

110<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5618

---

IN THE SENATE OF THE UNITED STATES

JULY 15, 2008

Received; read twice and referred to the Committee on Commerce, Science,  
and Transportation

---

## AN ACT

To reauthorize and amend the National Sea Grant College  
Program Act, and for other purposes.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “National Sea Grant  
3 College Program Amendments Act of 2008”.

4 **SEC. 2. REFERENCES.**

5 Except as otherwise expressly provided therein, when-  
6 ever in this Act an amendment or repeal is expressed in  
7 terms of an amendment to, or repeal of, a section or other  
8 provision, the reference shall be considered to be made to  
9 a section or other provision of the National Sea Grant Col-  
10 lege Program Act (33 U.S.C. 1121 et seq.).

11 **SEC. 3. FINDINGS AND PURPOSE.**

12 (a) FINDINGS.—Section 202(a) (33 U.S.C. 1121(a))  
13 is amended—

14 (1) by amending paragraph (1)(D) to read as  
15 follows:

16 “(D) encourage the development of prepa-  
17 ration, forecast, analysis, mitigation, response,  
18 and recovery systems for coastal hazards;”;

19 (2) in paragraph (2) by striking “program of  
20 research, education,” and inserting “program of in-  
21 tegrated research, education, extension,”; and

22 (3) by striking paragraph (6) and inserting the  
23 following:

24 “(6) The National Ocean Research Priorities  
25 Plan and Implementation Strategy issued by the Na-  
26 tional Science and Technology Council’s Joint Sub-

1 committee on Ocean Science and Technology on  
2 January 26, 2007, identifies research priorities for  
3 compelling areas of interaction between society and  
4 the ocean, and calls for the engagement of a broad  
5 array of ocean science sectors (government, aca-  
6 demia, industry, and non-government entities) to ad-  
7 dress the areas of greatest research need and oppor-  
8 tunity.

9 “(7) The National Oceanic and Atmospheric  
10 Administration, through the national sea grant col-  
11 lege program, offers the most suitable locus and  
12 means for such commitment and engagement  
13 through the promotion of activities that will result in  
14 greater such understanding, assessment, develop-  
15 ment, utilization, and conservation. The most cost-  
16 effective way to promote such activities is through  
17 continued and increased Federal support of the es-  
18 tablishment, development, and operation of pro-  
19 grams and projects by sea grant colleges, sea grant  
20 institutes, and other institutions, including strong  
21 collaborations between Administration scientists and  
22 research and outreach personnel at academic institu-  
23 tions.”.

24 (b) PURPOSE.—Section 202(c) (33 U.S.C. 1121(c))  
25 is amended by striking “to promote research, education,

1 training, and advisory service activities” and inserting “to  
2 promote integrated research, education, training, and ex-  
3 tension activities”.

4 **SEC. 4. DEFINITIONS.**

5 (a) AMENDMENTS.—Section 203 (33 U.S.C. 1122) is  
6 amended—

7 (1) in paragraph (11) by striking “advisory  
8 services” and inserting “extension services”;

9 (2) in each of paragraphs (12) and (13) by  
10 striking “(33 U.S.C. 1126)”; and

11 (3) by adding at the end the following:

12 “(17) The term ‘regional research and informa-  
13 tion plan’ means a plan developed by one or more  
14 sea grant colleges or sea grant institutes that identi-  
15 fies regional priorities to implement the National  
16 Ocean Research Priorities Plan and Implementation  
17 Strategy.

18 “(18) The term ‘National Ocean Research Pri-  
19 orities Plan and Implementation Strategy’ means  
20 such plan and strategy issued by the National  
21 Science and Technology Council’s Joint Sub-  
22 committee on Ocean Science and Technology on  
23 January 26, 2007.”.

24 (b) REPEAL.—Section 307 of the Act entitled “An  
25 Act to provide for the designation of the Flower Garden

1 Banks National Marine Sanctuary” (Public Law 102–  
2 251; 106 Stat. 66) is repealed.

3 **SEC. 5. NATIONAL SEA GRANT COLLEGE PROGRAM, GEN-**  
4 **ERALLY.**

5 (a) PROGRAM ELEMENTS.—Section 204(b) (33  
6 U.S.C. 1123(b)) is amended—

7 (1) by amending in paragraph (1) to read as  
8 follows:

9 “(1) sea grant programs that comprise a na-  
10 tional sea grant college program network, including  
11 international projects conducted within such pro-  
12 grams and regional and national projects conducted  
13 among such programs;”;

14 (2) by amending paragraph (2) to read as fol-  
15 lows:

16 “(2) administration of the national sea grant  
17 college program and this title by the national sea  
18 grant office and the Administration;”;

19 (3) by amending paragraph (4) to read as fol-  
20 lows:

21 “(4) any regional or national strategic invest-  
22 ments in fields relating to ocean, coastal, and Great  
23 Lakes resources developed in consultation with the  
24 board and with the approval of the sea grant col-  
25 leges and the sea grant institutes.”.

