110TH CONGRESS 2d Session } HOUSE OF REPRESENTATIVES { REPT. 110–701 Part 2

NATIONAL SEA GRANT COLLEGE PROGRAM AMENDMENTS ACT OF 2008

JULY 11, 2008.—Ordered to be printed

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

R E P O R T

together with

ADDITIONAL VIEWS

[To accompany H.R. 5618]

[Including cost estimate of the Congressional Budget Office]

The Committee on Science and Technology, to whom was referred the bill (H.R. 5618) to reauthorize and amend the National Sea Grant College Program Act, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

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I. AMENDMENT

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Sea Grant College Program Amendments Act of 2008".

SEC. 2. REFERENCES.

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

SEC. 3. FINDINGS AND PURPOSE.

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

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

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

(2) in paragraph (2) by striking "program of research, education," and inserting "program of integrated research, education, extension,"; and

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

"(6) The National Ocean Research Priorities Plan and Implementation Strategy issued by the National Science and Technology Council's Joint Subcommittee on Ocean Science and Technology on January 26, 2007, identifies research priorities for compelling areas of interaction between society and the ocean, and calls for the engagement of a broad array of ocean science sectors (government, academia, industry, and non-government entities) to address the areas of greatest research need and opportunity.

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

(b) PURPOSE.—Section 202(c) (33 U.S.C. 1121(c)) is amended by striking "to promote research, education, training, and advisory service activities" and inserting "to promote integrated research, education, training, and extension activities".

SEC. 4. DEFINITIONS.

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

(1) in paragraph (11) by striking "advisory services" and inserting "extension services";

(2) in each of paragraphs (12) and (13) by striking "(33 U.S.C. 1126)"; and

(3) by adding at the end the following:

"(17) The term 'regional research and information plan' means a plan developed by one or more sea grant colleges or sea grant institutes that identifies regional priorities to implement the National Ocean Research Priorities Plan and Implementation Strategy.

"(18) The term 'National Ocean Research Priorities Plan and Implementation Strategy' means such plan and strategy issued by the National Science and Technology Council's Joint Subcommittee on Ocean Science and Technology on January 26, 2007.".

(b) REPEAL.—Section 307 of the Act entitled "An Act to provide for the designation of the Flower Garden Banks National Marine Sanctuary" (Public Law 102–251; 106 Stat. 66) is repealed.

SEC. 5. NATIONAL SEA GRANT COLLEGE PROGRAM, GENERALLY.

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

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

"(1) sea grant programs that comprise a national sea grant college program network, including international projects conducted within such programs and regional and national projects conducted among such programs;";

(2) by amending paragraph (2) to read as follows:

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

(3) in paragraph (3), by striking "and";

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

"(4) any regional or national strategic investments in fields relating to ocean, coastal, and Great Lakes resources developed in consultation with the board and with the approval of the sea grant colleges and the sea grant institutes; and"; and

(5) by adding at the end the following new paragraph:

"(5) methods for the national sea grant college program to explore the environmental and scientific considerations, including providing scientifically sound data, relative to the production of ocean and coastal offshore petroleum, natural gas, geothermal, wind, and ocean thermal energy resources, including the siting of energy related facilities in the coastal zone.".

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

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

(1) in paragraph (2)(A), by striking "long-range";

(2) in paragraph (3)(A)—

(A) by striking "(A)(i) evaluate" and inserting "(A) evaluate and assess";

(B) by striking "activities; and" and inserting "activities;"; and

(C) by striking clause (ii); and

(3) in paragraph (3)(B)—

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

"(ii) encourage collaborations among sea grant colleges and sea grant institutes to address regional and national priorities established under subsection (c)(1);

"(iii) encourage cooperation with Minority Serving Institutions—

"(I) to enhance collaborative research opportunities for faculty and students in the areas of atmospheric, oceanic, and environmental sciences, and remote sensing;

"(II) to improve opportunities for, and retention of, students and faculty from Minority Serving Institutions in the NOAA related sciences; and

"(III) to increase the number of such students graduating in NOAA science areas;"; and

(B) in clause (iv) (as so redesignated) by striking "encourage" and inserting "ensuring".

SEC. 6. PROGRAM OR PROJECT GRANTS AND CONTRACTS.

(a) EXEMPTION FROM LIMITATION ON COST SHARE.—Section 205(a) (33 U.S.C. 1124(a)) is amended in the matter following paragraph (2), by inserting "or that are appropriated under section 208(b)" before the period at the end.

(b) SPECIAL GRANTS; MAXIMUM AMOUNT.—Section 205(b) (33 U.S.C. 1124(b)) is amended by striking the matter following paragraph (3) and inserting the following: "The total amount that may be provided for grants under this subsection during any fiscal year shall not exceed an amount equal to 5 percent of the total funds appropriated for such year under section 212.".

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

Section 207(a) (33 U.S.C. 1126(a)) is amended in each of paragraphs (2)(B) and (3)(B) by striking "advisory services" and inserting "extension services".

SEC. 8. TECHNICAL CORRECTION RELATING TO FELLOWSHIPS.

Section 208(a) (33 U.S.C. 1127(a)) is amended by striking "Not later than 1 year after the date of the enactment of the National Sea Grant College Program Act Amendments of 2002, and every 2 years thereafter," and inserting "Every 2 years,".

SEC. 9. NATIONAL SEA GRANT ADVISORY BOARD.

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

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

(2) MEMBERSHIP NOT AFFECTED.—An individual serving as a member of the sea grant review panel immediately before the enactment of this Act may continue to serve as a member of the National Sea Grant Advisory Board until the expiration of such member's term under section 209(c) of such Act (33 U.S.C. 1128(c).

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

(4) CONFORMING AMENDMENTS.—

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

"SEC. 209. NATIONAL SEA GRANT ADVISORY BOARD.

"(a) ESTABLISHMENT.—There shall be an independent committee to be known as the National Sea Grant Advisory Board.".

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

"(9) The term 'Board' means the National Sea Grant Advisory Board established under section 209.";

(C) OTHER PROVISIONS.—The following provisions are each amended by striking "panel" each place it appears and inserting "Board":

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

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

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

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

"(b) DUTIES.—

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

"(A) strategies for utilizing the sea grant college program to address the Nation's highest priorities regarding the understanding, assessment, development, utilization, and conservation of ocean, coastal, and Great Lakes resources;

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

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

"(2) BIENNIAL REPORT.—The Board shall report to the Congress every two years on the state of the national sea grant college program. The Board shall indicate in each such report the progress made toward meeting the priorities identified in the strategic plan in effect under section 204(c). The Secretary shall make available to the Board such information, personnel, and administrative services and assistance as it may reasonably require to carry out its duties under this title.".

(c) EXTENSION OF TERM.—Section 209(c)(2) (33 U.S.C. 1128(c)(2)) is amended by striking the second sentence and inserting the following: "The Director may extend the term of office of a voting member of the Board once by up to 1 year.".

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

"(8) The Board may establish such subcommittees as are reasonably necessary to carry out its duties under subsection (b). Such subcommittees may include individuals who are not Board members.".

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

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

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

"(1) $66,000,000 for fiscal year 2009;

"(2) $72,800,000 for fiscal year 2010;

"(3) $79,600,000 for fiscal year 2011;

"(4) $86,400,000 for fiscal year 2012;

"(5) $93,200,000 for fiscal year 2013; and

"(6) $100,000,000 for fiscal year 2014.".

(b) REPEAL OF DISTRIBUTION REQUIREMENT.—Section 212 (33 U.S.C. 1131) is amended by striking subsection (c), and by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

II. Purpose of the Bill

The purpose of this bill is to reauthorize and amend the National Sea Grant College Program Act.

III. Background and Need for Legislation

The National Sea Grant College Program was established in 1966 upon the enactment of the National Sea Grant College Act (33 U.S.C. 1121–1131) with the goal of improving marine resource conservation, management, and utilization. The Act was last reauthorized by the National Sea Grant College Program Act Amendments of 2002 (Public Law 107–299), and the authorization of appropriations expires at the end of Fiscal Year 2008. The National Sea Grant College Program is patterned after the Land Grant College System, which was created in 1862. Though originally assigned to the National Science Foundation, the National Sea Grant Office (NSGO) is now housed within the National Oceanic and Atmospheric Administration (NOAA).

Today, Sea Grant, as it is commonly called, is a nationwide network of over 30 Sea Grant College programs comprised of researchers, educators, and marine extension agents at some of the nation's top academic institutions. Sea Grant Colleges sponsor a wide range of applied and basic marine science research, education, training, and technical assistance programs promoting the understanding and utilization of ocean, coastal and Great Lakes resources. Sea Grant advisory and extension staff provide informal education for the general public, disseminate research findings to user groups, and communicate local needs and problems to Sea Grant and other marine-related program managers and researchers.

The system also supports education and training through its two fellowship programs, the John A. Knauss Marine Policy Fellowship and the Sea Grant/NOAA Fisheries Graduate Fellowship. Sea Grant benefits from the input and support of the Sea Grant Review Panel (Review Panel). This panel is made up of 15 members with marine science backgrounds or knowledge and experience in the fields where Sea Grant works.

