

103D CONGRESS
1ST SESSION

H. R. 1916

To establish a marine biotechnology program within the National Sea Grant
College Program.

IN THE HOUSE OF REPRESENTATIVES

APRIL 28, 1993

Mr. STUDDS (for himself, Mr. HOCHBRUECKNER, Mr. HOYER, Ms. SCHENK, Mr. JOHNSON of Georgia, Mr. KOPETSKI, Mr. MANTON, Mr. KREIDLER, Mrs. UNSOELD, Mr. MCDERMOTT, Mr. FIELDS of Texas, Mr. YOUNG of Alaska, Mr. SWIFT, Mrs. MORELLA, Mr. RAVENEL, Ms. CANTWELL, Mr. LIPINSKI, and Mr. SAXTON) introduced the following bill; which was referred to the Committee on Merchant Marine and Fisheries

A BILL

To establish a marine biotechnology program within the
National Sea Grant College Program.

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 “Marine Biotechnology
5 Investment Act of 1993”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds that—

1 (1) the oceans have for millennia been a source
2 of food, minerals and other natural products;

3 (2) molecular biology and biotechnology hold
4 tremendous potential to expand the range and in-
5 crease the utility of products from the oceans;

6 (3) marine biotechnology can improve the con-
7 dition of marine ecosystems by developing substitute
8 products that decrease the harvest pressure on living
9 resources, improving the production of aquaculture,
10 providing new tools for understanding ecological and
11 evolutionary processes, and improving the techniques
12 for remediation of environmental damage;

13 (4) the United States is currently preeminent in
14 marine biotechnology but its competitive edge is
15 threatened by inadequate public investment com-
16 pared with other leaders in this field; and

17 (5) in order to support job creation, stimulate
18 private sector investment, and maintain preeminence
19 in marine biotechnology, the United States should
20 establish a national program for marine bio-
21 technology within the National Sea Grant College
22 Program and greatly increase its investment in this
23 promising new area of research and development.

1 **SEC. 3. MARINE BIOTECHNOLOGY PROGRAM.**

2 The National Sea Grant College Program Act (33
3 U.S.C. 1121 et seq.) is amended by inserting after section
4 205 the following:

5 **“SEC. 206A. MARINE BIOTECHNOLOGY PROGRAM.**

6 “(a) DEFINITION OF MARINE BIOTECHNOLOGY.—As
7 used in this section, the term ‘marine biotechnology’
8 means the application of molecular and cellular biology to
9 marine and fresh water organisms for the purpose of iden-
10 tifying, developing, and enhancing products derived from
11 those organisms.

12 “(b) MARINE BIOTECHNOLOGY PROGRAM.—The Na-
13 tional Sea Grant College Program provided for under sec-
14 tion 204 shall include a marine biotechnology program
15 under which the Secretary, acting through the Director,
16 shall—

17 “(1) make grants and enter into contracts in
18 accordance with this section; and

19 “(2) engage in other activities authorized under
20 this Act;

21 to further research, development, education and tech-
22 nology transfer in marine biotechnology

23 “(c) ADMINISTRATION.—In carrying out the marine
24 biotechnology program, the Secretary shall—

25 “(1) coordinate the relevant activities of the di-
26 rectors of the sea grant colleges and the Marine Bio-

1 technology Review Panel established under sub-
2 section (e); and

3 “(2) provide general oversight of the review
4 process under subsection (e)(1) to ensure that the
5 marine biotechnology program produces the highest
6 quality research, development, education, and tech-
7 nology transfer.

8 “(d) GRANTS AND CONTRACTS.—

9 “(1) APPLICATIONS.—Applications for grants
10 and contracts under this subsection shall be—

11 “(A) made in such form and manner, and
12 include such content and submissions, as the
13 Secretary shall by regulation prescribe;

14 “(B) forwarded through the appropriate
15 directors of sea grant colleges to the National
16 Sea Grant Office; and

17 “(C) reviewed by the Marine Biotechnology
18 Review Panel in accordance with subsection (e).

19 “(2) TERMS AND CONDITIONS.—Any reference
20 in the last sentence of subsection (a), or in sub-
21 section (d), of section 205 to grants and contracts
22 provided for under that section shall be treated, as
23 the context requires, as including any grant applied
24 for or made, or contract applied for or entered into,
25 under this section.

