110TH CONGRESS 1st Session } HOUSE OF REPRESENTATIVES { REPT. 110–311 Part 2

OCEAN EXPLORATION AND UNDERSEA RESEARCH

DECEMBER 18, 2007.—Ordered to be printed

Mr. GORDON of Tennessee, from the Committee on Science and Technology, submitted the following

R E P O R T

[To accompany H.R. 1834]

[Including cost estimate of the Congressional Budget Office]

The Committee on Science and Technology, to whom was referred the bill (H.R. 1834) to authorize the national ocean exploration program and the national undersea research program within the National Oceanic and Atmospheric Administration, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

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69–006

I. AMENDMENT

The amendment is as follows:

Strike all after the enacting clause and insert the following:

TITLE I—NATIONAL OCEAN EXPLORATION PROGRAM

SEC. 101. SHORT TITLE.

This title may be cited as the "National Ocean Exploration Program Act".

SEC. 102. AUTHORIZATION.

The Administrator of the National Oceanic and Atmospheric Administration shall, in consultation with the National Science Foundation and other appropriate Federal agencies, conduct a coordinated national ocean exploration program within the National Oceanic and Atmospheric Administration that promotes collaboration with other Federal ocean and undersea research and exploration programs. To the extent appropriate, the Administrator shall seek to facilitate coordination of data and information management systems, outreach and education programs to improve public understanding of ocean and coastal resources, and development and transfer of technologies to facilitate ocean and undersea research and exploration.

SEC. 103. AUTHORITIES.

(a) IN GENERAL.—In carrying out the program authorized under section 102, the Administrator of the National Oceanic and Atmospheric Administration (in this title referred to as the "Administrator") shall—

(1) conduct interdisciplinary voyages or other scientific activities of discovery in conjunction with other Federal agencies or academic or educational institutions, to explore and survey little known areas of the marine environment, inventory, observe, and assess living and nonliving marine resources, and report such findings;

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

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

(4) develop and implement, in consultation with the National Science Foundation, a transparent, competitive process for merit-based peer-review and approval of proposals for activities to be conducted under this program, taking into consideration advice of the Board established under section 104;

(5) enhance the technical capability of the United States marine science community by promoting the development of improved oceanographic research, communication, navigation, and data collection systems, as well as underwater platforms and sensors and autonomous vehicles; and

(6) establish an ocean exploration forum to encourage partnerships and promote communication among experts and other stakeholders in order to enhance the scientific and technical expertise and relevance of the national program.

(b) DONATIONS.—In carrying out the program authorized under section 102, the Administrator may accept donations of property, data, and equipment to be applied for the purpose of exploring the oceans or increasing knowledge of the oceans.

SEC. 104. OCEAN EXPLORATION ADVISORY BOARD.

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

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

(2) assist the program in the development of a five-year strategic plan for the fields of ocean, marine, and Great Lakes exploration, discovery, and science;

(3) annually review the quality and effectiveness of the proposal review process established under section 103(4); and

(4) provide other assistance and advice as requested by the Administrator.

(b) FEDERAL ADVISORY COMMITTEE ACT.—Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Board appointed under subsection (a).

SEC. 105. APPLICATION WITH OUTER CONTINENTAL SHELF LANDS ACT.

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

SEC. 106. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the National Oceanic and Atmospheric Administration to carry out this title—

(1) $30,500,000 for fiscal year 2008;
(2) $33,550,000 for fiscal year 2009;
(3) $36,905,000 for fiscal year 2010;
(4) $40,596,000 for fiscal year 2011;
(5) $44,655,000 for fiscal year 2012;
(6) $49,121,000 for fiscal year 2013; and
(7) $54,033,000 for fiscal year 2014.

TITLE II—UNDERSEA RESEARCH PROGRAM

SEC. 201. SHORT TITLE.

This title may be cited as the "National Undersea Research Program Act of 2007".

SEC. 202. AUTHORIZATION.

The Administrator of the National Oceanic and Atmospheric Administration shall conduct an undersea research, exploration, education, and technology development program and shall designate a Director of that program.

SEC. 203. PURPOSE.

The purpose of the program authorized under section 202 is to increase scientific knowledge essential for the informed management, use, and preservation of oceanic, coastal, and Great Lakes resources. The Director, in carrying out the program authorized in section 202, shall cooperate with institutions of higher education and other educational marine and ocean science organizations, and shall make available undersea research facilities, equipment, technologies, information, and expertise to support undersea research efforts by these organizations. The Director may also enter into partnerships, using existing authorities, with the private sector to achieve the goals of the program and to promote technological advancement of the marine industry.

SEC. 204. PROGRAM.

The program authorized under section 202 shall be conducted through a national headquarters, a network of extramural regional undersea research centers that represent all relevant National Oceanic and Atmospheric Administration regions, and a national technology institute. Overall direction of the program will be provided by the program director in coordination with a Council of Center Directors comprised of the directors of the extramural regional centers and the National Institute for Undersea Science and Technology. Program direction shall be published not later than 3 years after the date of enactment of this Act.

SEC. 205. REGIONAL CENTERS AND INSTITUTE.

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

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

(2) Advanced undersea technology development to support the National Oceanic and Atmospheric Administration's research mission and programs.

(3) Development, testing, and transition of advanced undersea technology associated with ocean observatories, submersibles, advanced diving technologies, remotely operated vehicles, autonomous underwater vehicles, and new sampling and sensing technologies.

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

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

(b) OPERATIONS.—Operation of the extramural regional centers and the National Institute for Undersea Science and Technology shall leverage partnerships and cooperative research with academia and private industry.

SEC. 206. COMPETITION.

(a) DISCRETIONARY FUND.—The program shall allocate no more than 10 percent of its annual budget to a discretionary fund that may be used only for program administration and priority undersea research projects identified by the Director but not covered by funding available from centers.

(b) COMPETITIVE SELECTION.—The Administrator shall conduct a competition to select the regional centers that will participate in the program five years after the date of enactment of this Act and every five years thereafter. Funding for projects conducted through the regional centers shall be awarded through a competitive, merit-reviewed process on the basis of their relevance to the goals of the program and their technical feasibility.

SEC. 207. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the National Oceanic and Atmospheric Administration to carry out this title—

(1) $17,500,000 for fiscal year 2008;
(2) $19,500,000 for fiscal year 2009;
(3) $21,500,000 for fiscal year 2010;
(4) $23,500,000 for fiscal year 2011;
(5) $25,500,000 for fiscal year 2012;
(6) $27,500,000 for fiscal year 2013; and
(7) $29,500,000 for fiscal year 2014.

TITLE III—INTERAGENCY FINANCING PLANNING AND COORDINATION

SEC. 301. INTERAGENCY FINANCING.

The Administrator of the National Oceanic and Atmospheric Administration, the National Science Foundation, the Department of the Navy, and other Federal agencies involved in the programs authorized under title I and II, are authorized to participate in interagency financing and share, transfer, receive, and spend funds appropriated to any Federal participant in the program for the purposes of carrying out any administrative or programmatic project or activity under this Act. Funds may be transferred among such departments and agencies through an appropriate instrument that specifies the goods, services, or space being acquired from another Federal participant and the costs thereof.

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

The Administrator of the National Oceanic and Atmospheric Administration, in coordination with the National Science Foundation, the National Aeronautics and Space Administration, the United States Geological Survey, the Department of the Navy, the Mineral Management Service, and relevant governmental, non-governmental, academic, industry, and other experts, shall convene an ocean exploration and undersea research technology and infrastructure task force to develop and implement a strategy—

(1) to facilitate transfer of new exploration and undersea research technology to the programs authorized under titles I and II of this Act;

(2) to improve availability of communications infrastructure, including satellite capabilities, to such programs;

(3) to develop an integrated, workable, and comprehensive data management information processing system that will make information on unique and significant features obtained by such programs available for research and management purposes;

(4) to conduct public outreach activities that improve the public understanding of ocean science, resources, and processes, in conjunction with relevant programs of the National Oceanic and Atmospheric Administration, the National Science Foundation, and other agencies; and

(5) to encourage cost-sharing partnerships with governmental and nongovernmental entities that will assist in transferring exploration and undersea research technology and technical expertise to the programs.

II. PURPOSE OF THE BILL

The purpose of this bill is to authorize the national ocean exploration program and the national undersea research program within the National Oceanic and Atmospheric Administration (NOAA). Through the Administrator of NOAA, with the National Science Foundation and other appropriate Federal agencies, this bill authorizes a coordinated national ocean exploration and undersea re-

search program that promotes collaboration with existing programs of the Administration.

III. BACKGROUND AND NEED FOR LEGISLATION

In 2004, the U.S. Commission on Ocean Policy, whose members were appointed by President George W. Bush, released a report containing recommendations for the establishment of a comprehensive and coordinated ocean policy for the nation. The report concluded, among many other findings, that increased scientific knowledge of the oceans and coasts and the associated technological development to gather such information were imperative for sustainable resource use, economic development, and conservation of marine biodiversity.

In order to attain these goals, a comprehensive national strategy is needed. In addition, the Commission concluded that the American public has too little awareness of the importance of the ocean in their daily lives and to all life on the planet, and that an interested and an engaged public is essential to addressing complex ocean- and coastal-related issues. Legislation is required to implement many of the Commission's recommendations.

NOAA has for many years utilized its broad general authority as the federal agency responsible for the management of living marine and coastal resources to conduct activities supporting ocean exploration and undersea research. In 1971, NOAA administratively established the Manned Undersea Science and Technology (MUST) program to pioneer exploration of undersea habitats. In 1980, the MUST program was reconstituted as the National Undersea Research Program (NURP) within NOAA's Office of Ocean and Atmospheric Research (OAR).

NURP was created to provide marine scientists with the requisite tools and expertise to investigate the undersea environment, including submersibles, remotely operated vehicles, autonomous underwater vehicles, mixed gas diving gear, underwater laboratories and observatories, and other technologies specifically designed for underwater exploration. NURP is comprised of a network of six regional centers and one national technology institute, located at major universities in Connecticut, New Jersey, North Carolina, Florida, Alaska, Hawaii, and Mississippi. This extramural network facilitates collaborations with federal and non-federal programs outside of NOAA, leverages external funds and infrastructure, and provides access to specialized facilities, world-class marine researchers, and technology expertise. These university-based centers also provide unique training and educational opportunities for students. Federal grants fund the regional centers and national technology institute and each facility undergoes periodic external review to ensure performance and accountability. NURP supports on average over 100 peer-reviewed research projects each year that are relevant to NOAA's overall mission and address national ocean research priorities. Examples of research produced through NURP grants include: the discovery and analysis of novel marine bio-compounds with potential medical and pharmaceutical applications; research to better understand new chemosynthetic communities discovered at deep sea vents and seeps; and groundbreaking research regarding factors affecting coral reef health, especially coral bleaching events and climate

change. Since 1995, Congress has appropriated over $178 million specifically for NURP.

In 2000, President William J. Clinton's Panel on Ocean Exploration—a multi-disciplinary group of ocean experts—released a historic report entitled "Discovering Earth's Final Frontier: A U.S. Strategy for Ocean Exploration." This panel found that our current understanding of the ocean environment is inadequate compared with the undeniable importance of the oceans to the health and wealth of our country, and that the U.S. has fallen behind other nations in our capabilities for undertaking ocean exploration. The panel recommended the establishment of an Ocean Exploration Program for an initial 10-year period to conduct interdisciplinary voyages of discovery, to develop new tools to support ocean exploration, to disseminate information on discoveries of new life forms and ocean resources, and to enhance understanding of ocean and coastal environments in the United States.

