

105TH CONGRESS
1ST SESSION

S. 927

To reauthorize the Sea Grant Program.

IN THE SENATE OF THE UNITED STATES

JUNE 17, 1997

Ms. SNOWE (for herself, Mr. HOLLINGS, Mr. GREGG, Mr. KERRY, Mr. BREAUX, Mr. REED, and Mr. GLENN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To reauthorize the Sea Grant Program.

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 “Ocean and Coastal Re-
5 search Revitalization 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
10 of an amendment or repeal to, or repeal of, a section or
11 other provision, the reference shall be considered to be

1 made to a section or other provision of the National Sea
2 Grant College Program Act (33 U.S.C. 1121 et seq.).

3 **SEC. 3. FINDINGS.**

4 (a) Section 202(a)(1) (33 U.S.C. 1121(a)(1)) is
5 amended—

6 (1) by redesignating subparagraphs (D) and
7 (E) as subparagraphs (E) and (F), respectively; and

8 (2) by inserting after subparagraph (C) the fol-
9 lowing:

10 “(D) encourage the development of fore-
11 cast and analysis systems for coastal hazards;”.

12 (b) Section 202(a)(6) (33 U.S.C. 1121(a)(6)) is
13 amended by striking the second sentence and inserting the
14 following: “The most cost-effective way to promote such
15 activities is through continued and increased Federal sup-
16 port of the establishment, development, and operation of
17 programs and projects by sea grant colleges, sea grant in-
18 stitutes, and other institutions.”.

19 **SEC. 4. DEFINITIONS.**

20 (a) Section 203 (33 U.S.C. 1122) is amended—

21 (1) in paragraph (3)—

22 (A) by striking “their university or” and
23 inserting “his or her”; and

1 (B) by striking “college, programs, or re-
2 gional consortium” and inserting “college or sea
3 grant institute”;

4 (2) by striking paragraph (4) and inserting the
5 following:

6 “(4) The term ‘field related to ocean, coastal,
7 and Great Lakes resources’ means any discipline or
8 field, including marine affairs, resource manage-
9 ment, technology, education, or science, which is
10 concerned with or likely to improve the understand-
11 ing, assessment, development, utilization, or con-
12 servation of ocean, coastal, or Great Lakes re-
13 sources.”;

14 (3) by redesignating paragraphs (6) through
15 (15) as paragraphs (7) through (16), respectively,
16 and inserting after paragraph (5) the following:

17 “(6) The term ‘institution’ means any public or
18 private institution of higher education, institute, lab-
19 oratory, or State or local agency.”;

20 (4) by striking “regional consortium, institution
21 of higher education, institute, or laboratory” in
22 paragraph (10) (as redesignated) and inserting “in-
23 stitute or other institution”;

1 (5) by striking paragraphs (11) through (16)
2 (as redesignated) and inserting after paragraph (10)
3 the following:

4 “(11) The term ‘project’ means any individually
5 described activity in a field related to ocean, coastal,
6 and Great Lakes resources involving research, edu-
7 cation, training, or advisory services administered by
8 a person with expertise in such a field.

9 “(12) The term ‘sea grant college’ means any
10 institution, or any association or alliance of two or
11 more such institutions, designated as such by the
12 Secretary under section 207 (33 U.S.C. 1126) of
13 this Act.

14 “(13) The term ‘sea grant institute’ means any
15 institution, or any association or alliance of two or
16 more such institutions, designated as such by the
17 Secretary under section 207 (33 U.S.C. 1126) of
18 this Act.

19 “(14) The term ‘sea grant program’ means a
20 program of research and outreach which is adminis-
21 tered by one or more sea grant colleges or sea grant
22 institutes.

23 “(15) The term ‘Secretary’ means the Secretary
24 of Commerce, acting through the Under Secretary of
25 Commerce for Oceans and Atmosphere.

