

(8) acquire secret processes, inventions, patent applications, patents, licenses, and property rights, by purchase, license, lease, or donation.

**(e) Administration**

**(1) Practices and procedures**

Each Board shall determine its organization, and prescribe its practices and procedures for carrying out its functions under this chapter. Each Board should use existing research administrative capability to the extent practicable.

**(2) Committees and subcommittees**

Each Board shall establish such committees and subcommittees as are appropriate in the performance of its functions.

**(3) Staff and support**

Each Board is authorized to hire such staff as are necessary to carry out the functions of the Board.

**(f) Termination**

Each Board shall cease to exist on October 1, 1999, unless extended by Congress.

(Pub. L. 92-532, title IV, §403, as added Pub. L. 101-593, title III, §301, Nov. 16, 1990, 104 Stat. 2964.)

**Editorial Notes**

REFERENCES IN TEXT

This Act, referred to in subsec. (d)(7), means Pub. L. 92-532, which enacted this chapter, chapter 32 (§1431 et seq.) of this title, and chapters 27 (§1401 et seq.) and 41 (§2801 et seq.) of Title 33, Navigation and Navigable Waters.

**§ 1447c. Regional research plans**

**(a) Development and amendment of regional plans**

**(1) In general**

Each Board shall develop a comprehensive 4-year marine research plan for the region for which the Board is responsible, and shall amend the plan at such times as the Board considers necessary to reflect changing conditions, but no less frequently than once every 4 years.

**(2) Review and consideration of national plan**

In the development and amendment of its research plan, the Board shall consider findings and recommendations of the national plan developed pursuant to the National Ocean Pollution Planning Act of 1978 (33 U.S.C. 1701 et seq.).<sup>1</sup>

**(b) Contents of plan**

Such marine research plan shall include—

(1) an overview of the environmental quality conditions in the coastal and marine waters of the region and expected trends in these conditions;

(2) a comprehensive inventory and description of all marine research related to water quality and ecosystem health expected to be conducted in the region during the 4-year term of the research plan;

(3) a statement and explanation of the marine research needs and priorities applicable to the marine and coastal waters of the region over the upcoming 10-year period with emphasis on the upcoming 3-to-5 year period;

(4) an assessment of how the plan will incorporate existing marine, coastal, and estuarine research and management in the region, including activities pursuant to section 1330 of title 33 and section 1461 of this title; and

(5) a general description of marine research and monitoring objectives and timetables for achievement through the funding of projects under this chapter during the 4-year period covered by the plan so as to meet the priorities specified in the plan in accordance with paragraph (3).

**(c) Plan review and approval**

**(1) In general**

When a Board has developed a marine research plan, including amendments thereto, the Board shall submit the plan to the Administrator of the National Oceanic and Atmospheric Administration and the Administrator of the Environmental Protection Agency, who shall jointly determine whether the plan meets the requirements of subsection (b).

**(2) Time for approval or disapproval**

The Administrator of the National Oceanic and Atmospheric Administration and the Administrator of the Environmental Protection Agency, shall jointly approve or disapprove such research plan within 120 days after receiving the plan.

**(3) Action after disapproval**

In the case of disapproval of such research plan, the Administrator of the National Oceanic and Atmospheric Administration and the Administrator of the Environmental Protection Agency shall jointly notify the appropriate Board in writing, stating in detail the revisions necessary to obtain approval of the plan. Such Administrators shall approve or disapprove the revised plan within 90 days after receiving the revised plan from the Board.

(Pub. L. 92-532, title IV, §404, as added Pub. L. 101-593, title III, §301, Nov. 16, 1990, 104 Stat. 2966.)

**Editorial Notes**

REFERENCES IN TEXT

The National Ocean Pollution Planning Act of 1978, referred to in subsec. (a)(2), is Pub. L. 95-273, May 8, 1978, 92 Stat. 228, which was classified generally to chapter 31 (§1701 et seq.) of Title 33, Navigation and Navigable Waters, and was repealed by Pub. L. 102-567, title II, §204, Oct. 29, 1992, 106 Stat. 4282.

**§ 1447d. Research grant program**

**(a) Program administration**

The Administrator of the National Oceanic and Atmospheric Administration shall administer a grant program to support the administrative functions of each Board.

**(b) Research grants**

(1) Each Board may annually submit a grant application to the Administrator of the National

<sup>1</sup> See References in Text note below.

