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104TH CONGRESS, 1st Session | HOUSE OF REPRESENTATIVES | REPORT 104–123

MARINE RESOURCES REVITALIZATION ACT OF 1995

MAY 16, 1995.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources, submitted the following

REPORT

[To accompany H.R. 1175]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 1175) to amend Public Law 89–454 to provide for the reauthorization of appropriations, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Marine Resources Revitalization Act of 1995".

SEC. 2. AMENDMENT OF NATIONAL SEA GRANT COLLEGE PROGRAM ACT.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the National Sea Grant College Program Act (33 U.S.C. 1121 et seq.).

SEC. 3. AMENDMENTS TO DEFINITIONS.

(a) FIELD RELATED TO OCEAN, COASTAL, AND GREAT LAKES RESOURCES.—Section 203(4) (33 U.S.C. 1122(4)) is amended—

(1) by inserting "marine biotechnology," after "marine technology,"; and

(2) by inserting "shellfish disease studies," after "marine affairs and resource management,".

(b) SEA GRANT INSTITUTION.—Section 203 (33 U.S.C. 1122) is amended by adding at the end the following new paragraph:

"(16) The term 'sea grant institution' means a sea grant college or a sea grant regional consortium.".

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SEC. 4. CONSULTATIONS REGARDING LONG-RANGE PLANNING GUIDELINES AND PRIORITIES AND EVALUATION.

Section 204(a) (33 U.S.C. 1123(a)) is amended in the last sentence by inserting after "The Secretary" the following: ", in consultation with the sea grant institutions and the panel established under section 209,".

SEC. 5. DUTIES OF DIRECTOR.

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

"(c) DUTIES OF DIRECTOR.—

"(1) IN GENERAL.—The Director shall administer the National Sea Grant College Program subject to the supervision of the Secretary and the Under Secretary. In addition to any other duty prescribed by law or assigned by the Secretary, the Director shall—

"(A) advise the Under Secretary with respect to the expertise and capabilities which are available within or through the National Sea Grant College Program, and provide (as directed by the Under Secretary) those which are or could be of use to other offices and activities within the Administration;

"(B) encourage other Federal departments, agencies, and instrumentalities to use and take advantage of the expertise and capabilities which are available through the National Sea Grant College Program, on a cooperative or other basis;

"(C) encourage cooperation and coordination with other Federal programs concerned with ocean, coastal, and Great Lakes resources conservation and usage;

"(D) advise the Secretary on the designation of sea grant institutions and, in appropriate cases, if any, on the termination or suspension of any such designation;

"(E) encourage the formation and growth of sea grant programs; and

"(F) oversee the operation of the National Sea Grant Office established under subsection (a).

"(2) DUTIES WITH RESPECT TO SEA GRANT INSTITUTIONS.—With respect to the sea grant institutions, the Director shall—

"(A) evaluate the programs of the institutions, using the guidelines and priorities established by the Secretary under subsection (a), to ensure that the objective set forth in section 202(b) is achieved;

"(B) subject to the availability of appropriations, allocate funding among the sea grant institutions so as to—

"(i) promote healthy competition among those institutions,

"(ii) promote achievement of the goals established by the institutions under subsection (e), and

"(iii) to the maximum extent consistent with the other provisions of this subparagraph, provide a stable base of funding for the institutions; and

"(C) ensure compliance by the institutions with the guidelines for merit review published pursuant to section 207(b)(2).".

SEC. 6. DUTIES OF SEA GRANT INSTITUTIONS.

Section 204 (33 U.S.C. 1123) is amended by adding at the end the following new subsection:

"(e) DUTIES OF THE SEA GRANT INSTITUTIONS.—Subject to any regulations or guidelines promulgated by the Secretary, it shall be the responsibility of each sea grant institution to—

"(1) develop, in consultation with the Secretary and the panel established under section 209, goals for its program that are consistent with the guidelines and priorities developed under section 204(a);

"(2) conduct merit review of all applications for project grants or contracts to be awarded under section 205; and

"(3) demonstrate significant progress toward the goals established under this section.".

SEC. 7. REPEAL OF SEA GRANT INTERNATIONAL PROGRAM.

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

(b) CONFORMING AMENDMENT.—Section 209(b)(1) (33 U.S.C. 1128(b)(1)) is amended by striking "and section 3 of the Sea Grant Program Improvement Act of 1976".

SEC. 8. DESIGNATION OF SEA GRANT INSTITUTIONS.

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

"SEC. 207. SEA GRANT COLLEGES AND SEA GRANT REGIONAL CONSORTIA.

"(a) DESIGNATION.—The Secretary may designate an institution of higher learning as a sea grant college, and an association or alliance of two or more persons as a sea grant regional consortium, if the institution, association, or alliance—

"(1) is maintaining a balanced program of research, education, training, and advisory services in fields related to ocean, coastal, and Great Lakes resources and has received financial assistance under section 205 of this Act or under section 204(c) of the National Sea Grant College and Program Act of 1966;

"(2) will encourage and follow a regional approach to solving problems or meeting needs relating to ocean, coastal, and Great Lakes resources, in cooperation with appropriate sea grant colleges, sea grant programs, and other persons in the region;

"(3) will act in accordance with such guidelines as are prescribed under subsection (b)(2); and

"(4) meets such other qualifications as the Secretary considers necessary or appropriate.

"(b) REGULATIONS AND GUIDELINES.—

"(1) IN GENERAL.—The Secretary shall by regulation prescribe the qualifications required to be met under subsection (a)(4).

"(2) MERIT REVIEW.—Within 6 months of the date of enactment of the Marine Resources Revitalization Act of 1995, the Secretary, after consultation with the sea grant institutions, shall publish in the Federal Register guidelines for the conduct of merit review by the sea grant institutions of applications for project grants and contracts to be awarded under section 205. The guidelines shall, at a minimum, provide for mail review of all applications for grants or contracts and require standardized documentation of all peer review.".

SEC. 9. REPEAL OF POSTDOCTORAL FELLOWSHIP PROGRAM.

Section 208(c) (33 U.S.C. 1127(c)) is repealed.

SEC. 10. AMENDMENTS RELATING TO SEA GRANT REVIEW PANEL.

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

(1) in subsection (a) by striking the second sentence; and

(2) in subsection (c)(6) by striking "a biannual" and inserting "an annual".

