

111TH CONGRESS
1ST SESSION

H. R. 366

To establish the national ocean exploration program and the national undersea research program within the National Oceanic and Atmospheric Administration, to direct the Administrator of the National Oceanic and Atmospheric Administration to establish and maintain an undersea research program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 9, 2009

Mr. FARR (for himself, Mrs. CAPPS, Ms. BORDALLO, Ms. SHEA-PORTER, Mr. MCINTYRE, and Mr. EHLERS) introduced the following bill; which was referred to the Committee on Science and Technology, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish the national ocean exploration program and the national undersea research program within the National Oceanic and Atmospheric Administration, to direct the Administrator of the National Oceanic and Atmospheric Administration to establish and maintain an undersea research program, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Ocean Research and
3 Exploration Enhancement Act of 2009”.

4 **TITLE I—EXPLORATION**

5 **SEC. 101. PURPOSE.**

6 The purpose of this title is to establish the national
7 ocean exploration program and the national undersea re-
8 search program within the National Oceanic and Atmos-
9 pheric Administration.

10 **SEC. 102. PROGRAM ESTABLISHED.**

11 The Administrator or the National Oceanic and At-
12 mospheric Administration shall, in consultation with the
13 National Science Foundation and other appropriate Fed-
14 eral agencies, establish a coordinated national ocean explo-
15 ration program within the National Oceanic and Atmos-
16 pheric Administration that promotes collaboration with
17 other Federal ocean and undersea research and explo-
18 ration programs. To the extent appropriate, the Adminis-
19 trator shall seek to facilitate coordination of data and in-
20 formation management systems, outreach and education
21 programs to improve public understanding of ocean and
22 coastal resources, and development and transfer of tech-
23 nologies to facilitate ocean and undersea research and ex-
24 ploration.

1 **SEC. 103. POWERS AND DUTIES OF THE ADMINISTRATOR.**

2 (a) IN GENERAL.—In carrying out the program au-
3 thorized by section 102, the Administrator of the National
4 Oceanic and Atmospheric Administration shall—

5 (1) conduct interdisciplinary voyages or other
6 scientific activities in conjunction with other Federal
7 agencies or academic or educational institutions, to
8 explore and survey little known areas of the marine
9 environment, inventory, observe, and assess living
10 and nonliving marine resources, and report such
11 findings;

12 (2) give priority attention to deep ocean re-
13 gions, with a focus on deep water marine systems
14 that hold potential for important scientific discov-
15 eries, such as hydrothermal vent communities and
16 seamounts;

17 (3) conduct scientific voyages to locate, define,
18 and document historic shipwrecks, submerged sites,
19 and other ocean exploration activities that combine
20 archaeology and oceanographic sciences;

21 (4) develop and implement, in consultation with
22 the National Science Foundation, a transparent,
23 competitive process for merit-based peer-review and
24 approval of proposals for activities to be conducted
25 under this program, taking into consideration advice
26 of the Board established under section 105;

1 (5) enhance the technical capability of the
 2 United States marine science community by pro-
 3 moting the development of improved oceanographic
 4 research, communication, navigation, and data col-
 5 lection systems, as well as underwater platforms and
 6 sensor and autonomous vehicles; and

7 (6) establish an ocean exploration forum to en-
 8 courage partnerships and promote communication
 9 among experts and other stakeholders in order to
 10 enhance the scientific and technical expertise and
 11 relevance of the national program.

12 (b) DONATIONS.—The Administrator may accept do-
 13 nations of property, data, and equipment to be applied for
 14 the purpose of exploring the oceans or increasing knowl-
 15 edge of the oceans.

16 **SEC. 104. OCEAN EXPLORATION AND UNDERSEA RESEARCH**
 17 **TECHNOLOGY AND INFRASTRUCTURE TASK**
 18 **FORCE.**

19 (a) IN GENERAL.—The Administrator of the Na-
 20 tional Oceanic and Atmospheric Administration, in coordi-
 21 nation with the National Science Foundation, the National
 22 Aeronautics and Space Administration, the United States
 23 Geological Survey, the Department of the Navy, the Min-
 24 eral Management Service, and relevant governmental,
 25 non-governmental, academic, industry, and other experts,

1 shall convene an ocean exploration and undersea research
2 technology and infrastructure task force to develop and
3 implement a strategy—

4 (1) to facilitate transfer of new exploration and
5 undersea research technology to the programs au-
6 thorized under this Act;

7 (2) to improve availability of communications
8 infrastructure, including satellite capabilities, to
9 such programs;

10 (3) to develop an integrated, workable, and
11 comprehensive data management information proc-
12 essing system that will make information on unique
13 and significant features obtained by such programs
14 available for research and management purposes;

15 (4) to conduct public outreach activities that
16 improve the public understanding of ocean science,
17 resources, and processes, in conjunction with rel-
18 evant programs of the National Oceanic and Atmos-
19 pheric Administration, the National Science Founda-
20 tion, and other agencies; and

21 (5) to encourage cost-sharing partnerships with
22 governmental and nongovernmental entities that will
23 assist in transferring exploration and undersea re-
24 search technology and technical expertise to the pro-
25 grams.