In 2001, NOAA responded to the panel's recommendation and established the Office of Ocean Exploration (OE) to support expeditions for the purpose of discovery and documentation of ocean resources. Also located in OAR, the OE program operates under a multi-purpose mission to map the physical, biological, chemical and archaeological aspects of the oceans and the Great Lakes; to expand understanding of ocean dynamics and to describe the complex interactions of the living ocean. The OE program develops new sensors and other equipment to regain U.S. leadership in ocean technology and conducts public outreach and education programs to communicate the benefits of ocean exploration to the nation. The OE program has conducted multiple voyages every year since 2001, often in collaboration with other NOAA programs and federal agencies such as NURP, the National Marine Sanctuary Program and the National Science Foundation. The OE program has conducted over 100 expeditions in unknown, remote or poorly understood ocean areas, including expeditions to assess hydrothermal vents at the Galapagos Rift in the equatorial Pacific Ocean; investigations of the frigid depths of the Canada Basin in the Arctic Ocean; exploration of little known sea mounts in the North Atlantic; and, reconnaissance of the Bransfield Strait and Drake's Passage in the Southern Ocean near Antarctica. The Congress has appropriated $118.5 million to support this program since its establishment in 2001.

H.R. 1834 would implement a key recommendation of the U.S. Commission on Ocean Policy to provide specific and separate authorizations for these two programs within NOAA. The authorizations would further strengthen NOAA's standing as the preeminent civilian federal ocean agency by granting the agency explicit authority to conduct scientific research that directly contributes to increasing scientific knowledge of the world's oceans. The legislation would address the national need to develop and advance new innovations in oceanographic research, communication and navigation technologies to support ocean exploration and science. Additionally, this legislation would emphasize the importance of outreach and public education to ensure that future scientific discoveries and benefits are disseminated to decision-makers in both the public and private sectors, and conveyed to the general public to increase public awareness and appreciation of the Great Lakes and the world's

oceans and their importance to our economic and environmental well-being.

IV. HEARING SUMMARY

The Environment, Technology, and Standards Subcommittee held a hearing in the 109th Congress on July 27, 2006 to hear testimony on, then, H.R. 3835, from the following witnesses:

Panel 1

• The Honorable Jim Saxton, Congressman, 3rd District, New Jersey (R)

Panel 2

• Dr. Richard Spinrad, Assistant Administrator, Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration

• Mr. Andrew Shepard, Director, Southeastern U.S. and Gulf of Mexico National Undersea Research Programs, University of North Carolina

• Dr. Marcia McNutt, President and Chief Executive Officer, Monterey Bay Aquarium Research Institute

Rep. Saxton, the author of the legislation, discussed specific provisions of the legislation. Recognizing that ocean and Great Lakes exploration and research is done by multiple federal agencies, he emphasized that one purpose of the bill was to encourage closer coordination between NOAA's activities and those of the National Science Foundation. He stated that the NURP and the OE programs have distinct, but complementary missions and that both are core to NOAA's mission.

In his testimony Dr. Spinrad expressed strong support for the overall intent of H.R. 3835. He believed the legislation elevates the importance of ocean exploration and undersea technology development. He discussed the implications for the programs of the significant funding reduction that occurred in fiscal year 2006.

Mr. Shepard described the history of NURP, and the vital role it plays in the development of advanced diving technologies. He indicated his support for H.R. 3835 and for its inclusion of authorizations for both NURP and OE activities. He also described the positive aspects of the regional focus of the program. The regional presence of the centers provides a direct conduit of information gained through ocean and coastal exploration to the coastal management community to address issues such as hurricane impacts, shoreline erosion, and sea level rise.

Dr. McNutt discussed the importance of the OE program to the nation pointing to the discovery of the hot-vent communities that resulted in new research on a unique new ecosystem which thrives on energy sources and in environmental conditions that were thought to be inhospitable. This research led to new understanding of how life may be sustained in other parts of the universe. Dr. McNutt believes that H.R. 3835 would address the need to have OE authorized as an explicit part of NOAA's mission. She offered the view that the lack of a distinct OE mission at NOAA was a more important factor limiting OE than the funding history. She also expressed the view that OE and NURP are distinct programs and should be maintained as separate programs.

V. SUMMARY OF COMMITTEE ACTIONS

On March 29, 2007, Representative Jim Saxton, for himself and Representatives Young of Alaska, McIntyre, Pallone, Farr, Wicker, and Abercrombie introduced H.R. 1834, the National Ocean Exploration Program Act, which was referred to the Committee on Science and Technology, and in addition to the Committees on Natural Resources and Armed Services.

In the 110th Congress, the Subcommittee on Energy and Environment met to consider H.R. 1834 on October 10, 2007, with no amendments to the bill. Mr. McNerney moved that the Subcommittee favorably report the bill, H.R. 1834, to the Full Committee on Science and Technology. The motion was agreed to by a voice vote.

The Committee on Science and Technology met on October 24, 2007, to consider H.R. 1834 as reported by the Subcommittee and to consider the following amendment to the bill:

A manager's amendment offered by Representative Lampson that changes Section 102 of the bill to assign all responsibility for direction of the ocean exploration and undersea research programs to the Administrator of NOAA and clarifies that NOAA's programs are to be coordinated with other federal programs conducting ocean and undersea research and exploration. It also amends Section 103 of the bill to direct the Administrator of NOAA to implement a competitive process for approving proposals submitted to the program and to permit the Administrator to accept donations of property, data, and equipment that appropriately further the purposes of the programs. It amends Section 104 to specify that the Advisory Board created to provide outside advice and expertise to the program will be convened, selected, and operated in accordance with the Federal Advisory Committee Act except that the Board will not expire as required by Section 14 of FACA. It moves Section 105 of the bill to Title III and amends the Section to clarify that the Task Force will address issues related to both the ocean exploration and the undersea research programs.

In Title II, the amendment changes Sections 202 and 203 to direct NOAA to carry out a program of undersea research, exploration, education and technology development in cooperation with universities, marine science and education organizations, and the private sector and adds a requirement in Section 204 to make the direction of the undersea research program determined by the program Director in coordination with the undersea research center Directors, publicly available within three years of the date of enactment. In Section 206, the amendment clarifies that ten percent of the program funds will be retained by the NOAA undersea research program office for use by the Director for administration of the program and to fund priority projects that are not being funded through the regional centers. The amendment also requires awards made through the regional centers to be done through a competitive, merit reviewed process. The amendment also requires NOAA to re-compete the awards to the centers within five years of enactment and on a five-year cycle thereafter.

The amendment also eliminates the authorizations in both Titles I and II for fiscal years 2015, 2016, and 2017 to reduce the total

authorization period from ten years to seven years, and lowers the overall authorization level of the bill by $297 million.

The amendment was adopted by voice vote.

The Committee favorably reported the bill, H.R. 1834, as amended, by a voice vote.

VI. SUMMARY OF MAJOR PROVISIONS AS REPORTED

H.R. 1834 authorizes a National Ocean Exploration Program that requires NOAA to appoint an Ocean Exploration Advisory Board and expand ocean exploration in an interdisciplinary manner to discover new marine substances that potentially have therapeutic benefits; to study unique and little known marine ecosystems, organisms and the geology of the world's oceans; and to maximize ocean research effectiveness by integrating multiple scientific disciplines in the ocean science community. The bill also authorizes a National Undersea Research that shall be conducted through a national headquarters, a network of extramural regional undersea research centers representing all NOAA regions, and a national technology institute to increase scientific knowledge for informed management, use and preservation of oceanic, coastal and Great Lake resources. H.R. 1834 authorizes NOAA, the National Science Foundation (NSF), and other federal agencies involved in programs under this Act to participate in interagency financing and share, transfer, receive, and spend funds appropriated to any federal participant in the program, and to convene an ocean exploration and undersea research technology and infrastructure task force. H.R. 1834 is authorized through fiscal year 2014 for both programs.

VII. SECTION-BY-SECTION ANALYSIS OF THE BILL AS REPORTED

Title I—National Ocean Exploration Program

Section 101. Short title

States that this title may be cited as the National Ocean Exploration Program Act.

Section 102. Authorization

Directs the Administrator of the National Oceanic and Atmospheric Administration (NOAA) to establish a coordinated national ocean exploration program in consultation with the National Science Foundation and other appropriate Federal Agencies programs conducting ocean and undersea research and exploration.

Section 103. Authorities

Defines activities of the program to include interdisciplinary voyages to explore and survey the marine environment giving priority to deep ocean areas and to conduct archaeological and scientific voyages of shipwrecks and submerged sites; to enhance the technical capability of the U.S. marine science community; and to establish an ocean exploration forum to promote communication and information exchange between experts and other stakeholders in the ocean science community. It also directs the Administrator of NOAA to develop a merit-based, competitive process in consultation with the National Science Foundation for the review and approval of proposals for program activities. Also in carrying out the pro-

gram the Administrator is permitted to accept appropriate donations of property, data or equipment for use in ocean exploration activities.

Section 104. Ocean Exploration Advisory Board

Directs the NOAA Administrator to appoint an Advisory Board composed of relevant experts to advise on priority areas for survey and discovery; assist development of a five-year strategic plan; annually review the effectiveness of the proposal peer-review process; and provide other assistance as requested. The board will be selected and operated in accordance with the Federal Advisory Committee Act except that the Board will not expire as required by Section 14 of FACA.

Section 105. Application with Outer Continental Shelf Lands Act

States that the provisions of the bill do not supersede or limit the authority of the Secretary of the Interior under this Act.

Section 106. Authorization of appropriations

Authorizes appropriations of $30.5 million beginning in fiscal year 2008 increasing each year to $54.0 million in fiscal year 2014.

Title II—Undersea Research Program

Section 201. Short title

States that this title may be cited as the National Undersea Research Program Act of 2007.

Section 202. Authorization

Directs the NOAA Administrator to conduct undersea research, exploration, education, and technology development programs and to designate a Director for the program.

Section 203. Purpose

Defines the purpose of the program to increase scientific knowledge for informed management, use and preservation of oceanic, coastal and Great Lake resources through undersea research, exploration, education, and technology development. Requires the Director to cooperate with institutions of higher education and other educational organizations and to make equipment, information and expertise available to these organizations as appropriate.

Section 204. Program

Directs the Administrator to conduct the program through a national headquarters, a representative network of extramural regional centers and a national technology institute. Requires program direction to be provided by the program director in coordination with a Council of Center Directors and to be made publicly available within three years of the date of enactment.

Section 205. Regional centers and institute

Defines the content of the programs that are to be conducted through the network of extramural regional centers and the technology institute as: Core research and exploration; advanced undersea technology development; development of technologies associated

with undersea research, observation, and exploration; education and outreach; and research and development of natural products from ocean and aquatic systems. Encourages the extramural centers to cooperate with academic institutions and the private sector.

Section 206. Competition

Directs the Administrator to ensure the external projects supported by the regional centers will be managed through an open, competitive, merit-based process. Directs the NOAA undersea research program office to retain ten percent of program funds for use by the Director for administration of the program and to fund priority projects that are not being funded through the regional centers. NOAA is also required to re-compete the awards to the centers within 5 years of enactment and on a 5-year cycle thereafter.

Section 207. Authorization of appropriations

Authorizes appropriations of $17.5 million for fiscal year 2008 increasing each year to $29.5 million in fiscal year 2014.

Title III—Interagency Financing, Planning and Coordination

Section 301. Interagency financing

Allows relevant federal agencies to participate in interagency financing and share, transfer, receive and spend appropriated funds to carry out the purposes of this legislation.

Section 302. Ocean Exploration and Undersea Research Technology and Infrastructure Task Force

Directs the Administrator of NOAA to convene a task force including other federal agencies and experts from non-governmental organizations, academia, and industry to develop and implement a strategy to facilitate transfer of exploration and undersea technology and technical expertise, to improve communications infrastructure, to develop an integrated data management system, to conduct public outreach activities, and to encourage cost-sharing partnerships.

VIII. COMMITTEE VIEWS

It is the view of the Committee that authorizing the national ocean exploration program and the national undersea research program within the National Oceanic and Atmospheric Administration (NOAA), in coordination with the National Science Foundation (NSF) and other appropriate Federal agencies, is necessary to expand our knowledge of oceans and coastal resources and to promote sustainable management of marine systems. The Committee recognizes that NSF and the H.R. 1834 authorizes a coordinated ocean policy that promotes collaboration with existing programs within the federal government with NOAA as the lead agency.

