

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4236

To establish a National Undersea Research Program within the National  
Oceanic and Atmospheric Administration.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 18, 1994

Mr. ORTIZ (for himself, Mr. WELDON, Mr. FIELDS of Texas, Mr. GENE GREEN of Texas, Mr. LAUGHLIN, Mr. ANDREWS of Texas, Mr. WASHINGTON, Mr. ROSE, and Mr. GEJDENSON) introduced the following bill; which was referred to the Committee on Merchant Marine and Fisheries

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## A BILL

To establish a National Undersea Research Program within  
the National Oceanic and Atmospheric Administration.

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 “National Undersea  
5 Research Program Act of 1994”.

6 **SEC. 2. DEFINITIONS.**

7 For the purposes of this Act, the term—

8 (1) “Administration” means the National Oce-  
9 anic and Atmospheric Administration;

1           (2) “Center” means any National Undersea Re-  
2 search Center in existence on the day before the  
3 date of enactment of this Act or established under  
4 section 5;

5           (3) “Center Director” means the Director of  
6 any National Undersea Research Center;

7           (4) “Committee” means the National Undersea  
8 Research Advisory Committee established under sec-  
9 tion 4;

10          (5) “Office” means the Office of Undersea Re-  
11 search established by section 3(d)(1);

12          (6) “priority research area” means any of the  
13 priority research areas set forth in section 3(f)(1),  
14 as those areas may be revised by the Under Sec-  
15 retary under section 3(f)(2);

16          (7) “Program” means the National Undersea  
17 Research Program established under section 3;

18          (8) “Program Director” means the Director of  
19 the National Undersea Research Program appointed  
20 pursuant to section 3(d)(2);

21          (9) “undersea region” means each of—

22                (A) the United States Northern Atlantic  
23 region, comprised of the coastal and oceanic  
24 waters and seabed north of Montauk, New

1 York, and off Maine, New Hampshire, Massa-  
2 chusetts, Rhode Island, and Connecticut;

3 (B) the Mid-Atlantic Bight region, com-  
4 prised of the coastal and oceanic waters and  
5 seabed south of Montauk, New York, and off  
6 New York, New Jersey, Pennsylvania, Dela-  
7 ware, Maryland, and Virginia;

8 (C) the United States Southern Atlantic  
9 region, comprised of the coastal and oceanic  
10 waters and seabed off North Carolina, South  
11 Carolina, Georgia, and the Atlantic coast of  
12 Florida (including the Florida Keys);

13 (D) the Gulf of Mexico region, comprised  
14 of the coastal and oceanic waters and seabed of  
15 the Gulf of Mexico off Florida, Alabama, Mis-  
16 sissippi, Louisiana, and Texas;

17 (E) the Great Lakes region, comprised of  
18 the waters and lake beds of the Great Lakes;

19 (F) the California region, comprised of the  
20 coastal and oceanic waters and seabed off Cali-  
21 fornia;

22 (G) the United States Northeast Pacific  
23 region, comprised of the coastal and oceanic  
24 waters and seabed off Oregon, Washington, and  
25 Alaska;

1 (H) the Western Pacific region, comprised  
2 of the coastal and oceanic waters and seabed off  
3 Hawaii, Johnston Island, Guam, American  
4 Samoa, and the Northern Mariana Islands, and  
5 other Western Pacific waters and seabed rel-  
6 evant to the purpose of the Program;

7 (I) the Caribbean region, comprised of the  
8 coastal and oceanic waters and seabed off Puer-  
9 to Rico, the United States Virgin Islands, and  
10 other tropical and subtropical waters and sea-  
11 bed relevant to the purposes of the Program;  
12 and

13 (J) any other undersea region resulting  
14 from a modification under section 3(e)(5);

15 (10) “undersea research” means scientific re-  
16 search carried out in the oceans or large lakes of the  
17 world, using advanced underwater technology includ-  
18 ing diving, underwater observatories and labora-  
19 tories, research submersibles, remotely operated ve-  
20 hicles, autonomous vehicles, and any other research  
21 techniques necessary to carry out the provisions of  
22 this Act; and

23 (11) “Under Secretary” means the Under Sec-  
24 retary of Commerce for Oceans and Atmosphere.

