

Union Calendar No. 304

110TH CONGRESS
1ST SESSION

H. R. 1834

[Report No. 110–311, Parts I and II]

To authorize the national ocean exploration program and the national under-sea research program within the National Oceanic and Atmospheric Administration.

IN THE HOUSE OF REPRESENTATIVES

MARCH 29, 2007

Mr. SAXTON (for himself, Mr. YOUNG of Alaska, Mr. MCINTYRE, Mr. PALLONE, Mr. FARR, Mr. WICKER, and Mr. ABERCROMBIE) introduced the following bill; which was referred to the Committee on Science and Technology, and in addition to the Committees on Natural Resources and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

AUGUST 4, 2007

Reported from the Committee on Natural Resources with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

DECEMBER 18, 2007

Additional sponsors: Ms. BORDALLO, Mr. GILCHREST, Ms. SHEA-PORTER, and Mr. ROTHMAN

DECEMBER 18, 2007

Reported from the Committee on Science and Technology with an amendment

[Strike out all after the enacting clause and insert the part printed in boldface roman]

DECEMBER 18, 2007

Committee on Armed Services discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To authorize the national ocean exploration program and the 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 **TITLE I—NATIONAL OCEAN**
4 **EXPLORATION PROGRAM**

5 **SECTION 101. SHORT TITLE.**

6 *This title may be cited as the “National Ocean Explo-*
7 *ration Program Act”.*

8 **SEC. 102. AUTHORIZATION.**

9 *The Secretary of Commerce, through the Administrator*
10 *of the National Oceanic and Atmospheric Administration,*
11 *shall, in consultation with the National Science Foundation*
12 *and other appropriate Federal agencies, conduct a coordi-*
13 *nated national ocean exploration program within the Na-*
14 *tional Oceanic and Atmospheric Administration that pro-*
15 *motes collaboration with existing programs of the Adminis-*
16 *tration, including those authorized in title II.*

17 **SEC. 103. AUTHORITIES.**

18 *In carrying out the program authorized under section*
19 *102, the Administrator of the National Oceanic and Atmos-*

1 *pheric Administration (in this title referred to as the “Ad-*
2 *ministrators”) shall—*

3 (1) *conduct interdisciplinary voyages or other*
4 *scientific activities of discovery in conjunction with*
5 *other Federal agencies or academic or educational in-*
6 *stitutions, to explore and survey little known areas of*
7 *the marine environment, inventory, observe, and as-*
8 *sess living and nonliving marine resources, and re-*
9 *port such findings;*

10 (2) *give priority attention to deep ocean regions,*
11 *with a focus on deep water marine systems that hold*
12 *potential for important scientific discoveries, such as*
13 *hydrothermal vent communities and seamounts;*

14 (3) *conduct scientific voyages to locate, define,*
15 *and document historic shipwrecks, submerged sites,*
16 *and other ocean exploration activities that combine*
17 *archaeology and oceanographic sciences;*

18 (4) *develop and implement, in consultation with*
19 *the National Science Foundation, a transparent proc-*
20 *ess for merit-based peer-review and approval of pro-*
21 *posals for activities to be conducted under this pro-*
22 *gram;*

23 (5) *enhance the technical capability of the*
24 *United States marine science community by pro-*
25 *moting the development of improved oceanographic*

1 *research, communication, navigation, and data collec-*
2 *tion systems, as well as underwater platforms and*
3 *sensors and autonomous vehicles;*

4 (6) *accept donations of property, data, and*
5 *equipment to be applied for the purpose of exploring*
6 *the oceans or increasing knowledge of the oceans; and*

7 (7) *establish an ocean exploration forum to en-*
8 *courage partnerships and promote communication*
9 *among experts and other stakeholders in order to en-*
10 *hance the scientific and technical expertise and rel-*
11 *evance of the national program.*

12 **SEC. 104. OCEAN EXPLORATION ADVISORY BOARD.**

13 (a) *ESTABLISHMENT.*—*The Administrator shall ap-*
14 *point an Ocean Exploration Advisory Board, or utilize an*
15 *existing panel, composed of experts in relevant fields to—*