The Committee is aware that recent funding short falls have motivated NOAA to develop a plan to consolidate the Ocean Exploration (OE) Program and the National Undersea Research Program (NURP). The Committee recognizes and supports Administration efforts to identify synergies of these programs that could result in cost savings and efforts to institute competition that will ensure

that scarce funds are allocated to meritorious, high priority research. However, the Committee believes these programs are complementary, not duplicative and that both programs' activities are necessary to attain comprehensive knowledge of ocean, coastal, and Great Lakes systems and resources. Therefore, H.R. 1834 provides authorizations and direction for each program.

The Committee believes that funding should be distributed by these programs through merit-based, competitive processes to ensure performance and accountability. H.R. 1834 contains provisions in both the OE program and the NURP directing the Administrator to establish these procedures. The Committee recognizes these two programs operate in different ways and through different structures. The Committee believes the OE program should consult with NSF in the development of their process, and that the OE process should be modeled on the process utilized by NSF for proposal review and approval. The NURP operates through regionally-based centers, a structure that will be maintained by this legislation. However, the Committee believes that NOAA should select the institution or consortium of institutions that will operate the regional programs through a competitive process on a 5-year cycle. Funding distributed through the regional centers should also be awarded through a competitive, merit based process.

The Committee believes the ocean exploration program would benefit from outside advice from an Ocean Exploration Advisory Board. The Committee believes this Board should operate as a federal advisory committee following the procedures established in the Federal Advisory Committee Act (FACA). The advisory board should assist in the development of a five-year strategic plan for the program and review the competitive process developed by the Agency for reviewing and selecting proposals for funding. The Committee is aware that the NOAA Science Advisory Board (SAB) has established a group with expertise in ocean exploration. If the SAB group is selected and operated in accordance with FACA, this group could serve as the OE Advisory Board mandated by Section 104 of the legislation. The Committee believes that operating the Board under FACA will ensure that activities of the Board will be transparent to Congress and stakeholders in the program and will ensure that the Board has the full range of expertise needed to offer sound advice to the Agency.

The Committee believes the Director should work with directors of the regional centers and with the director of the National Institute for Undersea Science and Technology (NIUST) to develop research priorities and direction for NURP. The Committee believes the program direction should be made publicly available prior to conducting the competition to select the regional centers that will operate the regional component of the program. The Committee wants to ensure that program direction is available to the full range of individuals and institutions that may have an interest in developing a proposal to compete for the opportunity to become a regional NURP center.

The Committee believes the network of regional centers and NIUST should contribute to the development of advanced undersea technologies. The Committee also recognizes and encourages continued partnerships of NIUST and the regional centers with the private sector to develop and utilize ocean and undersea tech-

nologies. The Committee believes that development and advancement of technologies such as Human Occupied Submersibles (e.g. Pisces), autonomous underwater vehicles, mixed gas diving gear, underwater laboratories (e.g. Aquarius) and observatories (e.g. the Long-term Ecosystem Observatory or LEO–15) are essential if we are to expand our knowledge of ocean and undersea resources and utilize these resources in a sustainable manner.

The Committee recognizes that as exploration and research proceed, new opportunities will present themselves that could not be anticipated in the program planning process. To provide NOAA with some flexibility to respond to such opportunities, Section 206 of H.R. 1834 sets aside ten percent of the funds provided for the undersea research program annually to fund priority projects that were not anticipated by the program direction. This funding will also enable the program director to fund programs of national priority that may not receive funding through the regional centers.

The Committee believes that the Administrator should lead a task force in order to develop and implement a comprehensive national strategy that will support the activities of the OE program and NURP. The Committee is aware that the functions of the Joint Subcommittee on Ocean Science and Technology (JSOST) are very similar to those defined for the task force authorized in Section 302 of the legislation. The Committee anticipates that the Administration may designate the JSOST to perform these functions. The Administration established the JSOST in 2003 as a subcommittee of the National Science and Technology Council (NSTC) and expanded its role to include science and technology in 2005. However, the JSOST is not created in statute and a subsequent Administration may decide to abolish or substantially alter the mandate of this group. The Committee believes an on-going interagency forum for communicating and coordinating federal activities in ocean and undersea research and exploration is essential and has therefore provided on-going authority and direction for these activities.

IX. COST ESTIMATE

A cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 has been timely submitted to the Committee on Science and Technology prior to the filing of this report and is included in Section XI of this report pursuant to House Rule XIII, clause 3(c)(3).

H.R. 1834 does not contain new budget authority, credit authority, or changes in revenues or tax expenditures. Assuming that the sums authorized under the bill are appropriated, H.R. 1834 does authorize additional discretionary spending, as described in the Congressional Budget Office report on the bill, which is contained in Section X of this report.

XI. CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

H.R. 1834—National Ocean Exploration Program Act

Summary: H.R. 1834 would direct the National Oceanic and Atmospheric Administration (NOAA) to carry out programs on ocean exploration and undersea research. For this purpose, the bill would

authorize the appropriation of nearly $300 million over the 2008–2012 period and nearly $460 million over the 2008–2014 period.

Assuming appropriation of the authorized amounts, CBO estimates that implementing H.R. 1834 would cost $30 million in 2008 and $260 million over the 2008–2012 period. We estimate that about $200 million would be spent after 2012, including nearly $160 million authorized to be appropriated after 2012. Enacting the bill would not affect direct spending or revenues.

H.R. 1834 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

Estimated cost to the Federal Government: The estimated budgetary impact of H.R. 1834 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and environment).

	By fiscal year, in millions of dollars—				
	2008	2009	2010	2011	2012
CHANGES IN SPENDING SUBJECT TO APPROPRIATION					
Authorization Level [1]	49	54	59	65	71
Estimated Outlays	30	45	55	62	68

Note: In addition to the amounts shown in the table, the bill would authorize funding of about $160 million over the 2013–2014 period. In total, the bill would authorize appropriations of nearly $460 million over the 2008–2014 period.

[1] NOAA has not yet received a full-year appropriation for fiscal year 2008. The agency's National Ocean Service received appropriations of around $600 million in 2007, including funding for some activities that are similar to the exploration, research, and mapping programs that would be authorized by H.R. 1834.

Basis of estimate: For this estimate, CBO assumes that the legislation will be enacted before the end of calendar year 2007 and that the entire amounts authorized will be appropriated for each fiscal year. Estimated outlays are based on historical spending patterns for NOAA programs.

The authorization levels specified in the bill for fiscal years 2008 through 2012 include between $31 million and $45 million per year for ocean exploration and between $18 million and $26 million per year for undersea research (totaling $49 million to $71 million over that period).

Intergovernmental and private-sector impact: H.R. 1834 contains no intergovernmental or private-sector mandates as defined in UMRA and would impose no costs on state, local, or tribal governments.

Previous CBO cost estimates: On March 23, 2007, CBO transmitted a cost estimate for S. 39, the Ocean and Coastal Exploration and NOAA Act (OCEAN Act), as ordered reported by the Senate Committee on Commerce, Science, and Transportation on February 13, 2007. The provisions of S. 39 regarding ocean exploration and undersea research are similar to those in H.R. 1834. The CBO estimates for those provisions reflect differences in the authorization levels for the affected programs.

On July 30, 2007, CBO transmitted a cost estimate for H.R. 1834, the National Ocean Exploration Program Act, as ordered reported by the House Committee on Natural Resources on June 28, 2007. The two versions of H.R. 1834 are very similar. Both bills would authorize the same level of appropriations through fiscal year 2014, but the version approved by the House Committee on Natural Resources also would authorize appropriations beyond that year—through fiscal year 2017.

Estimate prepared by: Federal costs: Deborah Reis, Impact on state, local, and tribal governments: Neil Hood, Impact on the private-sector: Jacob Kuipers.

Estimate approved by: Peter H. Fontaine, Assistant Director for Budget Analysis.

XI. COMPLIANCE WITH PUBLIC LAW 104–4

H.R. 1834 contains no unfunded mandates.

XII. COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

The oversight findings and recommendations of the Committee on Science and Technology are reflected in the body of this report.

XIII. STATEMENT ON GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c) of House Rule XIII, the goal of H.R. 1834 is to authorize the national ocean exploration program and the national undersea research program within the National Oceanic and Atmospheric Administration.

XIV. CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact H.R. 1834.

XV. FEDERAL ADVISORY COMMITTEE STATEMENT

H.R. 1834 does establish and authorize the establishment of any advisory committee. Section 104 is amended to specify that the Advisory Board created to provide outside advice and expertise to the program will be convened, selected, and operated in accordance with the Federal Advisory Committee Act except that the Board will not expire as required by Section 14 of FACA.

XVI. CONGRESSIONAL ACCOUNTABILITY ACT

The Committee finds that H.R. 1834 does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act (Public Law 104–1).

XVII. EARMARK IDENTIFICATION

H.R. 1834 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI.

XVIII. STATEMENT ON PREEMPTION OF STATE, LOCAL, OR TRIBAL LAW

This bill is not intended to preempt any state, local, or tribal law.

XIX. CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

H.R. 1834, as reported, makes no changes in existing law.

XX. COMMITTEE RECOMMENDATIONS

On October 24, 2007, the Committee on Science and Technology favorably reported H.R. 1834, as amended, by a voice vote and recommended its passage by the House of Representatives.

XXI. PROCEEDINGS OF THE MARKUP BY THE SUBCOMMITTEE ON ENERGY AND ENVIRONMENT ON H.R. 1834, THE NATIONAL OCEAN EXPLORATION PROGRAM ACT

WEDNESDAY, OCTOBER 10, 2007

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON ENERGY AND ENVIRONMENT,
COMMITTEE ON SCIENCE AND TECHNOLOGY,
Washington, DC.

The Subcommittee met, pursuant to call, at 2:06 p.m., in Room 2318 of the Rayburn House Office Building, Hon. Nick Lampson [Chairman of the Subcommittee] presiding.

Chairman LAMPSON. Good afternoon. This Committee on Energy and Environment will come to order. Pursuant to notice, the Subcommittee on Energy and Environment meets to consider the following measures: H.R. 3776, Energy Storage Technology Advancement Act of 2007; H.R. 3775, Industrial Energy Efficiency Research and Development Act of 2007; and H.R. 1834, National Ocean Exploration Program Act. We will now proceed with the markup, beginning with opening statements, and I will begin.

Today the Subcommittee will consider three bills.

The first is the Energy Storage Technology Advancement Act, introduced yesterday by Chairman Gordon. As we learned in the hearing last week, an aggressive research program to accelerate the development of batteries and other energy-storing technologies is essential to achieving greater energy efficiency and emission reduction in the utility and transportation sectors. Chairman Gordon's bill, which incorporates many features of an energy bill introduced earlier in the Congress by Ranking Member Hall, will ensure that we move these import technologies forwards and support a vigorous domestic industrial capability in this areas.

The second bill is the Industrial Energy Efficiency Research and Development Act. I introduced this legislation yesterday after circulating a discussion draft of the bill at the end of September. If we want to maintain a competitive, domestic industrial economy, we must find ways to enable energy-intensive industries to become more energy efficient and to diversify the fuel and raw materials they use to manufacture their products. Competition for energy and material is increasing and driving up prices for these inputs. The Industrial Technology Program at the Department of Energy has been working in partnership with industries across the county to achieve these important goals, but we still must do more.

And finally, we will consider H.R. 1834, introduced by our colleague on the Natural Resources Committee, Representative Saxton. The National Ocean Exploration and National Undersea Research Program Act will expand our knowledge of the oceans and provide basic information about the vast resources of the seas. The ocean and coastal areas of our nation support significant economic activity in a wide variety of areas, but in many respects, the

oceans remain a mystery with many areas unexplored. Representative Saxton's legislation provides the National Oceanic and Atmospheric Administration with the authorities and direction to support a vigorous ocean-exploration program. We will continue to work with our colleagues on the Natural Resources Committee to move this legislation forward.