SEC. 11. AUTHORIZATIONS OF APPROPRIATIONS.

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

"(a) GRANTS, CONTRACTS, AND FELLOWSHIPS.—There is authorized to be appropriated to carry out sections 205 and 208—

"(1) $50,600,000 for fiscal year 1996;

"(2) $52,500,000 for fiscal year 1997; and

"(3) $54,500,000 for fiscal year 1998.".

(b) ADMINISTRATION.—Section 212(b) (33 U.S.C. 1131(b)) is amended—

(1) by striking so much as precedes paragraph (2) and inserting the following:

"(b) ADMINISTRATION.—

"(1) AUTHORIZATION.—There is authorized to be appropriated for administration of this Act, including section 209, by the National Sea Grant Office and the Administration—

"(A) $2,700,000 for fiscal year 1996;

"(B) $2,000,000 for fiscal year 1997; and

"(C) $1,500,000 for fiscal year 1998.";

(2) in paragraph (2)—

(A) by striking "subsections (a) and (c)" and inserting "subsection (a)"; and

(B) by striking "(2)" and inserting "(2) LIMITATION ON USE OF OTHER AMOUNTS.—"; and

(3) by moving paragraph (2) 2 ems to the right, so that the left margin of paragraph (2) is aligned with the left margin of paragraph (1), as amended by paragraph (1) of this subsection.

(c) REPEAL.—Section 212 (33 U.S.C. 1131) is amended by repealing subsection (c) and redesignating subsections (d) and (e) in order as subsections (c) and (d).

SEC. 12. CLERICAL AND CONFORMING AMENDMENTS.

(a) CLERICAL AMENDMENT.—Section 209, as amended by section 10(1) of this Act, (33 U.S.C. 1128(b)) is amended by striking all of the matter that follows the first full sentence through "shall advise", and inserting "(b) DUTIES.—The panel shall advise".

(b) CONFORMING AMENDMENTS.—

(1) Section 204(b)(2) (33 U.S.C. 1123(b)(2)) is amended by striking "maximum rate for GS–18" and all that follows through the end of the sentence and inserting "maximum rate payable under section 5376 of title 5, United States Code.".

(2) Section 209(c)(5)(A) (33 U.S.C. 1128(c)(5)(A)) is amended by striking "the daily rate for GS–18 of the General Schedule under section 5332 of title 5, United States Code" and inserting "the maximum daily rate payable under section 5376 of title 5, United States Code".

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

(A) in subsection (b)(3) by striking "colleges and sea grant regional consortia" and inserting "institutions"; and

(B) in subsection (c)(1) in the last sentence in clause (A) by striking "college, sea grant regional consortium," and inserting "institution".

PURPOSE OF THE BILL

The purpose of H.R. 1175 is to reauthorize the National Sea Grant College Program for Fiscal Year 1996, 1997, and 1998, and to make certain improvements in the operation of the program.

BACKGROUND AND NEED FOR LEGISLATION

The National Sea Grant College Act (33 U.S.C. 1121–1131) was passed in 1966 to improve marine resource conservation, management, and utilization. The program is patterned after the Land Grant College Program, which was created in 1862.

Originally assigned to the National Science Foundation (NSF), Sea Grant was transferred to the National Oceanic and Atmospheric Administration (NOAA) when that agency was established in 1970 as part of the Department of Commerce. Currently, there are 26 Sea Grant Colleges and three smaller institutional programs that manage a network of over 300 universities and affiliated institutions. Some Sea Grant Colleges are consortia of several colleges and universities, rather than a single institution.

To be designated a Sea Grant College or approved as a institutional program, an institution or consortium of institutions must demonstrate a record of superior performance in marine resource programs for a minimum of three years. Designated programs received priority in obtaining Federal grants for up to two-thirds of the total cost of a project. At least one-third of the cost of projects must come from non-Federal matching funds.

Since its creation, the National Sea Grant College program has funded a number of valuable and noteworthy projects, including the following:

Virginia Sea Grant has worked with the scallop processing industry to determine the water retention rate for scallops in the wild. This will lead to an improved regulatory regime for processed scallops, and a better product for the seafood consumer;

South Carolina Sea Grant has worked with the insurance industry to improve coastal planning efforts to decrease storm property losses in coastal areas;

Several Sea Grant programs have developed improved low-cost aquaculture techniques that have proved vital to developing new industries. These include soft-shell crab shedding techniques and improved water recirculating techniques for hybrid striped bass;

Michigan Sea Grant wrote and published a book on risk assessment. This book was designed for a wide non-scientific au-

dience so that readers could better determine the relative risks of actions they would need to evaluate;

Sea Grant organized the first systematic effort in the United States to discover and develop new products from marine organisms. This effort has led to the discovery of more than 1,000 compounds and the awarding of 14 new patents to date;

Sea Grant research showed that proteins from oyster shells have numerous potential commercial applications. This work has led to several patents and the formation of two independent corporations;

Sea Grant created the comprehensive database on Great Lakes contaminants and the scientific expertise necessary for developing the first complete input-output model of a toxic industrial chemical in an aquatic ecosystem. The study has already saved one State $480 million in cleanup costs, and the model may ultimately save other Great Lakes and coastal States billions of dollars;

Sea Grant's research on lifesaving techniques, initially focused on the fishing industry, has led to the creation of new methods for saving cold-water drowning victims that are estimated to save approximately 100 lives each year. Cases using the Sea Grant-developed lifesaving methods have received major national publicity; and

A wave-powered, reverse-osmosis pump created with Sea Grant support removes salt from seawater at significantly lower costs to public utilities than was possible with previous technology.

The Sea Grant "core" program includes research, education, and advisory services. Research funding is devoted to the development of marine and freshwater resources, related technology, environmental studies, and socioeconomic and legal research. Authorization for the core program expires on September 30, 1995.

The education aspect of Sea Grant involves the development and strengthening of training programs for marine scientists and technicians as well as education in aquatic sciences for elementary through high school students. There is also a fellows program that brings graduate students in a variety of marine disciplines to Washington, D.C. to work for a year in Congress or with an appropriate Federal agency. A postdoctoral fellowship program is also authorized in the law but has never been funded.

Marine advisory programs include informal education for the general public, technical advice and instruction in marine-related topics, dissemination of research findings to user groups, and identification and communication of local needs and problems to Sea Grant program managers and researchers.