The most significant developments over the past six years pertain to Sea Grant's strategic planning and program evaluation procedures. The National Sea Grant College Program Act Amendments of 2002 directed NOAA to contract with the National Research Council (NRC) to evaluate Sea Grant's process of reviewing individual programs and recommend ways to improve the overall effectiveness of the evaluation process to ensure fairness, consistency, and enhancement of performance. In its 2006 report, the NRC noted that "real improvements have occurred" in Sea Grant since changes were instituted after the last NRC evaluation in 1994.[1] The 2006 report recommended strengthening the strategic planning process for the individual programs; increasing the interaction between the NSGO and the individual programs; and improving the program rating and ranking process through annual assessments by the national office. In addition, the report provided recommendations to improve the independent reviews that are con-

[1] Evaluation of the Sea Grant Program Review Process. Ocean Studies Board. 2006. National Research Council. Washington, DC. 210 pp.

ducted on a four-year cycle. Sea Grant's response to the NRC report dovetailed with the Bush Administration's efforts to carry out the recommendations of the U.S. Commission on Ocean Policy.[2]

The Administration's 2004 U.S. Ocean Action Plan[3] called for the National Science and Technology Council's Joint Subcommittee on Ocean Science and Technology to prepare an Ocean Research Priorities Plan and Implementation Strategy (Strategy). Issued in 2007 after significant input from the ocean research community, the Strategy established priorities for ocean science and technology for the next decade. Using this new interagency priorities plan for ocean science, NSGO and the Sea Grant colleges nationwide have developed a new strategic plan that links Sea Grant's priorities with the larger interagency effort. The realigned strategic planning effort, combined with the improvements in the review process recommended by the National Academy of Sciences, is intended to set Sea Grant on a more strategic course for the future.

Funding for the Sea Grant Program has not kept pace with the growing needs of our coastal communities. With the costs of research and education rising, the near flat funding of Sea Grant during the last few years has forced programs to reduce a number of education and outreach activities, leaving numerous high-quality research and outreach projects unsupported. These growing needs juxtaposed with the current budgetary landscape underpin the reasonable and justifiable increases in authorized appropriations reflected in H.R. 5618.

The National Sea Grant College Program has established an impressive record over the course of its 42-year history. H.R. 5618 builds on the experience of the Sea Grant Association, the Review Panel, NSGO, and Sea Grant's national network of stakeholders to strengthen this important extramural marine science and outreach program.

IV. Hearing Summary

The Energy and Environment Subcommittee held a hearing in the 110th Congress on May 21, 2008 to hear testimony on H.R. 5618, from the following witnesses:

- Mr. Craig McLean, Deputy Assistant Administrator for Programs and Administration, National Oceanic and Atmospheric Administration Oceanic and Atmospheric Research
- Mr. Paul S. Anderson, President, Sea Grant Association and Director, Maine Sea Grant College Program
- Mr. M. Richard DeVoe, Executive Director, South Carolina Sea Grant Consortium
- Mr. Patrick Riley, General Manager, Western Seafood, Freeport, TX

The hearing focused on the legislation to reauthorize the National Sea Grant Program through fiscal year 2014. The hearing also examined the program's major accomplishments, program activities, and the effectiveness of the extension and outreach aspects of program development.

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[2] U.S. Commission on Ocean Policy. 2004. An Ocean Bluepint for the 21st Century. Final Report of the U.S. Commission on Ocean Policy. Washington, DC.

[3] U.S. Ocean Action Plan: The Bush Administration's Response to the U.S. Commission on Ocean Policy. December 17, 2004. Council on Environmental Quality, Washington, DC. 39 pp. *http://www.oceans.ceq.gov.*

Mr. Craig McLean discussed the mission and importance of the Sea Grant Program, future plans for the program, some programmatic issues, and issues the administration would like to see addressed in the reauthorization. Mr. Paul Anderson represented the institutions through the association of the 32 Sea Grant Programs from around the nation. He discussed the importance of supporting the National Sea Grant College Program, as well as the program's activities, accomplishments, and its contribution to NOAA's mission. Mr. Anderson also offered recommendations on how to strengthen the research, education and training components of the program. Mr. M. Richard DeVoe discussed the South Carolina Sea Grant program and its relationship to the overall Sea Grant program and summarized his key recommendations and expressed strong support for H.R. 5618. Mr. Patrick Riley represented the partners and stakeholders of the National Sea Grant College Program and he discussed the use of information generated through the programs extension and outreach efforts, and commented on its usefulness. Mr. Riley expressed his support for the Sea Grant program and for the reauthorization bill.

V. Summary of Committee Actions

On March 13, 2008, Rep. Madeleine Bordallo of Guam, for herself and Rep. Faleomavaega, Rep. Saxton, Rep. Abercrombie, Rep. Gilchrest, and Rep. Farr introduced H.R. 5618, the National Sea Grant College Program Amendments Act of 2008, which was referred to the Committee on Natural Resources and subsequently to the Committee on Science and Technology.

In the 110th Congress, the Subcommittee on Energy and Environment met to consider H.R. 5618 as reported from the Committee on Natural Resources on June 18, 2008. Mr. Baird moved that the Subcommittee favorably report the bill, H.R. 5618, to the Full Committee on Science and Technology without amendment. The motion was agreed to by a voice vote.

The Committee on Science and Technology met on June 25, 2008, to consider H.R. 5618 as reported by the Subcommittee and to consider the following amendments to the bill:

An amendment offered by Rep. Eddie Bernice Johnson (D–TX) to expand the functions of the Director of the National Sea Grant College Program to encourage the Sea Grant program to collaborate with Minority Serving Institutions in the atmospheric, oceanic, and environmental science research areas to improve the retention of the students and faculty from Minority Serving Institutions and increase the number of students graduating in these science fields.

The amendment was adopted by voice vote.

An amendment offered by Rep. W. Todd Akin (R–MO) to amend Section 5 of the bill to add a new program element to the National Sea Grant College Program to require support for methods to minimize conflicts and delays in the expedited production of ocean and coastal energy resources including those associated with siting refineries in coastal areas.

A second degree amendment was offered to Mr. Akin's amendment by Rep. Bartlett, Rep. Wu, and Rep. Akin to amend Section 5 of the bill to add a new program element to the National Sea Grant College Program to require support for development of methods to explore the environmental and scientific considerations, in-

cluding provision of scientifically sound data, in connection with the production of ocean and coastal energy resources, including the siting of energy-related facilities in the coastal zone.

The second degree amendment was adopted by voice vote.

The amendment, as amended, was adopted by voice vote.

An amendment offered by Rep. Phil Gingrey (R–GA) that would require the Director of the Sea Grant Program to advise the Secretary of Commerce on ways to incorporate programs and research on the expedited production of ocean and coastal energy resources into the curriculum of the program.

The amendment failed by a recorded vote.

Rep. Gingrey moved that the Committee favorably report the bill, H.R. 5618, to the House, as amended. The motion was agreed to by a voice vote.

VI. Summary of Major Provisions as Reported

H.R. 5618, the National Sea Grant College Program Act of 2008, amends current law to expand the scope and purposes of the National Sea Grant College Program. The bill expands the responsibilities of the Sea Grant Review Panel and renames this panel the "National Sea Grant Advisory Board." The bill directs the Board to provide advice to the Secretary of Commerce to ensure Sea Grant activities are consistent with and supportive of national objectives. In addition, the bill increases the percentage of funds exempt from the non-federal match requirement from the current 1 percent to 5 percent. The bill also amends the Sea Grant program performance review standards. H.R. 5618 replaces the ranking system review requirements adopted as part of the 2002 amendments with NRC-recommended measures for program review, combined with program planning requirements.

In addition the bill amends the duties of the Director of the Sea Grant Program to include encouragement of cooperation and research collaborations with Minority Serving Institutions. The bill adds a new program element to the National Sea Grant College Program to require support for development of methods to explore the environmental and scientific considerations, including provision of scientifically sound data, in connection with the production of ocean and coastal energy resources, including the siting of energy-related facilities in the coastal zone.

Authorized funding levels would increase incrementally from $66 million to $100 million for the period between Fiscal Year 2009 through Fiscal Year 2014.

VII. Section-by-Section Analysis of the Bill as Reported

Section 1. Short title

Section 1 entitles the legislation as the "National Sea Grant College Program Amendments Act of 2008."

Section 2. References

Section 2 clarifies that all amendment references in the legislation are made to the National Sea Grant College Program Act (33 U.S.C. 1121 et seq.).

Section 3. Findings and purposes

Section 3 amplifies the extension aspects of the Sea Grant program and cites the relevance of the National Ocean Research Priorities Plan and Implementation Strategy to the Sea Grant Program.

Section 4. Definitions

Section 4 defines key terms included within the text of the proposed legislation, including "regional research and information plan" and "National Ocean Research Priorities Plan and Implementation Strategy" where they appear in the bill.

Section 5. National Sea Grant College Program, generally

Section 5 amends the Program Elements to expand Sea Grant programs to include regional and national projects among Sea Grant institutions; to add regional strategic investments in projects undertaken through sea grant projects; and for the program to support development of methods to explore the environmental and scientific considerations in connection with the production of ocean and coastal energy resources, including the siting of energy-related facilities in the coastal zone. Section 5 also augments the functions of the Director of the National Sea Grant College Program to include encouragement of collaborations among participating colleges and institutions in the Sea Grant Program and encouraging collaborations with Minority Serving Institutions. This section also strikes the sea grant program performance ranking system for allocating additional resources on the basis of performance.

Section 6. Program or project grants and contracts

Section 6 exempts the Dean John A. Knauss Marine Policy Fellowship Program from having to match grant awards in order to achieve parity between fellows placed in Congressional offices with those fellows placed in federal agencies.

This section also increases the percentage of funds exempt from the non-federal match requirement from the current 1 percent to 5 percent.

Section 7. Extension services by Sea Grant colleges and Sea Grant institutes

Section 7 clarifies that one of the requirements for designation includes an extension program (as opposed to an "advisory service").

Section 8. Technical Correction relating to fellowships

Section 8 updates the statutory language requiring a report every two years on efforts to include minority and economically disadvantaged students.

