

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1175

**[Report No. 104-123, Part I]**

To amend Public Law 89-454 to provide for the reauthorization of appropriations.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 8, 1995

Mr. YOUNG of Alaska introduced the following bill; which was referred to the Committee on Resources

MAY 16, 1995

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

MAY 17, 1995

The Committee of the Whole House on the State of the Union discharged, and referred to the Committee on Science for a period ending not later than June 30, 1995, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of the Committee on Science pursuant to clause 1(n), rule X

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## A BILL

To amend Public Law 89-454 to provide for the reauthorization of appropriations.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Marine Resources Re-  
3 vitalization Act of 1995”.

4 **SEC. 2. AUTHORIZATION OF APPROPRIATIONS.**

5 Section 212(a) of Public Law 89-454 is amended to  
6 read as follows:

7 “(a) IN GENERAL.—There is authorized to be appro-  
8 priated to carry out sections 205 and 208 of this title such  
9 sums as may be necessary for each of fiscal years 1996  
10 through 2000.”.

11 **SECTION 1. SHORT TITLE.**

12 *This Act may be cited as the “Marine Resources Revi-  
13 talization Act of 1995”.*

14 **SEC. 2. AMENDMENT OF NATIONAL SEA GRANT COLLEGE  
15 PROGRAM ACT.**

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

22 **SEC. 3. AMENDMENTS TO DEFINITIONS.**

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

1           (1) by inserting “marine biotechnology,” after  
2           “marine technology,”; and

3           (2) by inserting “shellfish disease studies,” after  
4           “marine affairs and resource management,”.

5           (b) *SEA GRANT INSTITUTION*.—Section 203 (33 U.S.C.  
6 1122) is amended by adding at the end the following new  
7 paragraph:

8           “(16) The term ‘sea grant institution’ means a  
9           sea grant college or a sea grant regional consortium.”.

10 **SEC. 4. CONSULTATIONS REGARDING LONG-RANGE PLAN-**  
11 **NING GUIDELINES AND PRIORITIES AND**  
12 **EVALUATION.**

13           Section 204(a) (33 U.S.C. 1123(a)) is amended in the  
14 last sentence by inserting after “The Secretary” the follow-  
15 ing: “; in consultation with the sea grant institutions and  
16 the panel established under section 209,”.

17 **SEC. 5. DUTIES OF DIRECTOR.**

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

20           “(c) *DUTIES OF DIRECTOR*.—

21           “(1) *IN GENERAL*.—The Director shall admin-  
22           ister the National Sea Grant College Program subject  
23           to the supervision of the Secretary and the Under Sec-  
24           retary. In addition to any other duty prescribed by  
25           law or assigned by the Secretary, the Director shall—

1           “(A) advise the Under Secretary with re-  
2 spect to the expertise and capabilities which are  
3 available within or through the National Sea  
4 Grant College Program, and provide (as directed  
5 by the Under Secretary) those which are or could  
6 be of use to other offices and activities within the  
7 Administration;

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

13           “(C) encourage cooperation and coordina-  
14 tion with other Federal programs concerned with  
15 ocean, coastal, and Great Lakes resources con-  
16 servation and usage;

17           “(D) advise the Secretary on the designa-  
18 tion of sea grant institutions and, in appro-  
19 priate cases, if any, on the termination or sus-  
20 pension of any such designation;

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

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

1           “(2) *DUTIES WITH RESPECT TO SEA GRANT IN-*  
2           *STITUTIONS.—With respect to the sea grant institu-*  
3           *tions, the Director shall—*

4                     “(A) *evaluate the programs of the institu-*  
5                     *tions, using the guidelines and priorities estab-*  
6                     *lished by the Secretary under subsection (a), to*  
7                     *ensure that the objective set forth in section*  
8                     *202(b) is achieved;*

9                     “(B) *subject to the availability of appro-*  
10                    *priations, allocate funding among the sea grant*  
11                    *institutions so as to—*

12                             “(i) *promote healthy competition*  
13                             *among those institutions,*

14                             “(ii) *promote achievement of the goals*  
15                             *established by the institutions under sub-*  
16                             *section (e), and*

17                             “(iii) *to the maximum extent consist-*  
18                             *ent with the other provisions of this sub-*  
19                             *paragraph, provide a stable base of funding*  
20                             *for the institutions; and*

21                     “(C) *ensure compliance by the institutions*  
22                     *with the guidelines for merit review published*  
23                     *pursuant to section 207(b)(2).”.*

1 **SEC. 6. DUTIES OF SEA GRANT INSTITUTIONS.**

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

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

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

12 *“(2) conduct merit review of all applications for*  
13 *project grants or contracts to be awarded under sec-*  
14 *tion 205; and*

15 *“(3) demonstrate significant progress toward the*  
16 *goals established under this section.”.*

