

116-259, which added this section, was enacted. Pub. L. 116-259 was approved Dec. 23, 2020.

Sections 201(a), 202(a), 203(a), and 305 (c) and (d), referred to in text, mean those respective sections of Pub. L. 116-259.

CODIFICATION

Section was enacted as part of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Amendments Act of 2020, and not as part of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 which comprises this chapter.

§ 3079a. Treatment of commission in commissioned officer corps as employment in Administration for purposes of certain hiring decisions

(a) In general

In any case in which the Secretary accepts an application for a position of employment with the Administration and limits consideration of applications for such position to applications submitted by individuals serving in a career or career-conditional position in the competitive service within the Administration, the Secretary shall deem an officer who has served as an officer in the commissioned officer corps of the Administration for at least three years to be serving in a career or career-conditional position in the competitive service within the Administration for purposes of such limitation.

(b) Career appointments

If the Secretary selects an application submitted by an officer described in subsection (a) for a position described in such subsection, the Secretary shall give such officer a career or career-conditional appointment in the competitive service, as appropriate.

(c) Competitive service defined

In this section, the term “competitive service” has the meaning given the term in section 2102 of title 5.

(Pub. L. 107-372, title II, §269A, as added Pub. L. 116-259, title II, §209(a), Dec. 23, 2020, 134 Stat. 1168.)

§ 3079b. Shore leave for professional mariners

(a) In general

The Under Secretary may prescribe regulations relating to shore leave for professional mariners without regard to the requirements of section 6305 of title 5.

(b) Requirements

The regulations prescribed under subsection (a) shall—

- (1) require that a professional mariner serving aboard an ocean-going vessel be granted a leave of absence of 4 days per pay period; and
- (2) provide that a professional mariner serving in a temporary promotion position aboard a vessel may be paid the difference between such mariner’s temporary and permanent rates of pay for leave accrued while serving in the temporary promotion position.

(c) Professional mariner defined

In this section, the term “professional mariner” means an individual employed on a vessel

of the Administration who has the necessary expertise to serve in the engineering, deck, steward, electronic technician, or survey department.

(Pub. L. 107-372, title II, §269B, as added Pub. L. 117-263, div. K, title CXVII, §11706(a), Dec. 23, 2022, 136 Stat. 4157.)

CHAPTER 44—OCEANS AND HUMAN HEALTH

Sec.

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§ 3101. Interagency oceans and human health research program

(a) Coordination

The President, through the National Science and Technology Council, shall coordinate and support a national research program to improve understanding of the role of the oceans in human health.

(b) Implementation plan

Within 1 year after December 8, 2004, the National Science and Technology Council, through the Director of the Office of Science and Technology Policy shall develop and submit to the Congress a plan for coordinated Federal activities under the program. Nothing in this subsection is intended to duplicate or supersede the activities of the Inter-Agency Task Force on Harmful Algal Blooms and Hypoxia established under section 4001¹ of this title. In developing the plan, the Committee will consult with the Inter-Agency Task Force on Harmful Algal Blooms and Hypoxia. Such plan will build on and complement the ongoing activities of the National Oceanic and Atmospheric Administration, the National Science Foundation, and other departments and agencies and shall—

(1) establish, for the 10-year period beginning in the year it is submitted, the goals and priorities for Federal research which most effectively advance scientific understanding of the connections between the oceans and human health, provide usable information for the prediction of marine-related public health problems and use the biological potential of the oceans for development of new treatments of human diseases and a greater understanding of human biology;

(2) describe specific activities required to achieve such goals and priorities, including the funding of competitive research grants, ocean and coastal observations, training and support for scientists, and participation in international research efforts;

(3) identify and address, as appropriate, relevant programs and activities of the Federal agencies and departments that would contribute to the program;

(4) identify alternatives for preventive unnecessary duplication of effort among Federal agencies and departments with respect to the program;

¹ See References in Text note below.

(5) consider and use, as appropriate, reports and studies conducted by Federal agencies and departments, the National Research Council, the Ocean Research Advisory Panel, the Commission on Ocean Policy and other expert scientific bodies;

(6) make recommendations for the coordination of program activities with ocean and human health-related activities of other national and international organizations; and

(7) estimate Federal funding for research activities to be conducted under the program.

