1 (A) to describe and advance understanding  
2 of—

3 (i) the role of the oceans, coasts and  
4 Great Lakes in weather and climate, natu-  
5 ral hazards, and the processes that regu-  
6 late the marine environment; and

7 (ii) the manner in which such role,  
8 processes, and environment are affected by  
9 human actions;

10 (B) for the conservation, management and  
11 sustainable use of living and nonliving re-  
12 sources; and

13 (C) to develop and implement new tech-  
14 nologies related to sustainable use of the ma-  
15 rine environment.

16 **SEC. 4. NATIONAL OCEAN AND COASTAL POLICY.**

17 (a) EXECUTIVE RESPONSIBILITIES.—The President,  
18 with the assistance of the Council and the advice of the  
19 Commission, shall—

20 (1) develop and maintain a coordinated, com-  
21 prehensive, and long-range national policy with re-  
22 spect to ocean and coastal activities consistent with  
23 obligations of the United States under international  
24 law; and

1           (2) with regard to Federal agencies and depart-  
2           ments—

3                   (A) review significant ocean and coastal  
4                   activities, including plans, priorities, accom-  
5                   plishments, and infrastructure requirements;

6                   (B) plan and implement an integrated and  
7                   cost-effective program of ocean and coastal ac-  
8                   tivities including, but not limited to, oceanog-  
9                   raphy, stewardship of ocean and coastal re-  
10                  sources, protection of the marine environment,  
11                  maritime transportation safety and efficiency,  
12                  marine recreation and tourism, and marine as-  
13                  pects of weather, climate, and natural hazards;

14                  (C) designate responsibility for funding  
15                  and conducting ocean and coastal activities; and

16                  (D) ensure cooperation and resolve dif-  
17                  ferences arising from laws and regulations ap-  
18                  plicable to ocean and coastal activities which re-  
19                  sult in conflicts among participants in such ac-  
20                  tivities.

21           (b) COOPERATION AND CONSULTATION.—In carrying  
22           out responsibilities under this Act, the President may use  
23           such staff, interagency, and advisory arrangements as the  
24           President finds necessary and appropriate and shall con-

1 sult with non-Federal organizations and individuals in-  
2 volved in ocean and coastal activities.

3 **SEC. 5. NATIONAL OCEAN COUNCIL.**

4 (a) ESTABLISHMENT.—The President shall establish  
5 a National Ocean Council and appoint a Chairman from  
6 among its members. The Council shall consist of—

7 (1) the Secretary of Commerce;

8 (2) the Secretary of Defense;

9 (3) the Secretary of State;

10 (4) the Secretary of Transportation;

11 (5) the Secretary of the Interior;

12 (6) the Attorney General;

13 (7) the Administrator of the Environmental  
14 Protection Agency;

15 (8) the Director of the National Science Foun-  
16 dation;

17 (9) the Director of the Office of Science and  
18 Technology Policy;

19 (10) the Chairman of the Council on Environ-  
20 mental Quality;

21 (11) the Chairman of the National Economic  
22 Council;

23 (12) the Director of the Office of Management  
24 and Budget; and

1           (13) such other Federal officers and officials as  
2 the President considers appropriate.

3           (b) ADMINISTRATION.—

4           (1) The President or the Chairman of the  
5 Council may from time to time designate one of the  
6 members of the Council to preside over meetings of  
7 the Council during the absence or unavailability of  
8 such Chairman.

9           (2) Each member of the Council may designate  
10 an officer of his or her agency or department ap-  
11 pointed with the advice and consent of the Senate to  
12 serve on the Council as an alternate in the event of  
13 the unavoidable absence of such member.

14           (3) An executive secretary shall be appointed by  
15 the Chairman of the Council, with the approval of  
16 the Council. The executive secretary shall be a per-  
17 manent employee of one of the agencies or depart-  
18 ments represented on the Council and shall remain  
19 in the employ of such agency or department.