1 **SEC. 3. ESTABLISHMENT AND ADMINISTRATION OF NA-**  
2 **TIONAL UNDERSEA RESEARCH PROGRAM.**

3 (a) PROGRAM ESTABLISHMENT AND MAINTENANCE.—The Under Secretary shall establish and main-  
4 tain in the Administration a program to be known as the  
5 “National Undersea Research Program”.

7 (b) PROGRAM PURPOSE.—The purpose of the Pro-  
8 gram shall be to enhance scientific understanding of proc-  
9 esses in the oceans and large lakes of the world, by—

10 (1) developing, maintaining, and carrying out  
11 undersea research programs;

12 (2) investigating, developing, and applying tech-  
13 nology for undersea research; and

14 (3) developing new approaches to undersea  
15 technology transfer and marine science education.

16 (c) NATIONAL UNDERSEA RESEARCH CENTERS.—  
17 The Program shall be conducted by the National Undersea  
18 Research Centers established pursuant to section 5(a).

19 (d) OFFICE OF UNDERSEA RESEARCH.—

20 (1) ESTABLISHMENT.—There is established in  
21 the Administration the Office of Undersea Research.

22 (2) PROGRAM DIRECTOR.—The head of the Of-  
23 fice and Program Officer of the National Undersea  
24 Research Program is the Director of the National  
25 Undersea Research Program, who shall be appointed  
26 by the Under Secretary from among individuals with

1 extensive knowledge and expertise in undersea re-  
2 search and having appropriate administrative experi-  
3 ence.

4 (e) DUTIES OF PROGRAM DIRECTOR.—Subject to the  
5 supervision of the Under Secretary, the Program Director  
6 shall carry out only the following duties:

7 (1) Facilitating and supporting the activities of  
8 Centers.

9 (2) Establishing guidelines for the submission  
10 and review of proposals from the Centers and pro-  
11 posals from individual researchers that are submit-  
12 ted to the Centers for research under the Program.

13 (3) Making grants and entering into contracts  
14 and cooperative agreements under section 8 to ad-  
15 vance knowledge in the priority research areas  
16 through the Centers.

17 (4) Supporting the Memorandum of Agreement  
18 Concerning Support of a National Academic Deep  
19 Submergence Facility for Scientific Use.

20 (5) Modifying undersea regions as necessary  
21 and appropriate.

22 (f) PRIORITY RESEARCH AREAS.—

23 (1) IN GENERAL.—The Under Secretary may  
24 use amounts appropriated for the Program to fund

1 research, including long-term studies, within the fol-  
2 lowing priority research areas:

3 (A) Oceanic, coastal, estuarine, and  
4 limnological processes.

5 (B) Pathways and fates of materials in the  
6 oceans and large lakes.

7 (C) Diversity, distribution, productivity,  
8 and recruitment of organisms, including com-  
9 mercially valuable species, with respect to habi-  
10 tat characteristics in the oceans and large  
11 lakes.

12 (D) Global change processes.

13 (E) Ocean lithosphere processes and min-  
14 eral resources.

15 (F) Undersea research platform and in-  
16 strument technology.

17 (G) Diving safety, physiology, and tech-  
18 nology.

19 (H) Studies under section 21(e) of the  
20 Outer Continental Shelf Lands Act (43 U.S.C.  
21 1347(e)).

22 (2) REVISION OF PRIORITY AREAS.—Upon the  
23 recommendation of the Committee, the Under Sec-  
24 retary may, after public comment, revise the priority  
25 research areas under paragraph (1).

1 **SEC. 4. ADVISORY COMMITTEE.**

2 (a) ESTABLISHMENT OF COMMITTEE.—The Under  
3 Secretary shall establish an independent advisory commit-  
4 tee to be known as the “National Undersea Research Ad-  
5 visory Committee”.

6 (b) COMPOSITION.—

7 (1) IN GENERAL.—The Committee shall consist  
8 of 9 members appointed by the Under Secretary  
9 from individuals who are eminent professional sci-  
10 entists or engineers and active in at least one prior-  
11 ity research area, of whom 2 members shall be ap-  
12 pointed from individuals nominated by Center Direc-  
13 tors. The Under Secretary shall complete appoint-  
14 ments under this paragraph by not later than 6  
15 months after the date of the enactment of this Act.