1 (b) BUDGET COORDINATION.—The task force shall
2 coordinate the development of agency budgets and identify
3 the items in their annual budget that support the activities
4 identified in the strategy developed under subsection (a).

5 **SEC. 105. OCEAN EXPLORATION ADVISORY BOARD.**

6 (a) ESTABLISHMENT.—The Administrator of the Na-
7 tional Oceanic and Atmospheric Administration shall ap-
8 point an Ocean Exploration Advisory Board composed of
9 experts in relevant fields—

10 (1) to advise the Administrator on priority
11 areas for survey and discovery;

12 (2) to assist the program in the development of
13 a 5-year strategic plan for the fields of ocean, ma-
14 rine, and Great Lakes science, exploration, and dis-
15 covery;

16 (3) to annually review the quality and effective-
17 ness of the proposal review process established under
18 section 103(a)(4); and

19 (4) to provide other assistance and advice as re-
20 quested by the Administrator.

21 (b) FEDERAL ADVISORY COMMITTEE ACT.—Section
22 14 of the Federal Advisory Committee Act (5 U.S.C.
23 App.) shall not apply to the Board appointed under sub-
24 section (a).

1 (c) APPLICATION WITH OUTER CONTINENTAL
 2 SHELF LANDS ACT.—Nothing in this title supersedes, or
 3 limits the authority of the Secretary of the Interior under
 4 the Outer Continental Shelf Lands Act (43 U.S.C. 1331
 5 et seq.).

6 **SEC. 106. AUTHORIZATION OF APPROPRIATIONS.**

7 There are authorized to be appropriated to the Na-
 8 tional Oceanic and Atmospheric Administration to carry
 9 out this title—

- 10 (1) \$33,550,000 for fiscal year 2009;
- 11 (2) \$36,905,000 for fiscal year 2010;
- 12 (3) \$40,596,000 for fiscal year 2011;
- 13 (4) \$44,655,000 for fiscal year 2012;
- 14 (5) \$49,121,000 for fiscal year 2013;
- 15 (6) \$54,033,000 for fiscal year 2014; and
- 16 (7) \$59,436,000 for fiscal year 2015.

17 **TITLE II—NOAA UNDERSEA RE-**
 18 **SEARCH PROGRAM ACT OF**
 19 **2009**

20 **SEC. 201. SHORT TITLE.**

21 This title may be cited as the “NOAA Undersea Re-
 22 search Program Act of 2009”.

23 **SEC. 202. PROGRAM ESTABLISHED.**

24 (a) IN GENERAL.—The Administrator of the Na-
 25 tional Oceanic and Atmospheric Administration shall es-

1 tablish and maintain an undersea research program and
2 shall designate a Director of that program.

3 (b) PURPOSE.—The purpose of the program is to in-
4 crease scientific knowledge essential for the informed man-
5 agement, use, and preservation of oceanic, marine, and
6 coastal areas and the Great Lakes.

7 **SEC. 203. POWERS OF PROGRAM DIRECTOR.**

8 The Director of the program, in carrying out the pro-
9 gram, shall—

10 (1) cooperate with institutions of higher edu-
11 cation and other educational marine and ocean
12 science organizations, and shall make available un-
13 dersea research facilities, equipment, technologies,
14 information, and expertise to support undersea re-
15 search efforts by these organizations;

16 (2) enter into partnerships, as appropriate and
17 using existing authorities, with the private sector to
18 achieve the goals of the program and to promote
19 technological advancement of the marine industry;
20 and

21 (3) coordinate the development of agency budg-
22 ets and identify the items in their annual budget
23 that support the activities described in paragraphs
24 (1) and (2).

1 **SEC. 204. ADMINISTRATIVE STRUCTURE.**

2 (a) IN GENERAL.—The program shall be conducted
3 through a national headquarters, a network of extramural
4 regional undersea research centers that represent all rel-
5 evant National Oceanic and Atmospheric Administration
6 regions, and the National Institute for Undersea Science
7 and Technology.

