

“(B) advise the Secretary with respect to the expertise and capabilities which are available within or through the national sea grant college program and encourage the use of such expertise and capabilities, on a cooperative or other basis, by other offices and activities within the Administration, and other Federal departments and agencies;

“(C) advise the Secretary on the designation of sea grant colleges and sea grant institutes, and, if appropriate, on the termination or suspension of any such designation; and

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

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

“(A) evaluate the programs of sea grant colleges and sea grant institutes, using the priorities, guidelines, and qualifications established by the Secretary;

“(B) subject to the availability of appropriations, allocate funding among sea grant colleges and sea grant institutes so as to—

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

“(ii) encourage successful implementation of sea grant programs; and

“(iii) to the maximum extent consistent with other provisions of this Act, provide a stable base of funding for sea grant colleges and institutes; and

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

SEC. 6. REPEAL OF SEA GRANT INTERNATIONAL PROGRAM.

Section 3 of the Sea Grant Program Improvement Act of 1976 (33 U.S.C. 1124a) is repealed.

SEC. 7. SEA GRANT COLLEGES AND SEA GRANT INSTITUTES.

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

“SEC. 207. SEA GRANT COLLEGES AND SEA GRANT INSTITUTES.

“(a) DESIGNATION.—

“(1) A sea grant college or sea grant institute shall meet the following qualifications—

“(A) have an existing broad base of competence in fields related to ocean, coastal, and Great Lakes resources;

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

“(C) cooperate with other sea grant colleges and institutes and other persons to solve problems or meet needs relating to ocean, coastal, and Great Lakes resources;

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

“(E) be recognized for excellence in fields related to ocean, coastal, and Great Lakes resources (including marine resources management and science), as determined by the Secretary; and

“(F) meet such other qualifications as the Secretary, in consultation with the panel, considers necessary or appropriate.

“(2) The Secretary may designate an institution, or an association or alliance of two or more such institutions, as a sea grant college if the institution, association, or alliance—

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

“(B) maintains a program of research, advisory services, training, and education in fields related to ocean, coastal, and Great Lakes resources.

“(3) The Secretary may designate an institution, or an association or alliance of two or more such institutions, as a sea grant institute if the institution, association, or alliance—

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

“(B) maintains a program which includes, at a minimum, research and advisory services.

“(b) EXISTING DESIGNEES.—Any institution, or association or alliance of two or more such institutions, designated as a sea grant college or awarded institutional program status by the Director prior to the date of enactment of the National Sea Grant College Program Reauthorization Act of 1998, shall not have to reapply for designation as a sea grant college or sea grant institute, respectively, after the date of enactment of the National Sea Grant College Program Reauthorization Act of 1998, if the Director determines that the institution, or association or alliance of institutions, meets the qualifications in subsection (a).

“(c) SUSPENSION OR TERMINATION OF DESIGNATION.—The Secretary may, for cause and after an opportunity for hearing, suspend or terminate any designation under subsection (a).

“(d) DUTIES.—Subject to any regulations prescribed or guidelines established by the Secretary, it shall be the responsibility of each sea grant college and sea grant institute—

“(1) to develop and implement, in consultation with the Secretary and the panel, a program that is consistent with the guidelines and priorities established under section 204(c); and

“(2) to conduct a merit review of all proposals for grants and contracts to be awarded under section 205.”

SEC. 8. SEA GRANT REVIEW PANEL.

(a) Section 209(a) (33 U.S.C. 1128(a)) is amended by striking the second sentence.

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

(1) by striking “The Panel” and inserting “(b) DUTIES.—The panel”;

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

(3) by striking “regional consortia” in paragraph (3) and inserting “institutes”.

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

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

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

“(A) receive compensation at a rate established by the Secretary, not to exceed the maximum daily rate payable under section 5376 of title 5, United States Code, when actually engaged in the performance of duties for such panel; and”

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

(a) GRANTS, CONTRACTS, AND FELLOWSHIPS.—Section 212(a) (33 U.S.C. 1131(a)) is amended to read as follows:

“(a) AUTHORIZATION.—

“(1) IN GENERAL.—There is authorized to be appropriated to carry out this Act—

“(A) \$56,000,000 for fiscal year 1999;

“(B) \$57,000,000 for fiscal year 2000;

“(C) \$58,000,000 for fiscal year 2001;

“(D) \$59,000,000 for fiscal year 2002; and

“(E) \$60,000,000 for fiscal year 2003.

“(2) ZEBRA MUSSEL AND OYSTER RESEARCH.—In addition to the amount authorized for each fiscal year under paragraph (1)—

“(A) up to \$2,800,000 may be made available as provided in section 1301(b)(4)(A) of the Non-indigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4741(b)(4)(A)) for competitive grants for university research on the zebra mussel;

“(B) up to \$3,000,000 may be made available for competitive grants for university research on oyster diseases and oyster-related human health risks; and

“(C) up to \$3,000,000 may be made available for competitive grants for university research on *Pfiesteria piscicida* and other harmful algal blooms.”

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

“(b) PROGRAM ELEMENTS.—

“(1) LIMITATION.—No more than 5 percent of the lesser of—

“(A) the amount authorized to be appropriated; or

“(B) the amount appropriated,

for each fiscal year under subsection (a) may be used to fund the program element contained in section 204(b)(2).

“(c) NOTICE OF REPROGRAMMING.—If any funds authorized by this section are subject to a reprogramming action that requires notice to be provided to the Appropriations Committees of the House of Representatives and the Senate, notice of such action shall concurrently be provided to the Committees on Science and Resources of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

“(d) NOTICE OF REORGANIZATION.—The Secretary shall provide notice to the Committees on Science, Resources, and Appropriations of the House of Representatives and the Committees on Commerce, Science, and Transportation and Appropriations of the Senate, not later than 45 days before any major reorganization of any program, project, or activity of the National Sea Grant College Program.”

SEC. 10. ADMINISTRATIVE LAW JUDGES.

Notwithstanding section 559 of title 5, United States Code, with respect to any marine resource conservation law or regulation administered by the Secretary of Commerce acting through the National Oceanic and Atmospheric Administration, all adjudicatory functions which are required by chapter 5 of title 5 of such Code to be performed by an Administrative Law Judge may be performed by the United States Coast Guard on a reimbursable basis. Should the United States Coast Guard require the detail of an Administrative Law Judge to perform any of these functions, it may request such temporary or occasional assistance from the Office of Personnel Management pursuant to section 3344 of title 5, United States Code.

Mr. COVERDELL. Mr. President, I move the Senate concur in the amendment of the House.

The motion was agreed to.

UNANIMOUS-CONSENT AGREEMENT—VETO MESSAGE TO ACCOMPANY H.R. 2631

Mr. COVERDELL. Mr. President, I ask unanimous consent that at 11:30 a.m. on Wednesday, February 25, the Senate proceed to the consideration of the veto message to accompany H.R. 2631, the Military Construction Appropriations bill. I further ask unanimous consent that there be one hour for debate on the message, equally divided between the chairman and the ranking Member, with an additional hour under the control of Senator MCCAIN. I further ask unanimous consent that following the expiration or yielding back of time, the Senate proceed to a vote on the veto message with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORITY FOR COMMITTEES TO FILE LEGISLATIVE AND EXECUTIVE REPORTED ITEMS ON THURSDAY, FEBRUARY 19

Mr. COVERDELL. Mr. President, I ask unanimous consent that on Thursday, February 19, committees have