16 (1) *advise the Administrator on priority areas*
17 *for survey and discovery;*

18 (2) *assist the program in the development of a*
19 *five-year strategic plan for the fields of exploration,*
20 *discovery, and science;*

21 (3) *annually review the quality and effectiveness*
22 *of the proposal review process established under sec-*
23 *tion 103(4); and*

24 (4) *provide other assistance and advice as re-*
25 *quested by the Administrator.*

1 **(b) FEDERAL ADVISORY COMMITTEE ACT.**—

2 **(1) IN GENERAL.**—*The Federal Advisory Com-*
3 *mittee Act (5 U.S.C. App.) shall not apply to the*
4 *Ocean Exploration Advisory Board.*

5 **(2) COMPLIANCE.**—*Notwithstanding paragraph*
6 *(1), the Ocean Exploration Advisory Board shall be*
7 *appointed and operate in a manner consistent with*
8 *all provisions of the Federal Advisory Committee Act*
9 *with respect to—*

10 **(A)** *the balance of membership and exper-*
11 *tise;*

12 **(B)** *provisions of public notice regarding*
13 *activities of the Ocean Exploration Advisory*
14 *Board;*

15 **(C)** *open meetings; and*

16 **(D)** *public access to documents created by*
17 *the Ocean Exploration Advisory Board.*

18 **(c) UTILIZATION OF EXISTING PANEL.**—*If the Admin-*
19 *istrator utilizes an existing panel to fulfill the requirements*
20 *of this section, the membership of that panel must include*
21 *relevant experts in the fields specified in subsection (a)(2).*

1 **SEC. 105. APPLICATION WITH OUTER CONTINENTAL SHELF**
 2 **LANDS ACT.**

3 *Nothing in this title or title II supersedes, or limits*
 4 *the authority of the Secretary of the Interior under, the*
 5 *Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.).*

6 **SEC. 106. AUTHORIZATION OF APPROPRIATIONS.**

7 *There are authorized to be appropriated to the Na-*
 8 *tional Oceanic and Atmospheric Administration to carry*
 9 *out this title—*

10 *(1) \$30,500,000 for fiscal year 2008;*

11 *(2) \$33,550,000 for fiscal year 2009;*

12 *(3) \$36,905,000 for fiscal year 2010;*

13 *(4) \$40,596,000 for fiscal year 2011;*

14 *(5) \$44,655,000 for fiscal year 2012;*

15 *(6) \$49,121,000 for fiscal year 2013;*

16 *(7) \$54,033,000 for fiscal year 2014;*

17 *(8) \$59,436,000 for fiscal year 2015;*

18 *(9) \$65,379,000 for fiscal year 2016; and*

19 *(10) \$71,917,000 for fiscal year 2017.*

20 **TITLE II—UNDERSEA RESEARCH**
 21 **PROGRAM**

22 **SEC. 201. SHORT TITLE.**

23 *This title may be cited as the “National Undersea Re-*
 24 *search Program Act of 2007”.*

1 **SEC. 202. AUTHORIZATION.**

2 *The Administrator of the National Oceanic and At-*
3 *mospheric Administration shall conduct an undersea re-*
4 *search program and shall designate a Director of that pro-*
5 *gram.*

6 **SEC. 203. PURPOSE.**

7 *The purpose of the program authorized under section*
8 *202 is to increase scientific knowledge essential for the in-*
9 *formed management, use, and preservation of oceanic,*
10 *coastal, and large lake resources through undersea research,*
11 *exploration, education, and technology development. The*
12 *program shall be part of National Oceanic and Atmospheric*
13 *Administration's undersea research, education, and tech-*
14 *nology development efforts, and shall make available the in-*
15 *frastructure and expertise to service the undersea science*
16 *and technology needs of the academic community and ma-*
17 *rine industry.*

18 **SEC. 204. PROGRAM.**

19 *The program authorized under section 202 shall be*
20 *conducted through a national headquarters, a network of*
21 *extramural regional undersea research centers that rep-*
22 *resent all relevant National Oceanic and Atmospheric Ad-*
23 *ministration regions, and a national technology institute.*
24 *Overall direction of the program will be provided by the*
25 *program director in coordination with a Council of Center*
26 *Directors comprised of the directors of the extramural re-*

1 gional centers and the National Institute for Undersea
2 Science and Technology.