The law also authorizes a Sea Grant Review Panel. This panel is made up of 15 members who have marine science backgrounds or have knowledge and experience in the fields in which Sea Grant works. The Panel advises the Secretary of Commerce on matters relating to Sea Grant.

An international program is also authorized by law, but has never been funded.

In addition to the core program, priority oyster disease research has been separately authorized under the Act since 1990. Author-

ization for that program expires on September 30, 1995. This program was funded by the National Marine Fisheries Service until Fiscal Year 1995 when it was transferred to Sea Grant. Funding for zebra mussel research has also been administered by Sea Grant under an authorization contained in a separate statute.

Sea Grant was funded at $49 million in Fiscal Year 1995. Of that base funding, $2.9 million went for administration of the national program. In addition to that base funding, oyster disease research was funded at $1.5 million and zebra mussel research at $2.8 million. Sea Grant received no significant increases in funding during the 1980's. If corrected for inflation, its funding would have to be substantially increased to restore the program's 1981 purchasing power.

In 1994, the National Research Council's Ocean Studies Board conducted a review of the Sea Grant program at the request of NOAA. The review's recommendations included:

giving Sea Grant a higher profile within the agency;

developing a strategic plan that complements NOAA's strategic plan;

better defining the roles of the National Sea Grant Office, the State programs, and the Sea Grant Review Panel;

streamlining the proposal review and program evaluation processes;

more effectively creating and using Sea Grant-industry alliances; and

increasing Sea Grant funding significantly.

COMMITTEE ACTION

H.R. 1175 was introduced on March 8, 1995, by Chairman Don Young. The bill was referred to the Committee on Resources, and within the Committee it was referred to the Subcommittee on Fisheries, Wildlife and Oceans. On March 23, 1995, the Subcommittee held a hearing on H.R. 1175, at which testimony was received from NOAA, the National Research Council, the Sea Grant Review Panel, the Sea Grant Association, and individuals who have participated in Sea Grant projects.

In his testimony, Dr. Ned Ostenso, Assistant Administrator for Oceans and Atmosphere, NOAA, testified that "NOAA strongly supports the Sea Grant program. It has made major contributions to the Nation's ocean, coastal, and marine resources interests throughout its 29 year history."

Dr. Arthur Nowell, the Chairman of the Sea Grant Review Committee of the National Research Council, stated that "Sea Grant has been a major contributor for the fields of marine aquaculture, coastal and estuarine research, marine fisheries management, seafood safety, marine biotechnology, marine engineering, and marine technology and has been virtually the only source of funding in the United States for activities in marine policy."

Finally, Dr. Grace Wever testified on behalf of the National Sea Grant College Review Panel and said that "the Sea Grant College program is contributing very significantly to the creation of economic opportunity in the wise use of marine and coastal resources by developing essential basic knowledge and transferring it to those who require it."

On March 30, 1995, the Subcommittee on Fisheries, Wildlife and Oceans met to mark up H.R. 1175. At that time, Congressman Jim Saxton offered an amendment in the nature of a substitute for H.R. 1175. This amendment reauthorizes the Sea Grant program through FY 1998; halves the program's administrative funding over three years; clarifies the responsibilities of the State and National programs and streamlines the grant process; repeals the separate authorization for oyster disease research; includes marine biotechnology and shellfish disease studies in the fields of qualified Sea Grant research; and repeals the never-funded postdoctoral fellowship and international programs. This amendment was adopted by voice vote. The bill as amended was then approved by voice vote and ordered favorably reported to the Full Committee.

On April 5, 1995, the Full Committee on Resources met to consider H.R. 1175, Congressman Jim Saxton offered an amendment to define "Sea Grant institution" that was adopted by voice vote. No other amendments where offered and the bill as amended was then ordered favorably reported to the House of Representatives, by voice vote in the presence of a quorum.

SECTION-BY-SECTION ANALYSIS

Section 1. Short Title

Section 1 states that the bill may be cited as the "Marine Resources Revitalization Act of 1995".

Section 2. Amendment of National Sea Grant College Program Act

Section 2 clarifies that amendments in H.R. 1175 are to the National Sea Grant College Program Act.

Section 3. Amendments to Definitions

Subsection (a) adds marine biotechnology and shellfish disease studies to the list of fields related to ocean, coastal, and Great Lakes resources. Both of these areas have been funded by Sea Grant in the past.

Because of devastating oyster diseases such as Haplosporidium (MSX), Perkinsus (Dermo), and juvenile oyster disease, the oyster harvest along the Mid-Atlantic Coast and in the Chesapeake Bay is less than ten percent of that available a decade ago. There has also been a damaging loss of oyster reef habitat in this area. Reefs are essential to support large communities of oysters. Because oysters feed by filtering large amounts of single-celled marine plants, known as phytoplankton, from the water, large oyster communities help clean coastal waters.

In the past, Sea Grant oyster disease research has focused on the diseases that have ravaged Mid-Atlantic oyster disease populations, but other projects have been considered if they appeared likely to improve our generic ability to combat oyster disease. It is the Committee's intention that the shellfish disease studies continue to be focused primarily on oyster diseases having the greatest ecological and economic impact.

Subsection (b) also adds a definition of "sea grant institution".

Section 4. Consultations Regarding Long-Range Planning Guidelines and Priorities and Evaluations

Section 4 requires the Secretary to consult with the Sea Grant colleges and the Sea Grant Review Panel when setting long-range planning guidelines and priorities. In its review of Sea Grant, the Ocean Studies Board concluded that State programs and NOAA should better integrate their "endeavors and priorities".

The Committee agrees with this finding. Therefore, to encourage greater cooperation within the Sea Grant community, the Committee has included bill language requiring the Secretary of Commerce to consult with the Sea Grant institutions and the National Sea Grant Review Panel in setting long-range goals and priorities. It is hoped that improved consultation during preparation of long-range plans will lead to greater agreement on long-range goals and reduce duplication of effort.

The Committee understands that NOAA has recently taken significant steps to improve the strategic planning process for Sea Grant. This amendment is intended to build on that progress.

Section 5. Duties of the Director

Section 5 clarifies that the duties of the Director of the National Sea Grant Office are to evaluate each Sea Grant institution's program, not review each project proposal, and to attempt to provide a stable base of funding for each State program within the limitations of competition and appropriations.

This section also places primary responsibility for merit review, including peer review, with the Sea Grant institutions.

