

103^D CONGRESS
2^D SESSION

H. R. 4236

To establish a National Undersea Research Program within the National Oceanic and Atmospheric Administration.

IN THE HOUSE OF REPRESENTATIVES

APRIL 18, 1994

Mr. ORTIZ (for himself, Mr. WELDON, Mr. FIELDS of Texas, Mr. GENE GREEN of Texas, Mr. LAUGHLIN, Mr. ANDREWS of Texas, Mr. WASHINGTON, Mr. ROSE, and Mr. GEJDENSON) introduced the following bill; which was referred to the Committee on Merchant Marine and Fisheries

A BILL

To establish a National Undersea Research Program within the National Oceanic and Atmospheric Administration.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Undersea
5 Research Program Act of 1994”.

6 **SEC. 2. DEFINITIONS.**

7 For the purposes of this Act, the term—

8 (1) “Administration” means the National Oce-
9 anic and Atmospheric Administration;

1 (2) “Center” means any National Undersea Re-
2 search Center in existence on the day before the
3 date of enactment of this Act or established under
4 section 5;

5 (3) “Center Director” means the Director of
6 any National Undersea Research Center;

7 (4) “Committee” means the National Undersea
8 Research Advisory Committee established under sec-
9 tion 4;

10 (5) “Office” means the Office of Undersea Re-
11 search established by section 3(d)(1);

12 (6) “priority research area” means any of the
13 priority research areas set forth in section 3(f)(1),
14 as those areas may be revised by the Under Sec-
15 retary under section 3(f)(2);

16 (7) “Program” means the National Undersea
17 Research Program established under section 3;

18 (8) “Program Director” means the Director of
19 the National Undersea Research Program appointed
20 pursuant to section 3(d)(2);

21 (9) “undersea region” means each of—

22 (A) the United States Northern Atlantic
23 region, comprised of the coastal and oceanic
24 waters and seabed north of Montauk, New

1 York, and off Maine, New Hampshire, Massa-
2 chusetts, Rhode Island, and Connecticut;

3 (B) the Mid-Atlantic Bight region, com-
4 prised of the coastal and oceanic waters and
5 seabed south of Montauk, New York, and off
6 New York, New Jersey, Pennsylvania, Dela-
7 ware, Maryland, and Virginia;

8 (C) the United States Southern Atlantic
9 region, comprised of the coastal and oceanic
10 waters and seabed off North Carolina, South
11 Carolina, Georgia, and the Atlantic coast of
12 Florida (including the Florida Keys);

13 (D) the Gulf of Mexico region, comprised
14 of the coastal and oceanic waters and seabed of
15 the Gulf of Mexico off Florida, Alabama, Mis-
16 sissippi, Louisiana, and Texas;

17 (E) the Great Lakes region, comprised of
18 the waters and lake beds of the Great Lakes;

19 (F) the California region, comprised of the
20 coastal and oceanic waters and seabed off Cali-
21 fornia;

22 (G) the United States Northeast Pacific
23 region, comprised of the coastal and oceanic
24 waters and seabed off Oregon, Washington, and
25 Alaska;

1 (H) the Western Pacific region, comprised
2 of the coastal and oceanic waters and seabed off
3 Hawaii, Johnston Island, Guam, American
4 Samoa, and the Northern Mariana Islands, and
5 other Western Pacific waters and seabed rel-
6 evant to the purpose of the Program;

7 (I) the Caribbean region, comprised of the
8 coastal and oceanic waters and seabed off Puer-
9 to Rico, the United States Virgin Islands, and
10 other tropical and subtropical waters and sea-
11 bed relevant to the purposes of the Program;
12 and

13 (J) any other undersea region resulting
14 from a modification under section 3(e)(5);

15 (10) “undersea research” means scientific re-
16 search carried out in the oceans or large lakes of the
17 world, using advanced underwater technology includ-
18 ing diving, underwater observatories and labora-
19 tories, research submersibles, remotely operated ve-
20 hicles, autonomous vehicles, and any other research
21 techniques necessary to carry out the provisions of
22 this Act; and

23 (11) “Under Secretary” means the Under Sec-
24 retary of Commerce for Oceans and Atmosphere.