3 **SEC. 205. REGIONAL CENTERS AND INSTITUTE.**

4 (a) *PROGRAMS.*—The following research, exploration,
5 education, and technology programs shall be conducted
6 through the network of extramural regional centers and the
7 National Institute for Undersea Science and Technology:

8 (1) *Core research and exploration based on na-*
9 *tional and regional undersea research priorities.*

10 (2) *Advanced undersea technology development to*
11 *support the National Oceanic and Atmospheric Ad-*
12 *ministration's research mission and programs.*

13 (3) *Development, testing, and transition of ad-*
14 *vanced undersea technology associated with ocean ob-*
15 *servatories, submersibles, advanced diving tech-*
16 *nologies, remotely operated vehicles, autonomous un-*
17 *derwater vehicles, and new sampling and sensing*
18 *technologies such as LEO-15, Pisces, and the Aquar-*
19 *ius habitat.*

20 (4) *Undersea science-based education and out-*
21 *reach programs to enrich ocean science education and*
22 *public awareness of the oceans and Great Lakes.*

23 (5) *Discovery, study, and development of natural*
24 *products from ocean and aquatic systems.*

1 (b) *OPERATIONS.*—*Operation of the extramural re-*
2 *gional centers and the National Institute for Undersea*
3 *Science and Technology shall leverage partnerships and co-*
4 *operative research with academia and private industry.*

5 **SEC. 206. COMPETITIVENESS.**

6 *Except for a small discretionary fund for rapid re-*
7 *sponse activities, for which no more than 10 percent of the*
8 *program budget shall be set aside, and for National Oceanic*
9 *and Atmospheric Administration-related service projects,*
10 *the external projects supported by the regional centers shall*
11 *be managed using an open and competitive process to evalu-*
12 *ate scientific merit, relevance to the National Oceanic and*
13 *Atmospheric Administration, regional and national re-*
14 *search priorities, and technical feasibility.*

15 **SEC. 207. AUTHORIZATION OF APPROPRIATIONS.**

16 *There are authorized to be appropriated to the Na-*
17 *tional Oceanic and Atmospheric Administration to carry*
18 *out this title—*

19 (1) *\$17,500,000 for fiscal year 2008;*

20 (2) *\$19,500,000 for fiscal year 2009;*

21 (3) *\$21,500,000 for fiscal year 2010;*

22 (4) *\$23,500,000 for fiscal year 2011;*

23 (5) *\$25,500,000 for fiscal year 2012;*

24 (6) *\$27,500,000 for fiscal year 2013;*

25 (7) *\$29,500,000 for fiscal year 2014;*

- 1 (8) \$31,500,000 for fiscal year 2015;
2 (9) \$33,500,000 for fiscal year 2016; and
3 (10) \$35,500,000 for fiscal year 2017.

4 **TITLE III—INTERAGENCY FI-**
5 **NANCING, PLANNING, AND**
6 **COORDINATION**

7 **SEC. 301. INTERAGENCY FINANCING.**

8 *The Administrator of the National Oceanic and At-*
9 *mospheric Administration, the National Science Founda-*
10 *tion, the Department of the Navy, and other Federal agen-*
11 *cies involved in the programs authorized under title I and*
12 *II, may participate in interagency financing and share,*
13 *transfer, receive, and spend funds appropriated to any Fed-*
14 *eral participant in the program for the purposes of car-*
15 *rying out any administrative or programmatic project or*
16 *activity under the program. Funds may be transferred*
17 *among such departments and agencies through an appro-*
18 *priate instrument that specifies the goods, services, or space*
19 *being acquired from another Federal participant and the*
20 *costs thereof.*

21 **SEC. 302. OCEAN EXPLORATION AND UNDERSEA RESEARCH**
22 **TECHNOLOGY AND INFRASTRUCTURE TASK**
23 **FORCE.**

24 (a) *IN GENERAL.*—*The Administrator of the National*
25 *Oceanic and Atmospheric Administration, in coordination*