16 (2) BALANCE.—In appointing members of the  
17 Committee, the Under Secretary shall seek to ensure  
18 balanced representation of—

19 (A) priority research areas,

20 (B) disciplines related to priority research  
21 areas, and

22 (C) geographic regions of the United  
23 States.

24 (3) PROHIBITION ON APPOINTMENTS.—Except  
25 as provided in paragraph (4), no member of the

1 Committee may be an employee of a Center or of the  
2 Administration.

3 (4) EX OFFICIO MEMBERS OF THE COMMIT-  
4 TEE.—The Chief Scientist of the Administration  
5 shall be a nonvoting ex officio member of the Com-  
6 mittee.

7 (c) DUTIES.—The Committee shall advise the Under  
8 Secretary and the Program Director concerning—

9 (1) the quality of research performed with  
10 grants awarded under this Act, including the appli-  
11 cability of such research to the priority research  
12 areas;

13 (2) the designation, establishment, and oper-  
14 ation of Centers;

15 (3) the modification of undersea regions;

16 (4) the need to revise the priority research  
17 areas; and

18 (5) any other matters the Under Secretary re-  
19 fers to the Committee for review and advice or that  
20 the Committee considers appropriate.

21 (d) TERM OF MEMBERSHIP.—

22 (1) IN GENERAL.—Subject to paragraph (2),  
23 the term of membership on the Committee shall be  
24 3 years.

1           (2) INITIAL APPOINTMENTS.—Of the members  
2 first appointed to the Committee—

3           (A) 3 members shall serve a term of 1  
4 year;

5           (B) 3 members shall serve a term of 2  
6 years; and

7           (C) 3 members shall serve a term of 3  
8 years;

9 as specified by the Under Secretary at the time of  
10 appointment.

11          (3) TERM LIMITATION.—No individual may  
12 serve consecutive terms as a member of the Commit-  
13 tee.

14          (e) COMPENSATION.—Members of the Committee,  
15 while performing official duties as members of the Com-  
16 mittee, are entitled to receive compensation for travel and  
17 transportation expenses under section 5703 of title 5,  
18 United States Code.

19          (f) CHAIRPERSON.—The members of the Committee  
20 shall select annually from among the voting members of  
21 the Committee an individual who shall serve as Chair-  
22 person of the Committee. No member of the Committee  
23 may serve more than 2 annual terms as Chairperson.

1 (g) CONDUCT OF BUSINESS.—The Committee shall  
2 conduct its business according to the majority vote of  
3 those members present at a meeting of the Committee.

4 (h) PUBLIC PARTICIPATION.—The following guide-  
5 lines apply to the conduct of business by the Committee:

6 (1) Each meeting shall be open to the public,  
7 and interested persons shall be permitted an oppor-  
8 tunity to present oral or written statements on items  
9 on the agenda.

10 (2) Timely notice of each meeting, including the  
11 time, place, and agenda, shall be published in the  
12 Federal Register and copies sent to all Center Direc-  
13 tors.

14 (i) EXEMPTION.—The Federal Advisory Committee  
15 Act (5 U.S.C. App.) shall not apply to the Committee.

16 **SEC. 5. ESTABLISHMENT OF NATIONAL UNDERSEA RE-**  
17 **SEARCH CENTERS.**

18 (a) ASSIGNMENT OF EXISTING REGIONS AND ESTAB-  
19 LISHMENT OF NEW CENTERS.—

20 (1) ASSIGNMENT OF REGIONS TO EXISTING  
21 CENTERS.—There are assigned to the Centers in ex-  
22 istence on the day before the date of the enactment  
23 of this Act undersea regions, as follows:

24 (A) The Western Pacific region is assigned  
25 to the Hawaii Undersea Research Laboratory.

1 (B) The United States Northeast Pacific  
2 and Californian regions are assigned to the  
3 West Coast National Undersea Research Center  
4 at the University of Alaska-Fairbanks.

5 (C) The United States Northern Atlantic  
6 and Great Lakes regions are assigned to the  
7 National Undersea Research Center at the Uni-  
8 versity of Connecticut at Avery Point.

9 (D) The Mid-Atlantic Bight region is as-  
10 signed to the New York Bight National Under-  
11 sea Research Center.