8 (b) DIRECTION.—The Director shall develop the over-
9 all direction of the program in coordination with a Council
10 of Center Directors comprised of the directors of the ex-
11 tramural regional centers and the National Institute for
12 Undersea Science and Technology. The Director shall pub-
13 lish a draft program direction document not later than
14 1 year after the date of enactment of this Act in the Fed-
15 eral Register for a public comment period of not less than
16 120 days. The Director shall publish a final program di-
17 rection, including responses to the comments received dur-
18 ing the public comment period, in the Federal Register
19 within 90 days after the close of the comment period. The
20 program director shall update the program direction, with
21 opportunity for public comment, at least every 5 years.

22 **SEC. 205. RESEARCH, EXPLORATION, EDUCATION, AND**
23 **TECHNOLOGY PROGRAMS.**

24 (a) IN GENERAL.—The following research, explo-
25 ration, education, and technology programs shall be con-

1 ducted through the network of regional centers and the
2 National Institute for Undersea Science and Technology:

3 (1) Core research and exploration based on na-
4 tional and regional undersea research priorities.

5 (2) Advanced undersea technology development
6 to support the National Oceanic and Atmospheric
7 Administration's research mission and programs.

8 (3) Undersea science-based education and out-
9 reach programs to enrich ocean science education
10 and public awareness of the oceans and Great
11 Lakes.

12 (4) Development, testing, and transition of ad-
13 vanced undersea technology associated with ocean
14 observatories, submersibles, advanced diving tech-
15 nologies, remotely operated vehicles, autonomous un-
16 derwater vehicles, and new sampling and sensing
17 technologies.

18 (5) Discovery, study, and development of nat-
19 ural resources and products from ocean, coastal, and
20 aquatic systems.

21 (b) OPERATIONS.—The Director of the program,
22 through operation of the extramural regional centers and
23 the National Institute for Undersea Science and Tech-
24 nology, shall leverage partnerships and cooperative re-
25 search with academia and private industry.

1 **SEC. 206. COMPETITIVENESS.**

2 (a) DISCRETIONARY FUND.—The Program shall allo-
3 cate no more than 10 percent of its annual budget to a
4 discretionary fund that may be used only for program ad-
5 ministration and priority undersea research projects iden-
6 tified by the Director but not covered by funding available
7 from centers.

8 (b) COMPETITIVE SELECTION.—The Administrator
9 shall conduct an initial competition to select the regional
10 centers that will participate in the program 90 days after
11 the publication of the final program direction under sec-
12 tion 204 and every 5 years thereafter. Funding for
13 projects conducted through the regional centers shall be
14 awarded through a competitive, merit-reviewed process on
15 the basis of their relevance to the goals of the program
16 and their technical feasibility.

17 **SEC. 207. AUTHORIZATION OF APPROPRIATIONS.**

18 There are authorized to be appropriated to the Na-
19 tional Oceanic and Atmospheric Administration—

20 (1) for fiscal year 2009—

21 (A) \$13,750,000 for the regional centers,
22 of which 50 percent shall be for West Coast re-
23 gional centers and 50 percent shall be for East
24 Coast regional centers; and

25 (B) \$5,500,000 for the National Tech-
26 nology Institute;

1 (2) for fiscal year 2010—

2 (A) \$15,125,000 for the regional centers,
3 of which 50 percent shall be for West Coast re-
4 gional centers and 50 percent shall be for East
5 Coast regional centers; and

6 (B) \$6,050,000 for the National Tech-
7 nology Institute;

8 (3) for fiscal year 2011—

9 (A) \$16,638,000 for the regional centers,
10 of which 50 percent shall be for West Coast re-
11 gional centers and 50 percent shall be for East
12 Coast regional centers; and

13 (B) \$6,655,000 for the National Tech-
14 nology Institute;

15 (4) for fiscal year 2012—

16 (A) \$18,301,000 for the regional centers,
17 of which 50 percent shall be for West Coast re-
18 gional centers and 50 percent shall be for East
19 Coast regional centers; and

20 (B) \$7,321,000 for the National Tech-
21 nology Institute;

22 (5) for fiscal year 2013—

23 (A) \$20,131,000 for the regional centers,
24 of which 50 percent shall be for West Coast re-

1 gional centers and 50 percent shall be for East
2 Coast regional centers; and

3 (B) \$8,053,000 for the National Tech-
4 nology Institute;

5 (6) for fiscal year 2014—

6 (A) \$22,145,000 for the regional centers,
7 of which 50 percent shall be for West Coast re-
8 gional centers and 50 percent shall be for East
9 Coast regional centers; and

10 (B) \$8,859,000 for the National Tech-
11 nology Institute; and

12 (7) for fiscal year 2015—

13 (A) \$24,359,000 for the regional centers,
14 of which 50 percent shall be for West Coast re-
15 gional centers and 50 percent shall be for East
16 Coast regional centers; and

17 (B) \$9,744,000 for the National Tech-
18 nology Institute.

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