1 *with the National Science Foundation, the National Aero-*
2 *navtics and Space Administration, the United States Geo-*
3 *logical Survey, the Department of the Navy, the Mineral*
4 *Management Service, and relevant governmental, non-*
5 *governmental, academic, industry, and other experts, shall*
6 *convene an ocean exploration and undersea research tech-*
7 *nology and infrastructure task force, or utilize an existing*
8 *panel, to develop and implement a strategy—*

9 (1) *to facilitate transfer of new exploration and*
10 *undersea research technology to the programs author-*
11 *ized under titles I and II of this Act;*

12 (2) *to improve availability of communications*
13 *infrastructure, including satellite capabilities, to the*
14 *program;*

15 (3) *to develop an integrated, workable, and com-*
16 *prehensive data management information processing*
17 *system that will make information on unique and sig-*
18 *nificant features obtained by the program available*
19 *for research and management purposes;*

20 (4) *to conduct public outreach activities that im-*
21 *prove the public understanding of ocean science, re-*
22 *sources, and processes, in conjunction with relevant*
23 *programs of the National Oceanic and Atmospheric*
24 *Administration, the National Science Foundation,*
25 *and other agencies; and*

1 (5) to encourage cost-sharing partnerships with
2 governmental and nongovernmental entities that will
3 assist in transferring exploration technology and tech-
4 nical expertise to the program.

5 (b) *UTILIZATION OF EXISTING PANEL.*—If the Admin-
6 istrator utilizes an existing panel to fulfill the requirements
7 of this section, the membership of that panel must include
8 representative of all the agencies and other interests speci-
9 fied in subsection (a).

10 **TITLE I—NATIONAL OCEAN** 11 **EXPLORATION PROGRAM**

12 **SEC. 101. SHORT TITLE.**

13 **This title may be cited as the “National**
14 **Ocean Exploration Program Act”.**

15 **SEC. 102. AUTHORIZATION.**

16 **The Administrator of the National Oce-**
17 **anic and Atmospheric Administration shall, in**
18 **consultation with the National Science Foun-**
19 **dation and other appropriate Federal agen-**
20 **cies, conduct a coordinated national ocean ex-**
21 **ploration program within the National Oce-**
22 **anic and Atmospheric Administration that**
23 **promotes collaboration with other Federal**
24 **ocean and undersea research and exploration**
25 **programs. To the extent appropriate, the Ad-**

1 **ministrator shall seek to facilitate coordina-**
2 **tion of data and information management sys-**
3 **tems, outreach and education programs to im-**
4 **prove public understanding of ocean and**
5 **coastal resources, and development and**
6 **transfer of technologies to facilitate ocean**
7 **and undersea research and exploration.**

8 **SEC. 103. AUTHORITIES.**

9 **(a) IN GENERAL.—In carrying out the pro-**
10 **gram authorized under section 102, the Ad-**
11 **ministrator of the National Oceanic and At-**
12 **mospheric Administration (in this title re-**
13 **ferred to as the “Administrator”) shall—**

14 **(1) conduct interdisciplinary voyages**
15 **or other scientific activities of discovery**
16 **in conjunction with other Federal agen-**
17 **cies or academic or educational institu-**
18 **tions, to explore and survey little known**
19 **areas of the marine environment, inven-**
20 **tory, observe, and assess living and non-**
21 **living marine resources, and report such**
22 **findings;**

23 **(2) give priority attention to deep**
24 **ocean regions, with a focus on deep**
25 **water marine systems that hold potential**

1 **for important scientific discoveries, such**
2 **as hydrothermal vent communities and**
3 **seamounts;**

4 **(3) conduct scientific voyages to lo-**
5 **cate, define, and document historic ship-**
6 **wrecks, submerged sites, and other ocean**
7 **exploration activities that combine ar-**
8 **chaeology and oceanographic sciences;**

9 **(4) develop and implement, in con-**
10 **sultation with the National Science Foun-**
11 **dation, a transparent, competitive proc-**
12 **ess for merit-based peer-review and ap-**
13 **proval of proposals for activities to be**
14 **conducted under this program, taking**
15 **into consideration advice of the Board es-**
16 **tablished under section 104;**