I urge the Members of the Subcommittee to support all three of these bills, and I look forward to continue working with all of you as these will go forward.

[The prepared statement of Chairman Lampson follows:]

PREPARED STATEMENT OF CHAIRMAN NICK LAMPSON

Good afternoon.

Today the Subcommittee will consider three bills. The first is the Energy Storage Technology Advancement Act introduced yesterday by Chairman Gordon. As we learned in the hearing last week, an aggressive research program to accelerate the development of batteries and other energy storing technologies is essential to achieving greater energy efficiency and emission reductions in the utility and transportation sectors.

Chairman Gordon's bill, which incorporates many features of an energy bill introduced earlier in this Congress by Ranking Member Hall, will ensure that we move these important technologies forward and support a vigorous domestic industrial capability in this area.

The second bill is the Industrial Energy Efficiency Research and Development Act. I introduced this legislation yesterday after circulating a discussion draft of the bill at the end of September.

If we want to maintain a competitive, domestic industrial economy we must find ways to enable energy-intensive industries to become more energy efficient and to diversify the fuel and raw materials they use to manufacture their products. Competition for energy and materials is increasing and driving up prices for these inputs. The Industrial Technology Program at the Department of Energy has been working in partnership with industries across the country to achieve these important goals, but we must do more.

Finally, we will consider H.R. 1834 introduced by our Colleague on the Natural Resources Committee, Rep. Saxton. The National Ocean Exploration and National Undersea Research Program Act will expand our knowledge of the oceans and provide basic information about the vast resources of the seas.

The ocean and coastal areas of our nation support significant economic activity in a wide variety of areas. But in many respects, the oceans remain a mystery with many areas unexplored. Rep. Saxton's legislation provides the National Oceanic and Atmospheric Administration with the authorities and direction to support a vigorous ocean exploration program. We will continue to work with our colleagues on the Natural Resources Committee to move this legislation forward.

I urge the Members of the Subcommittee to support all three of these bills, and I look forward to continue working with all of you as these bills go forward.

Chairman LAMPSON. And I recognize Mr. Inglis to present his opening remarks.

Mr. INGLIS. Thank you, Mr. Chairman. I look forward to this markup, and today we will mark up two bills that address two vital needs in pursuit of our energy security: energy efficiency and energy storage.

The Department of Energy's Industrial Technologies Program has a successful track record of helping U.S. manufacturers translate research and development into efficient, cost-saving technologies. By reauthorizing this program, the Industrial Energy Efficiency Research and Development Act, H.R. 3775, will support our nation's industries in achieving energy efficiency while remaining economically competitive. It is very important that we direct this program to prioritize its efficiency efforts, targeting industry sec-

tors, not individual businesses, where we can attain the best emissions reductions for our buck.

While energy efficiency reduces our total consumption of foreign oil and gas, energy-storage progress will encourage development of clean, renewable energy sources. H.R. 3776, the Energy Storage Technology Advancement Act, can help promote consistent and stable energy supply from renewable sources. That is a big hurdle, but it is one we can't clear soon enough.

Finally, we shall be marking up the bill H.R. 1834, the National Ocean Exploration Program Act. Marine scientists tell us that we haven't come close to tapping the resources available to us in and under our oceans. I hope that the bill we markup today steers research dollars to those fact-finding projects so that we might, one day, reap the benefits of our hidden oceanic resources.

Thank you again, Mr. Chairman, and I look forward to working with you to advance this legislation.

[The prepared statement of Mr. Inglis follows:]

PREPARED STATEMENT OF REPRESENTATIVE BOB INGLIS

Thank you for holding this markup, Mr. Chairman.

Today we'll mark up two bills that address two vital needs in our pursuit of energy security: energy efficiency and energy storage.

The Department of Energy's Industrial Technologies Program (ITP) has a successful track record of helping U.S. manufacturers translate research and development into efficient, cost-saving technologies. By reauthorizing this program, the Industrial Energy Efficiency Research and Development Act (H.R. 3775) will support our nation's industries in achieving energy efficiency while remaining economically competitive. It is very important that we direct this program to prioritize its efficiency efforts, targeting industry sectors (not individual businesses) where we can attain the best emissions reductions for our buck

While energy efficiency reduces our total consumption of foreign oil and gas, energy storage progress will encourage development of clean, renewable energy sources. H.R. 3776, the Energy Storage Technology Advancement Act can help promote consistent and stable energy supply from renewable sources. That's a big hurdle, but it's one we can't clear soon enough.

Finally, we'll be marking up the H.R. 1834, the National Ocean Exploration Program Act. Marine scientists tell us that we haven't come close to tapping the resources available to us in and under our oceans. I hope that the bill we markup today steers research dollars to those "fact-finding" projects, so that humanity might one day reap the benefits of our hidden oceanic resources.

Thank you again, Mr. Chairman, and I look forward to working with you to advance this legislation.

Chairman LAMPSON. Thank you, Mr. Inglis. Without objection, Members may place statements in the record at this point.

We will now consider 1834, the National Ocean Exploration Program Act.

I yield to myself for five minutes to describe this bill.

H.R. 1834 was introduced by Representative Saxton in March. It is very similar to a bill he introduced in the previous Congress, H.R. 3835. The Committee held a hearing on this legislation at the end of the last Congress. The bill authorizes two programs to be carried out by the National Oceanic and Atmospheric Administration, NOAA, an ocean-exploration program to explore and survey the oceans and to investigate life in the sea and to assess ocean and coastal resources. The bill also authorizes NOAA to carry out an undersea research program. This program operates through a network of regional undersea research centers. Both of these programs have strong education and outreach components. The pro-

grams are authorized for ten years, beginning at a total funding level of $48 million in fiscal year 2008, and escalating to $107.4 in fiscal year 2017.

This bill was marked up by the Committee on Natural Resources a short time ago, and we will incorporate changes made by that committee at the Full Committee markup later this month.

I urge my colleagues to support the legislation, and I look forward to working together with our colleagues on the other committee to move this legislation forward.

I now recognize Mr. Inglis to present any remarks on the bill.

Mr. INGLIS. No remarks, Mr. Chairman, just simply appreciation for moving the bill, and I look forward to its successful passage.

Chairman LAMPSON. Thank you, Mr. Inglis. Does anyone else wish to be recognized?

I ask unanimous consent that the bill is considered as read and open to amendment at any point and that the Member proceed with the amendments in the order of the roster. Without objection, it is so ordered.

Are there any amendments? None. Everybody hold their breath for five minutes or less. Mr. Bartlett.

Mr. BARTLETT. Can we, by unanimous consent, waive the quorum rule?

Chairman LAMPSON. If there is no objection, we may go forward, yes.

Mr. BARTLETT. I ask unanimous consent we waive the quorum rule and go forward.

Chairman LAMPSON. I recognize Mr. McNerney to offer a motion.

Mr. MCNERNEY. Mr. Chairman, I move that the Committee favorably report H.R. 1834 to the Full Committee. Furthermore, I move that the staff be instructed to prepare the Subcommittee legislative report and make necessary technical and conforming changes to the bill, in accordance with the recommendations of the Subcommittee.

Chairman LAMPSON. The question is on the motion to report the bill favorably. Those in favor of the motion will signify by saying aye; those opposed, no. The ayes have it, and the bill is reported favorably.

Without objection, the motion to reconsider is laid upon the table. The Subcommittee Members may submit additional or Minority views on the measure.

I want to thank the Members for their attendance. This concludes our Subcommittee markup. We are adjourned. Thank you.

[Whereupon, at 2:25 p.m., the Subcommittee was adjourned.]

Appendix:

H.R. 1834, Section-by-Section Analysis

I

110TH CONGRESS
1ST SESSION

H. R. 1834

To authorize the national ocean exploration program and the national undersea 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

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A BILL

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—NATIONAL OCEAN EXPLORATION PROGRAM

SECTION 101. SHORT TITLE.

This title may be cited as the "National Ocean Exploration Program Act".

SEC. 102. AUTHORIZATION.

The Secretary of Commerce, through the Administrator of the National Oceanic and Atmospheric Administration, shall, in consultation with the National Science Foundation and other appropriate Federal agencies, conduct a coordinated national ocean exploration program within the National Oceanic and Atmospheric Administration that promotes collaboration with existing programs of the Administration, including those authorized in title II.

SEC. 103. AUTHORITIES.

In carrying out the program authorized under section 102, the Administrator of the National Oceanic and Atmospheric Administration (in this title referred to as the "Administrator") shall—

(1) conduct interdisciplinary voyages or other scientific activities of discovery in conjunction with other Federal agencies or academic or educational institutions, to explore and survey little known areas of the marine environment, inventory, observe, and assess living and nonliving marine resources, and report such findings;

(2) give priority attention to deep ocean regions, with a focus on deep water marine systems that hold potential for important scientific discov-

eries, such as hydrothermal vent communities and seamounts;

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

(4) develop and implement, in consultation with the National Science Foundation, a transparent process for merit-based peer-review and approval of proposals for activities to be conducted under this program;

(5) enhance the technical capability of the United States marine science community by promoting the development of improved oceanographic research, communication, navigation, and data collection systems, as well as underwater platforms and sensors and autonomous vehicles;

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

(7) establish an ocean exploration forum to encourage partnerships and promote communication among experts and other stakeholders in order to

enhance the scientific and technical expertise and relevance of the national program.

SEC. 104. OCEAN EXPLORATION ADVISORY BOARD.

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

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

(2) assist the program in the development of a five-year strategic plan for exploration and discovery;

(3) annually review the quality and effectiveness of the proposal review process established under section 103(4); and

(4) provide other assistance and advice as requested by the Administrator.

(b) FEDERAL ADVISORY COMMITTEE ACT.—

(1) IN GENERAL.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Ocean Exploration Advisory Board.

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

(A) the balance of membership;

(B) provisions of public notice regarding activities of the Ocean Exploration Advisory Board;

(C) open meetings; and

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

SEC. 105. OCEAN EXPLORATION TECHNOLOGY AND INFRASTRUCTURE TASK FORCE.

The National Oceanic and Atmospheric Administration, in coordination with the National Science Foundation, the National Aeronautics and Space Administration, the United States Geological Survey, the Department of the Navy, the Mineral Management Service, and relevant governmental, non-governmental, academic, industry, and other experts, shall convene an ocean exploration technology and infrastructure task force to develop and implement a strategy—

(1) to facilitate transfer of new exploration technology to the program authorized under section 102;

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

(3) to develop an integrated, workable, and comprehensive data management information processing system that will make information on unique and significant features obtained by the program available for research and management purposes;

(4) to conduct public outreach activities that improve the public understanding of ocean science, resources, and processes, in conjunction with relevant programs of the National Oceanic and Atmospheric Administration, the National Science Foundation, and other agencies; and

(5) to encourage cost-sharing partnerships with governmental and non-governmental entities that will assist in transferring exploration technology and technical expertise to the program.

SEC. 106. APPLICATION WITH OUTER CONTINENTAL SHELF LANDS ACT.

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

SEC. 107. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the National Oceanic and Atmospheric Administration to carry out this title—

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

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

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

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

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

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

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

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

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

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

TITLE II—UNDERSEA RESEARCH PROGRAM

SEC. 201. SHORT TITLE.

This title may be cited as the "National Undersea Research Program Act of 2007".

SEC. 202. AUTHORIZATION.

The Administrator of the National Oceanic and Atmospheric Administration shall conduct an undersea research program and shall designate a Director of that program.

SEC. 203. PURPOSE.

The purpose of the program authorized under section 202 is to increase scientific knowledge essential for the informed management, use, and preservation of oceanic, coastal, and large lake resources through undersea re-

search, exploration, education, and technology development. The program shall be part of the National Oceanic and Atmospheric Administration's undersea research, education, and technology development efforts, and shall make available the infrastructure and expertise to service the undersea science and technology needs of the academic community and marine industry.