20           (4) For the purpose of carrying out the func-  
21 tions of the Council, each Federal agency or depart-  
22 ment represented on the Council shall furnish nec-  
23 essary assistance to the Council. Such assistance  
24 may include—

1 (A) detailing employees to the Council to  
2 perform such functions, consistent with the pur-  
3 poses of this section, as the Chairman of the  
4 Council may assign to them; and

5 (B) undertaking, upon request of the  
6 Chairman of the Council, such special studies  
7 for the Council as are necessary to carry out its  
8 functions.

9 (5) The Chairman of the Council shall have the  
10 authority to make personnel decisions regarding any  
11 employees detailed to the Council.

12 (c) FUNCTIONS.—The Council shall—

13 (1) assist the Commission in completing its re-  
14 port under section 6;

15 (2) serve as the forum for developing an imple-  
16 mentation plan for a national ocean and coastal pol-  
17 icy and program, taking into consideration the Com-  
18 mission report;

19 (3) improve coordination and cooperation, and  
20 eliminate duplication, among Federal agencies and  
21 departments with respect to ocean and coastal activi-  
22 ties; and

23 (4) assist the President in the preparation of  
24 the first report required by section 7(a).

1 (d) SUNSET.—The Council shall cease to exist one  
2 year after the Commission has submitted its final report  
3 under section 6(h).

4 (e) SAVINGS PROVISION.—

5 (1) Council activities are not intended to super-  
6 sede or interfere with other Executive Branch mech-  
7 anisms and responsibilities.

8 (2) Nothing in this Act has any effect on the  
9 authority or responsibility of any Federal officer or  
10 agency under any other Federal law.

11 **SEC. 6. COMMISSION ON OCEAN POLICY.**

12 (a) ESTABLISHMENT.—

13 (1) IN GENERAL.—The President shall, within  
14 90 days after the enactment of this Act, establish a  
15 Commission on Ocean Policy. The Commission shall  
16 be composed of 16 members including individuals  
17 drawn from State and local governments, industry,  
18 academic and technical institutions, and public inter-  
19 est organizations involved with ocean and coastal ac-  
20 tivities. Members shall be appointed for the life of  
21 the Commission as follows:

22 (A) 4 shall be appointed by the President  
23 of the United States.

24 (B) 4 shall be appointed by the President  
25 chosen from a list of 8 proposed members sub-

1           mitted by the Majority Leader of the Senate in  
2           consultation with the Chairman of the Senate  
3           Committee on Commerce, Science, and Trans-  
4           portation.

5           (C) 4 shall be appointed by the President  
6           chosen from a list of 8 proposed members sub-  
7           mitted by the Speaker of the House of Rep-  
8           resentatives in consultation with the Chairman  
9           of the House Committee on Resources.

10          (D) 2 shall be appointed by the President  
11          chosen from a list of 4 proposed members sub-  
12          mitted by the Minority Leader of the Senate in  
13          consultation with the Ranking Member of the  
14          Senate Committee on Commerce, Science, and  
15          Transportation.

16          (E) 2 shall be appointed by the President  
17          chosen from a list of 4 proposed members sub-  
18          mitted by the Minority Leader of the House in  
19          consultation with the Ranking Member of the  
20          House Committee on Resources.

21          (2) FIRST MEETING.—The Commission shall  
22          hold its first meeting within 30 days after it is es-  
23          tablished.

24          (3) CHAIRMAN.—The President shall select a  
25          Chairman from among such 16 members. Before se-

1 lecting the Chairman, the President is requested to  
2 consult with the Majority and Minority Leaders of  
3 the Senate, the Speaker of the House of Representa-  
4 tives, and the Minority Leader of the House of Rep-  
5 resentatives.

