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No. 49

House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mrs. JONES of Ohio).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

March 31, 2008.

I hereby appoint the Honorable STEPHANIE TUBBS JONES to act as Speaker pro tempore on this day.

NANCY PELOSI,

Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

God ever faithful to Your promises, You invite us as a Nation to place our trust in You. Be present to all the Members of the House of Representatives as they gather for the spring session of the 110th Congress of the United States of America.

Spring blossoms, baseball, fair weather, and many more young visitors are signs of new life in the Nation's Capital. They bring surprising goodness and renewed energy; and we are grateful. May the work of this Congress protect and guide this Nation as it grows in stability, in integrity, and greatness.

Lord, we truly believe that by Your Word, You can breathe forth promise, and that the barren wood can bear fruit that will last now and forever.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Utah (Mr. BISHOP) come forward and lead the House in the Pledge of Allegiance.

Mr. BISHOP of Utah led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has agreed to a concurrent resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 70. Concurrent Resolution setting forth the congressional budget for the United States government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013.

GEORGIA SCHOOL FOR THE DEAF FOOTBALL TEAM

(Mr. GINGREY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GINGREY. Madam Speaker, I rise today to congratulate the Georgia School for the Deaf's football team on winning the 2007 National Eight-Man Deaf Prep Football Championship. It's located in the heart of Cave Spring, Georgia, Floyd County, in my 11th District. The school has now won three national football titles since it was established in 1846, almost 160 years ago. This year's team finished the season with an outstanding 7 and 1 record, and they defeated schools from six other States.

Madam Speaker, the Tigers exhibited dedication, teamwork, and perseverance all season long, and it certainly paid off. I want to congratulate their

Athletic Director and Head Football Coach, Erik Whitworth; his Assistant Coaches, Sidney Sharp, David Conti, Eugene Neal, B.B. Chubb, and Shawn Self, as well as the entire Tiger football team on a great season. Four of the team members, Patrick Bryant, Andy Sugg, Timothy Simmons, and Andrew Henderson were all selected as members of the All American Deaf Football Team.

Madam Speaker, all of these athletes have brought much pride to Georgia, to the School for the Deaf, and the entire State, and I ask you to join me in celebrating their accomplishment.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

GULF OF THE FARALLONES AND CORDELL BANK NATIONAL MARINE SANCTUARIES BOUNDARY MODIFICATION AND PROTECTION ACT

Mr. KENNEDY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1187) to expand the boundaries of the Gulf of the Farallones National Marine Sanctuary and the Cordell Bank National Marine Sanctuary, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H1775

H.R. 1187

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Gulf of the Farallones and Cordell Bank National Marine Sanctuaries Boundary Modification and Protection Act”.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) The Gulf of the Farallones extends approximately 100 miles along the coast of Marin and Sonoma counties of northern California. It includes approximately one-half of California’s nesting seabirds, rich benthic marine life on hard-rock substrate, prolific fisheries, and substantial concentrations of resident and seasonally migratory marine mammals.

(2) Cordell Bank is adjacent to the Gulf of the Farallones and is a submerged island with spectacular, unique, and nationally significant marine environments.

(3) These marine environments have national and international significance, exceed the biological productivity of tropical rain forests, and support high levels of biological diversity.

(4) These biological communities are easily susceptible to damage from human activities, and must be properly conserved for themselves and to protect the economic viability of their contribution to national and regional economies.

(5) The Gulf of Farallones and Cordell Bank include some of the Nation’s richest fishing grounds, supporting important commercial and recreational fisheries. These fisheries are regulated by State and Federal fishery agencies and are supported and fostered through protection of the waters and habitats of Gulf of the Farallones National Marine Sanctuary and Cordell Bank National Marine Sanctuary.

(6) The report of the Commission on Ocean Policy established by Public Law 106–256 calls for comprehensive protection for the most productive ocean environments and recommends that they be managed as ecosystems.