1 “(16) The term ‘State’ means any State of the
2 United States, the District of Columbia, the Com-
3 monwealth of Puerto Rico, the Virgin Islands,
4 Guam, American Samoa, the Commonwealth of the
5 Mariana Islands, or any other territory or possession
6 of the United States.”.

7 (b) The Act is amended—

8 (1) in section 209(b) (33 U.S.C. 1128(b)), as
9 amended by this Act, by striking “, the Under Sec-
10 retary,”; and

11 (2) by striking “Under Secretary” every other
12 place it appears and inserting “Secretary”.

13 **SEC. 5. NATIONAL SEA GRANT COLLEGE PROGRAM.**

14 Section 204 (33 U.S.C. 1123) is amended to read as
15 follows:

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

17 “(a) PROGRAM MAINTENANCE.—The Secretary shall
18 maintain within the Administration, a program to be
19 known as the national sea grant college program. The na-
20 tional sea grant college program shall be administered by
21 a national sea grant office within the Administration.

22 “(b) PROGRAM ELEMENTS.—The national sea grant
23 college program shall consist of the financial assistance
24 and other activities authorized in this subchapter, and
25 shall provide support for the following elements—

1 “(1) sea grant programs which comprise a na-
2 tional sea grant college program network, including
3 international projects conducted within such pro-
4 grams;

5 “(2) administration of the national sea grant
6 college program and this Act by the national sea
7 grant office, the Administration, and the panel;

8 “(3) the fellowship program under section 208;
9 and

10 “(4) any national strategic investments devel-
11 oped with the approval of the panel, the sea grant
12 colleges, and the sea grant institutes.

13 “(c) RESPONSIBILITIES OF THE SECRETARY.—

14 “(1) The Secretary, in consultation with the
15 panel, sea grant colleges, and sea grant institutes,
16 shall develop a long-range strategic plan which es-
17 tablishes priorities for the national sea grant college
18 program and which provides an appropriately bal-
19 anced response to local, regional, and national needs.

20 “(2) Within 6 months of the date of enactment
21 of the Ocean and Coastal Research Revitalization
22 Act of 1997, the Secretary, in consultation with the
23 panel, sea grant colleges, and sea grant institutes,
24 shall establish guidelines related to the activities and
25 responsibilities of sea grant colleges and sea grant

1 institutes. Such guidelines shall include requirements
2 for the conduct of merit review by the sea grant col-
3 leges and sea grant institutes of proposals for grants
4 and contracts to be awarded under section 205, pro-
5 viding, at a minimum, for standardized documenta-
6 tion of such proposals and peer review of all re-
7 search projects.

8 “(3) The Secretary shall by regulation prescribe
9 the qualifications required for designation of sea
10 grant colleges and sea grant institutes under section
11 207.

12 “(4) To carry out the provisions of this sub-
13 chapter, the Secretary may—

14 “(A) appoint, assign the duties, transfer,
15 and fix the compensation of such personnel as
16 may be necessary, in accordance with civil serv-
17 ice laws; except that one position in addition to
18 the Director may be established without regard
19 to the provisions of Title 5 governing appoint-
20 ments to the competitive service, at a rate pay-
21 able under section 5376 of title 5, United
22 States Code;

23 “(B) make appointments with respect to
24 temporary and intermittent services to the ex-

1 tent authorized by section 3109 of title 5,
2 United States Code;

3 “(C) publish or arrange for the publication
4 of, and otherwise disseminate, in cooperation
5 with other offices and programs in the Adminis-
6 tration and without regard to section 501 of
7 title 44, any information of research, edu-
8 cational, training or other value in fields related
9 to ocean, coastal, or Great Lakes resources;

10 “(D) enter into contracts, cooperative
11 agreements, and other transactions without re-
12 gard to section 5 of title 41, United States
13 Code;

14 “(E) notwithstanding section 1342 of title
15 31, United States Code, accept donations and
16 voluntary and uncompensated services;

17 “(F) accept funds from other Federal de-
18 partments and agencies, including agencies
19 within the Administration, to pay for and add
20 to grants made and contracts entered into by
21 the Secretary;

22 “(G) promulgate such rules and regula-
23 tions as may be necessary and appropriate.