Oceanic and Atmospheric Administration to fund projects aimed at achieving the research priorities set forth in each research plan, including amendments thereto, developed and approved pursuant to section 1447c of this title.

(2) Projects eligible for funding under this section shall include research, investigations, studies, surveys, or demonstrations with respect to—

(A) baseline assessment of marine environmental quality, including chemical, physical, and biological indicators of environmental quality;

(B) effects or potential effects of contaminants, including nutrients, toxic chemicals and heavy metals, on the environment, including marine and aquatic organisms;

(C) effects of modification of habitats, including coastal wetlands, seagrass beds and reefs, on the environment, including marine organisms;

(D) assessment of impacts of pollutant sources and pollutant discharges into the coastal environment;

(E) transport, dispersion, transformation, and fate and effect of contaminants in the marine environment;

(F) marine and estuarine habitat assessment and restoration;

(G) methods and techniques for modeling environmental quality conditions and trends;

(H) methods and techniques for sampling of water, sediment, marine and aquatic organisms, and demonstration of such methods and techniques;

(I) the effects on human health and the environment of contaminants or combinations of contaminants at various levels, whether natural or anthropogenic, that are found in the marine environment;

(J) environmental assessment of potential effects of major coastal and offshore development projects in the region;

(K) assessment of the effects of climate change on marine resources in the region; and

(L) analysis and interpretation of research data for the benefit of State and local environmental protection and resource management agencies in the region.

(3) Grant applications submitted pursuant to this subsection shall include—

(A) a description of the specific research projects to be conducted;

(B) identification of the organization responsible for each project and the principal investigator directing the project;

(C) a budget statement for each project;

(D) a schedule of milestones and interim products for each research project;

(E) a description of the relationship of the proposed project to the goals, objectives, and priorities of the research plan for the region and to other research projects; and

(F) any other information which may be required by the Administrator.

**(c) Review and approval of project proposals**

(1) The Administrator of the National Oceanic and Atmospheric Administration shall review the annual grant application and, with the concurrence of the Administrator of the Environmental Protection Agency, approve such grant

application with such conditions as are determined to be appropriate based on peer reviews conducted pursuant to paragraph (2).

(2) The Administrator of the National Oceanic and Atmospheric Administration shall develop a system of peer review of grant applications which shall ensure that only the highest quality research is approved for funding and that each project is reviewed by research scientists outside the region concerned.

**(d) Reporting**

Any recipient of a grant under this section shall report to the appropriate Board, not later than 18 months after award of the grant, on the activities of such recipient conducted pursuant to this subsection. Such report shall include narrative summaries and technical data in such form as the Administrator of the National Oceanic and Atmospheric Administration may require.

(Pub. L. 92-532, title IV, §405, as added Pub. L. 101-593, title III, §301, Nov. 16, 1990, 104 Stat. 2967.)

**§ 1447e. Report on research program**

**(a) Preparation and submission of report**

Each Board receiving a grant under section 1447d of this title shall, not later than 2 years after the approval of its comprehensive plan under section 1447d of this title and at 2-year intervals thereafter, prepare and submit to the Administrator of the National Oceanic and Atmospheric Administration and the Administrator of the Environmental Protection Agency a report describing—

(1) the findings and conclusions of research projects conducted in the region;

(2) recommendations for improvements in the design or implementation of programs for the protection of the marine environment; and

(3) available data and information concerning ecosystem health within the region.

**(b) Transmittal to Congress**

Upon receipt of a report prepared by a Board under subsection (a), the Administrator of the National Oceanic and Atmospheric Administration and the Administrator of the Environmental Protection Agency shall transmit a copy of such report to the Committees on Commerce, Science, and Transportation and on Environment and Public Works of the Senate and to the Committee on Merchant Marine and Fisheries of the House of Representatives.

(Pub. L. 92-532, title IV, §406, as added Pub. L. 101-593, title III, §301, Nov. 16, 1990, 104 Stat. 2969.)

**Statutory Notes and Related Subsidiaries**

**ABOLITION OF HOUSE COMMITTEE ON MERCHANT MARINE AND FISHERIES**

Committee on Merchant Marine and Fisheries of House of Representatives abolished and its jurisdiction transferred by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995. Committee on Merchant Marine and Fisheries of House of Representatives treated as referring to Committee on Science of House of Representatives in case of provisions relating to marine research by section 1(b)(3) of Pub. L. 104-14, set out