Section 9. National Sea Grant Advisory Board

Section 9 expands the responsibilities of the National Sea Grant Review Panel, renaming the panel as the "National Sea Grant Advisory Board" to more appropriately and accurately describe its purpose and function.

Section 10. Authorization of appropriations

Section 10 increases authorized funding levels from $66 million to $100 million for the period between Fiscal Year 2009 through Fiscal Year 2014.

VIII. Committee Views

It is the view of the Committee that the National Sea Grant College program plays an essential role in promoting knowledge-based management of our ocean, coastal and Great Lakes resources. The Committee strongly supports the education, research, and extension missions of Sea Grant and believes this partnership between federal and state governments continues to provide many benefits to the nation. The Committee believes The National Sea Grant College Program has established an impressive record over the course of its 42-year history.

The Committee is aware that many Sea Grant programs address issues of local as well as national concern. In the case of local Sea Grant projects within states, the general match requirement is appropriate. The Committee recognizes the concern of the Sea Grant community that the match requirement may constrain the ability of the Sea Grant Program to participate in joint competitive programs with other NOAA offices or other federal agencies because of the fact that incoming proposals for Sea Grant funding require a match. Thus, the Committee believes increasing the percentage of funds exempt from the non-federal match requirement from the current 1 percent to 5 percent will alleviate this constraint.

The Committee recognizes the ranking system review requirements adopted as part of the Sea Grant 2002 amendments created some disincentives for Sea Grant institutions to work cooperatively or form partnerships. The Committee recognizes the implementation of the National Academies' recommended measures for program review, combined with improved planning may provide a better mechanism to achieve continuous program improvement.

The Committee believes there are many potential benefits that could be gained through greater collaboration between the Sea Grant colleges and institutions and Minority Serving Institutions. The Committee encourages the Sea Grant Program to adopt recommendations from the third national conference held by NOAA in conjunction with the Historical Black Colleges and Universities and Minority Serving Institutions outlined in the report: Expanding Opportunities in Oceanic and Atmospheric Sciences III.[4]

The Committee is aware that the needs for information, training, technology and management options of our coastal communities have increased, and that the funding for the Sea Grant program to support these needs has not been adequate. The Committee is also aware that the near flat funding of Sea Grant during the last few years has forced programs to reduce a number of education and outreach activities, leaving numerous high-quality research and outreach projects unsupported. The Committee supports modest increases of funding for the Sea Grant Program and H.R. 5618 re-

[4] Jearld, A., Jr., and D. Peloquin, compilers. 2005. Expanding Opportunities in Oceanic and Atmospheric Sciences III: Proceedings of the Third National Conference to Strengthen the Links among HBMSCUs, NOAA, Business, and Graduate Studies in Marine and Atmospheric Sciences, Held at Jackson State University, Jackson, 8MS. April 1–3, 2001. Northeast Fisheries Science Center Reference Document 05–11.

flects this support through the increased authorized funding levels for the Program of $66 million to $100 million for the period between Fiscal Year 2009 through Fiscal Year 2014.

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. 5618 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. 5618 does authorize additional discretionary spending, as described in the Congressional Budget Office report on the bill, which is contained in Section XI of this report.

X. Congressional Budget Office Cost Estimate

H.R. 5618—National Sea Grant College Program Amendments Act of 2008

Summary: H.R. 5618 would authorize funding for the national sea grant program, which is administered by the National Oceanic and Atmospheric Administration (NOAA). Assuming appropriation of the authorized amounts, CBO estimates that spending for the program from those appropriations would total $316 million over the 2009–2013 period. An additional $182 million would be spent after 2013, including $100 million authorized to be appropriated for 2014. Enacting H.R. 5618 would not affect direct spending or revenues.

H.R. 5618 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. 5618 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—					
	2009	2010	2011	2012	2013	2009–2013
CHANGES IN SPENDING SUBJECT TO APPROPRIATION						
Authorization Level	66	73	80	86	93	398
Estimated Outlays	20	55	74	80	87	316

Basis of estimate: H.R. 5618 would authorize the appropriation of $498 million, including $398 million over the 2009–2013 period and $100 million for fiscal year 2014, for the national sea grant program. Those amounts are used by NOAA for grants, fellowships, and related administrative functions under the program. For this estimate, CBO assumes that all amounts authorized by H.R. 5618 will be appropriated near the start of each fiscal year and that outlays will follow historical spending patterns for the sea grants program. In 2008, $57 million was appropriated for this program.

Intergovernmental and private-sector impact: H.R. 5618 contains no intergovernmental or private-sector mandates as defined in UMRA and would impose no costs on state, local, or tribal governments. The bill would benefit public universities by reauthorizing the national sea grant college program, which provides grants to improve marine resource conservation, management, and utilization. Any costs state, local, or tribal governments might incur, including matching funds, would result from complying with conditions of aid.

Previous estimate: On May 6, 2008, CBO transmitted a cost estimate for H.R. 5618 as ordered reported by the House Committee on Natural Resources on April 30, 2008. The two versions of the legislation are similar and the estimated costs are the same.

Estimate prepared by: Federal Cost: Tyler Kruzich; Impact on State, Local, and Tribal Governments: Neil Hood; Impact on the Private Sector: Amy Petz.

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

XI. Compliance With Public Law 104–4

H.R. 5618 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. 5618 is to reauthorize and amend the national sea grant college program act.

XIV. Constitutional Authority Statement

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact H.R. 5618.

XV. Federal Advisory Committee Statement

H.R. 5618 does not establish nor authorize the establishment of any advisory committee.

XVI. Congressional Accountability Act

The Committee finds that H.R. 5618 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. 5618 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

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

NATIONAL SEA GRANT COLLEGE PROGRAM ACT

TITLE II—NATIONAL SEA GRANT COLLEGE PROGRAM

* * * * * * *

SEC. 202. DECLARATION OF POLICY.

(a) Findings.—The Congress finds and declares the following:

(1) The national interest requires a strategy to—

(A) * * *

* * * * * * *

[(D) encourage the development of forecast and analysis systems for coastal hazards;]

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

* * * * * * *

(2) Investment in a strong [program of research, education,] *program of integrated research, education, extension,* training, technology transfer, and public service is essential for this strategy.

* * * * * * *

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

(6) The National Ocean Research Priorities Plan and Implementation Strategy issued by the National Science and Technology Council's Joint Subcommittee on Ocean Science and Technology on January 26, 2007, identifies research priorities for compelling areas of interaction between society and the ocean, and calls for the engagement of a broad array of ocean science sectors (government, academia, industry, and non-government entities) to address the areas of greatest research need and opportunity.

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

* * * * * * *

(c) PURPOSE.—It is the purpose of the Congress to achieve the objective of this title by extending and strengthening the national sea grant program, initially established in 1966, [to promote research, education, training, and advisory service activities] *to promote integrated research, education, training, and extension activities* in fields related to ocean, coastal, and Great Lakes resources.

SEC. 203. DEFINITIONS.

As used in this title—

(1) * * *

* * * * * * *

[(9) The term "panel" means the sea grant review panel established under section 209.]

(9) The term "Board" means the National Sea Grant Advisory Board established under section 209.

* * * * * * *

(11) The term "project" means any individually described activity in a field related to ocean, coastal, and Great Lakes resources involving research, education, training, or [advisory services] *extension services* administered by a person with expertise in such a field.

(12) The term "sea grant college" means any institution, or any association or alliance of two or more such institutions, designated as such by the Secretary under section 207 [(33 U.S.C. 1126)] of this Act.

(13) The term "sea grant institute" means any institution, or any association or alliance of two or more such institutions, designated as such by the Secretary under section 207 [(33 U.S.C. 1126)] of this Act.

* * * * * * *

(17) The term "regional research and information plan" means a plan developed by one or more sea grant colleges or sea grant institutes that identifies regional priorities to implement the National Ocean Research Priorities Plan and Implementation Strategy.

(18) The term "National Ocean Research Priorities Plan and Implementation Strategy" means such plan and strategy issued by the National Science and Technology Council's Joint Subcommittee on Ocean Science and Technology on January 26, 2007.

SEC. 204. NATIONAL SEA GRANT COLLEGE PROGRAM.

(a) * * *

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

[(1) sea grant programs which comprise a national sea grant college program network, including international projects conducted within such programs;

[(2) administration of the national sea grant college program and this title by the national sea grant office, the Administration, and the panel;]

(1) sea grant programs that comprise a national sea grant college program network, including international projects conducted within such programs and regional and national projects conducted among such programs;

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

(3) the fellowship program under section 208; [and]

[(4) any national strategic investments in fields relating to ocean, coastal, and Great Lakes resources developed with the approval of the panel, the sea grant colleges, and the sea grant institutes.]

(4) any regional or national strategic investments in fields relating to ocean, coastal, and Great Lakes resources developed in consultation with the board and with the approval of the sea grant colleges and the sea grant institutes; and

(5) methods for the national sea grant college program to explore the environmental and scientific considerations, including providing scientifically sound data, relative to the production of ocean and coastal offshore petroleum, natural gas, geothermal, wind, and ocean thermal energy resources, including the siting of energy related facilities in the coastal zone.

(c) RESPONSIBILITIES OF THE SECRETARY.—

(1) The Secretary, in consultation with the [panel] *Board*, sea grant colleges, and sea grant institutes, shall develop at least every 4 years a strategic plan that establishes priorities for the national sea grant college program, provides an appropriately balanced response to local, regional, and national needs, and is reflective of integration with the relevant portions of the strategic plans of the Department of Commerce and of the Administration.