(7) New scientific discoveries by the National Marine Sanctuary Program support comprehensive protection for these marine environments by broadening the geographic scope of the existing Gulf of the Farallones National Marine Sanctuary and the Cordell Bank National Marine Sanctuary.

(8) Cordell Bank is at the nexus of an ocean upwelling system, which produces the highest biomass concentrations on the west coast of the United States.

SEC. 3. POLICY AND PURPOSE.

(a) **POLICY.**—It is the policy of the United States in this Act to protect and preserve living and other resources of the Gulf of the Farallones and Cordell Bank marine environments.

(b) **PURPOSE.**—The purposes of this Act are the following:

(1) To extend the boundaries of the Gulf of the Farallones National Marine Sanctuary and the Cordell Bank National Marine Sanctuary to the areas described in section 5.

(2) To strengthen the protections that apply in the Sanctuaries.

(3) To educate and interpret for the public the ecological value and national importance of those marine environments.

(4) To manage human uses of the Sanctuaries under this Act and the National Marine Sanctuaries Act (16 U.S.C. 1431 et seq.).

(c) **EFFECT ON FISHING ACTIVITIES.**—Nothing in this Act is intended to alter any existing authorities regarding the conduct and location of fishing activities in the Sanctuaries.

SEC. 4. DEFINITIONS.

In this Act:

(1) **MARICULTURE.**—The term “mariculture” means the propagation or rearing of aquatic or-

ganisms in controlled or selected aquatic environments for any commercial, recreational, or public purpose.

(2) **CORDELL BANK NMS.**—The term “Cordell Bank NMS” means the Cordell Bank National Marine Sanctuary.

(3) **FARALLONES NMS.**—The term “Farallones NMS” means the Gulf of the Farallones National Marine Sanctuary.

(4) **SANCTUARIES.**—The term “Sanctuaries” means the Gulf of the Farallones National Marine Sanctuary and the Cordell Bank National Marine Sanctuary, as expanded by section 5.

(5) **SECRETARY.**—The term “Secretary” means the Secretary of Commerce.

SEC. 5. NATIONAL MARINE SANCTUARY BOUNDARY ADJUSTMENTS.

(a) **GULF OF THE FARALLONES.**—

(1) **BOUNDARY ADJUSTMENT.**—The areas described in paragraph (2) are added to the existing Gulf of the Farallones National Marine Sanctuary described in part 922.80 of title 15, Code of Federal Regulations.

(2) **AREAS INCLUDED.**—

(A) **IN GENERAL.**—The areas referred to in paragraph (1) consist of the following:

(i) All submerged lands and waters, including living marine and other resources within and on those lands and waters, from the mean high water line to the boundary described in subparagraph (B).

(ii) The submerged lands and waters, including living marine and other resources within those waters, within the approximately two-square-nautical-mile portion of the Cordell Bank NMS (as in effect immediately before the enactment of this Act) that is located south of the area that is added to Cordell Bank NMS by subsection (b)(2), which are transferred to the Farallones NMS from the Cordell Bank NMS.

(B) **BOUNDARY DESCRIBED.**—The boundary referred to in subparagraph (A)(i) commences from the mean high water line (MHWL) at 39.00000 degrees north in a westward direction approximately 29 nautical miles (nm) to 39.00000 north, 124.33333 west. The boundary then extends in a southeasterly direction to 38.30000 degrees north, 124.00000 degrees west, approximately 44 nm westward of Bodega Head. The boundary then extends eastward to the most northeastern corner of the expanded Cordell Bank NMS at 38.30000 north, 123.20000 degrees west, approximately 6 nm miles westward of Bodega Head. The boundary then extends in a southeasterly direction to 38.26500 degrees north, 123.18166 degrees west at the northwestern most point of the current Gulf of the Farallones Boundary. The boundary then follows the current northern Gulf of the Farallones NMS boundary in a northeasterly direction to the MHWL near Bodega Head. The boundary then follows the MHWL in a northeasterly direction to the commencement point at the intersection of the MHWL and 39.00000 north. Coordinates listed in this subparagraph are based on the North American Datum 1983 and the geographic projection.