6 (4) ADVISORY MEMBERS.—In addition, the  
7 Commission shall have 4 Members of Congress, who  
8 shall serve as advisory members. One of the advisory  
9 members shall be appointed by the Speaker of the  
10 House of Representatives. One of the advisory mem-  
11 bers shall be appointed by the minority leader of the  
12 House of Representatives. One of the advisory mem-  
13 bers shall be appointed by the majority leader of the  
14 Senate. One of the advisory members shall be ap-  
15 pointed by the minority leader of the Senate. The  
16 advisory members shall not participate, except in an  
17 advisory capacity, in the formulation of the findings  
18 and recommendations of the Commission.

19 (b) FINDINGS AND RECOMMENDATIONS.—The Com-  
20 mission shall report to the President and the Congress on  
21 a comprehensive national ocean and coastal policy to carry  
22 out the purpose and objectives of this Act. In developing  
23 the findings and recommendations of the report, the Com-  
24 mission shall—



1           (1) review and suggest any necessary modifica-  
2           tions to United States laws, regulations, and prac-  
3           tices necessary to define and implement such policy,  
4           consistent with the obligations of the United States  
5           under international law;

6           (2) assess the condition and adequacy of invest-  
7           ment in existing and planned facilities and equip-  
8           ment associated with ocean and coastal activities in-  
9           cluding human resources, vessels, computers, sat-  
10          ellites, and other appropriate technologies and plat-  
11          forms;

12          (3) review existing and planned ocean and  
13          coastal activities of Federal agencies and depart-  
14          ments, assess the contribution of such activities to  
15          development of an integrated long-range program for  
16          oceanography, ocean and coastal resource manage-  
17          ment, and protection of the marine environment,  
18          and identify any such activities in need of reform to  
19          improve efficiency and effectiveness;

20          (4) examine and suggest mechanisms to address  
21          the interrelationships among ocean and coastal ac-  
22          tivities, the legal and regulatory framework in which  
23          they occur, and their inter-connected and cumulative  
24          effects on the marine environment, ocean and coast-

1 al resources, and marine productivity and biodiver-  
2 sity;

3 (5) review the known and anticipated demands  
4 for ocean and coastal resources, including an exam-  
5 ination of opportunities and limitations with respect  
6 to the use of ocean and coastal resources within the  
7 exclusive economic zone, projected impacts in coastal  
8 areas, and the adequacy of existing efforts to man-  
9 age such use and minimize user conflicts;

10 (6) evaluate relationships among Federal,  
11 State, and local governments and the private sector  
12 for planning and carrying out ocean and coastal ac-  
13 tivities and address the most appropriate division of  
14 responsibility for such activities;

15 (7) identify opportunities for the development  
16 of or investment in new products, technologies, or  
17 markets that could contribute to the objectives of  
18 this Act;

19 (8) consider the relationship of the ocean and  
20 coastal policy of the United States to the United Na-  
21 tions Convention on the Law of the Sea and other  
22 international agreements, and actions available to  
23 the United States to effect collaborations between  
24 the United States and other nations, including the  
25 development of cooperative international programs

1 for oceanography, protection of the marine environ-  
2 ment, and ocean and coastal resource management;  
3 and

4 (9) engage in any other preparatory work  
5 deemed necessary to carry out the duties of the  
6 Commission pursuant to this Act.

7 (c) DUTIES OF CHAIRMAN.—In carrying out the pro-  
8 visions of this subsection, the Chairman of the Commis-  
9 sion shall be responsible for—

10 (1) the assignment of duties and responsibilities  
11 among staff personnel and their continuing super-  
12 vision; and

13 (2) the use and expenditures of funds available  
14 to the Commission.

15 (d) COMPENSATION OF MEMBERS.—Each member of  
16 the Commission who is not an officer or employee of the  
17 Federal Government, or whose compensation is not pre-  
18 cluded by a State, local, or Native American tribal govern-  
19 ment position, shall be compensated at a rate equal to the  
20 daily equivalent of the annual rate payable for Level IV  
21 of the Executive Schedule under section 5315 of title 5,  
22 United States Code, for each day (including travel time)  
23 during which such member is engaged in the performance  
24 of the duties of the Commission. All members of the Com-  
25 mission who are officers or employees of the United States

1 shall serve without compensation in addition to that re-  
2 ceived for their services as officers or employees of the  
3 United States.