1 **SEC. 3. ESTABLISHMENT AND ADMINISTRATION OF NA-**
2 **TIONAL UNDERSEA RESEARCH PROGRAM.**

3 (a) PROGRAM ESTABLISHMENT AND MAINTENANCE.—The Under Secretary shall establish and main-
4 tain in the Administration a program to be known as the
5 “National Undersea Research Program”.

7 (b) PROGRAM PURPOSE.—The purpose of the Pro-
8 gram shall be to enhance scientific understanding of proc-
9 esses in the oceans and large lakes of the world, by—

10 (1) developing, maintaining, and carrying out
11 undersea research programs;

12 (2) investigating, developing, and applying tech-
13 nology for undersea research; and

14 (3) developing new approaches to undersea
15 technology transfer and marine science education.

16 (c) NATIONAL UNDERSEA RESEARCH CENTERS.—
17 The Program shall be conducted by the National Undersea
18 Research Centers established pursuant to section 5(a).

19 (d) OFFICE OF UNDERSEA RESEARCH.—

20 (1) ESTABLISHMENT.—There is established in
21 the Administration the Office of Undersea Research.

22 (2) PROGRAM DIRECTOR.—The head of the Of-
23 fice and Program Officer of the National Undersea
24 Research Program is the Director of the National
25 Undersea Research Program, who shall be appointed
26 by the Under Secretary from among individuals with

1 extensive knowledge and expertise in undersea re-
2 search and having appropriate administrative experi-
3 ence.

4 (e) DUTIES OF PROGRAM DIRECTOR.—Subject to the
5 supervision of the Under Secretary, the Program Director
6 shall carry out only the following duties:

7 (1) Facilitating and supporting the activities of
8 Centers.

9 (2) Establishing guidelines for the submission
10 and review of proposals from the Centers and pro-
11 posals from individual researchers that are submit-
12 ted to the Centers for research under the Program.

13 (3) Making grants and entering into contracts
14 and cooperative agreements under section 8 to ad-
15 vance knowledge in the priority research areas
16 through the Centers.

17 (4) Supporting the Memorandum of Agreement
18 Concerning Support of a National Academic Deep
19 Submergence Facility for Scientific Use.

20 (5) Modifying undersea regions as necessary
21 and appropriate.

22 (f) PRIORITY RESEARCH AREAS.—

23 (1) IN GENERAL.—The Under Secretary may
24 use amounts appropriated for the Program to fund

1 research, including long-term studies, within the fol-
2 lowing priority research areas:

3 (A) Oceanic, coastal, estuarine, and
4 limnological processes.

5 (B) Pathways and fates of materials in the
6 oceans and large lakes.

7 (C) Diversity, distribution, productivity,
8 and recruitment of organisms, including com-
9 mercially valuable species, with respect to habi-
10 tat characteristics in the oceans and large
11 lakes.

12 (D) Global change processes.

13 (E) Ocean lithosphere processes and min-
14 eral resources.

15 (F) Undersea research platform and in-
16 strument technology.

17 (G) Diving safety, physiology, and tech-
18 nology.

19 (H) Studies under section 21(e) of the
20 Outer Continental Shelf Lands Act (43 U.S.C.
21 1347(e)).

22 (2) REVISION OF PRIORITY AREAS.—Upon the
23 recommendation of the Committee, the Under Sec-
24 retary may, after public comment, revise the priority
25 research areas under paragraph (1).

1 **SEC. 4. ADVISORY COMMITTEE.**

2 (a) ESTABLISHMENT OF COMMITTEE.—The Under
3 Secretary shall establish an independent advisory commit-
4 tee to be known as the “National Undersea Research Ad-
5 visory Committee”.

6 (b) COMPOSITION.—

7 (1) IN GENERAL.—The Committee shall consist
8 of 9 members appointed by the Under Secretary
9 from individuals who are eminent professional sci-
10 entists or engineers and active in at least one prior-
11 ity research area, of whom 2 members shall be ap-
12 pointed from individuals nominated by Center Direc-
13 tors. The Under Secretary shall complete appoint-
14 ments under this paragraph by not later than 6
15 months after the date of the enactment of this Act.