12 (E) The United States Southern Atlantic  
13 region is assigned to the National Undersea Re-  
14 search Center at the University of North Caro-  
15 lina at Wilmington.

16 (F) The Caribbean region is assigned to  
17 the National Undersea Research Center at the  
18 Caribbean Marine Research Center.

19 (G) The Gulf of Mexico region is assigned  
20 to a new center to be established pursuant to  
21 subsection (f).

22 (2) ESTABLISHMENT OF NEW CENTERS.—The  
23 Under Secretary may establish a new Center to im-  
24 plement the Program for any undersea region at an

1 institution of higher education or oceanographic re-  
2 search located in a State bordering the region—

3 (A) if there is a clearly demonstrated, sci-  
4 entific need for such a Center;

5 (B) if there are adequate funds available  
6 for the establishment of the Center;

7 (C) after reviewing each proposal submit-  
8 ted under subsection (b) with respect to that re-  
9 gion; and

10 (D) if the Committee concurs in the selec-  
11 tion of that institution.

12 (3) LIMITATION.—The Under Secretary may  
13 not establish a new Center for an undersea region  
14 if the expenditure of amounts for that Center would  
15 result in any reduction of amounts available for ex-  
16 penditure for any other undersea region.

17 (b) SOLICITATION OF PROPOSALS FOR NEW CEN-  
18 TERS.—

19 (1) IN GENERAL.—The Under Secretary may  
20 solicit proposals for the establishment of a new Cen-  
21 ter under subsection (a)(2) from institutions of high-  
22 er education or oceanographic research.

23 (2) PROPOSAL REQUIREMENTS.—A proposal  
24 under this subsection shall consist of—

25 (A) a proposed science program;

1 (B) a program management plan;

2 (C) a description of the facilities of the in-  
3 stitution at which the new Center is proposed to  
4 be established;

5 (D) a description of relevant capabilities of  
6 that institution;

7 (E) an operational safety plan;

8 (F) mechanisms for information transfer;

9 (G) a budget for the proposed Center; and

10 (H) any other information the Under Sec-  
11 retary considers necessary.

12 (c) REVIEW OF PROPOSALS.—The Under Secretary  
13 and the Committee shall review each proposal submitted  
14 under subsection (b) on the basis of—

15 (1) relevance of the proposal to priority re-  
16 search areas; and

17 (2) the capability of the applicant institution to  
18 administer and direct research in those areas.

19 (d) CENTER DIRECTOR.—Each institution at which  
20 a Center is established under this section may select, in  
21 consultation with the Office, an individual who shall be  
22 the Center Director of that Center.

23 (e) 6-YEAR REVIEW OF CENTERS AND REGIONS.—

24 (1) IN GENERAL.—Every 6 years the Under  
25 Secretary and the Committee shall jointly review—

1 (A) the operation of each Center, except  
2 that in the case of a Center in existence on the  
3 day before the date of the enactment of this  
4 Act, the first review of the Center shall be com-  
5 pleted by not later than the date which is 5  
6 years after that date of enactment; and

7 (B) the configuration of undersea regions  
8 to determine whether those regions meet sci-  
9 entific needs for research in priority research  
10 areas.

11 (2) CONTENT OF REVIEW.—A review under this  
12 subsection shall consist of—

13 (A) an evaluation of the quality of the re-  
14 search conducted at the Center under the Pro-  
15 gram and the applicability of the research to  
16 the priority research areas, including consider-  
17 ation of the reviews conducted under section  
18 6(c);

19 (B) recommendations for changes in the  
20 scientific research program and the operation of  
21 the Center, that are considered beneficial by the  
22 Committee and the Under Secretary;

23 (C) a determination of whether the contin-  
24 ued operation of the Center will increase knowl-  
25 edge in the priority research areas; and

1 (D) recommendations for the modification  
2 of the undersea regions of the Center.