(b) **CORDELL BANK.**—

(1) **BOUNDARY ADJUSTMENT.**—The area described in paragraph (2) is added to the existing Cordell Bank National Marine Sanctuary described in part 922.80 of title 15, Code of Federal Regulations.

(2) **AREA INCLUDED.**—

(A) **IN GENERAL.**—The area referred to in paragraph (1) consists of all submerged lands and waters, including living marine and other resources within those waters, within the boundary described in subparagraph (B).

(B) **BOUNDARY.**—The boundary referred to in subparagraph (A) commences at the most northeastern point of the current Cordell Bank NMS boundary at 38.26500 degrees north, 123.18166 degrees west and extends northward to 38.30000 degrees north, 123.20000 degrees west, approximately 6 nautical miles (nm) west of Bodega Head. The boundary then extends westward to 38.30000 degrees north, 124.00000 degrees west, approximately 44 nautical miles west of

Bodega Head. The boundary then turns south-eastward and continues approximately 34 nautical miles to 37.76687 degrees north, 123.75142 degrees west, and then approximately 15 nm eastward to 37.76687 north, 123.42694 west at an intersection with the current Cordell Bank NMS boundary. The boundary then follows the current Cordell Bank NMS, which is coterminous with the current Gulf of the Farallones boundary, in a northeasterly and the northwesterly direction to its commencement point at 38.26500 degrees north, 123.18166 degrees west. Coordinates listed in this subparagraph are based on NAD83 Datum and the geographic projection.

(c) **INCLUSION IN THE SYSTEM.**—The areas included in the Sanctuaries under subsections (a) and (b) shall be managed as part of the National Marine Sanctuary System, established by section 301(c) of the National Marine Sanctuaries Act (16 U.S.C. 1431(c)), in accordance with that Act.

(d) **UPDATED NOAA CHARTS.**—The Secretary shall—

(1) produce updated National Oceanic and Atmospheric Administration nautical charts for the areas in which the Sanctuaries are located; and

(2) include on those nautical charts the boundaries of the Sanctuaries, as revised by this Act.

(e) **BOUNDARY ADJUSTMENTS.**—In producing revised nautical charts as directed by subsection (d) and in describing the boundaries in regulations issued by the Secretary, the Secretary may make technical modifications to the boundaries described in this section for clarity and ease of identification, as appropriate.

SEC. 6. PROHIBITION OF OIL AND GAS LEASING AND PERMITTING.

No lease or permit may be issued that authorizes exploration, development, production, or transporting by pipeline of minerals or hydrocarbons within the Sanctuaries.

SEC. 7. MANAGEMENT PLANS AND REGULATIONS.

(a) **INTERIM PLAN.**—The Secretary shall complete an interim supplemental management plan for the Sanctuaries by not later than 24 months after the date of enactment of this Act, that focuses on management in the areas added to the Sanctuaries under this Act. The Secretary shall ensure that the supplemental plan does not weaken existing resource protections.

(b) **REVISED PLANS.**—The Secretary shall issue a revised comprehensive management plan for the Sanctuaries during the first management review initiated after the date of the enactment of this Act under section 304(e) of the National Marine Sanctuaries Act (16 U.S.C. 1434(e)) for the Sanctuaries, and issue such final regulations as may be necessary.

(c) **APPLICATION OF EXISTING REGULATIONS.**—The regulations for the Gulf of the Farallones National Marine Sanctuary (15 C.F.R. 922, subpart H) and the Cordell Bank National Marine Sanctuary (15 C.F.R. 922, subpart K), including any changes made as a result of a joint management plan review for the Sanctuaries conducted pursuant to section 304(e) of the National Marine Sanctuaries Act (16 U.S.C. 1434(e)), shall apply to the areas added to each Sanctuary, respectively, under section 5 until the Secretary modifies such regulations in accordance with subsection (d) of this section.