16 (2) BALANCE.—In appointing members of the
17 Committee, the Under Secretary shall seek to ensure
18 balanced representation of—

19 (A) priority research areas,

20 (B) disciplines related to priority research
21 areas, and

22 (C) geographic regions of the United
23 States.

24 (3) PROHIBITION ON APPOINTMENTS.—Except
25 as provided in paragraph (4), no member of the

1 Committee may be an employee of a Center or of the
2 Administration.

3 (4) EX OFFICIO MEMBERS OF THE COMMIT-
4 TEE.—The Chief Scientist of the Administration
5 shall be a nonvoting ex officio member of the Com-
6 mittee.

7 (c) DUTIES.—The Committee shall advise the Under
8 Secretary and the Program Director concerning—

9 (1) the quality of research performed with
10 grants awarded under this Act, including the appli-
11 cability of such research to the priority research
12 areas;

13 (2) the designation, establishment, and oper-
14 ation of Centers;

15 (3) the modification of undersea regions;

16 (4) the need to revise the priority research
17 areas; and

18 (5) any other matters the Under Secretary re-
19 fers to the Committee for review and advice or that
20 the Committee considers appropriate.

21 (d) TERM OF MEMBERSHIP.—

22 (1) IN GENERAL.—Subject to paragraph (2),
23 the term of membership on the Committee shall be
24 3 years.

1 (2) INITIAL APPOINTMENTS.—Of the members
2 first appointed to the Committee—

3 (A) 3 members shall serve a term of 1
4 year;

5 (B) 3 members shall serve a term of 2
6 years; and

7 (C) 3 members shall serve a term of 3
8 years;

9 as specified by the Under Secretary at the time of
10 appointment.

11 (3) TERM LIMITATION.—No individual may
12 serve consecutive terms as a member of the Commit-
13 tee.

14 (e) COMPENSATION.—Members of the Committee,
15 while performing official duties as members of the Com-
16 mittee, are entitled to receive compensation for travel and
17 transportation expenses under section 5703 of title 5,
18 United States Code.

19 (f) CHAIRPERSON.—The members of the Committee
20 shall select annually from among the voting members of
21 the Committee an individual who shall serve as Chair-
22 person of the Committee. No member of the Committee
23 may serve more than 2 annual terms as Chairperson.

1 (g) CONDUCT OF BUSINESS.—The Committee shall
2 conduct its business according to the majority vote of
3 those members present at a meeting of the Committee.

4 (h) PUBLIC PARTICIPATION.—The following guide-
5 lines apply to the conduct of business by the Committee:

6 (1) Each meeting shall be open to the public,
7 and interested persons shall be permitted an oppor-
8 tunity to present oral or written statements on items
9 on the agenda.

10 (2) Timely notice of each meeting, including the
11 time, place, and agenda, shall be published in the
12 Federal Register and copies sent to all Center Direc-
13 tors.

14 (i) EXEMPTION.—The Federal Advisory Committee
15 Act (5 U.S.C. App.) shall not apply to the Committee.

16 **SEC. 5. ESTABLISHMENT OF NATIONAL UNDERSEA RE-**
17 **SEARCH CENTERS.**

18 (a) ASSIGNMENT OF EXISTING REGIONS AND ESTAB-
19 LISHMENT OF NEW CENTERS.—

20 (1) ASSIGNMENT OF REGIONS TO EXISTING
21 CENTERS.—There are assigned to the Centers in ex-
22 istence on the day before the date of the enactment
23 of this Act undersea regions, as follows:

24 (A) The Western Pacific region is assigned
25 to the Hawaii Undersea Research Laboratory.

1 (B) The United States Northeast Pacific
2 and Californian regions are assigned to the
3 West Coast National Undersea Research Center
4 at the University of Alaska-Fairbanks.

5 (C) The United States Northern Atlantic
6 and Great Lakes regions are assigned to the
7 National Undersea Research Center at the Uni-
8 versity of Connecticut at Avery Point.

