

## A BILL

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

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

1    **SECTION 1. SHORT TITLE AND REFERENCES.**

2       (a) This Act may be cited as the “National Sea Grant College Program Authorization  
3 Act of 2008.”

4       (b) Except as otherwise expressly provided, whenever in this bill an amendment or  
5 repeal is expressed in terms of an amendment to or repeal of a section or other provision,  
6 the reference shall be considered to be made to a section or other provision of the  
7 National Sea Grant College Program Act (33 U.S.C. §§ 1121 *et seq.*).

8    **SEC. 2. AMENDMENTS TO FINDINGS AND PURPOSE.**

9       Section 202 of the National Sea Grant College Program Act (33 U.S.C. § 1121) is  
10 amended to read as follows:

11    **“SEC. 202. CONGRESSIONAL DECLARATION OF POLICY.**

12       “(a) FINDINGS.—The Congress finds that—

13               “(1) The national interest requires a strategy to—

14                       “(A) provide for the understanding of ocean, coastal, and Great  
15 Lakes resources and the environment;

16                       “(B) foster economic competitiveness through wise development  
17 and use of the coastal ocean and its margins, the Great Lakes, and the  
18 Exclusive Economic Zone;

19                       “(C) promote public stewardship of ocean, coastal, and Great

1 Lakes resources and the environment;

2 “(D) encourage the development of forecast, analysis, preparation,  
3 mitigation, response and recovery systems for coastal hazards;

4 “(E) understand global environmental processes and their potential  
5 impact on ocean, coastal, and Great Lakes resources; and

6 “(F) promote domestic and international cooperative solutions to  
7 ocean, coastal, and Great Lakes issues.

8 “(2) Investment in a strong program of integrated research, education,  
9 extension, training, technology transfer, and public service is essential for this  
10 strategy.

11 “(3) The expanding use and development of ocean, coastal, and Great  
12 Lakes resources resulting from growing coastal area populations and the  
13 increasing pressures on the coastal and Great Lakes environment challenge the  
14 ability of the United States to manage such resources wisely.

15 “(4) The vitality of the Nation and the quality of life of its citizens depend  
16 increasingly on the understanding, assessment, development, utilization, and  
17 conservation of ocean, coastal, and Great Lakes resources. These resources  
18 supply food, energy, and minerals, and contribute to human health, the quality of  
19 the environment, national security, and the enhancement of commerce.

20 “(5) The understanding, assessment, development, utilization, and  
21 conservation of such resources require a broad commitment and an intense  
22 involvement on the part of the Federal Government in continuing partnership with  
23 State and local governments, regional organizations, private industry, universities,

1 organizations, and individuals concerned with or affected by ocean, coastal, and  
2 Great Lakes resources.

3 “(6) The National Oceanic and Atmospheric Administration, through the  
4 national sea grant college program, offers the most suitable locus and means for  
5 such commitment and engagement through the promotion of activities that will  
6 result in such greater understanding, assessment, development, utilization, and  
7 conservation. The most cost-effective way to promote such activities is through  
8 continued and increased Federal support of the establishment, development, and  
9 operation of programs and projects by sea grant colleges, sea grant institutes, and  
10 other institutions, including strong collaborations between Administration  
11 scientists and scientists at academic institutions.

12 “(b) OBJECTIVE.—The objective of this title is to increase the understanding,  
13 assessment, development, utilization, and conservation of the Nation's ocean, coastal, and  
14 Great Lakes resources by providing assistance to promote a strong educational base,  
15 responsive research and training activities, broad and prompt dissemination of knowledge  
16 and techniques, and multidisciplinary approaches to environmental problems.

17 “(c) PURPOSE.—It is the intent of Congress to achieve the objective of this title by  
18 extending and strengthening the national sea grant college program, initially established  
19 in 1966, to promote integrated research, education, training, and extension activities in  
20 fields related to ocean, coastal, and Great Lakes resources.”.