1 “(3) AWARDING OF GRANTS AND CONTRACTS.—

2 “(A) PANEL RECOMMENDATIONS.—The
3 Secretary shall award grants and contracts
4 under this section on the basis of the rec-
5 ommendations for award made by the Marine
6 Biotechnology Review Panel under subsection
7 (e); except that the Secretary may take excep-
8 tion to any recommendation of the Panel if the
9 Secretary determines that the recommendation
10 involves, in whole or part—

11 “(i) a conflict of interest;

12 “(ii) a failure to meet the require-
13 ments of this section; or

14 “(iii) a failure to comply with relevant
15 governmental or institutional procedures
16 for the management of external grant or
17 contract programs.

18 The Secretary shall document, and promptly in-
19 form the Panel of, each exception taken under
20 this paragraph.

21 “(B) FUNDING.—Grants made, and con-
22 tracts entered into, under this section shall be
23 funded with moneys available from appropria-
24 tions made pursuant to the authorization pro-
25 vided for under section 212(c), unless the

1 project under the grant or contract was consid-
2 ered and approved, in whole or part, under
3 grant or contract authority provided for under
4 section 205(a) or (b) or section 3 of the Sea
5 Grant Program Improvement Act of 1976.

6 “(e) MARINE BIOTECHNOLOGY REVIEW PANEL.—

7 “(1) ESTABLISHMENT AND DUTIES.—The Di-
8 rector, in consultation with the directors of the sea
9 grant colleges, shall convene a panel, to be known as
10 the Marine Biotechnology Review Panel, that shall—

11 “(A) review, on a competitive basis, the ap-
12 plications made under this section for grants
13 and contracts to determine their respective sci-
14 entific, technical, educational, and commercial
15 merits and likely contributions toward achieving
16 the purposes of this section; and

17 “(B) on the basis of the review under sub-
18 paragraph (A), and with due regard for the
19 overall balance and coordination of the marine
20 biotechnology program, make recommendations
21 to the Secretary regarding the awarding of
22 grants and contracts under this section.

23 “(2) COMPOSITION.—The Marine Biotechnology
24 Review Panel shall—

1 “(A) consist of not more than 15 individ-
2 uals with scientific or technical expertise in ma-
3 rine biotechnology or relevant related fields;

4 “(B) reflect a balance among areas of ex-
5 pertise consistent with the purposes of this sec-
6 tion;

7 “(C) not include Federal employees or di-
8 rectors of sea grant colleges; and

9 “(D) reflect geographic balance, consistent
10 with the primary objectives of a high level ex-
11 pertise and balance among areas of expertise.

12 “(3) ALLOWANCES.—Each member of the Ma-
13 rine Biotechnology Review Panel shall receive travel
14 expenses, including per diem in lieu of subsistence,
15 in accordance with sections 5702 and 5703 of title
16 5, United States Code.

17 “(4) FACA NOT APPLICABLE.—The Federal
18 Advisory Committee Act does not apply to the Ma-
19 rine Biotechnology Review Panel.”.

20 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

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

23 (1) by striking out “209,” in subsection (b) and
24 inserting “209 but not including section 206A,”;

1 (2) by redesignating subsections (c), (d), and
2 (e) as subsection (d), (e), and (f), respectively; and

3 (3) by inserting after subsection (b) the follow-
4 ing:

5 “(c) MARINE BIOTECHNOLOGY PROGRAM.—

6 “(1) GRANTS AND CONTRACTS.—There is au-
7 thorized to be appropriated to carry out the provi-
8 sions of section 206A (other than for administra-
9 tion) an amount—

10 “(A) for each of fiscal years 1994 and
11 1995, not to exceed \$20,000,000; and

12 “(B) for each of fiscal year 1996 and
13 1997, not to exceed \$25,000,000.

14 “(2) ADMINISTRATION.—There is authorized to
15 be appropriated for the administration of section
16 206A, an amount—

17 “(A) for each of fiscal years 1994 and
18 1995, not to exceed \$200,000; and

19 “(B) for each of fiscal years 1996 and
20 1997, not to exceed \$250,000.”.

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