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

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

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

23 **SEC. 8. DESIGNATION OF SEA GRANT INSTITUTIONS.**

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

1 **“SEC. 207. SEA GRANT COLLEGES AND SEA GRANT RE-**  
2 **REGIONAL CONSORTIA.**

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

8               “(1) *is maintaining a balanced program of re-*  
9 *search, education, training, and advisory services in*  
10 *fields related to ocean, coastal, and Great Lakes re-*  
11 *sources and has received financial assistance under*  
12 *section 205 of this Act or under section 204(c) of the*  
13 *National Sea Grant College and Program Act of*  
14 *1966;*

15               “(2) *will encourage and follow a regional ap-*  
16 *proach to solving problems or meeting needs relating*  
17 *to ocean, coastal, and Great Lakes resources, in co-*  
18 *operation with appropriate sea grant colleges, sea*  
19 *grant programs, and other persons in the region;*

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

22               “(4) *meets such other qualifications as the Sec-*  
23 *retary considers necessary or appropriate.*

24       “(b) *REGULATIONS AND GUIDELINES.*—

1           “(1) *IN GENERAL.*—The Secretary shall by regu-  
2           lation prescribe the qualifications required to be met  
3           under subsection (a)(4).

4           “(2) *MERIT REVIEW.*—Within 6 months of the  
5           date of enactment of the Marine Resources Revitaliza-  
6           tion Act of 1995, the Secretary, after consultation  
7           with the sea grant institutions, shall publish in the  
8           Federal Register guidelines for the conduct of merit  
9           review by the sea grant institutions of applications  
10          for project grants and contracts to be awarded under  
11          section 205. The guidelines shall, at a minimum, pro-  
12          vide for mail review of all applications for grants or  
13          contracts and require standardized documentation of  
14          all peer review.”.

15 **SEC. 9. REPEAL OF POSTDOCTORAL FELLOWSHIP PRO-**  
16 **GRAM.**

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

18 **SEC. 10. AMENDMENTS RELATING TO SEA GRANT REVIEW**  
19 **PANEL.**

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

21                 (1) in subsection (a) by striking the second sen-  
22                 tence; and

23                 (2) in subsection (c)(6) by striking “a biannual”  
24                 and inserting “an annual”.

1 **SEC. 11. AUTHORIZATIONS OF APPROPRIATIONS.**

2 (a) *GRANTS, CONTRACTS, AND FELLOWSHIPS.*—Sec-  
3 tion 212(a) (33 U.S.C. 1131(a)) is amended to read as fol-  
4 lows:

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

8 “(1) \$50,600,000 for fiscal year 1996;

9 “(2) \$52,500,000 for fiscal year 1997; and

10 “(3) \$54,500,000 for fiscal year 1998.”

11 (b) *ADMINISTRATION.*—Section 212(b) (33 U.S.C.  
12 1131(b)) is amended—

13 (1) by striking so much as precedes paragraph

14 (2) and inserting the following:

15 “(b) *ADMINISTRATION.*—

16 “(1) *AUTHORIZATION.*—There is authorized to be  
17 appropriated for administration of this Act, includ-  
18 ing section 209, by the National Sea Grant Office and  
19 the Administration—

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

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

22 “(C) \$1,500,000 for fiscal year 1998.”;

23 (2) in paragraph (2)—

24 (A) by striking “subsections (a) and (c)”

25 and inserting “subsection (a)”; and

1           (B) by striking “(2)” and inserting “(2)  
2           LIMITATION ON USE OF OTHER AMOUNTS.—”;  
3           and

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

8           (c) REPEAL.—Section 212 (33 U.S.C. 1131) is amend-  
9           ed by repealing subsection (c) and redesignating subsections  
10          (d) and (e) in order as subsections (c) and (d).

11       **SEC. 12. CLERICAL AND CONFORMING AMENDMENTS.**

12          (a) CLERICAL AMENDMENT.—Section 209, as amended  
13          by section 10(1) of this Act (33 U.S.C. 1128(b)), is amended  
14          by striking all of the matter that follows the first full sen-  
15          tence through “shall advise”, and inserting “(b) DUTIES.—  
16          The panel shall advise”.

17          (b) CONFORMING AMENDMENTS.—

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

23               (2) Section 209(c)(5)(A) (33 U.S.C.  
24               1128(c)(5)(A)) is amended by striking “the daily rate  
25               for GS–18 of the General Schedule under section 5332

1       *of title 5, United States Code” and inserting “the*  
2       *maximum daily rate payable under section 5376 of*  
3       *title 5, United States Code”.*

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

5                     *(A) in subsection (b)(3) by striking “colleges*  
6                     *and sea grant regional consortia” and inserting*  
7                     *“institutions”; and*

8                     *(B) in subsection (c)(1) in the last sentence*  
9                     *in clause (A) by striking “college, sea grant re-*  
10                    *gional consortium,” and inserting “institution”.*

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