21 **SEC. 3. DEFINITIONS.**

22 Section 203 of the National Sea Grant College Program Act (33 U.S.C. § 1122) is  
23 amended—

1 (1) by striking paragraph (9) and redesignating paragraphs (2), (3), (4), (5), (6),  
2 (7), (8), (10), (11), (12), (13), (14), (15), and (16) as (3), (4), (6), (7), (8), (9), (10), (11),  
3 (12), (13), (14), (15), (16), and (17), respectively;

4 (2) by inserting new paragraphs (2) and (5) as follows:

5 “(2) The term “board” means the national sea grant advisory board  
6 established under section 209.”; and

7 “(5) the term “extension” means the effective transfer of science-based  
8 information by university specialists and agents to support decision-making by  
9 individuals, groups or institutions.”; and

10 (3) in paragraph (12), as redesignated, by striking “advisory services” and  
11 inserting “extension”.

12 **SEC. 4. NATIONAL SEA GRANT COLLEGE PROGRAM.**

13 Section 204 of the National Sea Grant College Program Act (33 U.S.C. § 1123) is  
14 amended —

15 (1) by amending subsection (b) to read as follows:

16 “(b) PROGRAM ELEMENTS.—The national sea grant college program shall consist  
17 of the financial assistance and other activities authorized in this title, and shall  
18 provide support for the following elements—

19 “(1) sea grant programs, which comprise a national sea grant college  
20 program network, including partnerships between individual programs that are  
21 encouraged at the regional and national level;

22 “(2) administration of the national sea grant college program and this title  
23 by the national sea grant office and the Administration;

1           “(3) the national sea grant advisory board;  
2           “(4) the fellowship program under section 208;  
3           “(5) any regional or national strategic investments in fields relating to  
4 ocean, coastal, and Great Lakes resources developed in consultation with the  
5 board, the sea grant colleges, and the sea grant institutes; and  
6           “(6) international activities, including efforts to assist foreign nations in  
7 the application of knowledge and technology to support sustainable forms of  
8 coastal and marine resource development and conservation.”;

9 (2) by amending subsections (c)(1) and (2) to read as follows:

10       “(c) RESPONSIBILITIES OF THE SECRETARY.—

11           “(1) The Secretary, in consultation with the board, sea grant colleges, and  
12 sea grant institutes, shall develop at least every 4 years a strategic plan that  
13 establishes priorities for the national sea grant college program, provides an  
14 appropriately balanced response to local, regional, and national needs, and is  
15 reflective of integration with the Administration’s other coastal and ocean  
16 programs and the relevant portions of the strategic plans of the Department of  
17 Commerce and of the Administration.

18           “(2) The Secretary, in consultation with the board, sea grant colleges, and  
19 sea grant institutes, shall establish guidelines related to the activities and  
20 responsibilities of sea grant colleges and sea grant institutes, and shall review the  
21 guidelines every 4 years. Such guidelines shall include requirements for the  
22 conduct of merit review by the sea grant colleges and sea grant institutes of  
23 proposals for grants and contracts to be awarded under section 205, providing, at

1 a minimum, for standardized documentation of such proposals and peer review of  
2 all research projects.”;

3 (3) by amending paragraph (d)(1) by striking the last sentence; and

4 (4) by amending paragraph (d)(3) to read as follows:

5 “(3) With respect to sea grant colleges and sea grant institutes, the Director  
6 shall—

7 “(A) evaluate and assess the performance of the programs of sea grant  
8 colleges and sea grant institutes, using the priorities, guidelines, and qualifications  
9 established by the Secretary under subsection (c), and determine which of the  
10 programs are the best managed and carry out the highest quality research,  
11 education, extension, and training activities;

12 “(B) subject to the availability of appropriations, allocate funding among  
13 sea grant colleges and sea grant institutes so as to—

14 “(i) promote healthy competition among sea grant colleges and  
15 institutes;

16 “(ii) stimulate partnerships among sea grant colleges and institutes,  
17 and with other programs within the Administration, to address priorities  
18 identified in national and regional research and information plans;

19 “(iii) encourage successful implementation of sea grant programs;

20 “(iv) the maximum extent consistent with other provisions of this  
21 Act, provide a stable base of funding for sea grant colleges and institutes;  
22 and

1                   “(v) encourage and promote coordination and cooperation between  
2                   the research, education, and outreach programs of the Administration and  
3                   those of academic institutions; and  
4                   “(C) ensure compliance with the guidelines for merit review under  
5                   subsection (c)(2).”.