9 (D) The Mid-Atlantic Bight region is as-
10 signed to the New York Bight National Under-
11 sea Research Center.

12 (E) The United States Southern Atlantic
13 region is assigned to the National Undersea Re-
14 search Center at the University of North Caro-
15 lina at Wilmington.

16 (F) The Caribbean region is assigned to
17 the National Undersea Research Center at the
18 Caribbean Marine Research Center.

19 (G) The Gulf of Mexico region is assigned
20 to a new center to be established pursuant to
21 subsection (f).

22 (2) ESTABLISHMENT OF NEW CENTERS.—The
23 Under Secretary may establish a new Center to im-
24 plement the Program for any undersea region at an

1 institution of higher education or oceanographic re-
2 search located in a State bordering the region—

3 (A) if there is a clearly demonstrated, sci-
4 entific need for such a Center;

5 (B) if there are adequate funds available
6 for the establishment of the Center;

7 (C) after reviewing each proposal submit-
8 ted under subsection (b) with respect to that re-
9 gion; and

10 (D) if the Committee concurs in the selec-
11 tion of that institution.

12 (3) LIMITATION.—The Under Secretary may
13 not establish a new Center for an undersea region
14 if the expenditure of amounts for that Center would
15 result in any reduction of amounts available for ex-
16 penditure for any other undersea region.

17 (b) SOLICITATION OF PROPOSALS FOR NEW CEN-
18 TERS.—

19 (1) IN GENERAL.—The Under Secretary may
20 solicit proposals for the establishment of a new Cen-
21 ter under subsection (a)(2) from institutions of high-
22 er education or oceanographic research.

23 (2) PROPOSAL REQUIREMENTS.—A proposal
24 under this subsection shall consist of—

25 (A) a proposed science program;

1 (B) a program management plan;

2 (C) a description of the facilities of the in-
3 stitution at which the new Center is proposed to
4 be established;

5 (D) a description of relevant capabilities of
6 that institution;

7 (E) an operational safety plan;

8 (F) mechanisms for information transfer;

9 (G) a budget for the proposed Center; and

10 (H) any other information the Under Sec-
11 retary considers necessary.

12 (c) REVIEW OF PROPOSALS.—The Under Secretary
13 and the Committee shall review each proposal submitted
14 under subsection (b) on the basis of—

15 (1) relevance of the proposal to priority re-
16 search areas; and

17 (2) the capability of the applicant institution to
18 administer and direct research in those areas.

19 (d) CENTER DIRECTOR.—Each institution at which
20 a Center is established under this section may select, in
21 consultation with the Office, an individual who shall be
22 the Center Director of that Center.

23 (e) 6-YEAR REVIEW OF CENTERS AND REGIONS.—

24 (1) IN GENERAL.—Every 6 years the Under
25 Secretary and the Committee shall jointly review—

1 (A) the operation of each Center, except
2 that in the case of a Center in existence on the
3 day before the date of the enactment of this
4 Act, the first review of the Center shall be com-
5 pleted by not later than the date which is 5
6 years after that date of enactment; and

7 (B) the configuration of undersea regions
8 to determine whether those regions meet sci-
9 entific needs for research in priority research
10 areas.

11 (2) CONTENT OF REVIEW.—A review under this
12 subsection shall consist of—

13 (A) an evaluation of the quality of the re-
14 search conducted at the Center under the Pro-
15 gram and the applicability of the research to
16 the priority research areas, including consider-
17 ation of the reviews conducted under section
18 6(c);

19 (B) recommendations for changes in the
20 scientific research program and the operation of
21 the Center, that are considered beneficial by the
22 Committee and the Under Secretary;

23 (C) a determination of whether the contin-
24 ued operation of the Center will increase knowl-
25 edge in the priority research areas; and

1 (D) recommendations for the modification
2 of the undersea regions of the Center.

