

Calendar No. 1091

110TH CONGRESS
2D SESSION**S. 3160****[Report No. 110–508]**

To reauthorize and amend the National Sea Grant College Program Act,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 19, 2008

Mr. INOUE (for himself, Mr. STEVENS, Ms. CANTWELL, Ms. SNOWE, Mr. KERRY, and Mr. REED) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

SEPTEMBER 25 (legislative day, SEPTEMBER 17), 2008

Reported by Mr. INOUE, without amendment

A BILL

To reauthorize and amend the National Sea Grant College
Program Act, and for other purposes.

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 Sea Grant
5 College Program Amendments Act of 2008”.

1 **SEC. 2. REFERENCES**

2 Except as otherwise expressly provided therein, when-
 3 ever in this Act an amendment or repeal is expressed in
 4 terms of an amendment to, or repeal of, a section or other
 5 provision, the reference shall be considered to be made to
 6 a section or other provision of the National Sea Grant Col-
 7 lege Program Act (33 U.S.C. 1121 et seq.).

8 **SEC. 3. FINDINGS AND PURPOSE.**

9 (a) FINDINGS.—Section 202(a) (33 U.S.C. 1121(a))
 10 is amended—

11 (1) by striking subparagraphs (D) and (E) of
 12 paragraph (1) and inserting the following:

13 “(D) encourage the development of prepa-
 14 ration, forecast, analysis, mitigation, response,
 15 and recovery systems for coastal hazards;

16 “(E) understand global environmental
 17 processes and their impacts on ocean, coastal,
 18 and Great Lakes resources; and”;

19 (2) by striking “program of research, edu-
 20 cation,” in paragraph (2) and inserting “program of
 21 integrated research, education, extension,”; and

22 (3) by striking paragraph (6) and inserting the
 23 following:

24 “(6) The National Oceanic and Atmospheric
 25 Administration, through the national sea grant col-
 26 lege program, offers the most suitable locus and

1 means for such commitment and engagement
2 through the promotion of activities that will result in
3 greater such understanding, assessment, develop-
4 ment, management, and conservation of ocean,
5 coastal, and Great Lakes resources. The most cost-
6 effective way to promote such activities is through
7 continued and increased Federal support of the es-
8 tablishment, development, and operation of pro-
9 grams and projects by sea grant colleges, sea grant
10 institutes, and other institutions, including strong
11 collaborations between Administration scientists and
12 research and outreach personnel at academic institu-
13 tions.”.

14 (b) PURPOSE.—Section 202(c) (33 U.S.C. 1121(c))
15 is amended by striking “to promote research, education,
16 training, and advisory service activities” and inserting “to
17 promote integrated research, education, training, and ex-
18 tension services and activities”.

19 (c) TERMINOLOGY.—Subsections (a) and (b) of sec-
20 tion 202 (15 U.S.C. 1121(a) and (b)) are amended by
21 striking “utilization,” each place it appears and inserting
22 “management,”.

23 **SEC. 4. DEFINITIONS.**

24 Section 203 (33 U.S.C. 1122) is amended—

1 (1) in paragraph (4) by striking “utilization,”
 2 and inserting “management,”;

3 (2) in paragraph (11) by striking “advisory
 4 services” and inserting “extension services”;

5 (3) in each of paragraphs (12) and (13) by
 6 striking “(33 U.S.C. 1126)”; and

7 (4) by adding at the end the following:

8 “(17) The term ‘regional research and informa-
 9 tion plan’ means a plan developed by one or more
 10 sea grant colleges or sea grant institutes that identi-
 11 fies regional priorities.”.

12 **SEC. 5. NATIONAL SEA GRANT COLLEGE PROGRAM.**

13 (a) PROGRAM ELEMENTS.—Section 204(b) (33
 14 U.S.C. 1123(b)) is amended—

15 (1) by amending in paragraph (1) to read as
 16 follows:

17 “(1) sea grant programs that comprise a na-
 18 tional sea grant college program network, including
 19 international projects conducted within such pro-
 20 grams and regional and national projects conducted
 21 among such programs;”;

22 (2) by amending paragraph (2) to read as fol-
 23 lows:

1 “(2) administration of the national sea grant
2 college program and this title by the national sea
3 grant office and the Administration;”; and

4 (3) by amending paragraph (4) to read as fol-
5 lows:

6 “(4) any regional or national strategic invest-
7 ments in fields relating to ocean, coastal, and Great
8 Lakes resources developed in consultation with the
9 Board and with the approval of the sea grant col-
10 leges and the sea grant institutes.”.