The National Research Council report recommends that standard scientific and peer review procedures should be established for all Sea Grant institutions to use when reviewing project proposals. The Committee supports this recommendation. Standard procedures would allow the National Sea Grant Office to review institution's programs and not spend limited resources reviewing individual project proposals. This should address the Council's concerns over overlapping roles and responsibilities of the Director and the institutions.

These changes are not intended to affect the Department of Commerce's responsibility for the financial administration of grants and contracts. The Department should focus its oversight on whether the Sea Grant institutions are carrying out their programs in accordance with departmental guidelines and the plans developed in conjunction with the Director. The Department can and should review an individual project if there is reason to question whether the project is feasible, scientifically valid, or deserving of Federal funding for some other legitimate reason. However, if the State program complies with the plan developed in consultation with the Director and the peer review guidelines established in Section 8, then few individual projects should need to be re-reviewed by the Director.

Section 6. Duties of Sea Grant Institutions

Section 6 outlines the responsibilities of Sea Grant institutions. In consultation with the Director, Sea Grant directors shall develop goals for their programs that are consistent with the long-range

planning guidelines and priorities established for the program under Section 204(A). The joint efforts of the Secretary and the institutions to develop long-range planning guidelines and institutional goals are intended to lead to greater coordination and cooperation between the Director and the institutions.

The institutions must also conduct merit review of all project proposals. Conduct of adequate peer review under the guidelines established under Section 9 of this bill is intended to standardize the peer review process. This should reduce duplication of effort between the Director and the institutions, and should lead to a streamlined project review process that saves time and money.

Section 7. Repeal of Sea Grant International Program

Section 7 repeals this program which has never been funded.

Section 8. Designation of Sea Grant Institutions

Section 8 consolidates the requirements for the designation of Sea Grant colleges and regional consortia, and requires the Secretary to establish guidelines for peer review of project applications. These standard guidelines are intended to improve the efficiency and consistency of the review process. A standardized review process will reduce the need for duplicative, time-consuming additional review of the context of projects by the Director and will result in more comparable proposal review among the Sea Grant institutions. This section address the National Research Council finding that the Sea Grant review process for research proposals is slow compared to other agencies and is not standardized at the State level.

Section 9. Repeal of Postdoctoral Fellowship Program

Section 9 repeals this program which has never been funded.

Section 10. Amendments Relating to Sea Grant Review Panel

Section 10 makes a technical correction and also changes the mandatory advisory panel meetings from twice a year to once a year. The panel can still meet at other times at its discretion.

Section 11. Authorization of Appropriations

Section 11 reauthorizes Sea Grant at $53.3 million for Fiscal Year 1996 (the Fiscal Year 1995 appropriated level), at $54.5 million in Fiscal Year 1997, and at $55 million in Fiscal Year 1998; halves the administrative spending cap over three years; and repeals the separate authorization for oyster disease research. The Committee intends that standardization of peer review and streamlining the grant process will allow the program to be administered at lower cost.

Section 12. Clerical and Conforming Amendments

Section 12 makes several clerical and conforming changes to the Act.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to the requirements of clause 2(l)(3) of rule XI of the Rules of the House of Representatives, and clause 2(b)(1) of

rule X of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

INFLATIONARY IMPACT STATEMENT

Pursuant to clause 2(l)(4) of rule XI of the Rules of the House of Representatives, the Committee estimates that the enactment of H.R. 1175 will have no significant inflationary impact on prices and costs in the operation of the national economy.

COST OF THE LEGISLATION

Clause 7(a) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out H.R. 1175. However, clause 7(d) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974.

COMPLIANCE WITH HOUSE RULE XI

1. With respect to the requirement of clause 2(l)(3)(B) of rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, H.R. 1175 does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

2. With respect to the requirement of clause 2(l)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform and Oversight on the subject of H.R. 1175.

3. With respect to the requirement of clause 2(l)(3)(C) of rule XI of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for H.R. 1175 from the Director of the Congressional Budget Office.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, April 26, 1995.

Hon. DON YOUNG,
Chairman, Committee on Resources,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1175, the Marine Resources Revitalization Act of 1995.

Enactment of H.R. 1175 would not affect direct spending or receipts. Therefore, pay-as-you-go procedures would not apply to the bill.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

JAMES L. BLUM
(For June E. O'Neill, Director).

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: H.R. 1175.
2. Bill title: Marine Resources Revitalization Act of 1995.
3. Bill status: As ordered reported by the House Committee on Resources on April 5, 1995.
4. Bill purpose: H.R. 1175 would reauthorize the National Sea Grant College Program Act and would authorize appropriations of $53.3 million in fiscal year 1996, $54.5 million in fiscal year 1997, and $56.0 million in fiscal year 1998 to carry out its contract, grant, fellowship, and administrative functions. The bill also would repeal the sea grant international program and the postdoctoral fellowship program. (Those two programs did not receive any funding in 1995.)
5. Estimated cost to the Federal Government: H.R. 1175 would authorize appropriations for the National Sea Grant program at levels that are close to the 1995 appropriation level of $54.3 million. The bill's proposed level for 1996 is $1 million below the 1995 appropriation, while the proposed levels for 1997 and 1998 are above the current level by $0.2 million and $1.7 million, respectively. Assuming that the full amounts authorized are appropriated, H.R. 1175 would have the budgetary impact shown in the following table.

[By fiscal year, in millions of dollars]

	1995	1996	1997	1998	1999	2000
Spending Under Current Law:						
Budget Authority [1]	54.3	.....	.....	.....	.....	.....
Estimated Outlays	51.1	20.6	6.6	3.3	.....	.....
Proposed Changes:						
Authorization Level	.....	53.3	54.5	56.0	.....	.....
Estimated Outlays	.....	32.0	47.1	52.0	22.1	7.2
Spending Under H.R. 1175:						
Authorization Level [1]	54.3	53.3	54.5	56.0	.....	.....
Estimated Outlays	51.1	52.6	53.7	55.3	22.1	7.2

[1] The 1995 level is the amount actually appropriated.

The costs of this bill fall within budget function 300.
6. Pay-as-you-go considerations: None.
7. Estimated cost to State and local governments: None.
8. Estimate comparison: None.
9. Previous CBO estimate: None.
10. Estimate prepared by: Rachel Robertson.
11. Estimate approved by: Robert A. Sunshine, for Paul N. Van de Water, Assistant Director for Budget Analysis.