6   **SEC. 5. CHANGES TO GRANTS AND CONTRACTS.**

7                   Section 205 of the National Sea Grant College Program Act (33 U.S.C. § 1124) is  
8   amended—

9                   (1) in paragraph (a)(2) by striking “individual States or regions” and inserting  
10                  “individual States, regions, or the Nation”;

11                  (2) in subsection (b) by amending the last sentence to read: “The total amount  
12                  which may be provided for grants under this subsection, and subsection 208(b), during  
13                  any fiscal year shall not exceed an amount equal to 5 percent of the total funds  
14                  appropriated for such year pursuant to section 212.”;

15                  (3) by redesignating subsections (c) and (d) as (e) and (f), respectively, and  
16                  inserting new subsections (c) and (d) to read as follows:

17                         “(c) REGIONAL AND NATIONAL PARTNERSHIPS.— The Secretary may make  
18                         grants and enter into contracts under this section to support Regional and National  
19                         Partnerships. Regional and National Partnerships are cooperative projects  
20                         involving sea grant programs working together or with any local, State, tribal,  
21                         regional, or Federal Governmental entity or entities, or non-governmental  
22                         organizations to apply a regional approach to solving problems or meeting needs  
23                         relating to ocean, Great Lakes, and coastal resources. National Partnerships must

1 involve two or more sea grant programs. With the exception of Alaska, Hawaii,  
2 and Puerto Rico, Regional Partnerships must involve two or more sea grant  
3 programs. The amount of any such grant may equal 100 percent, or any lesser  
4 percent, of the total cost of the project involved. The total amount which may be  
5 provided for grants under this subsection during any fiscal year shall not exceed  
6 an amount equal to 25 percent of the total funds appropriated for such year  
7 pursuant to section 212.

8 “(d) INTERAGENCY COOPERATION.—The Secretary may transfer funds  
9 appropriated for such year pursuant to section 212, to other Federal departments  
10 and agencies, including agencies within the Administration, to pay for and add to  
11 activities that will assist any sea grant program or project supported under this  
12 section.”; and

13 (4) in paragraph (f)(3), as redesignated, by inserting “except subsection (c),” after  
14 “section,”.

## 15 **SEC. 6. SEA GRANT COLLEGES AND INSTITUTES.**

16 Section 207 of the National Sea Grant College Program Act (33 U.S.C. § 1126) is  
17 amended—

18 (1) in subparagraph (a)(1)(F) by striking “panel” and inserting “board”;

19 (2) in subparagraphs (a)(2)(B) and (a)(3)(B) by striking “advisory services” and  
20 inserting “extension”;

21 (3) in paragraph (d)(1) by striking “and the panel”; and

22 (4) in paragraph (e)(1) by adding “and Technology” after “Committee on  
23 Science”.

1    **SEC. 7. FELLOWSHIPS.**

2           Section 208 of the National Sea Grant College Program Act (33 U.S.C. § 1127) is  
3    amended in subsection (b) by striking the period at the end and inserting “and is not  
4    subject to Federal cost share requirements.”.

5    **SEC. 8. NATIONAL SEA GRANT ADVISORY BOARD.**

6           Section 209 of the National Sea Grant College Program Act (33 U.S.C. § 1128) is  
7    amended to read as follows:

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

9           “(a) ESTABLISHMENT.—There shall be established an independent committee to  
10   be known as the national sea grant advisory board.

11          “(b) DUTIES.—

12                 “(1) The board shall advise the Secretary and the Director concerning—

13                         “(A) strategies utilizing the national sea grant college program to  
14                         address the Nation’s highest priorities regarding the understanding,  
15                         assessment, development, utilization, and conservation of ocean, coastal,  
16                         and Great Lakes resources and the environment;

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

18                         and

19                         “(C) such other matters as the Secretary or the Director refers to  
20                         the board for review and advice.