(2) [Within 6 months of the date of enactment of the National Sea Grant College Program Reauthorization Act of 1998, the] *The* Secretary, in consultation with the [panel] *Board*, sea grant colleges, and sea grant institutes, shall establish guidelines related to the activities and responsibilities of sea grant colleges and sea grant institutes. Such guidelines shall include requirements for the conduct of merit review by the sea grant colleges and sea grant institutes of proposals for grants and contracts to be awarded under section 205, providing, at a minimum, for standardized documentation of such proposals and peer review of all research projects.

* * * * * * *

(8) The Board may establish such subcommittees as are reasonably necessary to carry out its duties under subsection (b). Such subcommittees may include individuals who are not Board members.

(d) DIRECTOR OF THE NATIONAL SEA GRANT COLLEGE PROGRAM.—

(1) * * *

(2) Subject to the supervision of the Secretary, the Director shall administer the national sea grant college program and oversee the operation of the national sea grant office. In addition to any other duty prescribed by law or assigned by the Secretary, the Director shall—

(A) facilitate and coordinate the development of a [long-range] strategic plan under subsection (c)(1);

* * * * * * *

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

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

[(ii) rate the programs according to their relative performance (as determined under clause (i)) into no less than 5 categories, with each of the 2 best-performing categories containing no more than 25 percent of the programs;]

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

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

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

(iii) encourage cooperation with Minority Serving Institutions—

(I) to enhance collaborative research opportunities for faculty and students in the areas of atmospheric, oceanic, and environmental sciences, and remote sensing;

(II) to improve opportunities for, and retention of, students and faculty from Minority Serving Institutions in the NOAA related sciences; and

(III) to increase the number of such students graduating in NOAA science areas;

[(ii) encourage] *(iv) ensuring* successful implementation of sea grant programs;

[(iii)] *(v)* to the maximum extent consistent with other provisions of this Act, provide a stable base of funding for sea grant colleges and institutes; and

[(iv)] *(vi)* encourage and promote coordination and cooperation between the research, education, and out-

reach programs of the Administration and those of academic institutions; and

* * * * * * *

SEC. 205. CONTRACTS AND GRANTS.

(a) IN GENERAL.—The Secretary may make grants and enter into contracts under this subsection to assist any sea grant program or project if the Secretary finds that such program or project will—

(1) * * *

* * * * * * *

The total amount paid pursuant to any such grant or contract may equal 66⅔ percent, or any lesser percent, of the total cost of the sea grant program or project involved; except that this limitation shall not apply in the case of grants or contracts paid for with funds accepted by the Secretary under section 204(c)(4)(F) *or that are appropriated under section 208(b)*.

(b) SPECIAL GRANTS.—The Secretary may make special grants under this subsection to implement the objective set forth in section 202(b). The amount of any such grant may equal 100 percent, or any lesser percent, of the total cost of the project involved. No grant may be made under this subsection unless the Secretary finds that—

(1) * * *

* * * * * * *

(3) the same or equivalent benefit cannot be obtained through the award of a contract or grant under subsection (a).

[The total amount which may be provided for grants under this subsection during any fiscal year shall not exceed an amount equal to 1 percent of the total funds appropriated for such year pursuant to section 212.]

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

* * * * * * *

SEC. 207. SEA GRANT COLLEGES AND SEA GRANT INSTITUTES.

(a) DESIGNATION.—

(1) A sea grant college or sea grant institute shall meet the following qualifications—

(A) * * *

* * * * * * *

(F) meet such other qualifications as the Secretary, in consultation with the [panel] *Board*, considers necessary or appropriate.

(2) The Secretary may designate an institution, or an association or alliance of two or more such institutions, as a sea grant college if the institution, association, or alliance—

(A) * * *

(B) maintains a program of research, [advisory services] *extension services*, training, and education in fields related to ocean, coastal, and Great Lakes resources.

(3) The Secretary may designate an institution, or an association or alliance of two or more such institutions, as a sea grant institute if the institution, association, or alliance—

(A) * * *

(B) maintains a program which includes, at a minimum, research and [advisory services] *extension services*.

* * * * * * *

(d) DUTIES.—Subject to any regulations prescribed or guidelines established by the Secretary, it shall be the responsibility of each sea grant college and sea grant institute—

(1) to develop and implement, in consultation with the Secretary and the [panel] *Board*, a program that is consistent with the guidelines and priorities established under section 204(c); and

* * * * * * *

SEC. 208. FELLOWSHIPS.

(a) IN GENERAL.—To carry out the educational and training objectives of this Act, the Secretary shall support a program of fellowships for qualified individuals at the graduate and post-graduate level. The fellowships shall be related to ocean, coastal, and Great Lakes resources and awarded pursuant to guidelines established by the Secretary. The Secretary shall strive to ensure equal access for minority and economically disadvantaged students to the program carried out under this subsection. [Not later than 1 year after the date of the enactment of the National Sea Grant College Program Act Amendments of 2002, and every 2 years thereafter,] *Every 2 years,* the Secretary shall submit a report to the Congress describing the efforts by the Secretary to ensure equal access for minority and economically disadvantaged students to the program carried out under this subsection, and the results of such efforts.

* * * * * * *

[SEC. 209. SEA GRANT REVIEW PANEL.

[(a) ESTABLISHMENT.—There shall be established an independent committee to be known as the sea grant review panel.

[(b) DUTIES.—The Panel shall advise the Secretary and the Director concerning—

[(1) applications or proposals for, and performance under, grants and contracts awarded under section 205 ;

[(2) the sea grant fellowship program;

[(3) the designation and operation of sea grant colleges and sea grant institutes, and the operation of sea grant programs;

[(4) the formulation and application of the planning guidelines and priorities under section 204(a) and (c)(1); and

[(5) such other matters as the Secretary refers to the panel for review and advice.

The Secretary shall make available to the panel such information, personnel, and administrative services and assistance as it may reasonably require to carry out its duties.]

SEC. 209. NATIONAL SEA GRANT ADVISORY BOARD.

(a) ESTABLISHMENT.—There shall be an independent committee to be known as the National Sea Grant Advisory Board.

(b) DUTIES.—

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

(A) strategies for utilizing the sea grant college program to address the Nation's highest priorities regarding the understanding, assessment, development, utilization, and conservation of ocean, coastal, and Great Lakes resources;

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

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

(2) BIENNIAL REPORT.—The Board shall report to the Congress every two years on the state of the national sea grant college program. The Board shall indicate in each such report the progress made toward meeting the priorities identified in the strategic plan in effect under section 204(c). The Secretary shall make available to the Board such information, personnel, and administrative services and assistance as it may reasonably require to carry out its duties under this title.

(c) MEMBERSHIP, TERMS, AND POWERS.—(1) The [panel] *Board* shall consist of 15 voting members who shall be appointed by the Secretary. The Director and a director of a sea grant program who is elected by the various directors of sea grant programs shall serve as nonvoting members of the [panel] *Board*. Not less than 8 of the voting members of the [panel] *Board* shall be individuals who, by reason of knowledge, experience, or training, are especially qualified in one or more of the disciplines and fields included in marine science. The other voting members shall be individuals who, by reason of knowledge, experience, or training, are especially qualified in, or representative of, education, marine affairs and resource management, extension services, State government, industry, economics, planning, or any other activity which is appropriate to, and important for, any effort to enhance the understanding, assessment, development, utilization, or conservation of ocean, coastal, and Great Lakes resources. No individual is eligible to be a voting member of the [panel] *Board* if the individual is (A) the director of a sea grant college or sea grant institute; (B) an applicant for, or beneficiary (as determined by the Secretary) of, any grant or contract under section 205; or (C) a full-time officer of employee of the United States.

(2) The term of office of a voting member of the [panel] *Board* shall be 3 years for a member appointed before the date of enactment of the National Sea Grant College Program Act Amendments of 2002, and 4 years for a member appointed or reappointed after the date of enactment of the National Sea Grant College Program Act Amendments of 2002. The Director may extend the term of office of a voting member of the [panel] *Board* appointed before the date of enactment of the National Sea Grant College Program Act Amendments of 2002 by up to 1 year. At least once each year, the Secretary shall publish a notice in the Federal Register soliciting nominations for membership on the [panel] *Board*.

(3) Any individual appointed to a partial or full term may be reappointed for one addition 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.] *The Director*

may extend the term of office of a voting member of the Board once by up to 1 year.

(4) The [panel] *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 [panel] *Board* shall—

(A) receive compensation at a rate 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 [panel] *Board*; and

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

(6) The [panel] *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.

(7) The [panel] *Board* may exercise such powers as are reasonably necessary in order to carry out its duties under subsection (b).

* * * * * * *

SEC. 212. AUTHORIZATION OF APPROPRIATIONS.

[(a) AUTHORIZATION.—

[(1) IN GENERAL.—There are authorized to be appropriated to the Secretary to carry out this title—

[(A) $60,000,000 for fiscal year 2003;

[(B) $75,000,000 for fiscal year 2004;

[(C) $77,500,000 for fiscal year 2005;

[(D) $80,000,000 for fiscal year 2006;

[(E) $82,500,000 for fiscal year 2007; and

[(F) $85,000,000 for fiscal year 2008.

[(2) PRIORITY ACTIVITIES.—In addition to the amounts authorized under paragraph (1), there are authorized to be appropriated for each of fiscal years 2003 through 2008—

[(A) $5,000,000 for competitive grants for university research on the biology and control of zebra mussels and other important aquatic nonnative species;

[(B) $5,000,000 for competitive grants for university research on oyster diseases, oyster restoration, and oyster-related human health risks;

[(C) $5,000,000 for competitive grants for university research on the biology, prevention, and forecasting of harmful algal blooms, including Pfiesteria piscicida; and

[(D) $3,000,000 for competitive grants for fishery extension activities conducted by sea grant colleges or sea grant institutes to enhance, and not supplant, existing core program funding.]