(d) **REVISED REGULATIONS.**—

(1) **IN GENERAL.**—The Secretary shall carry out an assessment of necessary revisions to the regulations for the Sanctuaries in a manner that ensures the protection of the resources of the Sanctuaries consistent with the purposes and policies of the National Marine Sanctuaries Act and the goals and objectives for the new areas added to each sanctuary under section 5 of this Act. The assessment and any corresponding regulatory changes shall be complete within 24 months of the date of enactment of this Act.

(2) **REGULATION OF SPECIFIC ACTIVITIES.**—In revising the regulations for the Sanctuaries pursuant to this subsection, the Secretary shall

consider appropriate regulations for the following activities:

(A) The deposit or release of introduced species.

(B) The alteration of stream and river drainage into the Sanctuaries.

(C) Mariculture operations in the Sanctuaries.

(3) **CONSIDERATIONS.**—In revising the regulations for the Sanctuaries pursuant to this subsection, the Secretary shall consider exempting from further regulation under the National Marine Sanctuaries Act and this Act discharges that are permitted under a National Pollution Discharge Elimination System permit in effect on the date of enactment of this Act, or under a new or renewed National Pollution Discharge Elimination System permit that does not increase pollution in the Sanctuaries and that originates—

(A) in the Russian River Watershed outside the boundaries of the Gulf of the Farallones National Marine Sanctuary; or

(B) from the Bodega Marine Laboratory.

(e) **CONTENTS OF PLANS.**—Revisions to each comprehensive management plan under this section shall, in addition to matters required under section 304(a)(2) of the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 1434(A)(2))—

(1) facilitate all appropriate public and private uses of the national marine sanctuary to which each respective plan applies consistent with the primary objective of sanctuary resource protection;

(2) establish temporal and geographical zoning if necessary to ensure protection of sanctuary resources;

(3) identify priority needs for research that will—

(A) improve management of the Sanctuaries;

(B) diminish threats to the health of the ecosystems in the Sanctuaries; or

(C) fulfill both of subparagraphs (A) and (B);

(4) establish a long-term ecological monitoring program and database, including the development and implementation of a resource information system to disseminate information on the Sanctuaries' ecosystem, history, culture, and management;

(5) identify alternative sources of funding needed to fully implement the plan's provisions and supplement appropriations under section 313 of the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 1444);

(6) ensure coordination and cooperation between sanctuary superintendents and other Federal, State, and local authorities with jurisdiction over areas within or adjacent to the Sanctuaries to deal with issues affecting the Sanctuaries, including surface water run-off, stream and river drainages, and navigation;

(7) in the case of revisions to the plan for the Farallones NMS, promote cooperation with farmers and ranchers operating in the watersheds adjacent to the Farallones NMS and establish voluntary best management practices programs;

(8) promote cooperative and educational programs with fishing vessel operators and crews operating in the waters of the Sanctuaries, and, whenever possible, include individuals who engage in fishing and their vessels in cooperative research, assessment, and monitoring programs and educational programs to promote sustainable fisheries, conservation of resources, and navigational safety; and

(9) promote education and public awareness, among users of the Sanctuaries, about the need for marine resource conservation and safe navigation and marine transportation.

(f) **PUBLIC PARTICIPATION.**—The Secretary shall provide for participation by the general public in the revision of the comprehensive management plans and relevant regulations under this section.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary—

(1) \$3,000,000 to carry out this Act for each of fiscal years 2009 through 2013, other than for construction and acquisition projects; and

(2) \$3,500,000 for fiscal year 2009 and such sums as may be necessary for each of fiscal years 2010 through 2013 for construction and acquisition projects related to the Sanctuaries.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Rhode Island (Mr. KENNEDY) and the gentleman from Utah (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentleman from Rhode Island.