3 (3) ESTABLISHMENT OF NEW CENTER AT DIF-
4 FERENT INSTITUTION.—If the Under Secretary and
5 the Committee determine as a result of a review
6 under this subsection that continued operation of a
7 Center is not warranted, the Under Secretary—

8 (A) shall provide notification of that deter-
9 mination to the Center, including a description
10 of any changes in the operations of the Center
11 the Under Secretary considers necessary for
12 continued operation of the Center;

13 (B) shall after 18 months after providing
14 that notice, and not later than 2 years after
15 providing that notice, review the implementa-
16 tion of those changes by the Center; and

17 (C) may establish, at a different institution
18 of higher education or oceanographic research,
19 a new Center for the same undersea region in
20 accordance with this section, if the Under Sec-
21 retary determines as a result of the review
22 under subparagraph (B) that those changes are
23 not implemented.

24 (f) NEW CENTER.—

25 (1) GULF OF MEXICO.—

1 (A) ESTABLISHMENT.—Notwithstanding
2 subsection (a)(2) and (a)(3), the Under Sec-
3 retary shall establish at a qualified public insti-
4 tution a Center to conduct the Program for the
5 Gulf of Mexico undersea region, which shall be
6 known as the “Gulf of Mexico National Under-
7 sea Research Center”. The Under Secretary
8 shall establish that Center no later than 180
9 days after the date of enactment of this Act.

10 (B) DEFINITION.—For the purposes of
11 this paragraph, the term “qualified public insti-
12 tution” means a public institution or consor-
13 tium of public institutions of higher edu-
14 cation—

15 (i) located directly on the coastline of,
16 or having direct access to, the Gulf of Mex-
17 ico, and proximate to the Flower Garden
18 Banks National Marine Sanctuary;

19 (ii) with strong undergraduate and
20 graduate programs in engineering, science,
21 and technology as they may apply to un-
22 dersea research;

23 (iii) with nationally recognized pro-
24 grams in marine science and maritime

1 studies, including the presence of a degree
2 granting maritime academy;

3 (iv) with facilities for maintaining and
4 operating research and other vessels appro-
5 priate for deployment of equipment nec-
6 essary to conduct undersea research;

7 (v) with faculty and other personnel
8 with expertise in undersea research;

9 (vi) which maintains cooperative insti-
10 tutional relationships with Federal agen-
11 cies responsible for research work in the
12 Gulf of Mexico and along the Gulf of Mex-
13 ico coast;

14 (vii) which participates in cooperative
15 undersea research programs with Mexico;
16 and

17 (viii) which has received funding for
18 undersea research from the Under Sec-
19 retary in the past.

20 (2) LIMITATION.—In carrying out this sub-
21 section, the Under Secretary shall not reduce
22 amounts available for carrying out the Memorandum
23 of Agreement Concerning Support of a National
24 Academic Deep Submergence Facility for Scientific
25 Use.

1 **SEC. 6. NATIONAL UNDERSEA RESEARCH CENTER RE-**
2 **SEARCH PROGRAMS.**

3 (a) INDIVIDUAL RESEARCH PROPOSALS.—

4 (1) SOLICITATION.—Each Center Director shall
5 annually solicit individual proposals from the sci-
6 entific community for research to advance the prior-
7 ity research areas of the Program. Research under
8 each proposal shall be primarily conducted within
9 the undersea region of the Center, but may be con-
10 ducted in another undersea region in cooperation
11 with the Center for that region, or other geographic
12 areas with the approval of the Program Director. In-
13 dividual proposals shall adhere to guidelines estab-
14 lished by the Program Director pursuant to section
15 3(e)(2). Proposals under this paragraph may be for
16 multiyear research.

17 (2) INDIVIDUAL PROPOSAL REVIEW PROCESS.—

18 (A) IN GENERAL.—Each individual pro-
19 posal shall be reviewed by an independent re-
20 view panel and by not less than 3 anonymous
21 mail reviewers. Each independent review panel
22 shall be composed of not less than 4 individuals
23 with experience in undersea research appointed
24 by the Program Director, at least one of whom
25 shall be a member of the Committee.

1 (B) PANEL REVIEW.—Each review by an
2 independent review panel shall—

3 (i) assess the scientific merit of the
4 individual research proposal;

5 (ii) assess the ability of the Center to
6 carry out the proposed research; and

7 (iii) the applicability of the proposal
8 to the priority research areas.