(c) Program scope

The program may include the following activities related to the role of oceans in human health:

(1) Interdisciplinary research among the ocean and medical sciences, and coordinated research and activities to improve understanding of processes within the ocean that may affect human health and to explore the potential contribution of marine organisms to medicine and research, including—

(A) vector- and water-borne diseases of humans and marine organisms, including marine mammals and fish;

(B) harmful algal blooms and hypoxia (through the Inter-Agency Task Force on Harmful Algal Blooms and Hypoxia);

(C) marine-derived pharmaceuticals;

(D) marine organisms as models for biomedical research and as indicators of marine environmental health;

(E) marine environmental microbiology;

(F) bioaccumulative and endocrine-disrupting chemical contaminants; and

(G) predictive models based on indicators of marine environmental health or public health threats.

(2) Coordination with the National Ocean Research Leadership Council (10 U.S.C. 8932(a))¹ to ensure that any integrated ocean and coastal observing system provides information necessary to monitor and reduce marine public health problems including health-related data on biological populations and detection of contaminants in marine waters and seafood.

(3) Development through partnerships among Federal agencies, States, academic institutions, or non-profit research organizations of new technologies and approaches for detecting and reducing hazards to human health from ocean sources and to strengthen understanding of the value of marine biodiversity to biomedicine, including—

(A) genomics and proteomics to develop genetic and immunological detection approaches and predictive tools and to discover new biomedical resources;

(B) biomaterials and bioengineering;

(C) in situ and remote sensors used to detect, quantify, and predict the presence and spread of contaminants in marine waters and organisms and to identify new genetic resources for biomedical purposes;

(D) techniques for supplying marine resources, including chemical synthesis, culturing and aquaculturing marine organisms, new fermentation methods and recombinant techniques; and

(E) adaptation of equipment and technologies from human health fields.

(4) Support for scholars, trainees and education opportunities that encourage an interdisciplinary and international approach to exploring the diversity of life in the oceans.

(d) Annual report

Beginning with the first year occurring more than 24 months after December 8, 2004, the National Science and Technology Council, through the Director of the Office of Science and Technology Policy shall prepare and submit to the President and the Congress not later than January 31st of each year an annual report on the activities conducted pursuant to this title during the preceding fiscal year, including—

(1) a summary of the achievements of Federal oceans and human health research, including Federally supported external research, during the preceding fiscal year;

(2) an analysis of the progress made toward achieving the goals and objectives of the plan developed under subsection (b), including identification of trends and emerging trends;

(3) a copy or summary of the plan and any changes made in the plan;

(4) a summary of agency budgets for oceans and human health activities for that preceding fiscal year; and

(5) any recommendations regarding additional action or legislation that may be required to assist in achieving the purposes of this chapter.

(Pub. L. 108-447, div. B, title IX, §902, Dec. 8, 2004, 118 Stat. 2930; Pub. L. 115-232, div. A, title VIII, §809(k)(1), Aug. 13, 2018, 132 Stat. 1843.)

Editorial Notes

REFERENCES IN TEXT

Section 4001 of this title, referred to in subsec. (b), was in the original “section 603 of the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998 (16 U.S.C. 1451 note)”, meaning section 603 of Pub. L. 105-383, which was set out in a note under section 1451 of Title 16, Conservation, prior to transfer to section 4001 of this title.

The reference to the National Ocean Research Leadership Council (10 U.S.C. 8932(a)), referred to in subsec. (c)(2), is no longer accurate insofar as section 8932 of title 10 was amended by Pub. L. 116-283 so as to instead refer to the Ocean Policy Committee.

AMENDMENTS

2018—Subsec. (c)(2). Pub. L. 115-232 substituted “(10 U.S.C. 8932(a))” for “(10 U.S.C. 7902(a))”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of Title 10, Armed Forces.

SHORT TITLE

Pub. L. 108-447, div. B, title IX, §901, Dec. 8, 2004, 118 Stat. 2930, provided that: “This title [enacting this chapter] may be cited as the ‘Oceans and Human Health Act’.”