GENERAL LEAVE

Mr. KENNEDY. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. KENNEDY. Madam Speaker, I yield myself such time as I may consume.

H.R. 1187, the Gulf of Farallones and Cordell Bank National Marine Sanctuaries Boundary Modification and Protection Act was introduced by our colleague from California (Ms. WOOLSEY) and is cosponsored by 51 additional Members. This bill would expand the Gulf of Farallones and Cordell Bank National Marine Sanctuaries to protect and preserve an additional 1,739 square nautical miles to the marine environment due north and west of the existing sanctuaries. These additions would protect virtually the entire upwelling region, which is critical to the ecosystem's productivity, particularly the health of many valuable commercial and recreational fisheries in the area.

I ask Members on both sides to support the passage of this important legislation.

I reserve the balance of my time.

Mr. BISHOP of Utah. I rise in opposition to this legislation. This legislation would double the size of two of the marine sanctuaries off the coast of California, adding approximately 1,200 square miles and almost 100 miles of coastline, and with little or absolutely no public comment. Moreover, this is happening at the very same time that the management plans for the two sanctuaries are being reviewed by the National Oceanic and Atmospheric Administration, or NOAA. NOAA could have considered this expansion during the ongoing process, but it did not because it considered the expansion to be complicated and something that would require effort, analysis, and public input. This legislation ignores the need for public comment on a very complicated expansion.

The entire intent of this legislation could be accomplished through public process that already exists. But, unfortunately, Congress can't wait to hear from the people. It is sad that the citizens of California, who are most af-

fected by this legislation, will not have the opportunity to comment on this expansion in the normal statutory public comment process.

Again, I reluctantly oppose this legislation.

I reserve the balance of my time.

Mr. KENNEDY. Well, I think that we should hear really from the person most knowledgeable about this legislation, the author of this, Representative WOOLSEY, to whom I now yield the balance of our time.

Ms. WOOLSEY. Thank you, Mr. Chairman and Mr. Ranking Member.

I would like to respond quickly to the "no public review." This bill has been subject to over 3 years of public review. It first faced public scrutiny at a public hearing that I hosted in August of 2004, in Sonoma County, was attended by the Director of the Marine Sanctuary Program, marine scientists, fishermen, and a standing room-only crowd of public who were interested.

It has been reviewed and endorsed by both the Sanctuary Advisory Committees, the bodies who initiate sanctuary regulations; the California Coastal Commission, the State Lands Commission, and the Supervisors of Marin, Sonoma, San Francisco, and Mendocino Counties, and many, many of our City Councils. All of these meetings were noticed, all of them were open to public comment.

The bill also received a hearing before the Oceans Subcommittee, and has gone through committee and subcommittee markup. So thank you for bringing that up so I could clarify that, Mr. Ranking Member.

Madam Speaker, my district, just across the Golden Gate Bridge, north of San Francisco, includes all of Marin and most of Sonoma Counties, where we are blessed with many environmental treasures. In fact, it is one of the most beautiful places on earth. I don't say that just because I am the Congresswoman from that area. It is beautiful.

One of the reasons for this source of beauty and our great pride is our pristine coastline and the Pacific Ocean that lies beyond it. An area this unique must be protected by the full power of our conservation laws.

□ 1415

That is why I am pleased that H.R. 1187, the Gulf of the Farallones and Cordell Bank National Marine Sanctuaries Boundary Modification and Protection Act, is here before us today.

H.R. 1187 will expand the boundaries of two existing marine sanctuaries in order to more fully protect a unique upwelling system, which is one of only four in the world. This system provides a nutrient rich environment for fish and all other types of marine life.