SEC. 204. PROGRAM.

The program authorized under section 202 shall be conducted through a national headquarters, a network of extramural regional undersea research centers that represent all relevant National Oceanic and Atmospheric Administration regions, and a national technology institute. Overall direction of the program will be provided by the program director in coordination with a Council of Center Directors comprised of the directors of the extramural regional centers and the National Institute for Undersea Science and Technology.

SEC. 205. REGIONAL CENTERS AND INSTITUTE.

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

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

(2) Advanced undersea technology development to support the National Oceanic and Atmospheric Administration's research mission and programs.

(3) Development, testing, and transition of advanced undersea technology associated with ocean observatories, submersibles, advanced diving technologies, remotely operated vehicles, autonomous underwater vehicles, and new sampling and sensing technologies such as LEO–15, Pisces, and the Aquarius habitat.

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

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

(b) OPERATIONS.—Operation of the extramural regional centers and the National Institute for Undersea Science and Technology shall leverage partnerships and cooperative research with academia and private industry.

SEC. 206. COMPETITIVENESS.

Except for a small discretionary fund for rapid response activities, for which no more than 10 percent of

the program budget shall be set aside, and for National Oceanic and Atmospheric Administration-related service projects, the external projects supported by the regional centers shall be managed using an open and competitive process to evaluate scientific merit, relevance to the National Oceanic and Atmospheric Administration, regional and national research priorities, and technical feasibility.

SEC. 207. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the National Oceanic and Atmospheric Administration to carry out this title—

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

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

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

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

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

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

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

(8) $31,500,000 for fiscal year 2015;

(9) $33,500,000 for fiscal year 2016; and

(10) $35,500,000 for fiscal year 2017.

TITLE III—INTERAGENCY FINANCING

SEC. 301. INTERAGENCY FINANCING.

The National Oceanic and Atmospheric Administration, the National Science Foundation, the Department of the Navy, and other Federal agencies involved in the programs authorized under title I and II, are authorized to participate in interagency financing and share, transfer, receive, and spend funds appropriated to any Federal participant in the program for the purposes of carrying out any administrative or programmatic project or activity under the program. Funds may be transferred among such departments and agencies through an appropriate instrument that specifies the goods, services, or space being acquired from another Federal participant and the costs thereof.

○

Ocean Exploration and National Undersea Research

Title I—National Ocean Exploration Program

Section 101. Short Title

States that this title may be cited as the National Ocean Exploration Program Act.

Section 102. Authorization

Directs the Secretary of Commerce, through the National Oceanic and Atmospheric Administration (NOAA), to establish a coordinated national ocean exploration program in consultation with the National Science Foundation and other appropriate Federal Agencies.

Section 103. Authorities

Defines activities of the program to include interdisciplinary voyages to explore and survey the marine environment giving priority to deep ocean areas and to conduct archaeological and scientific voyages of shipwrecks and submerged sites; to enhance the technical capability of the U.S. marine science community; and to establish an ocean exploration forum to promote communication and information exchange between experts and other stakeholders in the ocean science community. It also directs the Secretary to develop a merit-based, peer review process in consultation with the National Science Foundation for the review and approval of proposals for program activities and to accept donations of property, data or equipment for use in ocean exploration activities.

Section 104. Ocean Exploration Advisory Board

Directs the NOAA Administrator to appoint an Advisory Board composed of relevant experts to advise on priority areas for survey and discovery; assist development of a five-year strategic plan; annually review the effectiveness of the proposal peer-review process; and provide other assistance as requested.

Exempts the Advisory Board from the *Federal Advisory Committee Act* (FACA), generally, but requires the Board to be appointed and operate in a manner consistent with several provisions of FACA.

Section 105. Ocean Exploration Technology and Infrastructure Task Force

Directs the Administrator of NOAA to convene a task force including other federal agencies and experts from non-governmental organizations, academia, and industry to develop and implement a strategy to facilitate transfer of exploration technology, to improve communications infrastructure, to develop an integrated data management system, to conduct public outreach activities, and to encourage cost-sharing partnerships with the program established in Section 102.

Section 106. Application with Outer Continental Shelf Lands Act

States that the provisions of the bill do not supersede or limit the authority of the Secretary of the Interior under this Act.

Section 107. Authorization of Appropriations

Authorizes appropriations of $30.5 million beginning in fiscal year 2008 increasing each year to $71.9 million in fiscal year 2017.

Title II—Undersea Research Program

Section 201. Short Title

States that this title may be cited as the National Undersea Research Program Act of 2007.

Section 202. Authorization

Directs the NOAA Administrator to conduct an undersea research program and designate a director for the program.

Section 203. Purpose

States that the purpose of the program is to increase scientific knowledge for informed management, use and preservation of oceanic, coastal and large lake resources through undersea research, exploration, education, and technology development.

Section 204. Program

Directs the Administrator to conduct the program through a national headquarters, a representative network of extramural regional centers and a national technology institute. Direction will be provided by the program director in coordination with a Council of Center Directors.

Section 205. Regional Centers and Institute

Defines the content of the programs that are to be conducted through the network of extramural regional centers and the technology institute as: core research and exploration; advanced undersea technology development; development of technologies associated with undersea ocean observatories, submersibles, advanced diving equipment, etc.; education and outreach; and research and development of natural products from ocean and aquatic systems.

Section 206. Competitiveness

Directs the Administrator to ensure the external projects supported by the regional centers will be managed through an open, competitive, merit-based process except for a small set-aside for rapid response activities.

Section 207. Authorization of Appropriations

Authorizes appropriations of $17.5 million for fiscal year 2008 increasing each year to $35.5 million in fiscal year 2017.

Title III—Interagency Financing, Planning and Coordination

Section 301. Interagency Financing

Allows relevant federal agencies to participate in interagency financing and share, transfer, receive and spend appropriated funds to carry out the purposes of this legislation.

Appendix:

Report from the Subcommittee Markup, Amendment Roster

COMMITTEE ON SCIENCE AND TECHNOLOGY
SUBCOMMITTEE ON ENERGY AND ENVIRONMENT
REPORT FROM SUBCOMMITTEE MARKUP
OCTOBER 10, 2007

H.R. 1834, THE NATIONAL OCEAN EXPLORATION PROGRAM ACT

I. Purpose

The purpose of this bill is to authorize the national ocean exploration program and the national undersea research program within the National Oceanic and Atmospheric Administration (NOAA). Through the Administrator of NOAA, with the National Science Foundation and other appropriate federal agencies, this bill authorizes a coordinated national ocean exploration and undersea research program that promotes collaboration with existing programs of the Administration.

II. Background and Need for Legislation

In 2004, the U.S. Commission on Ocean Policy, whose members were appointed by President George W. Bush, released a report containing recommendations for the establishment of a comprehensive and coordinated ocean policy for the nation. The report concluded, among many other findings, that increased scientific knowledge of the oceans and coasts and the associated technological development to gather such information were imperative for sustainable resource use, economic development, and conservation of marine biodiversity.

In order to attain these goals, a comprehensive national strategy is needed. In addition, the Commission concluded that the American public has too little awareness of the importance of the ocean in their daily lives and to all life on the planet, and that an interested and an engaged public is essential to addressing complex ocean- and coastal-related issues. Legislation is required to implement many of the Commission's recommendations.

NOAA has for many years utilized its broad general authority as the federal agency responsible for the management of living marine and coastal resources to conduct activities supporting ocean exploration and undersea research. In 1971, NOAA administratively established the Manned Undersea Science and Technology (MUST) program to pioneer exploration of undersea habitats. In 1980, the MUST program was reconstituted as the National Undersea Research Program (NURP) within NOAA's Office of Ocean and Atmospheric Research (OAR).

NURP was created to provide marine scientists with the requisite tools and expertise to investigate the undersea environment, including submersibles, remotely operated vehicles, autonomous underwater vehicles, mixed gas diving gear, underwater laboratories and observatories, and other technologies specifically designed for underwater exploration. NURP is comprised of a network of six regional centers and one national technology institute, located at major universities in Connecticut, New Jersey, North Carolina, Florida, Alaska, Hawaii, and Mississippi. This extramural network facilitates collaborations with federal and non-federal programs outside of NOAA, leverages external funds and infrastructure, and provides access to specialized facilities, world-class marine researchers, and technology expertise. These university-based centers also provide unique training and educational opportunities for students. Federal grants fund the regional centers and national technology institute and each facility undergoes periodic external review to ensure performance and accountability. NURP supports on average over 100 peer-reviewed research projects each year that are relevant to NOAA's overall mission and address national ocean research priorities. Examples of research produced through NURP grants include: the discovery and analysis of novel marine bio-compounds with potential medical and pharmaceutical applications; research to better understand new chemosynthetic communities discovered at deep sea vents and seeps; and ground-breaking research regarding factors affecting coral reef health, especially coral bleaching events and climate change. Since 1995, Congress has appropriated over $178 million specifically for NURP.

In 2000, President William J. Clinton's Panel on Ocean Exploration—a multi-disciplinary group of ocean experts—released a historic report entitled *'Discovering Earth's Final Frontier: A U.S. Strategy for Ocean Exploration.'* This panel found that our current understanding of the ocean environment is inadequate compared with the undeniable importance of the oceans to the health and wealth of our country,

and that the U.S. has fallen behind other nations in our capabilities for undertaking ocean exploration. The panel recommended the establishment of an Ocean Exploration Program for an initial 10-year period to conduct interdisciplinary voyages of discovery, to develop new tools to support ocean exploration, to disseminate information on discoveries of new life forms and ocean resources, and to enhance understanding of ocean and coastal environments in the United States.

In 2001, NOAA responded to the panel's recommendation and established the Office of Ocean Exploration (OE) to support expeditions for the purpose of discovery and documentation of ocean resources. Also located in OAR, the OE program operates under a multi-purpose mission to map the physical, biological, chemical and archaeological aspects of the oceans and the Great Lakes; to expand understanding of ocean dynamics and to describe the complex interactions of the living ocean. The OE program develops new sensors and other equipment to regain U.S. leadership in ocean technology and conducts public outreach and education programs to communicate the benefits of ocean exploration to the Nation. The OE program has conducted multiple voyages every year since 2001, often in collaboration with other NOAA programs and federal agencies such as NURP, the National Marine Sanctuary Program and the National Science Foundation. The OE program has conducted over 100 expeditions in unknown, remote or poorly understood ocean areas, including expeditions to assess hydrothermal vents at the Galapagos Rift in the equatorial Pacific Ocean; investigations of the frigid depths of the Canada Basin in the Arctic Ocean; exploration of little known sea mounts in the North Atlantic; and, reconnaissance of the Bransfield Strait and Drake's Passage in the Southern Ocean near Antarctica. The Congress has appropriated $118.5 million to support this program since its establishment in 2001.

H.R. 1834 would implement a key recommendation of the U.S. Commission on Ocean Policy to provide specific and separate authorizations for these two programs within NOAA. The authorizations would further strengthen NOAA's standing as the preeminent civilian federal ocean agency by granting the agency explicit authority to conduct scientific research that directly contributes to increasing scientific knowledge of the world's oceans. The legislation would address the national need to develop and advance new innovations in oceanographic research, communication and navigation technologies to support ocean exploration and science. Additionally, this legislation would emphasize the importance of outreach and public education to ensure that future scientific discoveries and benefits are disseminated to decision-makers in both the public and private sectors, and conveyed to the general public to increase public awareness and appreciation of the Great Lakes and the world's oceans and their importance to our economic and environmental well-being.