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

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

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

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

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

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

(6) $100,000,000 for fiscal year 2014.

* * * * * * *

[(c) DISTRIBUTION OF FUNDS.—In any fiscal year in which the appropriations made under subsection (a)(1) exceed the amounts appropriated for fiscal year 2003 for the purposes described in such subsection, the Secretary shall distribute any excess amounts (except amounts used for the administration of the sea grant program) to any combination of the following:

[(1) sea grant programs, according to their rating under section 204(d)(3)(A);

[(2) national strategic investments authorized under section 204(b)(4);

[(3) a college, university, institution, association, or alliance for activities that are necessary for it to be designated as a sea grant college or sea grant institute; and

[(4) a sea grant college or sea grant institute designated after the date of enactment of the National Sea Grant College Program Act Amendments of 2002 but not yet evaluated under section 204(d)(3)(A).]

[(d)] *(c)* AVAILABILITY OF SUMS.—Sums appropriated pursuant to this section shall remain available until expended.

[(e)] *(d)* REVERSION OF UNOBLIGATED AMOUNTS.—The amount of any grant, or portion of a grant, made to a person under any section of this Act that is not obligated by that person during the first fiscal year for which it was authorized to be obligated or during the next fiscal year thereafter shall revert to the Secretary. The Secretary shall add that reverted amount to the funds available for grants under the section for which the reverted amount was originally made available.

SECTION 307 OF THE ACT OF MARCH 9, 1992

(Public Law 102–251)

AN ACT to provide for the designation of the Flower Garden Banks National Marine Sanctuary.

[NATIONAL SEA GRANT COLLEGE PROGRAM

[SEC. 307. (a) DEFINITIONS.—Section 203(6) of the National Sea Grant College Program Act (33 U.S.C. 1122(6)) is amended—

[(1) by striking "and" at the end of subparagraph (E);

[(2) by redesignating subparagraph (F) as subparagraph (G); and

[(3) by inserting immediately after subparagraph (E) the following new subparagraph:

["(F) the areas referred to as eastern special areas in Article 3(1) of the Agreement between the United States of America and the Union of Soviet Socialist Republics on the Maritime Boundary, signed June 1, 1990; in particular, those areas east of the maritime boundary, as defined in that Agreement, that lie within 200 nautical miles of the baselines from which the breadth of the territorial sea of Russia is measured but beyond 200 nautical miles of the baselines from which the breadth of the territorial sea of the United States is measured; and".

[(b) INTERNATIONAL PROGRAM.—Section 3(a)(6) of the Sea Grant Program Improvement Act of 1976 (33 U.S.C. 1124a(a)(6)) is amended by inserting "and special areas" immediately after "exclusive economic zone".]

XX. COMMITTEE RECOMMENDATIONS

On June 25, 2008, the Committee on Science and Technology favorably reported H.R. 5618, as amended, by a voice vote and recommended its passage by the House of Representatives.

XXI. ADDITIONAL VIEWS

I applaud Chairman Gordon and Ranking Member Hall as well as Energy and Environment Subcommittee Chairman Lampson and Ranking Member Inglis for bringing forward H.R. 5618 in a bipartisan manner. H.R. 5618 is important legislation that improves and expands upon the scope of the National Sea Grant College Program in a number of key ways to improve marine resource conservation, management, and utilization.

While I supported favorably reporting this bill to the House, I wholeheartedly believe that the Committee missed a golden opportunity to improve this bill and address the single biggest concern that Americans face on a daily basis: the cost of energy. When it was established in 1966, one of the original goals of the National Sea Grant College Program was to better understand and utilize our oceanic resources as an important energy supply; yet I do not feel that H.R. 5618 fully addresses this issue.

Therefore, I offered an amendment that would have brought together some of the nation's top academic institutions through the National Sea Grant College Program to find ways to expand the focus of the energy component of the program in order to better utilize our offshore resources for energy production in an environmentally sensitive manner. At a time when families are paying well over $4.00 for a gallon of regular gas, it is long overdue that we utilize every federal component possible to put in place the processes to explore American offshore energy resources.

Unfortunately, my amendment failed on a near party-line vote. I am disappointed that some Members of the Committee chose to put partisan politics above the need to find common-sense solutions to our nation's energy crisis. Ultimately, it is my hope that we will be able to utilize all available domestic sources of energy by including offshore research and exploration within the National Sea Grant College Program.

PHIL GINGREY.

XXII. PROCEEDINGS OF THE MARKUP BY THE SUBCOMMITTEE ON ENERGY AND ENVIRONMENT ON H.R. 5618, THE NATIONAL SEA GRANT COLLEGE PROGRAM AMENDMENTS ACT OF 2007

WEDNESDAY, JUNE 18, 2008

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

The Subcommittee met, pursuant to call, at 10:05 a.m., in Room 2318 of the Rayburn House Office Building, Hon. Nick Lampson [Chairman of the Subcommittee] presiding.

Chairman LAMPSON. Good morning. This Subcommittee 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. 4174, *Federal Ocean Acidification Research and Monitoring Act of 2007,* H.R. 5618, *National Sea Grant College Program Amendments Act of 2008,* and a bill to establish a research, development, demonstration and commercial application program to promote research of appropriate technologies for heavy-duty plug-in hybrid vehicles and for other purposes.

We will now proceed with the markup. Beginning with the opening statements, I will begin.

Today the Subcommittee will consider three good bills.

The first is H.R. 4174, the *Federal Ocean Acidification Research and Monitoring Act.* This bill establishes an interagency ocean acidification research and monitoring program. H.R. 4174 was introduced by our colleague from Maine, Congressman Tom Allen, and is sponsored by a Member of this Subcommittee, Mr. Baird.

On June 5th we heard from a panel of experts on ocean and atmospheric sciences testify in strong support of this legislation. The bill authorizes the formation of an interagency research and monitoring program to better understand ocean acidification and its potential impacts on marine organisms and marine ecosystems.

The second bill we will is consider is H.R. 5618, the *National Sea Grant College Program Amendments Act.* H.R. 5618 was introduced by Congresswoman Bordallo, Chair of the Committee on Natural Resources, Subcommittee on Fisheries, Wildlife, and Oceans. This bill reauthorizes and amends the *National Sea Grant College Program Act* to implement changes in the program recommended by the National Academies of Science.

The National Sea Grant College Program was last reauthorized in 2002. It is a partnership between states and the Federal Government to promote understanding, conservation, and management of our ocean, coastal, and Great Lakes resources. Sea Grants research, education, and extension programs have been very effective in training future scientists and resource managers, generating information to support sound resource management, and delivering applied research results to the people who rely on our coastal areas and Great Lakes for their livelihoods.

Finally, the Subcommittee will consider draft legislation authored by Mr. Sensenbrenner, Ranking Member of the Investigations and Oversight Subcommittee, to enhance the Department of Energy's research program in heavy-duty hybrid trucks.

Mr. Sensenbrenner does not sit on this subcommittee, and thus will not be joining us today. I understand that the manager's amendment has only one small technical change that needs to be made prior to introduction. This bill addresses a narrow segment of the automobile market with a tremendous potential impact. We heard in a Subcommittee hearing last week from witnesses who described the substantial oil savings and emissions reductions to be had in medium-to-heavy hybrid trucks, as well as the benefit to the whole domestic automotive sector from the invaluable lessons learned in designing and manufacturing these systems.

I believe this is a very important piece of legislation in the large and complex puzzle that is our transportation sector, and I look forward to moving this bill through Committee and on to the Floor for consideration by the House.

I urge the support of all Members of the Subcommittee for the three bills we will consider today. I look forward to working with all of you to further improve these important bills as we move to their consideration by the Full Committee.

[The prepared statement of Chairman Lampson follows:]

PREPARED STATEMENT OF CHAIRMAN NICK LAMPSON

Good morning. Today the Subcommittee will consider three bills. The first is H.R. 4174, the *Federal Ocean Acidification Research and Monitoring Act.*

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This bill reauthorizes and amends the *National Sea Grant College Program Act* to implement changes in the program recommended by the National Academy of Sciences.

The National Sea Grant College Program was last reauthorized in 2002. It is a partnership between states and the Federal Government to promote the understanding, conservation, and management of our ocean, coastal, and Great Lakes resources. Sea Grants research, education, and extension programs have been very effective in training future scientists and resource managers, generating information to support sound resource management, and delivering applied research results to the people who rely on our coastal areas and Great Lakes for their livelihoods.

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Mr. Sensenbrenner does not sit on this subcommittee, and thus will not be joining us today. I understand that the manager's amendment has only one small technical change that needs to be made prior to introduction, and that we will take up any additional amendments in a Full Committee markup.

This bill addresses a narrow segment of the automobile market with a tremendous potential impact. We heard in a Subcommittee hearing last week from witnesses who described the substantial oil savings and emissions reductions to be had in medium-to-heavy hybrid trucks, as well as the benefit to the whole domestic automotive sector from the invaluable lessons learned in designing and manufacturing these systems.

I believe this is a very important piece of legislation in the large and complex puzzle that is our transportation sector. I look forward to moving this bill through Committee and on to the Floor for consideration by the House.

I urge the support of all Members of the Subcommittee for the three bills we will consider today. I look forward to working with all of you to further improve these important bills as we move to their consideration by the Full Committee.