24 “(d) DIRECTOR OF THE NATIONAL SEA GRANT COL-
25 LEGE PROGRAM.—

1 “(1) The Secretary shall appoint, as the Direc-
2 tor of the National Sea Grant College Program, a
3 qualified individual who has appropriate administra-
4 tive experience and knowledge or expertise in fields
5 related to ocean, coastal, and Great Lakes resources.
6 The Director shall be appointed and compensated,
7 without regard to the provisions of title 5 governing
8 appointments in the competitive service, at a rate
9 payable under section 5376 of title 5, United States
10 Code.

11 “(2) Subject to the supervision of the Sec-
12 retary, the Director shall administer the national sea
13 grant college program and oversee the operation of
14 the national sea grant office. In addition to any
15 other duty prescribed by law or assigned by the Sec-
16 retary, the Director shall—

17 “(A) facilitate and coordinate the develop-
18 ment of a long-range strategic plan under sub-
19 section (c)(1);

20 “(B) advise the Secretary with respect to
21 the expertise and capabilities which are avail-
22 able within or through the national sea grant
23 college program and encourage the use of such
24 expertise and capabilities, on a cooperative or
25 other basis, by other offices and activities with-

1 in the Administration, and other Federal de-
2 partments and agencies;

3 “(C) advise the Secretary on the designa-
4 tion of sea grant colleges and sea grant insti-
5 tutes, and, if appropriate, on the termination or
6 suspension of any such designation; and

7 “(D) encourage the establishment and
8 growth of sea grant programs, and cooperation
9 and coordination with other Federal activities in
10 fields related to ocean, coastal, and Great
11 Lakes resources.

12 “(3) With respect to sea grant colleges and sea
13 grant institutes, the Director shall—

14 “(A) evaluate the programs of sea grant
15 colleges and sea grant institutes, using the pri-
16 orities, guidelines, and qualifications established
17 by the Secretary;

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

21 “(i) promote healthy competition
22 among sea grant colleges and institutes;

23 “(ii) encourage successful implementa-
24 tion of sea grant programs; and

1 “(iii) to the maximum extent consist-
2 ent with other provisions of this Act, pro-
3 vide a stable base of funding for sea grant
4 colleges and institutes; and

5 “(C) ensure compliance with the guidelines
6 for merit review under subsection (c)(2).”.

7 **SEC. 6. REPEAL OF SEA GRANT INTERNATIONAL PROGRAM.**

8 Section 3 of the Sea Grant Program Improvement
9 Act of 1976 (33 U.S.C. 1124a) is repealed.

10 **SEC. 7. SEA GRANT COLLEGES AND SEA GRANT INSTI-
11 TUTES.**

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

14 **“SEC. 207. SEA GRANT COLLEGES AND SEA GRANT INSTI-
15 TUTES.**

16 “(a) DESIGNATION.—

17 “(1) A sea grant college or sea grant institute
18 shall meet the following qualifications:

19 “(A) have an existing broad base of com-
20 petence in fields related to ocean, coastal, and
21 Great Lakes resources;

22 “(B) make a long-term commitment to the
23 objective in section 202(b), as determined by
24 the Secretary;

1 “(C) cooperate with other sea grant col-
2 leges and institutes and other persons to solve
3 problems or meet needs relating to ocean, coast-
4 al, and Great Lakes resources;

5 “(D) have received financial assistance
6 under section 205 of this title (33 U.S.C.
7 1124); and

8 “(E) meet such other qualifications as the
9 Secretary, in consultation with the panel, con-
10 siders necessary or appropriate.