1           (b) TECHNICAL CORRECTION.—Section 204(c)(2)  
2 (33 U.S.C. 1123(c)(2)) is amended by striking “Within  
3 6 months of the date of enactment of the National Sea  
4 Grant College Program Reauthorization Act of 1998, the”  
5 and inserting “The”.

6           (c) FUNCTIONS OF DIRECTOR OF NATIONAL SEA  
7 GRANT COLLEGE PROGRAM.—Section 204(d) (33 U.S.C.  
8 1123(d)) is amended—

9           (1) in paragraph (2)(A), by striking “long-  
10 range”;

11           (2) in paragraph (3)(A)—

12                 (A) by striking “(A)(i) evaluate” and in-  
13 serting “(A) evaluate and assess”;

14                 (B) by striking “activities; and” and in-  
15 serting “activities;”; and

16                 (C) by striking clause (ii); and

17           (3) in paragraph (3)(B)—

18                 (A) by redesignating clauses (ii) through  
19 (iv) as clauses (iv) through (vi), respectively,  
20 and by inserting after clause (i) the following:

21                         “(ii) encourage collaborations among  
22 sea grant colleges and sea grant institutes  
23 to address regional and national priorities  
24 established under subsection (c)(1);

1 “(iii) encourage cooperation with Mi-  
2 nority Serving Institutions—

3 “(I) to enhance collaborative re-  
4 search opportunities for faculty and  
5 students in the areas of atmospheric,  
6 oceanic, and environmental sciences,  
7 and remote sensing;

8 “(II) to improve opportunities  
9 for, and retention of, students and  
10 faculty from Minority Serving Institu-  
11 tions in the NOAA related sciences;  
12 and

13 “(III) to increase the number of  
14 such students graduating in NOAA  
15 science areas;”; and

16 (B) in clause (iv) (as so redesignated) by  
17 striking “encourage” and inserting “ensuring”.

18 **SEC. 6. PROGRAM OR PROJECT GRANTS AND CONTRACTS.**

19 (a) EXEMPTION FROM LIMITATION ON COST  
20 SHARE.—Section 205(a) (33 U.S.C. 1124(a)) is amended  
21 in the matter following paragraph (2), by inserting “or  
22 that are appropriated under section 208(b)” before the pe-  
23 riod at the end.

24 (b) SPECIAL GRANTS; MAXIMUM AMOUNT.—Section  
25 205(b) (33 U.S.C. 1124(b)) is amended by striking the

1 matter following paragraph (3) and inserting the fol-  
2 lowing:

3 “The total amount that may be provided for grants under  
4 this subsection during any fiscal year shall not exceed an  
5 amount equal to 5 percent of the total funds appropriated  
6 for such year under section 212.”.

7 **SEC. 7. EXTENSION SERVICES BY SEA GRANT COLLEGES**  
8 **AND SEA GRANT INSTITUTES.**

9 Section 207(a) (33 U.S.C. 1126(a)) is amended in  
10 each of paragraphs (2)(B) and (3)(B) by striking “advi-  
11 sory services” and inserting “extension services”.

12 **SEC. 8. FELLOWSHIPS.**

13 (a) **RESTRICTION ON USE OF FUNDS AVAILABLE**  
14 **FOR FELLOWSHIPS.**—Section 208 (33 U.S.C. 1127) is  
15 amended by adding at the end the following:

16 “(c) **RESTRICTION ON USE OF FUNDS.**—Amounts  
17 available for fellowships under this section, including  
18 amounts accepted under section 204(c)(4)(F) or appro-  
19 priated under section 212 to implement this section, shall  
20 be used only for award of such fellowships and administra-  
21 tive costs of implementing this section.”.

22 (b) **TECHNICAL CORRECTION.**—Section 208(a) (33  
23 U.S.C. 1127(a)) is amended by striking “Not later than  
24 1 year after the date of the enactment of the National  
25 Sea Grant College Program Act Amendments of 2002,

1 and every 2 years thereafter,” and inserting “Every 2  
2 years,”.

3 **SEC. 9. NATIONAL SEA GRANT ADVISORY BOARD.**

4 (a) REDESIGNATION OF SEA GRANT REVIEW PANEL  
5 AS BOARD.—

6 (1) REDESIGNATION.—The sea grant review  
7 panel established by section 209 of the National Sea  
8 Grant College Program Act (33 U.S.C. 1128), as in  
9 effect before the date of the enactment of this Act,  
10 is redesignated as the National Sea Grant Advisory  
11 Board.