DEPARTMENTAL REPORTS

The Committee received a report on H.R. 1175 from the Department of Commerce on April 4, 1995. No other reports have been received on H.R. 1175.

U.S. DEPARTMENT OF COMMERCE,
Washington, DC, April 4, 1995.

Hon. DONALD YOUNG,
Chairman, Committee on Resources,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Department of Commerce would like to offer comments on H.R. 1175, a bill entitled the "Marine Resources Revitalization Act of 1995". We understand the bill is to be marked up by the full committee on April 5, 1995. H.R. 1175 would amend the National Sea Grant College Program Act.

The Department endorses the reauthorization of the National Sea Grant College Program. We oppose several sections as described below.

Section 5 of the bill, amending section 204(c) of the Act (33 U.S.C. § 1123(c) defines the "Duties of the Director" of the national office. The legislation omits Section 204(c)(3) which makes the director responsible for evaluating grants and contracts. The Department of Commerce objects to this omission because it removes critical management responsibility from the director and his/her staff. Together with Section 212(b)(1) which specifies a declining level of authorization for the National Sea Grant College Program Office, the provision effectively removes management and oversight responsibilities from the National Oceanic and Atmospheric Administration. The Administrator, through the Director, would have neither the staff, funds, nor legal authority to make evaluations of individuals Sea Grant Program performance, the performance of the National Sea Grant Program, or integrate Sea Grant capabilities with NOAA's mission. Although evaluation of specific projects is delegated to individual state programs, the amendment is unclear about the criteria for funding institutional program proposals except to promote "healthy competition among those institutions" (204)(c)(2)(B)(i) and to provide "a stable base of funding for the institutions" (204)(c)(2)(B)(iii).

In order to continue the Department's support for the National Sea Grant College Program as a fundamental part of NOAA's portfolio of coastal and marine research programs, it is imperative that the National Program Office be included in the oversight and coordination of research awards as a criteria for funding institutional program proposals. It is critical that national research priorities be developed and institutional allocations reflect those priorities. The National Program Office plays an essential role in ensuring that complimentary, not duplicate research takes place among the various institutional programs.

Section 11(b) of the bill, amending section 212(b)(1) of the Act (33 U.S.C. § 1131(b)(1)) reads:

"(1) AUTHORIZATION.—There is authorized to be appropriated for administration of this Act, including section 209, by the National Sea Grant Office and the Administration—

"(A) $2,700,000 for fiscal year 1996;

"(B) $2,000,000 for fiscal year 1997; and

"(C) $1,500,000 for fiscal year 1998."

The Department of Commerce strongly objects to the language in this subsection. Cutting the budget of the National Sea Grant Office in half over three years would eliminate:

the ability to develop national standards, priorities, and plans;

the ability to provide adequate program oversight;

the ability to integrate Sea Grant capabilities with other NOAA and federal marine resource programs and thus lose the opportunity to secure additional funding for research in Sea Grant Institutions;

staff required to process "pass-through" awards from other federal agencies and NOAA units working in partnership with Sea Grant. In FY 1994, other federal agencies and NOAA programs supported $10 million of research and outreach activities in Sea Grant Institutions.

This subsection is particularly onerous because it fails to recognize that the administrative budget includes not only the costs of administrative overhead (salary, rent, travel) but also support for the Sea Grant Review Panel and the Small Business Innovation Research (SBIR) set-aside. Since payment of the SBIR set-aside mandated by Congress—$500,000 in FY96 and to more than $600,000 in FY97 and FY98—must be allocated from the authorization of this section, the ability of NOAA to responsibly administer Sea Grant would be seriously compromised. Effectively, the reduction would eliminate nearly 70 percent of the current staff and nearly all National Sea Grant Office functions. At a time when Congress and the Administration are focusing on ways to ensure more cost effective use of federal resources, sufficient funding for a minimum level of oversight is critical.

The Department recommends that the language in the subsection be revised as follows:

(1) AUTHORIZATION.—There is authorized to be appropriated for administration of this Act, including section 209 by the National Sea Grant Office and the Administration—$3,400,000 for fiscal year 1996 and such sums as may be necessary for each of fiscal years 1997 and 1998.

Section 5 of the bill, amending section 204(c) of the Act (33 U.S.C. § 1123(c)) omits the existing language in section 204(c)(1) that states that the Director of the national office shall—"apply the long range planning guidelines and the priorities established by the Secretary under subsection (a) of this section;". The Department of Commerce feels that this duty of the national office Director is critical and should not be omitted.

Section 11 of the bill amends section 212(a) of the Act (33 U.S.C. § 1131(a)) which reads:

(a) GRANTS AND CONTRACTS; FELLOWSHIPS; INTERNATIONAL PROGRAM.—There is authorized to be appropriated to carry out sections 205 and 208—

(1) $50,600,000 for fiscal year 1996;

(2) $52,500,000 for fiscal year 1997; and

(3) $54,500,000 for fiscal year 1998.

The Department opposes the authorization levels contained in the proposed amendment. The FY 1996 President's budget requests total funding of $49,400,000 for the entire National Sea Grant Program of which $46,000,000 is intended to carry out these sections of this proposed legislation.

The Department recommends that the language in the subsection be revised as follows:

(a) GRANTS AND CONTRACTS; FELLOWSHIPS; INTERNATIONAL PROGRAM.—There is authorized to be appropriated to carry out sections 205 and 208—$46,000,000 for fiscal year 1996 and such sums as may be necessary for each of fiscal years 1997 and 1998.

Section 3 of the bill, amending section 203(4) of the Act (33 U.S.C. § 1122(4)) reads: (2) by inserting "shellfish disease studies," after "marine affairs and resource management". Shellfish Disease studies are already encompassed in the existing legislation. Identification of a specific category or living marine resources is unnecessarily restrictive, redundant to the existing legislative mandate of the program, and would inhibit Sea Grant's flexibility to respond to changing national needs and research priorities.

Section 4 of the bill, amending section 204(a) of the Act (33 U.S.C. § 1123(a)) inserts ", in consultation with the sea grant colleges and the panel established under section 209," after "The Secretary". The Department of Commerce believes this provision is inappropriate because it is too specific, and potentially limiting. The intent of the Act specifies "an intense involvement on the part of the Federal Government in continuing partnership with the State and Local Governments, private industry, universities, organizations, and individuals * * *."