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

Mr. INGLIS. Thank you, Mr. Chairman, and thank you for holding this markup. Today we will consider three bills before this Subcommittee. H.R. 4174, the *Federal Ocean Acidification Research and Monitoring Act* would organize and coordinate federal agency efforts to address ocean acidification into a comprehensive research, monitoring, and assessment program. Two weeks ago, this subcommittee held a hearing in which we received several recommended changes from the expert panel of witnesses. Representative Baird and I will introduce an amendment that acts upon these recommendations. As we move forward to Full Committee, I hope that we can further improve the international components of this bill and encourage our scientists to work with their colleagues overseas.

Secondly, we will consider H.R. 5618, the *National Sea Grant College Program Amendments Act.* Since its inception in 1966, the National Sea Grant Program has been a successful collaborative effort of the Federal Government, State governments, and universities. Under the program, these groups work together to understand, develop, and conserve our coastal and ocean resources. As we mark up H.R. 5618, our goal should be a reauthorization that equips the Sea Grant Program to continue providing sound science and management products that benefit our coastal regions and conserve our coastal resources.

Finally, we will consider draft legislation introduced by Mr. Sensenbrenner that would steer federal dollars toward research, development, and demonstration in the area of commercial truck hybrid technologies.

Thank you again, Mr. Chairman. 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 consider three bills before this subcommittee. H.R. 4174, the *Federal Ocean Acidification Research and Monitoring Act,* would organize and coordinate federal agency efforts to address ocean acidification into a comprehensive research, monitoring and assessment program. Two weeks ago, this subcommittee held a hearing in which we received several recommended changes from the expert panel

of witnesses. Rep. Baird and I will introduce an amendment that acts upon these recommendations. As we move forward to Full Committee, I hope that we can further improve the international components of this bill and encourage our scientists to work with their colleagues overseas.

Secondly, we'll consider H.R. 5618, the *National Sea Grant College Program Amendments Act*. Since its inception in 1966, the National Sea Grant Program has been a successful collaborative effort of the Federal Government, State governments, and universities. Under the program, these groups work together to understand, develop, and conserve our coastal and ocean resources. As we markup H.R. 5618, our goal should be a reauthorization that equips the Sea Grant Program to continue providing sound science and management products that benefit our coastal regions and conserve our coastal resources.

Finally, we will consider draft legislation introduced by Mr. Sensenbrenner that would steer federal dollars toward research, development, and demonstration in the area of commercial truck hybrid technologies.

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 additional opening statements in the record at this point.

We will now consider H.R. 5618, the *National Sea Grant College Program Amendments Act for 2008*.

I would again like to express my strong support for both the Sea Grant Program and Ms. Bordallo's bill, and I now recognize Mr. Inglis to present any remarks on the bill.

Mr. INGLIS. I would simply add, Mr. Chairman, that as I said in the opening statement, I support the bill and think it is—I would urge my colleagues to do likewise.

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 Members proceed with the amendments in order in the order of the roster. Without objection, it is so ordered. Are there any amendments? Hearing none, the vote is on the bill, H.R. 5618, the *National Sea Grant College Program Amendments Act for 2008*. All those in favor say aye, those opposed say no. In the Chair, the ayes have it.

I recognize Mr. Baird to offer a motion.

Mr. BAIRD. Mr. Chair, I move that the Subcommittee favorably report H.R. 5618 to the Full Committee. Furthermore, I move that 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. The bill is favorably reported. Without objection, the motion to reconsider is laid upon the table. Subcommittee Members may submit additional or Minority views on the measure.

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

[Whereupon, at 10:27 a.m., the Subcommittee was adjourned.]

Appendix:

H.R. 5618, Section-by-Section Analysis

Union Calendar No.

110TH CONGRESS
2D SESSION

H. R. 5618

[Report No. 110–]

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

IN THE HOUSE OF REPRESENTATIVES

MARCH 13, 2008

Ms. BORDALLO (for herself, Mr. FALEOMAVAEGA, Mr. SAXTON, Mr. ABERCROMBIE, Mr. GILCHREST, and Mr. FARR) introduced the following bill; which was referred to the Committee on Natural Resources

MAY --, 2008

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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

[For text of introduced bill, see copy of bill as introduced on March 13, 2008]

A BILL

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

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Sea Grant College Program Amendments Act of 2008".

SEC. 2. REFERENCES.

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

SEC. 3. FINDINGS AND PURPOSE.

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

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

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

(2) in paragraph (2) by striking "program of research, education," and inserting "program of integrated research, education, extension,"; and

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

"(6) The National Ocean Research Priorities Plan and Implementation Strategy issued by the National Science and Technology Council's Joint Sub-

committee on Ocean Science and Technology on January 26, 2007, identifies research priorities for compelling areas of interaction between society and the ocean, and calls for the engagement of a broad array of ocean science sectors (government, academia, industry, and non-government entities) to address the areas of greatest research need and opportunity.

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

(b) PURPOSE.—Section 202(c) (33 U.S.C. 1121(c)) is amended by striking "to promote research, education, training, and advisory service activities" and inserting "to pro-

mote integrated research, education, training, and extension activities".

SEC. 4. DEFINITIONS.

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

(1) in paragraph (11) by striking "advisory services" and inserting "extension services";

(2) in each of paragraphs (12) and (13) by striking "(33 U.S.C. 1126)"; and

(3) by adding at the end the following:

"(17) The term 'regional research and information plan' means a plan developed by one or more sea grant colleges or sea grant institutes that identifies regional priorities to implement the National Ocean Research Priorities Plan and Implementation Strategy.

"(18) The term 'National Ocean Research Priorities Plan and Implementation Strategy' means such plan and strategy issued by the National Science and Technology Council's Joint Subcommittee on Ocean Science and Technology on January 26, 2007.".

(b) REPEAL.—Section 307 of the Act entitled "An Act to provide for the designation of the Flower Garden Banks National Marine Sanctuary" (Public Law 102–251; 106 Stat. 66) is repealed.

SEC. 5. NATIONAL SEA GRANT COLLEGE PROGRAM, GENERALLY.

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

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

"(1) sea grant programs that comprise a national sea grant college program network, including international projects conducted within such programs and regional and national projects conducted among such programs;";

(2) by amending paragraph (2) to read as follows:

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

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

"(4) any regional or national strategic investments in fields relating to ocean, coastal, and Great Lakes resources developed in consultation with the board and with the approval of the sea grant colleges and the sea grant institutes.".

(b) TECHNICAL CORRECTION.—Section 204(c)(2) (33 U.S.C. 1123(c)(2)) is amended by striking "Within 6 months of the date of enactment of the National Sea Grant

College Program Reauthorization Act of 1998, the" and inserting "The".

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

(1) in paragraph (2)(A), by striking "long-range";

(2) in paragraph (3)(A)—

(A) by striking "(A)(i) evaluate" and inserting "(A) evaluate and assess";

(B) by striking "activities; and" and inserting "activities;"; and

(C) by striking clause (ii); and

(3) in paragraph (3)(B)—

(A) by redesignating clauses (ii) through (iv) as clauses (iii) through (v), respectively, and by inserting after clause (i) the following:

"(ii) encourage collaborations among sea grant colleges and sea grant institutes to address regional and national priorities established under subsection (c)(1);"; and

(B) in clause (iii) (as so redesignated) by striking "encourage" and inserting "ensuring".

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

2 *(a) EXEMPTION FROM LIMITATION ON COST SHARE.—*
3 *Section 205(a) (33 U.S.C. 1124(a)) is amended in the mat-*
4 *ter following paragraph (2), by inserting "or that are ap-*
5 *propriated under section 208(b)" before the period at the*
6 *end.*

7 *(b) SPECIAL GRANTS; MAXIMUM AMOUNT.—Section*
8 *205(b) (33 U.S.C. 1124(b)) is amended by striking the mat-*
9 *ter following paragraph (3) and inserting the following:*
10 *"The total amount that may be provided for grants under*
11 *this subsection during any fiscal year shall not exceed an*
12 *amount equal to 5 percent of the total funds appropriated*
13 *for such year under section 212.".*

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

16 *Section 207(a) (33 U.S.C. 1126(a)) is amended in each*
17 *of paragraphs (2)(B) and (3)(B) by striking "advisory serv-*
18 *ices" and inserting "extension services".*

19 ***SEC. 8. TECHNICAL CORRECTION RELATING TO FELLOW-***
20 ***SHIPS.***

21 *Section 208(a) (33 U.S.C. 1127(a)) is amended by*
22 *striking "Not later than 1 year after the date of the enact-*
23 *ment of the National Sea Grant College Program Act*
24 *Amendments of 2002, and every 2 years thereafter," and*
25 *inserting "Every 2 years,".*

SEC. 9. NATIONAL SEA GRANT ADVISORY BOARD.

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

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

(2) MEMBERSHIP NOT AFFECTED.—An individual serving as a member of the sea grant review panel immediately before the enactment of this Act may continue to serve as a member of the National Sea Grant Advisory Board until the expiration of such member's term under section 209(c) of such Act (33 U.S.C. 1128(c).