11 “(2) The Secretary may designate an institu-
12 tion, or an association or alliance of two or more
13 such institutions, as a sea grant college if the insti-
14 tution, association, or alliance —

15 “(A) meets the qualifications in paragraph
16 (1); and

17 “(B) maintains a program of research, ad-
18 visory services, training, and education in fields
19 related to ocean, coastal, and Great Lakes re-
20 sources.

21 “(3) The Secretary may designate an institu-
22 tion, or an association or alliance of two or more
23 such institutions, as a sea grant institute if the in-
24 stitution, association, or alliance—

1 “(A) meets the qualifications in paragraph
2 (1); and “(B) maintains a program which in-
3 cludes, at a minimum, research and advisory
4 services.

5 “(b) EXISTING DESIGNEES.—Any institution, or as-
6 sociation or alliance of two or more such institutions, des-
7 ignated as a sea grant college or awarded institutional pro-
8 gram status by the Director prior to the date of enactment
9 of this Act, shall not have to reapply for designation as
10 a sea grant college or sea grant institute, respectively,
11 after the date of enactment of this act, if the Director
12 determines that the institution, or association or alliance
13 of institutions, meets the qualifications in subsection (a).

14 “(c) SUSPENSION OR TERMINATION OF DESIGNA-
15 TION.—The Secretary may, for cause and after an oppor-
16 tunity for hearing, suspend or terminate any designation
17 under subsection (a).

18 “(d) DUTIES.—Subject to any regulations prescribed
19 or guidelines established by the Secretary, it shall be the
20 responsibility of each sea grant college and sea grant insti-
21 tute—

22 “(1) to develop and implement, in consultation
23 with the Secretary and the panel, a program that is
24 consistent with the guidelines and priorities estab-
25 lished under section 204(c); and

1 “(2) to conduct a merit review of all proposals
2 for grants and contracts to be awarded under sec-
3 tion 205.”.

4 **SEC. 8. REPEAL OF POSTDOCTORAL FELLOWSHIP PRO-**
5 **GRAM.**

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

7 **SEC. 9. SEA GRANT REVIEW PANEL.**

8 (a) Section 209(a) (33 U.S.C. 1128(a)) is amended—

9 (1) by striking “; commencement date”; and

10 (2) by striking the second sentence.

11 (b) Section 209(b) (33 U.S.C. 1128(b)) is amended—

12 (1) by striking “The Panel” and inserting “The
13 panel”;

14 (2) by striking “and section 3 of the Sea Grant
15 College Program Improvement Act of 1976” in
16 paragraph (1); and

17 (3) by striking “regional consortia” in para-
18 graph (3) and inserting “institutes”.

19 (c) Section 209(c) (33 U.S.C. 1128(c)) is amended—

20 (1) in paragraph (1) by striking “college, sea
21 grant regional consortium, or sea grant program”
22 and inserting “college or sea grant institute”;

23 (2) by striking paragraph (5)(A) and inserting
24 the following:

1 “(A) receive compensation at a rate estab-
 2 lished by the Secretary, not to exceed the maxi-
 3 mum daily rate payable under section 5376 of
 4 title 5, United States Code, when actually en-
 5 gaged in the performance of duties for such
 6 panel; and”.

7 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

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

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

- 13 (1) \$55,400,000 for fiscal year 1998;
 14 “(2) \$56,500,000 for fiscal year 1999;
 15 “(3) \$57,600,000 for fiscal year 2000;
 16 “(4) \$58,800,000 for fiscal year 2001; and
 17 “(5) \$59,900,000 for fiscal year 2002.”.

18 (b) LIMITATION ON CERTAIN FUNDING.—Section
 19 212(b)(1) (33 U.S.C. 1131(b)(1)) is amended to read as
 20 follows:

21 “(b) PROGRAM ELEMENTS.—

22 “(1) LIMITATION.—Of the amount appropriated
 23 for each fiscal year under subsection (a), no more
 24 than 6 percent may be used to fund both the pro-

1 gram element contained in section 204(b)(2) and
2 any small business innovation research.”.

○