

PROVIDING FOR CONSIDERATION OF H.R. 3389, NATIONAL
SEA GRANT COLLEGE PROGRAM ACT AMENDMENTS OF
2002

JUNE 18, 2002.—Referred to the House Calendar and ordered to be printed

Mr. DIAZ-BALART, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 446]

The Committee on Rules, having had under consideration House Resolution 446, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 3389, the National Sea Grant College Program Act Amendments of 2002, under an open rule. The rule provides one hour of general debate, with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Resources and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Science.

The rule provides that in lieu of the amendments recommended by the Committee on Resources and the Committee on Science now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment the amendment in the nature of a substitute printed in this report.

The rule waives all points of order against the amendment in the nature of a substitute. The rule further provides that the amendment in the nature of a substitute shall be open for amendment by section.

The rule allows the Chairman of the Committee of the Whole to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. Finally, the rule provides one motion to recommit with or without instructions.

SUMMARY OF AMENDMENT MADE IN ORDER AS AN ORIGINAL BILL FOR
THE PURPOSE OF AMENDMENT

Gilchrest: Manager's amendment in the nature of a substitute. Reflects a bipartisan consensus between the Resources and Science Committees, which have each reported out their own versions of H.R. 3389. Reauthorizes the National Sea Grant College Program for 5 years and keeps it in the National Oceanic and Atmospheric Administration (NOAA). Reauthorizes NOAA's Coastal Ocean Program, but does not consolidate the two programs.

TEXT OF AMENDMENT MADE IN ORDER AS AN ORIGINAL BILL FOR THE
PURPOSE OF AMENDMENT

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Sea Grant College Program Act Amendments of 2002".

SEC. 2. AMENDMENTS TO FINDINGS.

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

SEC. 3. REQUIREMENTS APPLICABLE TO NATIONAL SEA GRANT COLLEGE PROGRAM.

(a) QUADRENNIAL STRATEGIC PLAN.—Section 204 (c)(1) of the National Sea Grant College Program Act (33 U.S.C. 1123 (c)(1)) is amended to read as follows:

"(1) The Secretary, in consultation with the panel, sea grant colleges, and sea grant institutes, shall develop at least every 4 years a strategic plan that establishes priorities for the national sea grant college program, provides an appropriately balanced response to local, regional, and national needs, and is reflective of integration with the relevant portions of the strategic plans of the Department of Commerce and of the Administration."

(b) RANKING OF PROGRAMS.—Section 204(d)(3)(A) of the National Sea Grant College Program Act (33 U.S.C. 1123(d)(3)(A)) is amended by inserting "and competitively rank" after "evaluate".

(c) FUNCTIONS OF DIRECTOR.—Section 204(d)(3)(B) of the National Sea Grant College Program Act (33 U.S.C. 1123(d)(3)(B)) is amended by striking "and" after the semicolon at the end of clause (ii) and by adding at the end the following:

"(iv) encourage and promote coordination and cooperation between the research, education, and outreach programs of the Administration and those of academic institutions; and"

SEC. 4. COST SHARE.

Section 205(a) of the National Sea Grant College Program Act (33 U.S.C. 1124(a)) is amended by striking "section 204(d)(6)" and inserting "section 204(c)(4)(F)".

SEC. 5. FELLOWSHIPS.

(a) ACCESS.—Section 208(a) of the National Sea Grant College Program Act (33 U.S.C. 1127(a)) is amended by adding at the end

the following: “The Secretary shall strive to ensure equal access for minority and economically disadvantaged students to the program carried out under this subsection.”

(b) POSTDOCTORAL FELLOWS.—Section 208(c) of the National Sea Grant College Program Act (33 U.S.C. 1127(c)) is repealed.

SEC. 6. TERMS OF MEMBERSHIP FOR SEA GRANT REVIEW PANEL.

Section 209(c)(2) of the National Sea Grant College Program Act (33 U.S.C. 1128(c)(2)) is amended by striking the first sentence and inserting the following: “The term of office of a voting member of the panel shall be 3 years for a member appointed before the date of enactment of the National Sea Grant College Program Act Amendments of 2002, and 4 years for a member appointed or re-appointed after the date of enactment of the National Sea Grant College Program Act Amendments of 2002. The Director may extend the term of office of a voting member of the panel appointed before the date of enactment of the National Sea Grant College Program Act Amendments of 2002 by up to 1 year.”