Upwelling is a process where deep, cold, nutrient-rich waters rise into warmer waters, bringing with it an abundance of food to support a variety of marine life. Actually this area is so special and it is so productive that it

comprises only 1 percent of the ocean, but produces 20 percent of the world's fish. This in turn supports 36 species of marine mammals, including whales, elephant seals, sea lions and other seals.

But it is not only marine mammals who feast on the abundance of fish. The waters off the Sonoma and Mendocino County coasts support fleets of fishermen. That is why I worked so closely with the Pacific Coast Federation of Fishing Associations, the PCFFA, in carefully crafting this bill.

Fishermen have had a good relationship with the Gulf of the Farallones and the Cordell Bank National Marine Sanctuary for over 20 years because they respect that good stewardship of our oceans produces better catches. H.R. 1187 will serve to strengthen this partnership for years and years to come.

Madam Speaker, H.R. 1187 is a well thought out, carefully crafted bill that brings together diverse stakeholders, including the National Oceanic and Atmospheric Administration, NOAA, the fishing industry, State and local governments, conservation groups and marine scientists, all who agree that these proposed sanctuary areas are national treasures that absolutely deserve protection.

As a mother and a grandmother, I want to see these treasures protected for years to come so that my kids, so that my grandkids, and so that their children and your children and your grandchildren will be able to enjoy the same unspoiled coasts and clean waters that we enjoy today.

Madam Speaker, I would like to thank Chairman RAHALL, Ranking Member YOUNG and Chairwoman BORDALLO for bringing my bill to the floor today. I would like to thank Chairman KENNEDY and Ranking Member BISHOP, all who have been part of reviewing and bringing H.R. 1187 to the floor. I thank you all, and I urge my colleagues to support it.

Mr. BISHOP of Utah. Madam Speaker, it is certainly hopeful that with the passage of this bill we will have faith in NOAA to administer this territory, since we obviously with passage of this bill don't trust them to evaluate or make recommendations.

Madam Speaker, I yield back the balance of my time.

Mr. KENNEDY. Madam Speaker, we don't have any more speakers, but before closing I want to note that the chairwoman of the Subcommittee on Fisheries, Wildlife and Oceans, Chairwoman MADELEINE BORDALLO, is presently en route from Guam and wouldn't be able to be here for this, but she does support passage of this bill. I just wanted to make note of that.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Rhode Island (Mr. KENNEDY) that the House suspend the rules and pass the bill, H.R. 1187, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to expand the boundaries of the Gulf of the Farallones National Marine Sanctuary and the Cordell Bank National Marine Sanctuary, and for other purposes."

A motion to reconsider was laid on the table.

NATIONAL INTEGRATED COASTAL AND OCEAN OBSERVATION ACT OF 2008

Mr. KENNEDY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2342) to direct the President to establish a National Integrated Coastal and Ocean Observation System, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2342

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ENHANCING CLIMATE CHANGE PREDICTIONS.

(a) *SHORT TITLE.*—This section may be cited as the "National Integrated Coastal and Ocean Observation Act of 2008".

(b) *PURPOSES.*—The purposes of this section are the following:

(1) Establish a National Integrated Coastal and Ocean Observation System comprised of Federal and non-Federal components, coordinated at the national level by the National Ocean Research Leadership Council and at the regional level by a network of Regional Information Coordination Entities, that includes *in situ*, remote, and other coastal and ocean observations, technologies, and data management and communication systems, to gather specific coastal and ocean data variables and to ensure the timely dissemination and availability of usable observation data—

(A) to support national defense, marine commerce, energy production, scientific research, ecosystem-based marine and coastal resource management, weather and marine forecasting, public safety and public outreach training and education; and

(B) to promote greater public awareness and stewardship of the Nation's ocean, coastal, and Great Lakes resources and the general public welfare.

(2) Improve the Nation's capability to measure, track, explain, and predict events related directly and indirectly to weather and climate change, natural climate variability, and interactions between the oceanic and atmospheric environments, including the Great Lakes.