17 **(5) enhance the technical capability**
18 **of the United States marine science com-**
19 **munity by promoting the development of**
20 **improved oceanographic research, com-**
21 **munication, navigation, and data collec-**
22 **tion systems, as well as underwater plat-**
23 **forms and sensors and autonomous vehi-**
24 **cles; and**

1 **(6) establish an ocean exploration**
2 **forum to encourage partnerships and**
3 **promote communication among experts**
4 **and other stakeholders in order to en-**
5 **hance the scientific and technical exper-**
6 **tise and relevance of the national pro-**
7 **gram.**

8 **(b) DONATIONS.—In carrying out the pro-**
9 **gram authorized under section 102, the Ad-**
10 **ministrator may accept donations of property,**
11 **data, and equipment to be applied for the pur-**
12 **pose of exploring the oceans or increasing**
13 **knowledge of the oceans.**

14 **SEC. 104. OCEAN EXPLORATION ADVISORY BOARD.**

15 **(a) ESTABLISHMENT.—The Administrator**
16 **shall appoint an Ocean Exploration Advisory**
17 **Board composed of experts in relevant fields**
18 **to—**

19 **(1) advise the Administrator on pri-**
20 **ority areas for survey and discovery;**

21 **(2) assist the program in the develop-**
22 **ment of a five-year strategic plan for the**
23 **fields of ocean, marine, and Great Lakes**
24 **exploration, discovery, and science;**

1 shall make available undersea research facili-
2 ties, equipment, technologies, information,
3 and expertise to support undersea research
4 efforts by these organizations. The Director
5 may also enter into partnerships, using exist-
6 ing authorities, with the private sector to
7 achieve the goals of the program and to pro-
8 mote technological advancement of the ma-
9 rine industry.

10 SEC. 204. PROGRAM.

11 The program authorized under section
12 202 shall be conducted through a national
13 headquarters, a network of extramural re-
14 gional undersea research centers that rep-
15 resent all relevant National Oceanic and At-
16 mospheric Administration regions, and a na-
17 tional technology institute. Overall direction
18 of the program will be provided by the pro-
19 gram director in coordination with a Council
20 of Center Directors comprised of the directors
21 of the extramural regional centers and the
22 National Institute for Undersea Science and
23 Technology. Program direction shall be pub-
24 lished not later than 3 years after the date of
25 enactment of this Act.

1 SEC. 205. REGIONAL CENTERS AND INSTITUTE.

2 (a) PROGRAMS.—The following research,
3 exploration, education, and technology pro-
4 grams shall be conducted through the net-
5 work of extramural regional centers and the
6 National Institute for Undersea Science and
7 Technology:

8 (1) Core research and exploration
9 based on national and regional undersea
10 research priorities.

11 (2) Advanced undersea technology de-
12 velopment to support the National Oce-
13 anic and Atmospheric Administration’s
14 research mission and programs.

15 (3) Development, testing, and transi-
16 tion of advanced undersea technology as-
17 sociated with ocean observatories,
18 submersibles, advanced diving tech-
19 nologies, remotely operated vehicles, au-
20 tonomous underwater vehicles, and new
21 sampling and sensing technologies.

22 (4) Undersea science-based education
23 and outreach programs to enrich ocean
24 science education and public awareness
25 of the oceans and Great Lakes.

1 **(5) Discovery, study, and development**
2 **of natural products from ocean and**
3 **aquatic systems.**

4 **(b) OPERATIONS.—Operation of the extra-**
5 **mural regional centers and the National Insti-**
6 **tute for Undersea Science and Technology**
7 **shall leverage partnerships and cooperative**
8 **research with academia and private industry.**

9 **SEC. 206. COMPETITION.**

10 **(a) DISCRETIONARY FUND.—The program**
11 **shall allocate no more than 10 percent of its**
12 **annual budget to a discretionary fund that**
13 **may be used only for program administration**
14 **and priority undersea research projects iden-**
15 **tified by the Director but not covered by fund-**
16 **ing available from centers.**