21                 “(2) The board will participate in assessments of sea grant colleges, sea  
22                         grant institutes, or sea grant programs as requested by the Director. The board  
23                         shall report to the Congress every 4 years on the state of the national sea grant

1 college program and shall indicate the progress made toward meeting the  
2 priorities identified in the national sea grant strategic plan. The Secretary shall  
3 make available to the board such information, personnel, and administrative  
4 services and assistance as it may reasonably require to carry out its duties.

5 “(c) MEMBERSHIP, TERMS, AND POWERS.—

6 “(1) IN GENERAL.—The board shall consist of 15 voting members who  
7 shall be appointed by the Secretary. The Director and a director of a sea grant  
8 program who is elected by the various directors of sea grant programs shall serve  
9 as nonvoting members of the board. Not less than 8 of the voting members of the  
10 board shall be individuals who, by reason of knowledge, experience, or training,  
11 are especially qualified in one or more of the disciplines and fields included in  
12 marine science. The other voting members shall be individuals who, by reason of  
13 knowledge, experience, or training, are especially qualified in, or representative  
14 of, education, marine affairs and resource management, land use and coastal  
15 management, extension, State government, industry, economics, planning, or any  
16 other activity which is appropriate to, and important for, any effort to enhance the  
17 understanding, assessment, development, utilization, or conservation of ocean,  
18 coastal, and Great Lakes resources.

19 “(2) ELIGIBILITY.—No individual is eligible to be a voting member of the  
20 board if the individual is—

21 “(A) the director of a sea grant college or sea grant institute;

22 “(B) an applicant for, or beneficiary (as determined by the  
23 Secretary) of, any grant or contract under section 205; or

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“(C) a full-time officer or employee of the United States.

“(3) TERM LIMITS.—

“(A) The term of office of a voting member of the board shall be 4 years. At least once each year, the Secretary shall publish a notice in the *Federal Register* soliciting nominations for membership on the board.

“(B) Any individual appointed to a partial or full term may be reappointed for one additional full term. A voting member may serve after the date of the expiration of the term of office for which appointed until his or her successor has taken office.

“(4) The board shall select one voting member to serve as the Chairman and another voting member to serve as the Vice Chairman. The Vice Chairman shall act as Chairman in the absence or incapacity of the Chairman.

“(5) Voting members of the board shall—

“(A) receive a rate of basic pay established by the Secretary, not to exceed the maximum daily rate payable under section 5376 of title 5, United States Code, when actually engaged in the performance of duties for such board; and

“(B) be reimbursed for actual and reasonable expenses incurred in the performance of such duties.

“(6) The board shall meet on a biannual basis and at any other time at the call of the Chairman or upon the request of a majority of the voting members or of the Director.

1           “(7) The board may exercise such powers as are reasonably necessary in  
2           order to carry out its duties under subsection (b), including the establishment of  
3           subcommittees, which may include members external to the board.”.

4   **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

5           Section 212 of the National Sea Grant College Program Act (33 U.S.C. § 1131) is  
6   amended—

7           (1) by amending subsection (a) to read as follows:

8                   “(a) There are authorized to be appropriated to the Secretary \$55,000,000  
9           in fiscal year 2009 and such sums thereafter as may be necessary for purposes of  
10          carrying out the provisions of this Act for each of fiscal years 2010 through  
11          2015.”;

12          (2) in paragraph (b)(1) by striking “5 percent” and inserting “7 percent”, and by  
13          redesignating paragraphs (b)(1), (b)(1)(A) and (b)(1)(B) as paragraphs (b), (b)(1) and  
14          (b)(2), respectively;

15          (3) by striking paragraph (b)(2);

16          (4) in subsection (c) by striking “subsection (a)(1)” and inserting “subsection(a)”;

17          (5) in paragraph (c)(1) by striking “rating under section 204(d)(3)(A)” and  
18          inserting “performance assessments”; and

19          (6) by amending paragraph (c)(2) to read as follows:

20                   “(2) regional or national strategic investments authorized under  
21          section 204(b)(5);”.

1    **SEC. 10. REPEAL OF ANNUAL REPORT.**

2            Section 9 of the National Sea Grant College Program Act Amendments of 2002

3    (33 U.S.C. § 857-20) is repealed.