4 (e) STAFF.—

5 (1) The Chairman of the Commission may,  
6 without regard to the civil service laws and regula-  
7 tions, appoint and terminate an executive director  
8 who is knowledgeable in administrative management  
9 and ocean and coastal policy and such other addi-  
10 tional personnel as may be necessary to enable the  
11 Commission to perform its duties. The employment  
12 and termination of an executive director shall be  
13 subject to confirmation by a majority of the mem-  
14 bers of the Commission.

15 (2) The executive director shall be compensated  
16 at a rate not to exceed the rate payable for Level  
17 V of the Executive Schedule under section 5316 of  
18 title 5, United States Code. The Chairman may fix  
19 the compensation of other personnel without regard  
20 to the provisions of chapter 51 and subchapter III  
21 of chapter 53 of title 5, United States Code, relating  
22 to classification of positions and General Schedule  
23 pay rates, except that the rate of pay for such per-  
24 sonnel may not exceed the rate payable for GS-15,

1 step 7, of the General Schedule under section 5332  
2 of such title.

3 (3) Upon request of the Chairman of the Com-  
4 mission, after consulting with the head of the Fed-  
5 eral agency concerned, the head of any Federal  
6 Agency shall detail appropriate personnel of the  
7 agency to the Commission to assist the Commission  
8 in carrying out its functions under this Act. Federal  
9 Government employees detailed to the Commission  
10 shall serve without reimbursement from the Commis-  
11 sion, and such detailee shall retain the rights, sta-  
12 tus, and privileges of his or her regular employment  
13 without interruption.

14 (4) The Commission may accept and use the  
15 services of volunteers serving without compensation,  
16 and to reimburse volunteers for travel expenses, in-  
17 cluding per diem in lieu of subsistence, as authorized  
18 by section 5703 of title 5, United States Code. Ex-  
19 cept for the purposes of chapter 81 of title 5, United  
20 States Code, relating to compensation for work inju-  
21 ries, and chapter 171 of title 28, United States  
22 Code, relating to tort claims, a volunteer under this  
23 section may not be considered to be an employee of  
24 the United States for any purpose.

1           (5) To the extent that funds are available, and  
2           subject to such rules as may be prescribed by the  
3           Commission, the executive director of the Commis-  
4           sion may procure the temporary and intermittent  
5           services of experts and consultants in accordance  
6           with section 3109 of title 5, United States Code, but  
7           at rates not to exceed the daily rate payable  
8           for GS-15, step 7, of the General Schedule under  
9           section 5332 of title 5, United States Code.

10          (f) ADMINISTRATION.—

11           (1) All meetings of the Commission shall be  
12           open to the public, except that a meeting or any por-  
13           tion of it may be closed to the public if it concerns  
14           matters or information described in section 552b(c)  
15           of title 5, United States Code. Interested persons  
16           shall be permitted to appear at open meetings and  
17           present oral or written statement on the subject  
18           matter of the meeting. The Commission may admin-  
19           ister oaths or affirmations to any person appearing  
20           before it.

21           (2) All open meetings of the Commission shall  
22           be preceded by timely public notice in the Federal  
23           Register of the time, place, and subject of the meet-  
24           ing.

1           (3) Minutes of each meeting shall be kept and  
2 shall contain a record of the people present, a de-  
3 scription of the discussion that occurred, and copies  
4 of all statements filed. Subject to section 552 of title  
5 5, United States Code, the minutes and records of  
6 all meetings and other documents that were made  
7 available to or prepared for the Commission shall be  
8 available for public inspection and copying at a sin-  
9 gles location in the offices of the Commission.