While consultation with the sea grant colleges and panel will take place, planning and priorities must be established with the help of a broader cross-section of leaders.

Section 4 of the bill, amending section 204(c)(2)(B)(ii) of the Act (33 U.S.C. § 1123) reads: "(ii) promote achievement of the goals established by the institutions under subsection (e), and. As stated this amendment would allow complete independence of institutional programs, precluding regional and national coordination and coherence.

Section 8(b)(2) of the bill, amending section 207(a) of the Act (33 U.S.C. § 1126) reads: "(2) MERIT REVIEW.—Within 6 months of the date of enactment of the Marine Resources Revitalization Act of 1995, the Secretary, after consultation with the sea grant colleges, shall publish in the Federal Register guidelines for the conduct of merit review by the sea grant colleges and sea grant regional consortia of applications for projects grants and contracts to be awarded under section 205. The guidelines shall, at a minimum, provide for mail review of all applications for grants or contracts and require standardized documentation of all peer review." The Department of Commerce objects to this subsection and believes that the language represents an unnecessary level of micro-management and imposes additional burdens on project reviewers. The provisions for mail review is particularly troubling. This language restricts the review process to one kind of merit review and eliminates the State Director's discretion to choose from a wide range of accepted merit review procedures.

Section 10 of the bill, amending section 209 of the Act (33 U.S.C. § 1128) represents a clear reduction in the role and capabilities of the Sea Grant Review Panel. Restricting the panel to one meeting per year (as opposed to the two now required) will limit the ability of the Review Panel to carry out its mandated duties in subsection

(b). These duties are broad and critical to the overall performance of the Sea Grant Program.

Section 8 of the bill, amending section 207(a) of the Act (33 U.S.C. § 1126) omitted from this section is the previous Section 207(3)(a) which states that sea grant colleges and consortia must be established for the purpose of sharing capabilities. The Department believes that this provision for sharing capabilities is an important subsection that should not be omitted.

We appreciate the opportunity to comment on this legislation. We would be willing to work with your staff to address the above concerns as well as any additional technical issues regarding H.R. 1175.

The Office of Management and Budget advises that there is no objection to the submission of this report from the standpoint of the Administration's program.

Sincerely,

D. JAMES BAKER.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

NATIONAL SEA GRANT COLLEGE PROGRAM ACT

TITLE II—NATIONAL SEA GRANT COLLEGE PROGRAM

* * * * * * *

SEC. 203. DEFINITIONS.

As used in this title—

(1) * * *

* * * * * * *

(4) The term "field related to ocean, coastal, and Great Lakes resources" means any discipline or field (including marine science (and the physical, natural, and biological sciences, and engineering, included therein), marine technology, *marine biotechnology*, education, marine affairs and resource management, *shellfish disease studies*, economics, sociology, communications, planning, law, international affairs, and public administration) which is concerned with or likely to improve the understanding, assessment, development, utilization, or conservation of ocean, coastal, and Great Lakes resources.

* * * * * * *

(16) The term "sea grant institution" means a sea grant college or a sea grant regional consortium.

SEC. 204. NATIONAL SEA GRANT PROGRAM.

(a) The Secretary shall maintain, within the Administration, a program to be known as the National Sea Grant College Program. The National Sea Grant College Program shall consist of the financial assistance and other activities provided for in this Act, and shall be administered by a National Sea Grant Office within the

Administration. The Secretary, *in consultation with the sea grant institutions and the panel established under section 209,* shall establish long-range planning guidelines and priorities for, and adequately evaluate, this program.

(b) DIRECTOR.—(1) * * *

(2) The Director shall be appointed and compensated, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, at a rate not in excess of the [maximum rate for GS–18 of the General Schedule under section 5332 of such title.] *maximum rate payable under section 5376 of title 5, United States Code.*

[(c) DUTIES.—The Director shall administer the national sea grant college program subject to the supervision of the Secretary and the Under Secretary. In addition to any other duty prescribed by law or assigned by the Secretary, the Director shall—

[(1) apply the long-range planning guidelines and the priorities established by the Secretary under subsection (a);

[(2) advise the Under Secretary with respect to the expertise and capabilities which are available within or through the national sea grant college program, and provide (as directed by the Under Secretary) those which are or could be of use to other offices and activities within the Administration;

[(3) evaluate activities conducted under grants and contracts awarded pursuant to section 205 to assure that the objective set forth in section 202(b) is implemented;

[(4) encourage other Federal departments, agencies, and instrumentalities to use and take advantage of the expertise and capabilities which are available through the national sea grant college program, on a cooperative or other basis;

[(5) encourage cooperation and coordination with other Federal programs concerned with ocean, coastal, and Great Lakes resources conservation and usage;

[(6) advise the Secretary on the designation of sea grant colleges and sea grant regional consortia and, in appropriate cases, if any, on the termination or suspension of any such designation;

[(7) encourage the formation and growth of sea grant programs; and

[(8) oversee the operation of the National Sea Grant Office established under subsection (a) of this section.]

(c) DUTIES OF DIRECTOR.—

(1) IN GENERAL.—The Director shall administer the National Sea Grant College Program subject to the supervision of the Secretary and the Under Secretary. In addition to any other duty prescribed by law or assigned by the Secretary, the Director shall—

(A) advise the Under Secretary with respect to the expertise and capabilities which are available within or through the National Sea Grant College Program, and provide (as directed by the Under Secretary) those which are or could be of use to other offices and activities within the Administration;

(B) encourage other Federal departments, agencies, and instrumentalities to use and take advantage of the expertise

and capabilities which are available through the National Sea Grant College Program, on a cooperative or other basis;

(C) encourage cooperation and coordination with other Federal programs concerned with ocean, coastal, and Great Lakes resources conservation and usage;

(D) advise the Secretary on the designation of sea grant institutions and, in appropriate cases, if any, on the termination or suspension of any such designation;

(E) encourage the formation and growth of sea grant programs; and

(F) oversee the operation of the National Sea Grant Office established under subsection (a).