§ 3102. National Oceanic and Atmospheric Administration Oceans and Human Health Initiative

(a) Establishment

As part of the interagency oceans and human health research program, the Secretary of Commerce is authorized to establish an Oceans and Human Health Initiative to coordinate and implement research and activities of the National Oceanic and Atmospheric Administration related to the role of the oceans, the coasts, and the Great Lakes in human health. In carrying out this section, the Secretary shall consult with other Federal agencies conducting integrated oceans and human health research and research in related areas, including the National Science Foundation. The Oceans and Human Health Initiative is authorized to provide support for—

- (1) centralized program and research coordination;
- (2) an advisory panel;
- (3) one or more National Oceanic and Atmospheric Administration national centers of excellence;
- (4) research grants; and
- (5) distinguished scholars and traineeships.

(b) Advisory panel

The Secretary is authorized to establish an oceans and human health advisory panel to assist in the development and implementation of the Oceans and Human Health Initiative. Membership of the advisory group shall provide for balanced representation of individuals with multi-disciplinary expertise in the marine and biomedical sciences. Chapter 10 of title 5 shall not apply to the oceans and human health advisory panel.

(c) National centers

(1) The Secretary is authorized to identify and provide financial support through a competitive process to develop, within the National Oceanic and Atmospheric Administration, for one or more centers of excellence that strengthen the capabilities of the National Oceanic and Atmospheric Administration to carry out its programs and activities related to the oceans' role in human health.

(2) The centers shall focus on areas related to agency missions, including use of marine organisms as indicators for marine environmental health, ocean pollutants, marine toxins and pathogens, harmful algal blooms, hypoxia, seafood testing, identification of potential marine products, and biology and pathobiology of marine mammals, and on disciplines including marine genomics, marine environmental microbiology, ecological chemistry and conservation medicine.

(3) In selecting centers for funding, the Secretary will give priority to proposals with strong interdisciplinary scientific merit that encourage educational opportunities and provide for effective partnerships among the Administration, other Federal entities, State, academic, non-profit research organizations, medical, and industry participants.

(d) Extramural research grants

(1) The Secretary is authorized to provide grants of financial assistance to the scientific

community for critical research and projects that explore the relationship between the oceans and human health and that complement or strengthen programs and activities of the National Oceanic and Atmospheric Administration related to the ocean's¹ role in human health. Officers and employees of Federal agencies may collaborate with, and participate in, such research and projects to the extent requested by the grant recipient. The Secretary shall consult with the oceans and human health advisory panel established under subsection (b) and may work cooperatively with other agencies participating in the interagency program to establish joint criteria for such research and projects.

(2) Grants under this subsection shall be awarded through a competitive peer-reviewed, merit-based process that may be conducted jointly with other agencies participating in the interagency program.

(e) Traineeships

The Secretary of Commerce is authorized to establish a program to provide traineeships, training, and experience to pre-doctoral and post-doctoral students and to scientists at the beginning of their careers who are interested in the oceans in human health research conducted under the NOAA initiative.

(Pub. L. 108-447, div. B, title IX, §903, Dec. 8, 2004, 118 Stat. 2933; Pub. L. 117-286, §4(a)(206), Dec. 27, 2022, 136 Stat. 4328.)

Editorial Notes

AMENDMENTS

2022—Subsec. (b). Pub. L. 117-286 substituted “Chapter 10 of title 5” for “The Federal Advisory Committee Act (5 U.S.C. App.)”.

§ 3103. Public information and outreach

The Secretary of Commerce, in consultation with other Federal agencies, and in cooperation with the National Sea Grant program, shall design and implement a program to disseminate information developed under the NOAA Oceans and Human Health Initiative, including research, assessments, and findings regarding the relationship between oceans and human health, on both a regional and national scale. The information, particularly with respect to potential health risks, shall be made available in a timely manner to appropriate Federal or State agencies, involved industries, and other interested persons through a variety of means, including through the Internet.

(Pub. L. 108-447, div. B, title IX, §904, Dec. 8, 2004, 118 Stat. 2934; Pub. L. 114-327, title VI, §601, Dec. 16, 2016, 130 Stat. 1998.)

Editorial Notes

AMENDMENTS

2016—Pub. L. 114-327 struck out subsec. (a) designation and heading, realigned margins, and struck out subsec. (b) which related to NOAA Oceans and Human Health Initiative annual report.

§ 3104. Authorization of appropriations

There are authorized to be appropriated to the Secretary of Commerce to carry out the Na-

¹ So in original. Probably should be “oceans”.