(3) Authorize activities to promote basic and applied research to develop, test, and deploy innovations and improvements in coastal and ocean observation technologies, modeling systems, and other scientific and technological capabilities to improve our conceptual understanding of weather and climate, ocean atmosphere dynamics, global climate change, and physical, chemical, and biological dynamics of the ocean and coastal and Great Lakes environments.

(c) *DEFINITIONS.*—In this section:

(1) *COUNCIL.*—The term "Council" means the National Ocean Research Leadership Council referred to in section 7902 of title 10, United States Code.

(2) *ADMINISTRATOR.*—The term "Administrator" means the Administrator of the National Oceanic and Atmospheric Administration.

(3) *FEDERAL ASSETS.*—The term "Federal assets" means all relevant nonclassified civilian coastal and ocean observations, technologies, and related modeling, research, data management, basic and applied technology research and development, and public education and outreach programs, that are managed by member agencies of the Council.

(4) *INTERAGENCY WORKING GROUP.*—The term "Interagency Working Group" means the Interagency Working Group on Ocean Observations as established by the U.S. Ocean Policy Committee Subcommittee on Ocean Science and Technology pursuant to Executive Order 13366 signed December 17, 2004.

(5) *NON-FEDERAL ASSETS.*—The term "non-Federal assets" means all relevant coastal and ocean observations, technologies, related basic and applied technology research and development, and public education and outreach programs that are integrated into the System and are managed through States, regional organizations, universities, nongovernmental organizations, or the private sector.

(6) *REGIONAL INFORMATION COORDINATION ENTITIES.*—

(A) *IN GENERAL.*—The term "Regional Information Coordination Entity", subject to subparagraphs (B) and (C), means an organizational body that is certified or established by the lead Federal agency designated in subsection (d)(3)(C)(iii) and coordinating State, Federal, local, and private interests at a regional level with the responsibility of engaging the private and public sectors in designing, operating, and improving regional coastal and ocean observing systems in order to ensure the provision of data and information that meet the needs of user groups from the respective regions.

(B) *INCLUDED ASSOCIATIONS.*—Such term includes Regional Associations as described by the System Plan.

(C) *LIMITATION.*—Nothing in this section shall be construed to invalidate existing certifications, contracts, or agreements between Regional Associations and other elements of the System.

(7) *SYSTEM.*—The term "System" means the National Integrated Coastal and Ocean Observation System established under subsection (d).

(8) *SYSTEM PLAN.*—The term "System Plan" means the plan contained in the document entitled "Ocean.US Publication No. 9, The First Integrated Ocean Observing System (IOOS) Development Plan".

(d) *NATIONAL INTEGRATED COASTAL AND OCEAN OBSERVING SYSTEM.*—

(1) *ESTABLISHMENT.*—The President, acting through the Council, shall establish a National Integrated Coastal and Ocean Observation System to fulfill the purposes set forth in subsection (b) and the System plan and to fulfill the Nation's international obligations to contribute to the global earth observation system of systems and the global ocean observing system.

(2) *SUPPORT OF PURPOSES.*—The head of each agency that is a member of the Interagency Working Group shall support the purposes of this section.

(3) *AVAILABILITY OF DATA.*—The head of each Federal agency that has administrative jurisdiction over a Federal asset shall make available data that are produced by that asset and that are not otherwise restricted for integration, management, and dissemination by the System.

(4) *ENHANCING ADMINISTRATION AND MANAGEMENT.*—The head of each Federal agency that has administrative jurisdiction over a Federal asset may take appropriate actions to enhance internal agency administration and management to better support, integrate, finance, and utilize observation data, products, and services developed under this section to further its own agency mission and responsibilities.

(5) *PARTICIPATION IN REGIONAL INFORMATION COORDINATION ENTITY.*—The head of each Federal agency that has administrative jurisdiction over a Federal asset may participate in regional information coordination entity activities.