(2) DUTIES WITH RESPECT TO SEA GRANT INSTITUTIONS.—With respect to the sea grant institutions, the Director shall—

(A) evaluate the programs of the institutions, using the guidelines and priorities established by the Secretary under subsection (a), to ensure that the objective set forth in section 202(b) is achieved;

(B) subject to the availability of appropriations, allocate funding among the sea grant institutions so as to—

(i) promote healthy competition among those institutions,

(ii) promote achievement of the goals established by the institutions under subsection (e), and

(iii) to the maximum extent consistent with the other provisions of this subparagraph, provide a stable base of funding for the institutions; and

(C) ensure compliance by the institutions with the guidelines for merit review published pursuant to section 207(b)(2).

* * * * * * *

(e) DUTIES OF THE SEA GRANT INSTITUTIONS.—Subject to any regulations or guidelines promulgated by the Secretary, it shall be the responsibility of each sea grant institution to—

(1) develop, in consultation with the Secretary and the panel established under section 209, goals for its program that are consistent with the guidelines and priorities developed under section 204(a);

(2) conduct merit review of all applications for project grants or contracts to be awarded under section 205; and

(3) demonstrate significant progress toward the goals established under this section.

* * * * * * *

[SEC. 207. SEA GRANT COLLEGES AND SEA GRANT REGIONAL CONSORTIA.

[(a) DESIGNATION.—(1) The Secretary may designate—

[(A) any institution of higher education as a sea grant college; and

[(B) any association or other alliance of two or more persons (other than individuals) as a sea grant regional consortium.

[(2) No institution of higher education may be designated as a sea grant college unless the Secretary finds that such institution—

[(A) is maintaining a balanced program of research, education, training, and advisory services in fields related to ocean, coastal, and Great Lakes resources and has received financial assistance under section 205 of this title or under section 204(c) of the National Sea Grant College and Program Act of 1966;

[(B) will act in accordance with such guidelines as are prescribed under subsection (b)(2); and

[(C) meets such other qualifications as the Secretary deems necessary or appropriate.

The designation of any institution as a sea grant college under the authority of such Act of 1966 shall, if such designation is in effect on the day before the date of the enactment of the Sea Grant Program Improvement Act of 1976, be considered to be a designation made under paragraph (1) so long as such institution complies with subparagraphs (B) and (C).

[(3) No association or other alliance of two or more persons may be designated as a sea grant regional consortium unless the Secretary finds that such association or alliance—

[(A) is established for the purpose of sharing expertise, research, educational facilities, or training facilities, and other capabilities in order to facilitate research, education, training, and advisory services, in any field related to ocean, coastal, and Great Lakes resources;

[(B) will encourage and follow a regional approach to solving problems or meeting needs relating to ocean, coastal, and Great Lakes resources, in cooperation with appropriate sea grant colleges, sea grant programs, and other persons in the region;

[(C) will act in accordance with such guidelines as are prescribed under subsection (b)(2); and

[(D) meets such other qualifications as the Secretary deems necessary or appropriate.

[(b) REGULATIONS.—The Secretary shall by regulation prescribe—

[(1) the qualifications required to be met under paragraphs (2)(C) and (3)(D) of subsection (a); and

[(2) guidelines relating to the activities and responsibilities of sea grant colleges and sea grant regional consortia.

[(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).]

SEC. 207. SEA GRANT COLLEGES AND SEA GRANT REGIONAL CONSORTIA.

(a) DESIGNATION.—The Secretary may designate an institution of higher learning as a sea grant college, and an association or alliance of two or more persons as a sea grant regional consortium, if the institution, association, or alliance—

(1) is maintaining a balanced program of research, education, training, and advisory services in fields related to ocean, coastal, and Great Lakes resources and has received financial assistance under section 205 of this Act or under section 204(c) of the National Sea Grant College and Program Act of 1966;

(2) will encourage and follow a regional approach to solving problems or meeting needs relating to ocean, coastal, and Great Lakes resources, in cooperation with appropriate sea grant colleges, sea grant programs, and other persons in the region;

(3) will act in accordance with such guidelines as are prescribed under subsection (b)(2); and

(4) meets such other qualifications as the Secretary considers necessary or appropriate.

(b) REGULATIONS AND GUIDELINES.—

(1) IN GENERAL.—The Secretary shall by regulation prescribe the qualifications required to be met under subsection (a)(4).

(2) MERIT REVIEW.—Within 6 months of the date of enactment of the Marine Resources Revitalization Act of 1995, the Secretary, after consultation with the sea grant institutions, shall publish in the Federal Register guidelines for the conduct of merit review by the sea grant institutions of applications for project grants and contracts to be awarded under section 205. The guidelines shall, at a minimum, provide for mail review of all applications for grants or contracts and require standardized documentation of all peer review.

SEC. 208. FELLOWSHIPS.

(a) * * *

* * * * * * *

[(c) POSTDOCTORAL FELLOWSHIPS.—The Under Secretary shall establish and administer a program of postdoctoral fellowships to accelerate research in critical subject areas. The fellowship awards—

[(1) shall be for 2 years;

[(2) may be renewed once for not more than 2 years;

[(3) shall be awarded on a nationally competitive basis;

[(4) may be used at any institution of post-secondary education involved in the national sea grant college program;

[(5) shall be for up to 100 percent of the total cost of the fellowship; and

[(6) may be made to recipients of terminal professional degrees, as well as doctoral degree recipients.]

SEC. 209. SEA GRANT REVIEW PANEL.

(a) ESTABLISHMENT.—There shall be established an independent committee to be known as the sea grant review panel. [The panel shall, on the 60th day after the date of the enactment of the Sea Grant Program Improvement Act of 1976, supersede the sea grant advisory panel in existence before such date of enactment.

[The Panel shall advise] *(b) DUTIES.—The panel shall advise* the Secretary, the Under Secretary, and the Director concerning—

(1) applications or proposals for, and performance under, grants and contracts awarded under section 205 [and section 3 of the Sea Grant Program Improvement Act of 1976];

(2) the sea grant fellowship program;

(3) the designation and operation of sea grant [colleges and sea grant regional consortia] *institutions*, and the operation of sea grant programs;

* * * * * * *

The Secretary shall make available to the panel such information, personnel, and administrative services and assistance as it may reasonably require to carry out its duties.