3 (3) ESTABLISHMENT OF NEW CENTER AT DIF-  
4 FERENT INSTITUTION.—If the Under Secretary and  
5 the Committee determine as a result of a review  
6 under this subsection that continued operation of a  
7 Center is not warranted, the Under Secretary—

8 (A) shall provide notification of that deter-  
9 mination to the Center, including a description  
10 of any changes in the operations of the Center  
11 the Under Secretary considers necessary for  
12 continued operation of the Center;

13 (B) shall after 18 months after providing  
14 that notice, and not later than 2 years after  
15 providing that notice, review the implementa-  
16 tion of those changes by the Center; and

17 (C) may establish, at a different institution  
18 of higher education or oceanographic research,  
19 a new Center for the same undersea region in  
20 accordance with this section, if the Under Sec-  
21 retary determines as a result of the review  
22 under subparagraph (B) that those changes are  
23 not implemented.

24 (f) NEW CENTER.—

25 (1) GULF OF MEXICO.—

1 (A) ESTABLISHMENT.—Notwithstanding  
2 subsection (a)(2) and (a)(3), the Under Sec-  
3 retary shall establish at a qualified public insti-  
4 tution a Center to conduct the Program for the  
5 Gulf of Mexico undersea region, which shall be  
6 known as the “Gulf of Mexico National Under-  
7 sea Research Center”. The Under Secretary  
8 shall establish that Center no later than 180  
9 days after the date of enactment of this Act.

10 (B) DEFINITION.—For the purposes of  
11 this paragraph, the term “qualified public insti-  
12 tution” means a public institution or consor-  
13 tium of public institutions of higher edu-  
14 cation—

15 (i) located directly on the coastline of,  
16 or having direct access to, the Gulf of Mex-  
17 ico, and proximate to the Flower Garden  
18 Banks National Marine Sanctuary;

19 (ii) with strong undergraduate and  
20 graduate programs in engineering, science,  
21 and technology as they may apply to un-  
22 dersea research;

23 (iii) with nationally recognized pro-  
24 grams in marine science and maritime

1 studies, including the presence of a degree  
2 granting maritime academy;

3 (iv) with facilities for maintaining and  
4 operating research and other vessels appro-  
5 priate for deployment of equipment nec-  
6 essary to conduct undersea research;

7 (v) with faculty and other personnel  
8 with expertise in undersea research;

9 (vi) which maintains cooperative insti-  
10 tutional relationships with Federal agen-  
11 cies responsible for research work in the  
12 Gulf of Mexico and along the Gulf of Mex-  
13 ico coast;

14 (vii) which participates in cooperative  
15 undersea research programs with Mexico;  
16 and

17 (viii) which has received funding for  
18 undersea research from the Under Sec-  
19 retary in the past.

20 (2) LIMITATION.—In carrying out this sub-  
21 section, the Under Secretary shall not reduce  
22 amounts available for carrying out the Memorandum  
23 of Agreement Concerning Support of a National  
24 Academic Deep Submergence Facility for Scientific  
25 Use.

1 **SEC. 6. NATIONAL UNDERSEA RESEARCH CENTER RE-**  
2 **SEARCH PROGRAMS.**

3 (a) INDIVIDUAL RESEARCH PROPOSALS.—

4 (1) SOLICITATION.—Each Center Director shall  
5 annually solicit individual proposals from the sci-  
6 entific community for research to advance the prior-  
7 ity research areas of the Program. Research under  
8 each proposal shall be primarily conducted within  
9 the undersea region of the Center, but may be con-  
10 ducted in another undersea region in cooperation  
11 with the Center for that region, or other geographic  
12 areas with the approval of the Program Director. In-  
13 dividual proposals shall adhere to guidelines estab-  
14 lished by the Program Director pursuant to section  
15 3(e)(2). Proposals under this paragraph may be for  
16 multiyear research.

17 (2) INDIVIDUAL PROPOSAL REVIEW PROCESS.—

18 (A) IN GENERAL.—Each individual pro-  
19 posal shall be reviewed by an independent re-  
20 view panel and by not less than 3 anonymous  
21 mail reviewers. Each independent review panel  
22 shall be composed of not less than 4 individuals  
23 with experience in undersea research appointed  
24 by the Program Director, at least one of whom  
25 shall be a member of the Committee.

1 (B) PANEL REVIEW.—Each review by an  
2 independent review panel shall—

3 (i) assess the scientific merit of the  
4 individual research proposal;

5 (ii) assess the ability of the Center to  
6 carry out the proposed research; and

7 (iii) the applicability of the proposal  
8 to the priority research areas.

