

Calendar No. 462

107TH CONGRESS
2D SESSION

S. 2428

[Report No. 107-187]

To amend the National Sea Grant College Program Act.

IN THE SENATE OF THE UNITED STATES

APRIL 30, 2002

Mr. KERRY (for himself, Ms. SNOWE, Mr. HOLLINGS, Mr. STEVENS, Mr. BREAUX, Mr. MURKOWSKI, Mr. SARBANES, Mr. REED, Mr. FEINGOLD, Mr. WYDEN, Mr. SMITH of Oregon, Mr. AKAKA, Mr. COCHRAN, Mr. WARNER, Mr. GREGG, Mr. CHAFEE, Ms. COLLINS, Mr. DEWINE, Ms. LANDRIEU, Ms. MIKULSKI, Mr. TORRICELLI, Mr. CORZINE, Mrs. FEINSTEIN, Mr. LEVIN, Mr. SCHUMER, Ms. STABENOW, Mrs. CLINTON, and Mr. GRAHAM) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

JUNE 27, 2002

Reported by Mr. HOLLINGS, without amendment

A BILL

To amend the National Sea Grant College Program Act.

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
5 College Program Act Amendments of 2002”.

1 **SEC. 2. AMENDMENTS TO FINDINGS.**

2 FINDINGS.—Section 202(a)(6) of the National Sea
3 Grant College Program Act (33 U.S.C. 1121(a)(6)) is
4 amended by striking the period at the end and inserting
5 “, including strong collaborations between Administration
6 scientists and scientists at academic institutions.”.

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

9 (a) QUADRENNIAL STRATEGIC PLAN.—Section 204
10 (c)(1) of the National Sea Grant College Program Act (33
11 U.S.C. 1123 (c)(1)) is amended to read as follows: “The
12 Secretary, in consultation with the panel, sea grant col-
13 leges, and sea grant institutes, shall develop at least every
14 4 years a strategic plan which establishes priorities for the
15 national sea grant college program, provides an appro-
16 priately balanced response to local, regional, and national
17 needs, and is reflective of integration with the strategic
18 plans of the Department of Commerce and of NOAA.”.

19 (b) ALLOCATION OF FUNDING.—Section
20 204(d)(3)(B) of the National Sea Grant College Program
21 Act (33 U.S.C. 1123(d)(3)(B)) is amended.—

22 (1) by striking “and” after the semicolon at the
23 end of clause (ii);

24 (2) by adding at the end the following:

25 “(iv) encourage and promote coordi-
26 nation and cooperation between the re-

1 search, education, and outreach programs
2 of the Administration and those of aca-
3 demic institutions; and”.

4 (c) ENSURING EQUAL ACCESS.—Section 208(a) of
5 such Act (33 U.S.C. 1127(a)) is amended by adding at
6 the end the following: “The Secretary shall strive to en-
7 sure equal access for minority and economically disadvan-
8 taged students to the program carried out under this sub-
9 section.”.

10 **SEC. 4. TERMS OF MEMBERSHIP FOR SEA GRANT REVIEW**

11 **PANEL.**

12 Section 209(c)(2) of the National Sea Grant College
13 Program Act (33 U.S.C. 1128(c)(2)) is amended by strik-
14 ing the first sentence and inserting the following: “The
15 term of office of a voting member of the panel shall be
16 3 years for a member appointed before the date of enact-
17 ment of the National Sea Grant College Program Act
18 Amendments of 2002, and 4 years for a member ap-
19 pointed or reappointed after the date of enactment of the
20 National Sea Grant College Program Act Amendments of
21 2002. The Director may extend the term of office of a
22 voting member of the panel appointed before the date of
23 enactment of the National Sea Grant College Program Act
24 Amendments of 2002 by up to 1 year.”.

1 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) IN GENERAL.—Subsections (a) and (b) of section
3 212 of the National Sea Grant College Program Act (33
4 U.S.C. 1131) are amended to read as follows:

5 “(a) AUTHORIZATION.—

6 “(1) IN GENERAL.—There are authorized to be
7 appropriated to the Secretary to carry out this
8 title—

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

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

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

12 “(D) \$82,500,000 for fiscal year 2007;

13 and

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

15 “(2) PRIORITY RESEARCH.—In addition to the
16 amount authorized under paragraph (1), there are
17 authorized to be appropriated for each of fiscal years
18 2004 through 2008—

19 “(A) \$5,000,000 for competitive grants for
20 university research on biology and control of
21 zebra mussels and other important non-native
22 species as identified in section 1301(b)(4)(A) of
23 the Nonindigenous Aquatic Nuisance Preven-
24 tion and Control Act of 1990 (16 U.S.C.
25 4171(b)(4)(A));

1 “(B) \$5,000,000 for competitive grants for
2 university research on oyster diseases, oyster
3 restoration, and oyster-related human health
4 risks;

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

9 “(D) \$3,000,000 for competitive grants for
10 research contributing to the fisheries extension
11 program to enhance, not supplant, existing core
12 program funding.

13 “(b) LIMITATIONS.—

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

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

20 “(B) the amount appropriated under this
21 title for the fiscal year.

22 “(2) USE FOR OTHER OFFICES OR PRO-
23 GRAMS.—Sums appropriated under the authority of
24 subsection (a)(2) shall not be available for adminis-
25 tration of this title by the National Sea Grant Of-

1 fice, for any other Administration or department
2 program, or for any other administrative expenses.”.

3 (b) DISTRIBUTION OF FUNDS.—Such section is fur-
4 ther amended by striking subsection (c) and inserting the
5 following:

6 “(c) DISTRIBUTION OF FUNDS.—In any fiscal year
7 in which the appropriations made pursuant to subsection
8 (a)(1) exceed the amounts appropriated for fiscal year
9 2003 for the purposes described in such subsection, the
10 Secretary shall distribute the excess amounts (except
11 amounts used for the administration of programs) solely
12 to—

13 “(1) State sea grant programs on a merit re-
14 viewed, competitive basis to support, enhance, and
15 reward programs that are best managed and carry
16 out the highest quality research, education, exten-
17 sion, and training programs; and

18 “(2) national strategic initiatives.”.

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