III. Subcommittee Actions

The Environment, Technology, and Standards Subcommittee held a hearing in the 109th Congress on July 27, 2006 to hear testimony on, then, H.R. 3835, from the following witnesses:

Panel 1:

- **The Honorable Jim Saxton,** Congressman, 3rd District, New Jersey (R)

Panel 2:

- **Dr. Richard Spinrad,** Assistant Administrator, Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration
- **Mr. Andrew Shepard,** Director, Southeastern U.S. and Gulf of Mexico National Undersea Research Programs, University of North Carolina
- **Dr. Marcia McNutt,** President and Chief Executive Officer, Monterey Bay Aquarium Research Institute

Rep. Saxton, the author of the legislation, discussed specific provisions of the legislation. Recognizing that ocean and Great Lakes exploration and research is done by multiple federal agencies, he emphasized that one purpose of the bill was to encourage closer coordination between NOAA's activities and those of the National Science Foundation. He stated that the NURP and the OE programs have distinct, but complementary missions and that both are core to NOAA's mission.

In his testimony Dr. Spinrad expressed strong support for the overall intent of H.R. 3835. He believed the legislation elevates the importance of ocean exploration and undersea technology development. He discussed the implications for the programs of the significant funding reduction that occurred in fiscal year 2006.

Mr. Shepard described the history of NURP, and the vital role it plays in the development of advanced diving technologies. He indicated his support for H.R. 3835

and for its inclusion of authorizations for both NURP and OE activities. He also described the positive aspects of the regional focus of the program. The regional presence of the centers provides a direct conduit of information gained through ocean and coastal exploration to the coastal management community to address issues such as hurricane impacts, shoreline erosion, and sea level rise.

Dr. McNutt discussed the importance of the OE program to the Nation pointing to the discovery of the hot-vent communities that resulted in new research on a unique new ecosystem which thrives on energy sources and in environmental conditions that were thought to be inhospitable. This research led to new understanding of how life may be sustained in other parts of the universe. Dr. McNutt believes that H.R. 3835 would address the need to have OE authorized as an explicit part of NOAA's mission. She offered the view that the lack of a distinct OE mission at NOAA was a more important factor limiting OE than the funding history. She also expressed the view that OE and NURP are distinct programs and should be maintained as separate programs.

On March 29, 2007, Representative Jim Saxton, for himself and Representatives Young of Alaska, McIntyre, Pallone, Farr, Wicker, and Abercrombie introduced H.R. 1834, the *National Ocean Exploration Program Act,* which was referred to the Committee on Science and Technology, and in addition to the Committees on Natural Resources and Armed Services.

In the 110th Congress, the Subcommittee on Energy and Environment met to consider H.R. 1834 on October 10, 2007, with no amendments to the bill.

Mr. McNerney moved that the Subcommittee favorably report the bill, H.R. 1834, to the Full Committee on Science and Technology. The motion was agreed to by a voice vote.

IV. Summary of Major Provisions

H.R. 1834 authorizes a National Ocean Exploration Program that requires NOAA to appoint an Ocean Exploration Advisory Board and expand ocean exploration in an interdisciplinary manner to discover new marine substances that potentially have therapeutic benefits; to study unique and little known marine ecosystems, organisms and the geology of the world's oceans; and to maximize ocean research effectiveness by integrating multiple scientific disciplines in the ocean science community. The bill also authorizes a National Undersea Research that shall be conducted through a national headquarters, a network of extramural regional undersea research centers representing all NOAA regions, and a national technology institute to increase scientific knowledge for informed management, use and preservation of oceanic, coastal and Great Lake resources. H.R. 1834 authorizes NOAA, the National Science Foundation (NSF), and other federal agencies involved in programs under this Act to participate in interagency financing and share, transfer, receive, and spend funds appropriated to any federal participant in the program, and to convene an ocean exploration and undersea research technology and infrastructure task force. H.R. 1834 is authorized through fiscal year 2017 for both programs.

V. Section-by-Section Analysis of the bill as reported by the Subcommittee

Title I—National Ocean Exploration Program

Section 101. Short Title

States that this title may be cited as the "National Ocean Exploration Program Act".

Section 102. Authorization

Directs the Secretary of Commerce, through the National Oceanic and Atmospheric Administration (NOAA), to establish a coordinated national ocean exploration program in consultation with the National Science Foundation and other appropriate federal agencies.

Section 103. Authorities

Defines activities of the program to include interdisciplinary voyages to explore and survey the marine environment giving priority to deep ocean areas and to conduct archaeological and scientific voyages of shipwrecks and submerged sites; to enhance the technical capability of the U.S. marine science community; and to establish an ocean exploration forum to promote communication and information exchange between experts and other stakeholders in the ocean science community. It also directs the Secretary to develop a merit-based, peer review process in consultation with the National Science Foundation for the review and approval of proposals for program activities and to accept donations of property, data or equipment for use in ocean exploration activities.

Section 104. Ocean Exploration Advisory Board

Directs the NOAA Administrator to appoint an Advisory Board composed of relevant experts to advise on priority areas for survey and discovery; assist development of a five-year strategic plan; annually review the effectiveness of the proposal peer-review process; and provide other assistance as requested.

Exempts the Advisory Board from the *Federal Advisory Committee Act* (FACA), generally, but requires the Board to be appointed and operate in a manner consistent with several provisions of FACA.

Section 105. Ocean Exploration Technology and Infrastructure Task Force

Directs the Administrator of NOAA to convene a task force including other federal agencies and experts from non-governmental organizations, academia, and industry to develop and implement a strategy to facilitate transfer of exploration technology, to improve communications infrastructure, to develop an integrated data management system, to conduct public outreach activities, and to encourage cost-sharing partnerships with the program established in Section 102.

Section 106. Application with Outer Continental Shelf Lands Act

States that the provisions of the bill do not supersede or limit the authority of the Secretary of the Interior under this Act.

Section 107. Authorization of Appropriations

Authorizes appropriations of $30.5 million beginning in fiscal year 2008 increasing each year to $71.9 million in fiscal year 2017.

Title II—Undersea Research Program

Section 201. Short Title

States that this title may be cited as the "National Undersea Research Program Act of 2007".

Section 202. Authorization

Directs the NOAA Administrator to conduct an undersea research program and designate a director for the program.

Section 203. Purpose

States that the purpose of the program is to increase scientific knowledge for informed management, use and preservation of oceanic, coastal and large lake resources through undersea research, exploration, education, and technology development.

Section 204. Program

Directs the Administrator to conduct the program through a national headquarters, a representative network of extramural regional centers and a national technology institute. Direction will be provided by the program director in coordination with a Council of Center Directors.

Section 205. Regional Centers and Institute

Defines the content of the programs that are to be conducted through the network of extramural regional centers and the technology institute as: core research and exploration; advanced undersea technology development; development of technologies associated with undersea ocean observatories, submersibles, advanced diving equipment, etc.; education and outreach; and research and development of natural products from ocean and aquatic systems.

Section 206. Competitiveness

Directs the Administrator to ensure the external projects supported by the regional centers will be managed through an open, competitive, merit-based process except for a small set-aside for rapid response activities.

Section 207. Authorization of Appropriations

Authorizes appropriations of $17.5 million for fiscal year 2008 increasing each year to $35.5 million in fiscal year 2017.

Title III—Interagency Financing, Planning and Coordination

Section 301. Interagency Financing

Allows relevant federal agencies to participate in interagency financing and share, transfer, receive and spend appropriated funds to carry out the purposes of this legislation.

COMMITTEE ON SCIENCE AND TECHNOLOGY
FULL COMMITTEE MARKUP
OCTOBER 24, 2007

AMENDMENT ROSTER

H.R. 1834, the National Ocean Exploration Program Act

No.	Sponsor	Description	Results
1	Mr. Lampson	Manager's amendment makes changes to clarify authorities of the NOAA Administrator; promote competitive merit-review procedures for evaluating project awards; reduce the authorization period for the legislation from 10 years to 7 years; and makes other changes to clarify program implementation and direction.	Passed by voice vote.

#1

AMENDMENT TO H.R. 1834

OFFERED BY MR. LAMPSON OF TEXAS

Page 2, line 2, strike "Secretary of Commerce, through the".

Page 2, line 4, strike ", shall" and insert "shall".

Page 2, lines 8 through 10, strike "existing programs of the Administration, including those authorized in title II" and insert "other Federal ocean and undersea research and exploration programs. To the extent appropriate, the Administrator shall seek to facilitate coordination of data and information management systems, outreach and education programs to improve public understanding of ocean and coastal resources, and development and transfer of technologies to facilitate ocean and undersea research and exploration".

Page 2, line 12, insert "(a) IN GENERAL.—" before "In carrying out".

Page 3, line 8, insert ", competitive" after "a transparent".

Page 3, line 11, insert ", taking into consideration advice of the Board established under section 104" after "under this program".

Page 3, line 17, insert "and" at the end of paragraph (5).

Page 3, lines 18 through 21, strike paragraph (6).

Page 3, line 22, redesignate paragraph (7) as paragraph (6).

Page 4, after line 2, insert the following new subsection:

1 (b) DONATIONS.—In carrying out the program au-
2 thorized under section 102, the Administrator may accept
3 donations of property, data, and equipment to be applied
4 for the purpose of exploring the oceans or increasing
5 knowledge of the oceans.

Page 4, lines 10 and 11, strike "exploration and discovery" and insert "the fields of ocean, marine, and Great Lakes exploration, discovery, and science".

Page 4, line 17, through page 5, line 7, amend subsection (b) to read as follows:

6 (b) FEDERAL ADVISORY COMMITTEE ACT.—Section
7 14 of the Federal Advisory Committee Act (5 U.S.C.

1 App.) shall not apply to the Board appointed under sub-
2 section (a).

Page 5, line 8, through page 6, line 15, strike section 105.

Page 6, lines 16 and 22, redesignate sections 106 and 107 as sections 105 and 106, respectively.

Page 6, line 18, strike "this title or title II" and insert "this Act".

Page 7, line 6, insert "and" at the end of paragraph (6).

Page 7, line 7, strike the semicolon and insert a period.

Page 7, lines 8 through 10, strike paragraphs (8) through (10).

Page 7, line 19, insert ", exploration, education, and technology development" after "undersea research".

Page 7, line 25, through page 8, line 7, strike "large lake resources" and all that follows through "marine industry" and insert "Great Lakes resources. The Director, in carrying out the program authorized in section 202, shall cooperate with institutions of higher education and other educational marine and ocean science organiza-

tions, and shall make available undersea research facilities, equipment, technologies, information, and expertise to support undersea research efforts by these organizations. The Director may also enter into partnerships, using existing authorities, with the private sector to achieve the goals of the program and to promote technological advancement of the marine industry".

Page 8, line 18, insert "Program direction shall be published not later than 3 years after the date of enactment of this Act." after "Science and Technology.".

Page 9, lines 11 and 12, strike "such as LEO-15, Pisces, and the Aquarius habitat".

Page 9, line 23, through page 10, line 7, amend section 206 to read as follows:

1 **SEC. 206. COMPETITION.**

2 (a) DISCRETIONARY FUND.—The program shall allo-
3 cate no more than 10 percent of its annual budget to a
4 discretionary fund that may be used only for program ad-
5 ministration and priority undersea research projects iden-
6 tified by the Director but not covered by funding available
7 from centers.

8 (b) COMPETITIVE SELECTION.—The Administrator
9 shall conduct a competition to select the regional centers
10 that will participate in the program five years after the

1 date of enactment of this Act and every five years there-
2 after. Funding for projects conducted through the regional
3 centers shall be awarded through a competitive, merit-re-
4 viewed process on the basis of their relevance to the goals
5 of the program and their technical feasibility.

Page 10, line 17, insert "and" at the end of paragraph (6).

Page 10, line 18, strike the semicolon and insert a period.

Page 10, lines 19 through 21, strike paragraphs (8) through (10).

Page 11, line 1, insert "**PLANNING AND COORDINATION**" after "**FINANCING**".

Page 11, line 4, insert "Administrator of the" before "National Oceanic".

Page 11, line 12, strike "the program" and insert "this Act".