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

(4) CONFORMING AMENDMENTS.—

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

1 ***"SEC. 209. NATIONAL SEA GRANT ADVISORY BOARD.***

2 *"(a) ESTABLISHMENT.—There shall be an independent*
3 *committee to be known as the National Sea Grant Advisory*
4 *Board.".*

5 *(B) DEFINITION.—Section 203(9) (33*
6 *U.S.C. 1122(9)) is amended to read as follows:*
7 *"(9) The term 'Board' means the National Sea*
8 *Grant Advisory Board established under section*
9 *209.";*

10 *(C) OTHER PROVISIONS.—The following*
11 *provisions are each amended by striking "panel"*
12 *each place it appears and inserting "Board":*

13 *(i) Section 204 (33 U.S.C. 1123).*
14 *(ii) Section 207 (33 U.S.C. 1126).*
15 *(iii) Section 209 (33 U.S.C. 1128).*

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

18 *"(b) DUTIES.—*

19 *"(1) IN GENERAL.—The Board shall advise the*
20 *Secretary and the Director concerning—*

21 *"(A) strategies for utilizing the sea grant*
22 *college program to address the Nation's highest*
23 *priorities regarding the understanding, assess-*
24 *ment, development, utilization, and conservation*
25 *of ocean, coastal, and Great Lakes resources;*

1 *"(B) the designation of sea grant colleges*
2 *and sea grant institutes; and*
3 *"(C) such other matters as the Secretary re-*
4 *fers to the Board for review and advice.*
5 *"(2) BIENNIAL REPORT.—The Board shall report*
6 *to the Congress every two years on the state of the na-*
7 *tional sea grant college program. The Board shall in-*
8 *dicate in each such report the progress made toward*
9 *meeting the priorities identified in the strategic plan*
10 *in effect under section 204(c). The Secretary shall*
11 *make available to the Board such information, per-*
12 *sonnel, and administrative services and assistance as*
13 *it may reasonably require to carry out its duties*
14 *under this title.".*
15 *(c) EXTENSION OF TERM.—Section 209(c)(2) (33*
16 *U.S.C. 1128(c)(2)) is amended by striking the second sen-*
17 *tence and inserting the following: "The Director may extend*
18 *the term of office of a voting member of the Board once*
19 *by up to 1 year.".*
20 *(d) ESTABLISHMENT OF SUBCOMMITTEES.—Section*
21 *204(c) (33 U.S.C. 1123(c)) is amended by adding at the*
22 *end the following:*
23 *"(8) The Board may establish such subcommittees as*
24 *are reasonably necessary to carry out its duties under sub-*

1 *section (b). Such subcommittees may include individuals*
2 *who are not Board members.".*

3 ***SEC. 10. AUTHORIZATION OF APPROPRIATIONS.***

4 *(a) AUTHORIZATION.—Section 212(a) (33 U.S.C.*
5 *1131(a)) is amended to read as follows:*

6 *"(a) AUTHORIZATION.—There are authorized to be ap-*
7 *propriated to the Secretary to carry out this title—*

8 *"(1) $66,000,000 for fiscal year 2009;*
9 *"(2) $72,800,000 for fiscal year 2010;*
10 *"(3) $79,600,000 for fiscal year 2011;*
11 *"(4) $86,400,000 for fiscal year 2012;*
12 *"(5) $93,200,000 for fiscal year 2013; and*
13 *"(6) $100,000,000 for fiscal year 2014.".*

14 *(b) REPEAL OF DISTRIBUTION REQUIREMENT.—Sec-*
15 *tion 212 (33 U.S.C. 1131) is amended by striking sub-*
16 *section (c), and by redesignating subsections (d) and (e) as*
17 *subsections (c) and (d), respectively.*

SECTION-BY-SECTION ANALYSIS OF
H.R. 5618, THE NATIONAL SEA GRANT COLLEGE
PROGRAM AMENDMENTS ACT OF 2008

SECTION 1. SHORT TITLE

Section 1 entitles the legislation as the "National Sea Grant College Program Amendments Act of 2008."

SECTION 2. REFERENCES

Section 2 clarifies that all amendment references in the legislation are made to the National Sea Grant College Program Act (33 U.S.C. 1121 et seq.).

SECTION 3. FINDINGS AND PURPOSES

Section 3 amplifies the extension aspects of the Sea Grant program and cites the relevance of the National Ocean Research Priorities Plan and Implementation Strategy to the Sea Grant Program.

SECTION 4. DEFINITIONS

Section 4 defines key terms included within the text of the proposed legislation, including 'regional research and information plan' and 'National Ocean Research Priorities Plan and Implementation Strategy' where they appear in the bill.

SECTION 5. NATIONAL SEA GRANT COLLEGE PROGRAM, GENERALLY

Section 5 amends the Program Elements to expand Sea Grant programs to include regional and national projects among Sea Grant institutions and to add regional strategic investments in projects undertaken through sea grant projects. Section 5 also augments the functions of the Director of the National Sea Grant College Program to include encouraging collaborations among Sea Grant colleges and institutions. This section also strikes the sea grant program performance ranking system for allocating additional resources on the basis of performance.

SECTION 6. PROGRAM OR PROJECT GRANTS AND CONTRACTS

Section 6 exempts the Dean John A. Knauss Marine Policy Fellowship Program from having to match grant awards in order to achieve parity between fellows placed in Congressional offices with those fellows placed in federal agencies.

This section also increases the percentage of funds exempt from the non-federal match requirement from the current one percent to five percent.

SECTION 7. EXTENSION SERVICES BY SEA GRANT COLLEGES AND SEA GRANT INSTITUTES

Section 7 clarifies that one of the requirements for designation includes an extension program (as opposed to an "advisory service").

SECTION 8. TECHNICAL CORRECTION RELATING TO FELLOWSHIPS

Section 8 updates the statutory language requiring a report every two years on efforts to include minority and economically disadvantaged students.

SECTION 9. NATIONAL SEA GRANT ADVISORY BOARD

Section 9 expands the responsibilities of the National Sea Grant Review Panel, renaming the panel as the "National Sea Grant Advisory Board" to more appropriately and accurately describe its purpose and function.

SECTION 10. AUTHORIZATION OF APPROPRIATIONS

Section 10 increases authorized funding levels from $66 million to $100 million for the period between Fiscal Year 2009 through Fiscal Year 2014.

XXIII. PROCEEDINGS OF THE FULL COMMITTEE MARKUP ON H.R. 5618, THE NATIONAL SEA GRANT COLLEGE PROGRAM AMENDMENTS ACT OF 2008

WEDNESDAY, JUNE 25, 2008

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

The Committee met, pursuant to call, at 11:02 a.m., in Room 2318 of the Rayburn House Office Building, Hon. Bart Gordon [Chairman of the Committee] presiding.

Chairman GORDON. This committee will come to order. The first order of business is to introduce our new Member, Mr. Carson, to serve on the Committee of Science and Technology. We currently have two open Subcommittee spots, on Research and Science Education Subcommittee and Investigations and Oversight Subcommittee.

I would like to ask unanimous consent that Mr. Carson be elected to those Subcommittees.

Without objection, so ordered. Congratulations, and welcome to the Committee, Mr. Carson. I know you will be a great addition.

We will now proceed with the markup. Today we will be marking up two important bills. The first bill we will consider is H.R. 5618, the *National Sea Grant College Program Amendments Act,* and H.R. 5618 was introduced by Delegate Bordallo, Chair of the Subcommittee on Fisheries, Wildlife, and Oceans of the Natural Resources Committee.

Our committee shares jurisdiction over the Sea Grant College Program with the Resources Committee. Our staff has been working closely with them.

This bill reauthorizes and amends the *National Sea Grant College Program Act of 2002,* to implement changes recommended by the National Academies of Science.

The bill increase the interaction between the National Sea Grant Office and the individual programs, improve the programmatic performance reviews, and strengthens strategic planning for the program.

This program, created nearly 40 years ago, has matured into a state-Federal Government partnership to improve the conservation, management, and utilization of our oceans, coastal, and Great Lakes resources.

The research, education, and extension programs of Sea Grants have been very effective in training future scientists and resource

managers, providing education to the general public, generating information to support sound resource management, and delivering applied research results to the people who rely on our coastal areas and the Great Lakes for their livelihoods.

Next, we will take up H.R. 4174, the *Federal Ocean Acidification Research and Monitoring Act,* which was introduced by our colleague from Maine, Congressman Tom Allen, and co-sponsored by Dr. Baird and Dr. Ehlers.

This committee has continued to be a leader in the discussion of climate change and its consequences. Ocean Acidification is yet another phenomenon caused by the increase in atmospheric carbon dioxide, and it poses a significant threat to marine organisms and marine ecosystems.

Earlier this month the Energy and Environmental Subcommittee heard from a distinguished panel of ocean and atmospheric scientists who testified in strong support of this legislation.

These witnesses provided a number of recommendations to improve the bill. The staff exemplified bipartisan cooperation by working together to craft an amendment to the bill in the last week's Subcommittee markup to incorporate the recommendations of the witnesses.

The bipartisan effort continued and is reflected in a final agreement that will be offered today.

I strongly support each of these bills and look forward to working with my colleagues on the Committee to advance this important legislation.

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

Mr. HALL. Thank you, Mr. Chairman. I am pleased that the Committee is marking up these bills. Each of them addresses issues that are certainly of national importance.

Mr. Chairman, the Committee's work on the National Sea Grant College Program amendments continues a tradition of ensuring the continuation of programs that produce sound science. H.R. 5618 reauthorizes a program that brings local, State, and federal resources together to do research on issues that are of great importance today. This bill also encourages regional collaboration on research projects, recognizing that problems do not stop at the state border.

Additionally, H.R. 4174 organizes the Federal Government's approach to research and monitoring of ocean acidification. Oceans are a valuable resource, essential to our collective well-being. Although the government is conducting some research and monitoring of ocean acidification, it is still done in a very ad hoc manner; most of the time as part of another project. Due to the potential impacts of ocean acidification, this phenomenon requires a very comprehensive federal plan that will produce the sound science upon which we can make informed decisions on how to mitigate and how to adapt to it.

Mr. Chairman, I would like to thank you and your staff for working with us on these bills today. I yield back the balance of my time, sir.

[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 these bills today. Each of them addresses issues that are of national importance.