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

Subsections (a), (b), and (c) of section 212 of the National Sea Grant College Program Act (33 U.S.C. 1131) are amended to read as follows:

“(a) AUTHORIZATION.—

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

“(A) \$60,000,000 for fiscal year 2003;

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

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

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

“(E) \$82,500,000 for fiscal year 2007; and

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

“(2) PRIORITY ACTIVITIES.—In addition to the amount authorized under paragraph (1), there is authorized to be appropriated for each of fiscal years 2003 through 2008—

“(A) \$5,000,000 for competitive grants for university research on the biology and control of zebra mussels and other important aquatic nonnative species;

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

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

“(D) \$3,000,000 for competitive grants for fishery extension activities conducted by sea grant colleges or sea grant institutes.

“(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)(1) may be used to fund the program element contained in section 204(b)(2).

“(2) USE FOR OTHER OFFICES OR PROGRAMS.—Sums appropriated under the authority of subsection (a)(2) shall not be available for administration of this title by the National Sea

Grant Office, for any other Administration or department program, or for any other administrative expenses.

“(c) DISTRIBUTION OF FUNDS.—In any fiscal year in which the appropriations made under subsection (a)(1) exceed the amounts appropriated for fiscal year 2002 for the purposes described in such subsection, the Secretary shall distribute any excess amounts (except amounts used for the administration of the sea grant program) to—

“(1) sea grant programs that, based on the evaluation and competitive ranking required under section 204(d)(3)(A), are determined to be the best managed and to carry out the highest quality research, education, extension, and training activities;

“(2) national strategic investments authorized under section 204(b)(4);

“(3) a college, university, institution, association, or alliance for activities that are necessary for it to be designated as a sea grant college or sea grant institute; or

“(4) a sea grant college or sea grant institute designated after the date of enactment of the National Sea Grant College Program Act Amendments of 2002.”.

SEC. 8. ANNUAL REPORT ON PROGRESS IN BECOMING DESIGNATED AS SEA GRANT COLLEGES AND SEA GRANT INSTITUTES.

Section 207 of the National Sea Grant College Program Act (16 U.S.C. 1126) is amended by adding at the end the following:

“(e) ANNUAL REPORT ON PROGRESS.—

“(1) REPORT REQUIREMENT.—The Secretary shall report annually to the Committee on Resources and the Committee on Science of the House of Representatives, and to the Committee on Commerce, Science, and Transportation of the Senate, on efforts and progress made by colleges, universities, institutions, associations, and alliances to become designated under this section as sea grant colleges or sea grant institutes, including efforts and progress made by sea grant institutes in being designated as sea grant colleges.

“(2) TERRITORIES AND FREELY ASSOCIATED STATES.—The report shall include description of—

“(A) efforts made by colleges, universities, associations, institutions, and alliances in United States territories and freely associated States to develop the expertise necessary to be designated as a sea grant institute or sea grant college;

“(B) the administrative, technical, and financial assistance provided by the Secretary to those entities seeking to be designated; and

“(C) the additional actions or activities necessary for those entities to meet the qualifications for such designation under subsection (a)(1).”.

SEC. 9. COORDINATION.

Not later than February 15 of each year, the Under Secretary of Commerce for Oceans and Atmosphere and the Director of the National Science Foundation shall jointly submit to the Committees on Resources and Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Sen-

ate a report on how the oceans and coastal research activities of the National Oceanic and Atmospheric Administration, including the Coastal Ocean Program and the National Sea Grant College Program, and of the National Science Foundation will be coordinated during the fiscal year following the fiscal year in which the report is submitted. The report shall describe in detail any overlapping ocean and coastal research interests between the agencies and specify how such research interests will be pursued by the programs in a complementary manner.

SEC. 10. COASTAL OCEAN PROGRAM.

Section 201(c) of Public Law 102-567 is amended by—

(1) striking “Of the sums authorized under subsection (b)(1), \$17,352,000 for each of the fiscal years 1992 and 1993 are authorized to be appropriated” and inserting “There are authorized to be appropriated to the Secretary of Commerce \$35,000,000 for each of the fiscal years 2003 to 2008”; and

(2) striking “to promote development of ocean technology,”.