11 (b) TECHNICAL CORRECTION.—Section 204(c)(2)
12 (33 U.S.C. 1123(c)(2)) is amended by striking “Within
13 6 months of the date of enactment of the National Sea
14 Grant College Program Reauthorization Act of 1998, the”
15 and inserting “The”.

16 (c) FUNCTIONS OF DIRECTOR OF NATIONAL SEA
17 GRANT COLLEGE PROGRAM.—Section 204(d) (33 U.S.C.
18 1123(d)) is amended—

19 (1) in paragraph (2)(A), by striking “long
20 range”;

21 (2) in paragraph (3)(A)—

22 (A) by striking “(A)(i) evaluate” and in-
23 serting “(A) evaluate and assess”;

24 (B) by striking “activities; and” and in-
25 serting “activities;”; and

1 (C) by striking clause (ii); and

2 (3) in paragraph (3)(B)—

3 (A) by redesignating clauses (ii) through
4 (iv) as clauses (iii) through (v), respectively,
5 and by inserting after clause (i) the following:

6 “(ii) encourage collaborations among
7 sea grant colleges and sea grant institutes
8 to address regional and national priorities
9 established under subsection (c)(1);”; and

10 (B) in clause (iii) (as so redesignated) by
11 striking “encourage” and inserting “ensure”.

12 **SEC. 6. PROGRAM OR PROJECT GRANTS AND CONTRACTS.**

13 Section 205 (33 U.S.C. 1124) is amended—

14 (1) by striking “States or regions.” in sub-
15 section (a)(2) and inserting “States, regions, or the
16 Nation.”; and

17 (2) by striking the matter following paragraph

18 (3) in subsection (b) and inserting the following:

19 “The total amount that may be provided for grants under
20 this subsection and subsection 208(b) during any fiscal
21 year shall not exceed an amount equal to 5 percent of the
22 total funds appropriated for such year under section
23 212.”.

1 **SEC. 7. EXTENSION SERVICES BY SEA GRANT COLLEGES**
 2 **AND SEA GRANT INSTITUTES.**

3 Section 207(a) (33 U.S.C. 1126(a)) is amended in
 4 each of paragraphs (2)(B) and (3)(B) by striking “advi-
 5 sory services” and inserting “extension services”.

6 **SEC. 8. FELLOWSHIPS.**

7 Section 208(a) (33 U.S.C. 1127) is amended—

8 (1) by striking “Not later than 1 year after the
 9 date of the enactment of the National Sea Grant
 10 College Program Act Amendments of 2002, and
 11 every 2 years thereafter,” in subsection (a) and in-
 12 serting “Every 2 years,”; and

13 (2) by striking “year.” in subsection (b) and in-
 14 serting “year and is not subject to Federal cost
 15 share requirements”.

16 **SEC. 9. NATIONAL SEA GRANT ADVISORY BOARD.**

17 (a) REDESIGNATION OF SEA GRANT REVIEW PANEL
 18 AS BOARD.—

19 (1) REDESIGNATION.—The sea grant review
 20 panel established by section 209 of the National Sea
 21 Grant College Program Act (33 U.S.C. 1128), as in
 22 effect before the date of the enactment of this Act,
 23 is redesignated as the National Sea Grant Advisory
 24 Board.

25 (2) MEMBERSHIP NOT AFFECTED.—An indi-
 26 vidual serving as a member of the sea grant review

1 panel immediately before the enactment of this Act
 2 may continue to serve as a member of the National
 3 Sea Grant Advisory Board until the expiration of
 4 such member's term under section 209(c) of such
 5 Act (33 U.S.C. 1128(c)).

6 (3) REFERENCES.—Any reference in a law,
 7 map, regulation, document, paper, or other record of
 8 the United States to such sea grant review panel is
 9 deemed to be a reference to the National Sea Grant
 10 Advisory Board.

11 (4) CONFORMING AMENDMENTS.—

12 (A) IN GENERAL.—Section 209 (33 U.S.C.
 13 1128) is amended by striking so much as pre-
 14 cedes subsection (b) and inserting the following:

15 **“SEC. 209. NATIONAL SEA GRANT ADVISORY BOARD.**

16 “(a) ESTABLISHMENT.—There shall be an inde-
 17 pendent committee to be known as the National Sea Grant
 18 Advisory Board.”.