9 (C) MAIL REVIEWS.—Each mail review
10 shall consider—

11 (i) the scientific merit of the proposal;

12 and

13 (ii) the capability of the principal in-
14 vestigator to carry out the proposed re-
15 search.

16 (3) ALLOWANCE FOR RESPONSE.—

17 (A) IN GENERAL.—Subject to any regula-
18 tion that is issued by the Program Director, a
19 Center Director shall—

20 (i) provide to each person who sub-
21 mits to the Center a proposal under this
22 section blinded copies of all mail reviews of
23 the proposal conducted under paragraph
24 (2), and

1 (ii) give the person not more than 14
2 days to respond to those reviews before
3 rendering any final decision regarding
4 funding for the proposal.

5 (B) REVIEW OF PROCESS BY COMMIT-
6 TEE.—Not later than 3 years after the date of
7 the enactment of this Act, the Committee
8 shall—

9 (i) determine whether all Centers are
10 implementing subparagraph (A);

11 (ii) determine whether the opportunity
12 of persons who submit proposals to re-
13 spond to reviews pursuant to subparagraph
14 (A) has been utilized by those persons;

15 (iii) determine whether those re-
16 sponses have been effective in ensuring full
17 and fair consideration of those proposals;
18 and

19 (iv) recommend to the Program Direc-
20 tor that the procedures established by sub-
21 paragraph (A) be continued, terminated, or
22 modified (including the specific modifica-
23 tions which should be made).

24 (C) REGULATIONS IMPLEMENTING REC-
25 COMMENDATIONS.—The Program Director may

1 issue regulations implementing any rec-
2 ommendation made by the Committee under
3 subparagraph (B)(iv).

4 (b) PROPOSED CENTER PROGRAM.—Each fiscal year
5 each Center Director shall submit to the Program Direc-
6 tor—

7 (1) a proposed program for the Center for the
8 upcoming fiscal year, which shall adhere to guide-
9 lines established by the Program Director pursuant
10 to section 3(e)(2) and shall include—

11 (A) a description of the activities per-
12 formed and research funded by the Center in
13 the previous fiscal year;

14 (B) those individual research proposals
15 submitted under subsection (a) that the Center
16 Director determines to be meritorious based on
17 reviews conducted under that subsection;

18 (C) a proposed budget for the operation of
19 the Center for the current fiscal year;

20 (D) any other materials requested by the
21 Program Director to clarify the proposed pro-
22 gram; and

23 (E) an annually revised long-range re-
24 search and operations plan; and

1 (2) reviews, and responses thereto, of all indi-
2 vidual research proposals submitted to the Center
3 Director for the upcoming fiscal year.

4 (c) REVIEW OF PROPOSED CENTER PROGRAMS.—
5 The Program Director shall review the proposed programs
6 submitted by each Center Director under subsection (b).

7 (d) GIFTS, DEVISES, AND BEQUESTS.—Each Center
8 may accept, solicit, and use the services of volunteers, and
9 may accept, receive, hold, administer, and use gifts, de-
10 vises, and bequests, to carry out the research program of
11 the Center.

12 **SEC. 7. PROCEDURES FOR JOINT REVIEW OF RESEARCH**
13 **PROPOSALS.**

14 The Under Secretary, in consultation with the Pro-
15 gram Director and the Committee and jointly with the Di-
16 rector of the National Science Foundation and the Sec-
17 retary of the Navy, shall—

18 (1) develop procedures for the submittal and
19 joint review of proposals for research in priority re-
20 search areas to be carried out with assistance from
21 2 or more agencies within the Department of Com-
22 merce, the National Science Foundation, or the De-
23 partment of Defense; and

1 (2) issue final rules establishing those proce-
2 dures by not later than 1 year after the date of the
3 enactment of this Act.

4 **SEC. 8. GRANTS AND CONTRACTS FOR NATIONAL UNDER-**
5 **SEA RESEARCH CENTERS.**

6 (a) AUTHORIZATION.—The Under Secretary may
7 make grants and enter into contracts and cooperative
8 agreements under this section to fund any Center program
9 if the Under Secretary finds that the program will advance
10 knowledge in the priority research areas.