17 **(b) COMPETITIVE SELECTION.—The Admin-**
18 **istrator shall conduct a competition to select**
19 **the regional centers that will participate in**
20 **the program five years after the date of enact-**
21 **ment of this Act and every five years there-**
22 **after. Funding for projects conducted through**
23 **the regional centers shall be awarded through**
24 **a competitive, merit-reviewed process on the**

1 **basis of their relevance to the goals of the pro-**
2 **gram and their technical feasibility.**

3 **SEC. 207. AUTHORIZATION OF APPROPRIATIONS.**

4 **There are authorized to be appropriated**
5 **to the National Oceanic and Atmospheric Ad-**
6 **ministration to carry out this title—**

7 **(1) \$17,500,000 for fiscal year 2008;**

8 **(2) \$19,500,000 for fiscal year 2009;**

9 **(3) \$21,500,000 for fiscal year 2010;**

10 **(4) \$23,500,000 for fiscal year 2011;**

11 **(5) \$25,500,000 for fiscal year 2012;**

12 **(6) \$27,500,000 for fiscal year 2013;**

13 **and**

14 **(7) \$29,500,000 for fiscal year 2014.**

15 **TITLE III—INTERAGENCY FI-**
16 **NANCING PLANNING AND CO-**
17 **ORDINATION**

18 **SEC. 301. INTERAGENCY FINANCING.**

19 **The Administrator of the National Oce-**
20 **anic and Atmospheric Administration, the Na-**
21 **tional Science Foundation, the Department of**
22 **the Navy, and other Federal agencies in-**
23 **volved in the programs authorized under title**
24 **I and II, are authorized to participate in inter-**
25 **agency financing and share, transfer, receive,**

1 and spend funds appropriated to any Federal
2 participant in the program for the purposes
3 of carrying out any administrative or pro-
4 grammatic project or activity under this Act.
5 Funds may be transferred among such depart-
6 ments and agencies through an appropriate
7 instrument that specifies the goods, services,
8 or space being acquired from another Federal
9 participant and the costs thereof.

10 SEC. 302. OCEAN EXPLORATION AND UNDERSEA RESEARCH
11 TECHNOLOGY AND INFRASTRUCTURE TASK
12 FORCE.

13 The Administrator of the National Oce-
14 anic and Atmospheric Administration, in co-
15 ordination with the National Science Founda-
16 tion, the National Aeronautics and Space Ad-
17 ministration, the United States Geological
18 Survey, the Department of the Navy, the Min-
19 eral Management Service, and relevant gov-
20 ernmental, non-governmental, academic, in-
21 dustry, and other experts, shall convene an
22 ocean exploration and undersea research
23 technology and infrastructure task force to
24 develop and implement a strategy—

1 **(1) to facilitate transfer of new explo-**
2 **ration and undersea research technology**
3 **to the programs authorized under titles I**
4 **and II of this Act;**

5 **(2) to improve availability of commu-**
6 **nications infrastructure, including sat-**
7 **ellite capabilities, to such programs;**

8 **(3) to develop an integrated, work-**
9 **able, and comprehensive data manage-**
10 **ment information processing system that**
11 **will make information on unique and sig-**
12 **nificant features obtained by such pro-**
13 **grams available for research and manage-**
14 **ment purposes;**

15 **(4) to conduct public outreach activi-**
16 **ties that improve the public under-**
17 **standing of ocean science, resources, and**
18 **processes, in conjunction with relevant**
19 **programs of the National Oceanic and At-**
20 **mospheric Administration, the National**
21 **Science Foundation, and other agencies;**
22 **and**

23 **(5) to encourage cost-sharing partner-**
24 **ships with governmental and nongovern-**
25 **mental entities that will assist in trans-**

1 **ferring exploration and undersea re-**
2 **search technology and technical exper-**
3 **tise to the programs.**

Union Calendar No. 304

110TH CONGRESS
1ST Session

H. R. 1834

[Report No. 110-311, Parts I and II]

A BILL

To authorize the national ocean exploration program and the national undersea research program within the National Oceanic and Atmospheric Administration.

DECEMBER 18, 2007

Reported from the Committee on Science and Technology
with an amendment

DECEMBER 18, 2007

Committee on Armed Services discharged: committed to
the Committee of the Whole House on the State of the
Union and ordered to be printed