12 (2) MEMBERSHIP NOT AFFECTED.—An indi-  
13 vidual serving as a member of the sea grant review  
14 panel immediately before the enactment of this Act  
15 may continue to serve as a member of the National  
16 Sea Grant Advisory Board until the expiration of  
17 such member’s term under section 209(e) of such  
18 Act (33 U.S.C. 1128(e)).

19 (3) REFERENCES.—Any reference in a law,  
20 map, regulation, document, paper, or other record of  
21 the United States to such sea grant review panel is  
22 deemed to be a reference to the National Sea Grant  
23 Advisory Board.

24 (4) CONFORMING AMENDMENTS.—

1 (A) IN GENERAL.—Section 209 (33 U.S.C.  
2 1128) is amended by striking so much as pre-  
3 cedes subsection (b) and inserting the following:

4 **“SEC. 209. NATIONAL SEA GRANT ADVISORY BOARD.**

5 “(a) ESTABLISHMENT.—There shall be an inde-  
6 pendent committee to be known as the National Sea Grant  
7 Advisory Board.”.

8 (B) DEFINITION.—Section 203(9) (33  
9 U.S.C. 1122(9)) is amended to read as follows:

10 “(9) The term ‘Board’ means the National Sea  
11 Grant Advisory Board established under section  
12 209.”;

13 (C) OTHER PROVISIONS.—The following  
14 provisions are each amended by striking  
15 “panel” each place it appears and inserting  
16 “Board”:

17 (i) Section 204 (33 U.S.C. 1123).

18 (ii) Section 207 (33 U.S.C. 1126).

19 (iii) Section 209 (33 U.S.C. 1128).

20 (b) DUTIES.—Section 209(b) (33 U.S.C. 1128(b)) is  
21 amended to read as follows:

22 “(b) DUTIES.—

23 “(1) IN GENERAL.—The Board shall advise the  
24 Secretary and the Director concerning—

1           “(A) strategies for utilizing the sea grant  
2 college program to address the Nation’s highest  
3 priorities regarding the understanding, assess-  
4 ment, development, utilization, and conservation  
5 of ocean, coastal, and Great Lakes resources;

6           “(B) the designation of sea grant colleges  
7 and sea grant institutes; and

8           “(C) such other matters as the Secretary  
9 refers to the Board for review and advice.

10           “(2) BIENNIAL REPORT.—The Board shall re-  
11 port to the Congress every two years on the state of  
12 the national sea grant college program. The Board  
13 shall indicate in each such report the progress made  
14 toward meeting the priorities identified in the stra-  
15 tegic plan in effect under section 204(c). The Sec-  
16 retary shall make available to the Board such infor-  
17 mation, personnel, and administrative services and  
18 assistance as it may reasonably require to carry out  
19 its duties under this title.”.

20           “(c) EXTENSION OF TERM.—Section 209(c)(2) (33  
21 U.S.C. 1128(c)(2)) is amended by striking the second sen-  
22 tence and inserting the following: “The Director may ex-  
23 tend the term of office of a voting member of the Board  
24 once by up to 1 year.”.

1 (d) ESTABLISHMENT OF SUBCOMMITTEES.—Section  
2 204(c) (33 U.S.C. 1123(c)) is amended by adding at the  
3 end the following:

4 “(8) The Board may establish such subcommittees as  
5 are reasonably necessary to carry out its duties under sub-  
6 section (b). Such subcommittees may include individuals  
7 who are not Board members.”.

8 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

9 (a) AUTHORIZATION.—Section 212(a) (33 U.S.C.  
10 1131(a)) is amended to read as follows:

11 “(a) AUTHORIZATION.—There are authorized to be  
12 appropriated to the Secretary to carry out this title—

13 “(1) \$66,000,000 for fiscal year 2009;

14 “(2) \$72,800,000 for fiscal year 2010;

15 “(3) \$79,600,000 for fiscal year 2011;

16 “(4) \$86,400,000 for fiscal year 2012;

17 “(5) \$93,200,000 for fiscal year 2013; and

18 “(6) \$100,000,000 for fiscal year 2014.”.

19 (b) REPEAL OF DISTRIBUTION REQUIREMENT.—Sec-  
20 tion 212 (33 U.S.C. 1131) is amended by striking sub-

1 section (c), and by redesignating subsections (d) and (e)  
2 as subsections (c) and (d), respectively.

Passed the House of Representatives July 14, 2008.

Attest:                   LORRAINE C. MILLER,  
*Clerk.*

By ROBERT F. REEVES,  
*Deputy Clerk.*