10           (4) The Federal Advisory Committee Act (5  
11 U.S.C. App.) does not apply to the Commission.

12           (g) COOPERATION WITH OTHER FEDERAL ENTI-  
13 TIES.—

14           (1) The Commission is authorized to secure di-  
15 rectly from any Federal agency or department any  
16 information it deems necessary to carry out its func-  
17 tions under this Act. Each such agency or depart-  
18 ment is authorized to cooperate with the Commis-  
19 sion and, to the extent permitted by law, to furnish  
20 such information to the Commission, upon the re-  
21 quest of the Chairman of the Commission.

22           (2) The Commission may use the United States  
23 mails in the same manner and under the same con-  
24 ditions as other departments and agencies of the  
25 United States.

1           (3) The General Services Administration shall  
2 provide to the Commission on a reimbursable basis  
3 the administrative support services that the Commis-  
4 sion may request.

5           (4) The Commission may enter into contracts  
6 with Federal and State agencies, private firms, insti-  
7 tutions, and individuals to assist the Commission in  
8 carrying out its duties. The Commission may pur-  
9 chase and contract without regard to section 303 of  
10 the Federal Property and Administration Services  
11 Act of 1949 (41 U.S.C. 253), section 18 of the Of-  
12 fice of Federal Procurement Policy Act (41 U.S.C.  
13 416), and section 8 of the Small Business Act (15  
14 U.S.C. 637), pertaining to competition and publica-  
15 tion requirements, and may arrange for printing  
16 without regard to the provisions of title 44, United  
17 States Code. The contracting authority of the Com-  
18 mission under this Act is effective only to the extent  
19 that appropriations are available for contracting  
20 purposes.

21           (h) REPORT.—The Commission shall submit to the  
22 President, via the Council, and to the Congress not later  
23 than 18 months after the establishment of the Commis-  
24 sion, a final report of its findings and recommendations.



1 The Commission shall cease to exist 30 days after it has  
2 submitted its final report.

3 (i) AUTHORIZATION OF APPROPRIATIONS.— There  
4 are authorized to be appropriated to support the activities  
5 of the Commission a total of up to \$6,000,000 for fiscal  
6 years 1998 and 1999. Any sums appropriated shall remain  
7 available without fiscal year limitation until the Commis-  
8 sion ceases to exist.

9 **SEC. 7. REPORT AND BUDGET COORDINATION.**

10 (a) BIENNIAL REPORT.—Beginning in January,  
11 1999, the President shall transmit to the Congress bienni-  
12 ally a report, which shall include—

13 (1) a comprehensive description of the ocean  
14 and coastal activities (and budgets) and related ac-  
15 accomplishments of all agencies and departments of  
16 the United States during the preceding two fiscal  
17 years; and

18 (2) an evaluation of such activities (and budg-  
19 ets) and accomplishments in terms of the purpose  
20 and objectives of this Act. Reports made under this  
21 section shall contain such recommendations for legis-  
22 lation as the President may consider necessary or  
23 desirable.

24 (b) BUDGET COORDINATION.—

1           (1) Each year the President shall provide gen-  
2           eral guidance to each Federal agency or department  
3           involved in ocean or coastal activities with respect to  
4           the preparation of requests for appropriations.

5           (2) Each agency or department involved in such  
6           activities shall include with its annual request for  
7           appropriations a report which—

8                   (A) identifies significant elements of the  
9                   proposed agency or department budget relating  
10                  to ocean and coastal activities; and

11                  (B) specifies how each such element con-  
12                  tributes to the implementation of a national  
13                  ocean and coastal policy.

14 **SEC. 8. REPEAL OF 1966 STATUTE.**

15           The Marine Resources and Engineering Development  
16 Act of 1966 (33 U.S.C. 1101 et seq.) is repealed.

Passed the Senate November 13, 1997.

Attest:

GARY SISCO,

*Secretary.*