11 (b) ALLOCATION OF FUNDING.—

12 (1) IN GENERAL.—Based on the reviews under
13 section 6(c) of proposed Center programs, the Under
14 Secretary shall—

15 (A) allocate among the Centers, in such
16 manner as will best advance knowledge in the
17 priority research areas, all amounts available
18 for the current fiscal year for research to be
19 conducted by the Centers and administration of
20 the Centers, consistent with each Center’s long-
21 term responsibilities to conduct priority re-
22 search; and

23 (B) notify each Center Director of the
24 amount allocated to that Center under subpara-
25 graph (A).

1 (c) TERMS AND CONDITIONS.—

2 (1) IN GENERAL.—Any grant made or contract
3 entered into under this section shall be subject to
4 paragraphs (2) and (3) and to any other terms, con-
5 ditions, and requirements the Under Secretary con-
6 siders necessary.

7 (2) LIMITATIONS ON USE FOR LAND AND
8 BUILDINGS.—Amounts provided under any grant or
9 contract under this section may not be used for—

10 (A) the purchase of any land; or

11 (B) the purchase or construction of any
12 building.

13 (3) MAINTENANCE OF RECORDS.—Any person
14 who receives or utilizes any proceeds of any grant of
15 contract under this section shall keep any records
16 the Under Secretary prescribes as necessary to fa-
17 cilitate effective audit and evaluation, including re-
18 ports which full disclose the amount and disposition
19 of funds received under this Act, the total cost of ac-
20 tivities for which those funds were used, and the
21 amount, if any, of costs which were provided
22 through other sources. The records shall be main-
23 tained for 6 years after the completion of the activ-
24 ity. The Under Secretary and the Comptroller Gen-
25 eral of the United States, or any of their duly au-

1 thorized representatives, shall have access, for the
2 purpose of audit and evaluation, to any books, docu-
3 ments, papers, and records of receipts, which in the
4 opinion of the Under Secretary or of the Comptroller
5 General may be related or pertinent to the grants
6 and contracts.

7 **SEC. 9. FINANCIAL ASSISTANCE REVIEW BOARD.**

8 After the date of the enactment of this Act, grants
9 and contracts under the Program shall not be subject to
10 review by the board in the Department of Commerce
11 known as the Financial Assistance Review Board.

12 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

13 (a) CENTER PROGRAM FUNDING.—There is author-
14 ized to be appropriated to the Under Secretary for use
15 for grants and contracts under section 8, to remain avail-
16 able until expended, \$20,000,000 for fiscal year 1995,
17 \$22,000,000 for fiscal year 1996, \$24,000,000 for fiscal
18 year 1997, \$26,000,000 for fiscal year 1998, and
19 \$28,000,000 for fiscal year 1999.

20 (b) OFFICE OF UNDERSEA RESEARCH.—There is au-
21 thorized to be appropriated to the Under Secretary for the
22 administration of the Office of Undersea Research and
23 support of the Memorandum of Agreement Concerning
24 Support of a National Academic Deep Submergence Facil-
25 ity for Scientific Use, to remain available until expended,

1 \$2,100,000 for fiscal year 1995, \$2,200,000 for fiscal year
2 1996, \$2,300,000 for fiscal year 1997, \$2,400,000 for fis-
3 cal year 1998, and \$2,500,000 for fiscal year 1999.

4 (c) REVERSION OF UNOBLIGATED AMOUNTS.—The
5 amount of any grant, contract, or portion of a grant or
6 contract, made under section 3 or 8 that is not obligated
7 before the end of the third fiscal year in which it is author-
8 ized to be obligated—

9 (1) shall revert to the Under Secretary; and

10 (2) shall remain available for grants or con-
11 tracts under that section.

12 (d) LIMITATIONS ON USE.—Amounts appropriated
13 under the authority of subsection (a) shall not be available
14 for administration of this Act by the Office, or for pro-
15 gram or administrative expenses of the Administration or
16 the Department of Commerce.

○

HR 4236 IH—2