(c) MEMBERSHIP, TERMS, AND POWERS.—(1) The panel shall consist of 15 voting members who shall be appointed by the Secretary. The Director and a director of a sea grant program who is elected by the various directors of sea grant programs shall serve as nonvoting members of the panel. Not less than 8 of the voting members of the panel shall be individuals who, by reason of knowledge, experience, or training, are especially qualified in one or more of the disciplines and fields included in marine science. The other voting members shall be individuals who, by reason of knowledge, experience, or training, are especially qualified in, or representative of, education, marine affairs and resource management, extension services, State government, industry, economics, planning, or any other activity which is appropriate to, and important for, any effort to enhance the understanding, assessment, development, utilization, or conservation of ocean, coastal, and Great Lakes resources. No individual is eligible to be a voting member of the panel if the individual is (A) the director of a sea grant [college, sea grant regional consortium,] *institution* or sea grant program; (B) an applicant for, or beneficiary (as determined by the Secretary) of, any grant or contract under section 205; or (C) a full-time officer of employee of the United States.

* * * * * * *

(5) Voting members of the panel shall—

(A) receive compensation at [the daily rate for GS–18 of the General Schedule under section 5332 of title 5, United States Code] *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

(B) be reimbursed for actual and reasonable expenses incurred in the performance of such duties.

(6) The panel shall meet on [a biannual] *an annual* basis and, at any other time, at the call of the Chairman or upon the request of a majority of the voting members or of the Director.

* * * * * * *

SEC. 212. AUTHORIZATION OF APPROPRIATIONS.

[(a) There is authorized to be appropriated to carry out the provisions of sections 205 and 208 of this Act, and section 3 of the Sea Grant Program Improvement Act of 1976 (33 U.S.C. 1124a), an amount—

[(1) for fiscal year 1991, not to exceed $44,398,000;

[(2) for fiscal year 1992, not to exceed $46,014,000;

[(3) for fiscal year 1993, not to exceed $47,695,000;

[(4) for fiscal year 1994, not to exceed $49,443,000; and

[(5) for fiscal year 1995, not to exceed $51,261,000.

[(b)(1) There is authorized to be appropriated for administration of this Act, including section 209, by the National Sea Grant Office and the Administration, an amount—

[(A) for fiscal year 1991, not to exceed $2,500,000;

[(B) for fiscal year 1992, not to exceed $2,600,000;

[(C) for fiscal year 1993, not to exceed $2,700,000;

[(D) for fiscal year 1994, not to exceed $2,800,000; and

[(E) for fiscal year 1995, not to exceed $2,900,000.]

(a) GRANTS, CONTRACTS, AND FELLOWSHIPS.—There is authorized to be appropriated to carry out sections 205 and 208—

(1) $50,600,000 for fiscal year 1996;

(2) $52,500,000 for fiscal year 1997; and

(3) $54,500,000 for fiscal year 1998.

(b) ADMINISTRATION.—

(1) AUTHORIZATION.—There is authorized to be appropriated for administration of this Act, including section 209, by the National Sea Grant Office and the Administration—

(A) $2,700,000 for fiscal year 1996;

(B) $2,000,000 for fiscal year 1997; and

(C) $1,500,000 for fiscal year 1998.

[(2)] *(2) LIMITATION ON USE OF OTHER AMOUNTS.*—Sums appropriated under the authority of [subsections (a) and (c)] *subsection (a)* shall not be available for administration of this Act by the National Sea Grant Office, or for Administration program or administrative expenses.

[(c) In addition to sums authorized under subsection (a), there is authorized to be appropriated for priority oyster disease research under section 205 of this Act, an amount—

[(1) for fiscal year 1992, not to exceed $1,400,000;

[(2) for fiscal year 1993, not to exceed $3,000,000;

[(3) for fiscal year 1994, not to exceed $3,000,000; and

[(4) for fiscal year 1995, not to exceed $3,000,000.

[(d)] *(c)* AVAILABILITY OF SUMS.—Sums appropriated pursuant to this section shall remain available until expended.

[(e)] *(d)* REVERSION OF UNOBLIGATED AMOUNTS.—The amount of any grant, or portion of a grant, made to a person under any section of this Act that is not obligated by that person during the first fiscal year for which it was authorized to be obligated or during the next fiscal year thereafter shall revert to the Secretary. The Secretary shall add that reverted amount to the funds available for grants under the section for which the reverted amount was originally made available.

SECTION 3 OF THE SEA GRANT PROGRAM IMPROVEMENT ACT OF 1976

[SEC. 3. SEA GRANT INTERNATIONAL PROGRAM.

[(a) IN GENERAL.—The Under Secretary of Commerce for Oceans and Atmosphere may enter into contracts and make grants under this section to—

[(1) enhance cooperative international research and educational activities on ocean, coastal and Great Lakes resources;

[(2) promote shared marine activities with universities in countries with which the United States has sustained mutual interest in ocean, coastal, and Great Lakes resources;

[(3) encourage technology transfer that enhances wise use of ocean, coastal, and Great Lakes resources in other countries and in the United States;

[(4) promote the exchange among the United States and foreign nations of information and data with respect to the as-

sessment, development, utilization, and conservation of such resources;

[(5) use the national sea grant college program as a resource in other Federal civilian agency international initiatives whose purposes are fundamentally related to research, education, technology transfer and public service programs concerning the understanding and wise use of ocean, coastal, and Great Lakes resources; and

[(6) enhance regional collaboration between foreign nations and the United States with respect to marine scientific research, including activities which improve understanding of global oceanic and atmospheric processes, undersea minerals resources within the exclusive economic zone and special areas, and productivity and enhancement of living marine resources in—

[(A) the Caribbean and Latin American regions;

[(B) the Pacific Islands region;

[(C) the Arctic and Antartic regions;

[(D) the Atlantic and Pacific Oceans; and

[(E) the Great Lakes.

[(b) ELIGIBILITY, PROCEDURES, AND REQUIREMENTS.—Any sea grant college, sea grant program, or sea grant regional consortium, and any institution of higher education, laboratory, or institute (if the institution, laboratory, or institute is located within a State, as defined in section 203(14) of the National Sea Grant College Program Act (33 U.S.C. 1122(14)), may apply for and receive financial assistance under this section. The Under Secretary shall prescribe rules and regulations, in consultation with the Secretary of State, to carry out this section. Before approving an application for a grant or contract under this section, the Under Secretary shall consult with the Secretary of State. A grant made, or contract entered into, under this section is subject to section 205(d) (2) and (4) of the National Sea Grant College Program Act (33 U.S.C. 1124(d) (2) and (4)) and to any other requirements that the Under Secretary considers necessary and appropriate.]

○