19 (B) DEFINITION.—Section 203(9) (33
 20 U.S.C. 1122(9)) is amended to read as follows:

21 “(9) The term ‘Board’ means the National Sea
 22 Grant Advisory Board established under section
 23 209.”;

24 (C) OTHER PROVISIONS.—The following
 25 provisions are each amended by striking

1 “panel” each place it appears and inserting
2 “Board”:

3 (i) Section 204 (33 U.S.C. 1123).

4 (ii) Section 207 (33 U.S.C. 1126).

5 (iii) Section 209 (33 U.S.C. 1128).

6 (b) DUTIES.—Section 209(b) (33 U.S.C. 1128(b)) is
7 amended to read as follows:

8 “(b) DUTIES.—

9 “(1) IN GENERAL.—The Board shall advise the
10 Secretary and the Director concerning—

11 “(A) strategies for utilizing the sea grant
12 college program to address the Nation’s highest
13 priorities regarding the understanding, assess-
14 ment, development, management, and conserva-
15 tion of ocean, coastal, and Great Lakes re-
16 sources;

17 “(B) the designation of sea grant colleges
18 and sea grant institutes; and

19 “(C) such other matters as the Secretary
20 refers to the Board for review and advice.

21 “(2) BIENNIAL REPORT.—The Board shall re-
22 port to the Congress every two years on the state of
23 the national sea grant college program. The Board
24 shall indicate in each such report the progress made
25 toward meeting the priorities identified in the stra-

1 tegic plan in effect under section 204(c). The Sec-
2 retary shall make available to the Board such infor-
3 mation, personnel, and administrative services and
4 assistance as it may reasonably require to carry out
5 its duties under this title.”.

6 (c) MEMBERSHIP, TERMS, AND POWERS.—Section
7 209(c)(1) (33 U.S.C. 1128(c)(1)) is amended—

8 (1) by inserting “coastal management,” after
9 “resources management,”; and

10 (2) by striking “utilization,” and inserting
11 “management,”.

12 (d) EXTENSION OF TERM.—Section 209(c)(2) (33
13 U.S.C. 1128(c)(2)) is amended to read as follows:

14 “(2) The term of office of a voting member of
15 the Board shall be 4 years. The Director may extend
16 the term of office of a voting member of the Board
17 once by up to 1 year.”.

18 (e) ESTABLISHMENT OF SUBCOMMITTEES.—Section
19 209(c) (33 U.S.C. 1128(c)) is amended by adding at the
20 end the following:

21 “(8) The Board may establish such subcommittees as
22 are reasonably necessary to carry out its duties under sub-
23 section (b). Such subcommittees may include individuals
24 who are not Board members.”.

1 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

2 Section 212 of the National Sea Grant College Pro-
3 gram Act (33 U.S.C. 1131) is amended—

4 (1) by striking subsection (a)(1) and inserting
5 the following: “(1) IN GENERAL.—There are author-
6 ized to be appropriated to the Secretary to carry out
7 this title—

8 “(A) \$100,000,000 for fiscal year 2009;

9 “(B) \$105,000,000 for fiscal year 2010;

10 “(C) \$110,000,000 for fiscal year 2011;

11 “(D) \$115,000,000 for fiscal year 2012;

12 “(E) \$120,000,000 for fiscal year 2013; and

13 “(F) \$125,000,000 for fiscal year 2014.”;

14 (2) in subsection (a)(2)—

15 (A) by striking “biology and control of
16 zebra mussels and other important aquatic” in
17 subparagraph (A) and inserting “biology, pre-
18 vention, and control of aquatic”; and

19 (B) by striking “blooms, including
20 *Pfiesteria piscicida*; and” in subparagraph (C)
21 and inserting “blooms; and”;

22 (3) in subsection (c)(1) by striking “rating
23 under section 204(d)(3)(A)” and inserting “perform-
24 ance assessments”;

25 (4) by striking subsection (c)(2) and inserting
26 the following:

1 “(2) regional or national strategic investments au-
2 thorized under section 204(b)(4);”.

3 **SEC. 11. REPEAL OF ANNUAL COORDINATION REPORT RE-**
4 **QUIREMENT.**

5 Section 9 of the National Sea Grant College Program
6 Act Amendments of 2002 (33 U.S.C. 857-20) is repealed.

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