9 (C) MAIL REVIEWS.—Each mail review  
10 shall consider—

11 (i) the scientific merit of the proposal;  
12 and

13 (ii) the capability of the principal in-  
14 vestigator to carry out the proposed re-  
15 search.

16 (3) ALLOWANCE FOR RESPONSE.—

17 (A) IN GENERAL.—Subject to any regula-  
18 tion that is issued by the Program Director, a  
19 Center Director shall—

20 (i) provide to each person who sub-  
21 mits to the Center a proposal under this  
22 section blinded copies of all mail reviews of  
23 the proposal conducted under paragraph  
24 (2), and

1 (ii) give the person not more than 14  
2 days to respond to those reviews before  
3 rendering any final decision regarding  
4 funding for the proposal.

5 (B) REVIEW OF PROCESS BY COMMIT-  
6 TEE.—Not later than 3 years after the date of  
7 the enactment of this Act, the Committee  
8 shall—

9 (i) determine whether all Centers are  
10 implementing subparagraph (A);

11 (ii) determine whether the opportunity  
12 of persons who submit proposals to re-  
13 spond to reviews pursuant to subparagraph  
14 (A) has been utilized by those persons;

15 (iii) determine whether those re-  
16 sponses have been effective in ensuring full  
17 and fair consideration of those proposals;  
18 and

19 (iv) recommend to the Program Direc-  
20 tor that the procedures established by sub-  
21 paragraph (A) be continued, terminated, or  
22 modified (including the specific modifica-  
23 tions which should be made).

24 (C) REGULATIONS IMPLEMENTING REC-  
25 OMMENDATIONS.—The Program Director may

1 issue regulations implementing any rec-  
2 ommendation made by the Committee under  
3 subparagraph (B)(iv).

4 (b) PROPOSED CENTER PROGRAM.—Each fiscal year  
5 each Center Director shall submit to the Program Direc-  
6 tor—

7 (1) a proposed program for the Center for the  
8 upcoming fiscal year, which shall adhere to guide-  
9 lines established by the Program Director pursuant  
10 to section 3(e)(2) and shall include—

11 (A) a description of the activities per-  
12 formed and research funded by the Center in  
13 the previous fiscal year;

14 (B) those individual research proposals  
15 submitted under subsection (a) that the Center  
16 Director determines to be meritorious based on  
17 reviews conducted under that subsection;

18 (C) a proposed budget for the operation of  
19 the Center for the current fiscal year;

20 (D) any other materials requested by the  
21 Program Director to clarify the proposed pro-  
22 gram; and

23 (E) an annually revised long-range re-  
24 search and operations plan; and

1           (2) reviews, and responses thereto, of all indi-  
2           vidual research proposals submitted to the Center  
3           Director for the upcoming fiscal year.

4           (c) REVIEW OF PROPOSED CENTER PROGRAMS.—  
5           The Program Director shall review the proposed programs  
6           submitted by each Center Director under subsection (b).

7           (d) GIFTS, DEVISES, AND BEQUESTS.—Each Center  
8           may accept, solicit, and use the services of volunteers, and  
9           may accept, receive, hold, administer, and use gifts, de-  
10          vises, and bequests, to carry out the research program of  
11          the Center.

12       **SEC. 7. PROCEDURES FOR JOINT REVIEW OF RESEARCH**  
13                               **PROPOSALS.**

14          The Under Secretary, in consultation with the Pro-  
15          gram Director and the Committee and jointly with the Di-  
16          rector of the National Science Foundation and the Sec-  
17          retary of the Navy, shall—

18               (1) develop procedures for the submittal and  
19               joint review of proposals for research in priority re-  
20               search areas to be carried out with assistance from  
21               2 or more agencies within the Department of Com-  
22               merce, the National Science Foundation, or the De-  
23               partment of Defense; and

1           (2) issue final rules establishing those proce-  
2           dures by not later than 1 year after the date of the  
3           enactment of this Act.

4 **SEC. 8. GRANTS AND CONTRACTS FOR NATIONAL UNDER-**  
5 **SEA RESEARCH CENTERS.**

6           (a) AUTHORIZATION.—The Under Secretary may  
7           make grants and enter into contracts and cooperative  
8           agreements under this section to fund any Center program  
9           if the Under Secretary finds that the program will advance  
10          knowledge in the priority research areas.