Page 11, after line 16, insert the following new section:

1 **SEC. 302. OCEAN EXPLORATION AND UNDERESEA RE-**
2 **SEARCH TECHNOLOGY AND INFRASTRUC-**
3 **TURE TASK FORCE.**

4 The Administrator of the National Oceanic and At-
5 mospheric Administration, in coordination with the Na-
6 tional Science Foundation, the National Aeronautics and
7 Space Administration, the United States Geological Sur-
8 vey, the Department of the Navy, the Mineral Manage-
9 ment Service, and relevant governmental, non-govern-
10 mental, academic, industry, and other experts, shall con-
11 vene an ocean exploration and undersea research tech-
12 nology and infrastructure task force to develop and imple-
13 ment a strategy—

14 (1) to facilitate transfer of new exploration and
15 undersea research technology to the programs au-
16 thorized under titles I and II of this Act;

17 (2) to improve availability of communications
18 infrastructure, including satellite capabilities, to
19 such programs;

20 (3) to develop an integrated, workable, and
21 comprehensive data management information proc-
22 essing system that will make information on unique
23 and significant features obtained by such programs
24 available for research and management purposes;

25 (4) to conduct public outreach activities that
26 improve the public understanding of ocean science,

1 resources, and processes, in conjunction with rel-
2 evant programs of the National Oceanic and Atmos-
3 pheric Administration, the National Science Founda-
4 tion, and other agencies; and
5 (5) to encourage cost-sharing partnerships with
6 governmental and nongovernmental entities that will
7 assist in transferring exploration and undersea re-
8 search technology and technical expertise to the pro-
9 grams.

XXII. PROCEEDINGS OF THE FULL COMMITTEE MARKUP ON H.R. 1834, THE NATIONAL OCEAN EXPLORATION PROGRAM ACT

WEDNESDAY, OCTOBER 24, 2007

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SCIENCE AND TECHNOLOGY,
Washington, DC.

The Committee met, pursuant to call, at 10:10 a.m., in Room 2318 of the Rayburn House Office Building, Hon. Bart Gordon [Chairman of the Committee] presiding.

Chairman GORDON. Good morning. The Committee will come to order, pursuant to notice. The Committee of Science and Technology meets to consider the following measures: H.R. 2406, To authorize the National Institute of Standards and Technology to Increase its efforts in support of the integration of health care information enterprises in the United States; H.R. 3877, the Mine Communications Technology Innovation Act; and H.R. 1834, the National Ocean Exploration Program Act.

As we start, let me welcome back Mike Quear. Mike is the brains and the inspiration for, particularly the health care bit of this. As we pointed out the other day, Mr. Hall was very complimentary; Mike had a stroke recently, complicated by some other matters. He is back, and we are glad you are here, Mike. You are very important to the entire Committee.

We now proceed with the mark up, and I will begin with a brief statement. Today the Committee meets to mark up three bills dealing with a wide range of issues.

The first bill we will mark up, H.R. 2406, deals with the issue of health care information technology. The broad use of IT in the health care sector could have far reaching benefits, including saving tens of billions of dollars per year—and that is tens of billions of dollars for both the taxpayers as well as for patients—improving the quality of medical care, and reducing dangerous medical errors.

But meeting the challenge of developing and maintaining such a system is not simple. In order to achieve broad implementation, we need widely accepted technical standards that will let health care IT systems interoperate while protecting patient privacy.

H.R. 2406 authorizes the National Institute of Standards and Technology to increase its efforts to support the integration of health care IT in the United States, to develop or adapt or adopt existing technical health care IT standards for federal agencies, and to create a university grant program for multidisciplinary research in health care IT—and I thank Mr. Wu for that addition. The bill is based on the recommendations of a report by the President's Information Technology Advisory Committee in 2004 and a study by the National Academies in 2005.

The next bill we will mark up is H.R. 3877, which addresses the issue of underground mine communication technology.

Tragedies in West Virginia and Utah over the last few years have given us a painful illustration for the need for robust emergency communications in mines.

H.R. 3877 authorizes research and standards development programs to address the important challenge of communication technology for underground mines. The bill authorizes an R&D and standards development program at the National Institute of Standards and Technology at NIST to promote development of innovative communications and tracking technologies of underground mines.

To be clear, this bill has not, in any way, diminished the role of the National Institute for Occupational Safety and Health. NIST's efforts to promote improved communications technology through R&D and technical standards only support NIOSH's important work. And I want to thank Mr. Matheson for bringing this very important and timely issue to us.

The National Ocean Exploration and National Undersea Research Program Act formally authorizes two programs at NOAA that have made important contributions to our knowledge of the oceans and developed technologies that enable us to explore these vast areas of our planet.

Once again, the Committee has three good bills in front of it, which do address three different but critical issues.

And once again, we are marking up both Republican and Democratic bills, because as I have said before, good ideas are good ideas, regardless of where they might originate. And I urge my colleagues to support each of these good bills.

I now recognize Mr. Hall to present his opening remarks.

[The prepared statement of Chairman Gordon follows:]

PREPARED STATEMENT OF CHAIRMAN BART GORDON

Today the Committee meets to mark up three bills dealing with a wide range of issues.

The first bill we will mark up, H.R. 2406, deals with the issue of health care information technology. The broad use of IT in the health care sector could have far reaching benefits, including saving tens of billions of dollars per year, improving the quality of medical care, and reducing dangerous medical errors.

But meeting the challenge of developing and maintaining such a system is not simple. In order to achieve broad implementation, we need widely accepted technical standards that will let health care IT systems interoperate while protecting patient privacy.

H.R. 2406 authorizes the National Institute of Standards and Technology (NIST) to increase its efforts to support the integration of health care IT in the United States, to develop or adopt existing technical health care IT standards for federal agencies, and to create a university grant program for multidisciplinary research in health care IT.

The bill is based on the recommendations of a report by the President's Information Technology Advisory Committee (PITAC) in 2004 and a study by the National Academies in 2005.

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To be clear, this bill does not in any way diminish the role of the National Institute for Occupational Safety and Health (NIOSH). NIST's efforts to promote im-

proved communications technology through R&D and technical standards support NIOSH's important work.

Historically, NIST has worked with industry and federal agencies on long-term R&D projects and development of technical standards, including first responder radio communications, and is the best agency to bridge the research and technology gap in the field of mine communications.

Finally, we will also consider H.R. 1834, introduced by our colleague on the Natural Resources Committee, Rep. Saxton. The National Ocean Exploration and National Undersea Research Program Act formally authorizes two programs at NOAA that have made important contributions to our knowledge of the oceans and developed technologies that enable us to explore these vast areas of our planet.

Once again, the Committee has three good bills in front of it which address three different but critical issues.

And once again, we are marking up both Republican and Democratic bills, because as I have said before, good ideas are good ideas regardless of where they come from. I urge my colleagues to support each of these good bills.

Mr. HALL. Thank you, Mr. Chairman. As you very ably pointed out, I am pleased, and our side of the docket is pleased that this committee is marking up three good bills today.

H.R. 2406 will certainly help clarify and codify NIST's role in the integration of health information technology. NIST has played a very important role in health information technology through their work with the Department of Health and Human Services, and this legislation helps them to continue that vital role as we develop interoperability standards.

H.R. 3877 offers another opportunity to clarify NIST's role in the important area of mine communication technology. As the tragedy in Utah unfortunately illustrated, we have a lot of work to do to improve communications between surface personnel and underground miners so as to advance miner health and safety.

And finally, H.R. 1834 authorizes two programs that are already in existence at NOAA, the Ocean Exploration Program and the National Undersea Research Program. These are two excellent initiatives, and it is time that we codify their goals and objections into law.

I would like to thank you and your staff for working with us to improve these bills and craft good policy.

I yield back the balance of my time.

[The prepared statement of Mr. Hall follows:]

PREPARED STATEMENT OF REPRESENTATIVE RALPH M. HALL

Thank you, Mr. Chairman. I am pleased that this committee is marking up three good bills today. H.R. 2406 will help clarify and codify NIST's role in the integration of health information technology. NIST has played an important role in health information technology through their work with the department of health and human services, and this legislation helps them continue that vital role as we develop interoperability standards.

H.R. 3877 offers another opportunity to clarify NIST's role in the important area of mine communications technology. As the tragedy in Utah unfortunately illustrated, we have a lot of work to do to improve communications between surface personnel and underground miners so as to advance miner health and safety.

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I would like to thank you and your staff for working with us to improve these bills and craft good policy.

I yield back the balance of my time.

Chairman GORDON. Thank you, Mr. Hall.

Without objection, Members may place statements in the records at any point.

Chairman GORDON. The last bill we will consider is H.R. 1834, introduced by our colleague on the Natural Resources Committee, Mr. Saxton. I yield myself five minutes to describe the bill.

The National Ocean Exploration and National Undersea Research Program Act formally authorizes two programs at NOAA, an undersea research program and an ocean exploration program.

The ocean and coastal areas of our nation support significant economic activity, including recreation, fisheries, and mineral and energy production. Representative Saxton's legislation formalizes NOAA's role as our nation's lead agency in the ocean exploration and science and ensures they will coordinate their efforts with those—with the National Science Foundation and other federal agencies with a role in ocean science and exploration.

The staff of the Committee has worked with Mr. Saxton to make improvements to the legislation that will be adopted through a manager's amendment. We will continue to work with our colleagues on the Natural Resources Committee to bring this bill to the Floor in the near future.

I recognize Mr. Hall to present any remarks.

Mr. HALL. I thank you, Mr. Chairman.

H.R. 1834, the National Ocean Exploration and Undersea Research Program Act, as you pointed out, authorizes two programs that are already in existence at the National Oceanic and Atmospheric Administration, or NOAA. These programs are the Ocean Exploration Program and the National Undersea Research Program.

The Ocean Exploration Program was created to coordinate a systemic and strategic effort to search and investigate the deepest reaches of our planet's oceans for the purposes of discovery. H.R. 1834 is the framework to allow for better coordination between NOAA and NSF.

As a federal agency responsible for managing living marine and coastal resources, NOAA requires a presence beneath the sea and under the Great Lakes and to better understand the systems under its management. The National Undersea Research Program provides NOAA with the really unique ability to access the undersea environment, either directly, with submersibles and technical diving, or virtually, using robots and seafloor observations.

The manager's amendment that Mr. Lampson will be offering to this bill is a product of good-faith cooperation and negotiation between the Majority and the Minority, and this amendment led greater transparency in the funding process by requiring NOAA to conduct an open and competitive process in the selection of projects that are to receive funding, and it further directs NOAA to engage in collaborative efforts with other federal agencies, non-governmental organizations and the academic community, for greater transfer of research technology and technical expertise. These actions ensure better coordination of research objectives to avoid duplication and the wasting of resources.

So I would like to thank Representative Saxton of New Jersey for bringing this important bill to our attention and for all of his hard work in moving it forward, and I urge all of my colleagues to sup-

port the manager's amendment to H.R. 1834 and report the bill favorably out of Committee, and I yield back my time.

[The prepared statement of Mr. Hall follows:]

PREPARED STATEMENT OF REPRESENTATIVE RALPH M. HALL

Thank you, Mr. Chairman. H.R. 1834, the National Ocean Exploration and Undersea Research Program Act, authorizes two programs that are already in existence at the National Oceanic and Atmospheric Administration, or NOAA. These programs are the Ocean Exploration Program and the National Undersea Research Program.

The Ocean Exploration Program 1was created to coordinate a systematic and strategic effort to search and investigate the deepest reaches of our planet's oceans for the purposes of discovery. H.R. 1834 is a framework to allow for better coordination between NOAA and NSF.

As the federal agency responsible for managing living marine and coastal resources, NOAA requires a presence beneath the sea and Great Lakes to better understand the systems under its management. The National Undersea Research Program (NURP) provides NOAA with the unique ability to access the undersea environment either directly, with submersibles and technical diving, or virtually, using robots and seafloor observatories.