11          (b) ALLOCATION OF FUNDING.—

12           (1) IN GENERAL.—Based on the reviews under  
13           section 6(c) of proposed Center programs, the Under  
14           Secretary shall—

15           (A) allocate among the Centers, in such  
16           manner as will best advance knowledge in the  
17           priority research areas, all amounts available  
18           for the current fiscal year for research to be  
19           conducted by the Centers and administration of  
20           the Centers, consistent with each Center's long-  
21           term responsibilities to conduct priority re-  
22           search; and

23           (B) notify each Center Director of the  
24           amount allocated to that Center under subpara-  
25           graph (A).

1 (c) TERMS AND CONDITIONS.—

2 (1) IN GENERAL.—Any grant made or contract  
3 entered into under this section shall be subject to  
4 paragraphs (2) and (3) and to any other terms, con-  
5 ditions, and requirements the Under Secretary con-  
6 siders necessary.

7 (2) LIMITATIONS ON USE FOR LAND AND  
8 BUILDINGS.—Amounts provided under any grant or  
9 contract under this section may not be used for—

10 (A) the purchase of any land; or

11 (B) the purchase or construction of any  
12 building.

13 (3) MAINTENANCE OF RECORDS.—Any person  
14 who receives or utilizes any proceeds of any grant of  
15 contract under this section shall keep any records  
16 the Under Secretary prescribes as necessary to fa-  
17 cilitate effective audit and evaluation, including re-  
18 ports which full disclose the amount and disposition  
19 of funds received under this Act, the total cost of ac-  
20 tivities for which those funds were used, and the  
21 amount, if any, of costs which were provided  
22 through other sources. The records shall be main-  
23 tained for 6 years after the completion of the activ-  
24 ity. The Under Secretary and the Comptroller Gen-  
25 eral of the United States, or any of their duly au-

1       thorized representatives, shall have access, for the  
2       purpose of audit and evaluation, to any books, docu-  
3       ments, papers, and records of receipts, which in the  
4       opinion of the Under Secretary or of the Comptroller  
5       General may be related or pertinent to the grants  
6       and contracts.

7       **SEC. 9. FINANCIAL ASSISTANCE REVIEW BOARD.**

8       After the date of the enactment of this Act, grants  
9       and contracts under the Program shall not be subject to  
10      review by the board in the Department of Commerce  
11      known as the Financial Assistance Review Board.

12      **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

13      (a) CENTER PROGRAM FUNDING.—There is author-  
14      ized to be appropriated to the Under Secretary for use  
15      for grants and contracts under section 8, to remain avail-  
16      able until expended, \$20,000,000 for fiscal year 1995,  
17      \$22,000,000 for fiscal year 1996, \$24,000,000 for fiscal  
18      year 1997, \$26,000,000 for fiscal year 1998, and  
19      \$28,000,000 for fiscal year 1999.

20      (b) OFFICE OF UNDERSEA RESEARCH.—There is au-  
21      thorized to be appropriated to the Under Secretary for the  
22      administration of the Office of Undersea Research and  
23      support of the Memorandum of Agreement Concerning  
24      Support of a National Academic Deep Submergence Facil-  
25      ity for Scientific Use, to remain available until expended,

1 \$2,100,000 for fiscal year 1995, \$2,200,000 for fiscal year  
2 1996, \$2,300,000 for fiscal year 1997, \$2,400,000 for fis-  
3 cal year 1998, and \$2,500,000 for fiscal year 1999.

4 (c) REVERSION OF UNOBLIGATED AMOUNTS.—The  
5 amount of any grant, contract, or portion of a grant or  
6 contract, made under section 3 or 8 that is not obligated  
7 before the end of the third fiscal year in which it is author-  
8 ized to be obligated—

9 (1) shall revert to the Under Secretary; and

10 (2) shall remain available for grants or con-  
11 tracts under that section.

12 (d) LIMITATIONS ON USE.—Amounts appropriated  
13 under the authority of subsection (a) shall not be available  
14 for administration of this Act by the Office, or for pro-  
15 gram or administrative expenses of the Administration or  
16 the Department of Commerce.

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