The manager's amendment that Mr. Lampson will be offering to this bill is the product of good-faith cooperation and negotiation between the Majority and the Minority. The amendment will add greater transparency in the funding process by requiring NOAA to conduct an open and competitive process in the selection of projects that are to receive funding. It further directs NOAA to engage in collaborative efforts with other federal agencies, non-governmental organizations and the academic community for greater transfer of research technology and technical expertise. These actions ensure better coordination of research objectives to avoid duplication and the wasting of resources.

I would like to thank Representative Saxton of New Jersey for bringing this important bill to our attention and for all his hard work in moving it forward. I urge all my colleagues to support the manager's amendment to H.R. 1834 and to report the bill favorably out of Committee.

I yield back the balance of my time.

Chairman GORDON. Does anyone else wish to be recognized?

Mr. ROHRABACHER. Mr. Chairman?

Chairman GORDON. Mr. Rohrabacher is recognized.

Mr. ROHRABACHER. Can you hear me there? Thank you.

First of all, I am supportive of the bill, but I would like to note for the record, as we discuss this, that the actual involvement of these organizations in coastal waters is just as important, I would say, as deep-sea exploration, and deep-sea exploration is an important function because it is a long-term goal for humanity, let us say, because we—there are so many resources and so much can be done in the deep sea that we are unaware of right now of what the potential is. And this bill, I think, is designed to discover that potential.

But at the same time, cooperation with NOAA and others, for example NASA, has resulted in our ability to track pollution sources along the coast, and those are the type of things that we should also promote and applaud as well. So cooperation among the agencies, which the bill exemplifies, is certainly something that we should support, but we should also make sure that NASA is included in that cooperation, and I just thought I would mention that.

Thank you very much.

Chairman GORDON. I concur with the coastal Representative from California, Mr. Rohrabacher.

Does anyone else wish to be recognized?

Then I ask unanimous consent that the bill is considered as read and open to amendment at any point and that the Members proceed with the amendments in order of the roster. Without objection, so ordered.

The first amendment on the roster is the manager's amendment, offered by the gentleman from Texas, Mr. Lampson.

Mr. LAMPSON. Mr. Chairman, I move to strike the last word.

Chairman GORDON. Are you ready to report the amendment?

Mr. LAMPSON. I am ready to. I have an amendment at the desk.

Chairman GORDON. All right. The Clerk will report the amendment.

The CLERK. Amendment to H.R. 1834, offered by Mr. Lampson of Texas.

Chairman GORDON. I ask unanimous consent to dispense the reading. Without objection, so ordered.

I recognize Mr. Lampson for five minutes to explain his amendment.

Mr. LAMPSON. Thank you, Mr. Chairman.

The manager's amendment makes a series of changes throughout the bill to clarify intent, assign clear duties and responsibilities to NOAA for the Ocean Exploration and Undersea Research Programs, and to ensure funds awarded to non-federal organizations are made through competitive, merit-based procedures.

The amendment changes Section 102 of the bill to assign all responsibility for direction of the Ocean Exploration and Undersea Research Programs to the Administrator of NOAA and clarifies that NOAA programs are to be coordinated with other federal programs conducting ocean and undersea research and exploration.

Section 103 of the bill is amended to direct the Administrator of NOAA to implement a competitive process for approving proposals submitted to the program and to permit the Administrator to accept donations of property, data, and equipment that appropriately further the purpose of the programs.

And Section 104 is amended to specify that the advisory board created to provide outside advice and expertise to the program will be convened, selected, and operated in accordance with the Federal Advisory Committee Act, except that the board will not expire as required by Section 14 of FACA.

Section 105 of the bill is moved to Title III and changed to clarify that the task force will address issues related to both the ocean exploration and the undersea research programs.

Sections 202 and 203 are amended to direct NOAA to carry out a program of undersea research exploration, education, and technology development in cooperation with universities, marine science, and education organizations, and the private sector.

The amendment adds a requirement in Section 204 to make the direction of the undersea research program determined by the program director in coordination with the undersea research center directors publicly available within three years of the date of enactment.

The amendment clarifies that ten percent of the program funds will be retained by the NOAA Undersea Research Program Office for use by the director for administration of the program and to fund priority projects that are not being funded through the re-

gional centers. The awards made through the regional centers will be made through a competitive merit-review process.

The amendment also requires NOAA to recompute the awards to the centers within five years of enactment and on a five-year cycle thereafter.

And finally, the amendment eliminates the authorizations in both Titles I and III for fiscal year 2015, fiscal year 2016, and fiscal year 2017, to reduce the total authorization period from 10 years to seven years. This lowers the overall authorization level of the bill by $297 million.

The amendment is a product of a cooperative effort between the Committee staff and Mr. Saxton's staff. The amendment improves the bill and ensures NOAA will conduct a world-class program of ocean exploration and undersea research through a production collaboration with other federal agencies, the academic community, and the private sector.

I urge my colleagues to support this amendment, and I yield back.

[The prepared statement of Mr. Lampson follows:]

PREPARED STATEMENT OF REPRESENTATIVE NICK LAMPSON

Mr. Chairman, I move to strike the last word.

I have an amendment at the desk.

The manager's amendment makes a series of changes throughout the bill to clarify intent, assign clear duties and responsibilities to NOAA for the ocean exploration and undersea research programs, and to ensure funds awarded to non-federal organizations are made through competitive, merit-based procedures.

The amendment changes Sec. 102 of the bill to assign all responsibility for direction of the ocean exploration and undersea research programs to the Administrator of NOAA and clarifies that NOAA's programs are to be coordinated with other federal programs conducting ocean and undersea research and exploration.

Sec. 103 of the bill is amended to direct the Administrator of NOAA to implement a competitive process for approving proposals submitted to the program and to permit the Administrator to accept donations of property, data, and equipment if it furthers the purpose of the programs.

Sec. 104 is amended to specify that the Advisory Board created to provide outside advice and expertise to the program will be convened, selected, and operated in accordance with the Federal Advisory Committee Act except that the Board will not expire as required by Section 14 of FACA.

Sec. 105 of the bill is moved to Title III and changed to clarify that the task force will address issues related to both the ocean exploration and the undersea research programs.

Sections 202 and 203 are amended to direct NOAA to carry out a program of undersea research, exploration, education and technology development in cooperation with universities, marine science and education organizations, and the private sector.

The amendment adds a requirement in Sec. 204 to make the undersea research program direction determined by the program director in coordination with the undersea research center directors publicly available within three years of the date of enactment.

The amendment clarifies that ten percent of the program funds will be retained by the NOAA undersea research program office for use by the director for administration of the program and to fund priority projects that are not being funded through the regional centers. The awards made through the regional centers will be made through a competitive, merit reviewed process. The amendment also requires NOAA to re-compete the awards to the centers within five years of enactment and on a five-year cycle thereafter.

Finally, the amendment eliminates the authorizations in both Titles I and II for fiscal years 2015, 2016, and 2017 to reduce the total authorization period from ten years to seven years. This lowers the overall authorization level of the bill by $297 million.

The amendment is the product a cooperative effort between the Committee staff and Mr. Saxton's staff. The amendment improves the bill and ensures NOAA will conduct a world-class program of ocean exploration and undersea research through a productive collaboration with other federal agencies, the academic community, and the private sector. I urge my colleagues to support the amendment.

Chairman GORDON. Thank you, Mr. Lampson.

Is there further discussion on the amendment? If no, the vote occurs on the amendment. All in favor, say aye; those opposed no. The ayes have it. The amendment is agreed to.

Are there other amendments? If no, the vote is on the bill H.R. 1834, as amended. All those in favor, say aye; those opposed, no. In the opinion of the Chair, the ayes have it.

I recognize Mr. Hall to offer a motion.

Mr. HALL. Mr. Chairman, I move that the Committee favorably report H.R. 1834, as amended, to the House with the recommendation that the bill, as amended, do pass. Furthermore, I move that the staff be instructed to prepare the legislative report and make necessary technical and conforming changes and that the Chairman take all necessary steps to bring the bill before the House for consideration. I yield back.

Chairman GORDON. The question is on the motion to report the bill favorably. Those in favor of the motion will signify by saying aye; opposed, no. The ayes have it, and the bill is favorably reported.

Without objection, the motion to reconsider is laid upon the desk. Members will have two subsequent calendar days in which to submit supplement Minority or additional views on the measure, ending Monday, October the 29th at 9:00 a.m.

I move, pursuant to Clause 1 of Rule 22 of the Rules of the House of Representatives, that the Committee authorize the Chairman to offer such motions as may be necessary in the House to adopt and pass H.R. 1834, the National Ocean Exploration Program Act, as amended. Without objection, so ordered.

Let me say to the Members, this appears to be our last markup of this year. I thank you for your attendance. I think this is probably a record year, and we want to do more than just have numbers. We want to have good content, too, and this is 30-something bills, all of which have been bipartisan. All but one had been unanimous. I thank you for your cooperation, and let us continue next year in the same way.

This concludes this markup——

Mr. LAMPSON. Mr. Chairman, just may I before you end, just commend you for the leadership that you have provided to this committee. It has been excellent. It is great to work with you, and I think this is a wonderful committee to be a part of. Thank you so much.

Chairman GORDON. Thank you.

Mr. LAMPSON. And the staff.

Chairman GORDON. I was going to say, it helps to have excellent staff. And we do. Thank you very much.

[Whereupon, at 11:18 a.m., the Committee was adjourned.]

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HOUSE COMMITTEE ON ARMED SERVICES

U.S. House of Representatives

Washington, DC 20515–6035

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ERIN C. CONATON, STAFF DIRECTOR

December 4, 2007

Honorable Bart Gordon
Chairman
Committee on Science and Technology
2320 Rayburn House Office Building
Washington, D.C. 20515

Dear Mr. Chairman:

On October 24, 2007, the Committee on Science and Technology ordered H.R. 1834, the "National Ocean Exploration Program Act" to be reported. As you know, this measure contains certain provisions that are within the jurisdiction of the Committee on Armed Services, and thus, was sequentially referred to the Committee on Armed Services by the Parliamentarian for the House.

Our Committee recognizes the importance of H.R. 1834 and the need for the legislation to move expeditiously. Therefore, while we have a valid claim to jurisdiction over this legislation, the Committee on Armed Services will waive further consideration of H.R. 1834. I do so with the understanding that by waiving further consideration of the bill, the Committee does not waive any future jurisdictional claims over similar measures. In the event of a conference with the Senate on this bill, the Committee on Armed Services reserves the right to seek the appointment of conferees.

I would appreciate the inclusion of this letter and a copy of the response in your Committee's report on H.R. 1834 and the *Congressional Record* during consideration of the measure on the House floor.

Very truly yours,

IKE SKELTON
Chairman

IS:jfh

cc: Honorable Nancy Pelosi
Honorable Duncan Hunter
Honorable Ralph M. Hall
Honorable John V. Sullivan

BART GORDON, TENNESSEE
CHAIRMAN

RALPH M. HALL, TEXAS
RANKING MEMBER

U.S. HOUSE OF REPRESENTATIVES

COMMITTEE ON SCIENCE AND TECHNOLOGY

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December 6, 2007

The Honorable Ike Skelton
Chairman, Committee on Armed Services
2120 Rayburn House Office Building
Washington, DC 20515

Dear Mr. Chairman:

Thank you for your letter regarding the consideration of H.R. 1834, the "National Ocean Exploration Program Act." I appreciate your waiving your Committee's right to a referral on this bill so that it may move expeditiously to the Floor.

I recognize your Committee's jurisdiction in this area, and agree that by waiving further consideration of the bill, your Committee does not waive any future jurisdictional claims. I will also support any request you may make to have conferees on H.R. 1834 or similar legislation. The exchange of letters between our two committees will be included in the Committee report on H.R. 1834 and will be inserted in the *Congressional Record* during consideration of the bill.

Thank you for your attention to this matter.

Sincerely,

Bart Gordon

Bart Gordon
Chairman

cc: The Honorable Nancy Pelosi
The Honorable John V. Sullivan
The Honorable Ralph M. Hall
The Honorable Duncan Hunter

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