Mr. Chairman, the Committee's work on the National Sea Grant College Program Amendments continues its tradition of ensuring the continuation of programs that produce sound science. H.R. 5618, reauthorizes a program that brings local, State and federal resources together to do research on issues that are important today. This bill also encourages regional collaboration on research projects, recognizing that problems do not stop at the state border.

Additionally, H.R. 4174 organizes the Federal Government's approach to research and monitoring of ocean acidification. Oceans are invaluable resources, essential to our collective well-being. Although the government is conducting some research and monitoring of ocean acidification, it is being done in a very ad hoc manner—most of the time as part of another project. Due to the potential impacts of ocean acidification, this phenomenon requires a comprehensive federal plan that will produce the sound science upon which we can make informed decisions on how to mitigate and adapt to it.

Mr. Chairman, I would like to thank you and your staff for working with us on these bills before us today.

I yield back the balance of my time.

Chairman GORDON. Without objection Members may place statements in the record at this point.

[The prepared statement of Mr. Mitchell follows:]

PREPARED STATEMENT OF REPRESENTATIVE HARRY E. MITCHELL

Thank you, Mr. Chairman.

Today we will mark up two important bills, H.R. 4174, the *Federal Ocean Acidification Research and Monitoring Act,* and H.R. 5618, the *National Sea Grant College Program Amendments Act.*

The Sea Grant Colleges sponsor a number of vital marine science research, education, training, and technical assistance programs to promote the understanding and utilization of ocean, coastal, and Great Lakes resources.

Today we will consider amendments to H.R. 5618 that will encourage the National Sea Grant College Program to explore methods for producing offshore energy sources such as petroleum, natural gas, geothermal, wind, and ocean thermal resources.

According to the Department of Interior's Minerals Management Service, of all of the gas and oil believed to exist in the Outer Continental Shelf, 82 percent of natural gas and 79 percent of oil is located in areas that are already open to leasing.

However, despite record-high gas prices, oil and gas companies have stockpiled over 10,000 permits for domestic drilling.

I encourage the Sea Grant Colleges to examine methods for energy production in these areas of the Outer Continental Shelf that are already open to leasing.

I urge my colleagues to support both H.R. 4174 and H.R. 5618.

I yield back.

Chairman GORDON. We will now consider H.R. 5618, the *National Sea Grant College Program Amendments Act of 2008.* I have already mentioned the purpose of the bill, and I would just like to state again my support for the Sea Grant Program and for the good bipartisan bill.

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

Mr. HALL. Mr. Chairman, again, I thank you. The National Sea Grant College Program was established in 1966, and it is a program modeled after the Land Grant College Program. The intent of the Sea Grant Program was to focus studies on oceanic work and reap the benefits that the Land Grant Program got from teaching generations of Americans about agriculture, economics, and military tactics.

The Sea Grant network has grown to include more than 30 programs based at top universities in every coastal and Great Lakes state, Puerto Rico, and Guam. The program focuses its investments

on high-priority research. These pressing issues include population growth and development of coastal communities, preparation and response to hurricanes and coastal storms and fisheries management, to name a few.

Sea Grant is one of the few programs that are able to make an impact at the local and State levels and still be a national force for change. H.R. 5618 continues this great tradition of utilizing our nation's universities to train the next generation of ocean researchers while at the same time providing invaluable benefits to coastal communities and other stakeholders.

I believe the *National Sea Grant College Program Amendments Act of 2008,* creates a strong foundation upon which future challenges can be addressed and overcome.

And I thank you, and I yield back.

[The prepared statement of Mr. Hall follows:]

PREPARED STATEMENT OF REPRESENTATIVE RALPH M. HALL

Thank you, Mr. Chairman. The National Sea Grant College Program was established in 1966, a program modeled after the Land Grant College Program. The intent of the Sea Grant Program was to focus studies on oceanic work and reap the benefits that the Land Grant Program got from teaching generations of Americans about agriculture, economics, and military tactics.

The Sea Grant network has grown to include more than 30 programs based at top universities in every coastal and Great Lakes state, Puerto Rico, and Guam. The program focuses its investments on high-priority research. These pressing issues include: population growth and development of coastal communities; preparation and response to hurricanes and coastal storms; and fisheries management, to name a few. Sea Grant is one of the few programs that are able to make an impact at the local and State levels, and still be a national force for change.

H.R. 5618 continues this great tradition of utilizing our nation's universities to train the next generation of ocean researchers while at the same time, providing invaluable benefits to coastal communities and other stakeholders. I believe the *National Sea Grant College Program Amendments Act of 2008* creates a strong foundation upon which future challenges can be addressed and overcome.

I yield back the balance of my time.

Chairman GORDON. Does anyone else wish to be recognized?

Oh, Ms. Johnson is recognized.

Ms. JOHNSON. Thank you, Mr. Chairman. I just have an amendment at the desk if you are ready.

Chairman GORDON. We are not quite ready there, but so if no one else wants to be—address the body of the bill, then I ask unanimous consent that the resolution is considered as read and open to amendments at any point and that Members proceed with amendments in the order of the roster.

Without objection, so ordered.

The first amendment on the roster is amendment offered by the gentlelady from Texas, Ms. Johnson. Are you ready to proceed with your amendment?

Ms. JOHNSON. I am, sir.

Chairman GORDON. The Clerk will report the amendment.

The CLERK. Amendment to H.R. 5618 offered by Ms. Eddie Bernice Johnson of Texas.

Chairman GORDON. I ask unanimous consent to dispense with the reading.

And without objection, so ordered.

I now recognize the gentlelady for five minutes to explain her amendment.

Ms. JOHNSON. Thank you, Mr. Chairman and Ranking Member Hall, for considering my amendment to H.R. 5618.

The amendment would encourage corporation with minority-serving institutions through research collaboration. It states that the Director of the National Sea Grant College Program shall encourage collaborations among Sea Grant colleges and Sea Grant institutions to address regional and national priorities. The Director should also encourage cooperation with minority-serving institutions to enhance collaborative research opportunities for faculty and students in the area of ocean, environmental, and atmospheric sciences.

The amendment also indicates that the Director shall improve opportunities for and retention of students and faculty from minority-serving institutions in these areas.

And finally, the amendment tasks the Director to increase the number of students from minority-serving institutions graduating in NOAA-related areas.

To summarize this amendment aims to increase the participation of people of color and research related to marine source conservation, management, and utilization. Support collaboration with minority-serving institutions is good for our nation. These institutions produce a high percentage of African-Americans and Hispanics with advanced degrees, and minority-serving institutions are powerhouses when it comes to the pipeline of highly-trained, intelligent individuals who are prepared for careers in science.

And I am proud to offer this provision that is designed to increase the diversity of our scientific workforce. I thank you, Mr. Chairman, for the opportunity to speak on the amendment, and I yield back.

[The prepared statement of Ms. Johnson follows:]

PREPARED STATEMENT OF REPRESENTATIVE EDDIE BERNICE JOHNSON

Thank you, Mr. Chairman and Ranking Member Hall, for considering my amendment to H.R. 5618.

The amendment would encourage cooperation with minority-serving institutions through research collaboration.

It states that the Director of the National Sea Grant College Program shall encourage collaborations among sea grant colleges and sea grant institutes to address regional and national priorities.

The Director shall also encourage cooperation with minority-serving institutions to enhance collaborative research opportunities for faculty and students in the areas of ocean-, environmental-, and atmospheric sciences.

The amendment also indicates that the Director shall improve opportunities for, and retention of, students and faculty from minority-serving institutions in these areas.

Finally, the amendment tasks the Director to increase the number of students from minority-serving institutions graduating in the NOAA-related areas.

To summarize, this amendment aims to increase the participation of people of color in research relating to marine resource conservation management, and utilization.

Supporting collaboration with the minority-serving institutions is good for our nation.

These institutions produce a high percentage of African Americans and Hispanics with advanced degrees.

Minority-serving institutions are powerhouses when it comes to the pipeline of highly-trained, talented individuals who are prepared for careers in the sciences.

I am proud to offer this provision that is designed to increase the diversity of our scientific workforce.

Thank you, Mr. Chairman, for the opportunity to speak on my amendment. I yield back.

Chairman GORDON. Thank you, Ms. Johnson, not only for the amendment but for your continuing championing of this very important issue. It has been clearly documented in this committee that we need to encourage minorities and women in these areas, that it is really the best way to get bumps up in that kind of talent since they are so unrepresented.

Is there any 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.

The second amendment on the roster is the amendment offered by the gentleman from Missouri, Mr. Akin. Are you ready to proceed?

Mr. AKIN. Yes. Thank you, Mr. Chairman. I have an amendment. It is at the desk. I guess it is amendment two.

Chairman GORDON. The Clerk will report the amendment.

The CLERK. Mr. Chairman, I have amendment number 004 offered by Mr. Akin of Missouri.

Chairman GORDON. Let us see, Mr. Akin. Do you think we are in sync on that one?

Mr. AKIN. Excuse me? I was distracted here. Could you repeat the question?

The CLERK. Amendment 004, amendment to H.R. 5618, offered by Mr. Akin of Missouri.

Mr. AKIN. 004 is the amendment number?

Chairman GORDON. Counsel seems to think that is correct, so why don't we proceed.

Mr. AKIN. Okay. Well, thank you, Mr. Chairman. This amendment adds a focus on exploring energy resources and attempting to minimize conflicts between attempts to utilize coastal energy resources and the environment to the program elements of the Sea Grant College Program. And this is consistent with the findings and purposes of the original Sea Grant Program.

The findings are actually listed, and this is a quote. "The vitality of our nation and the quality of life of its citizens depend increasingly on the understanding, assessment, development, utilization, and conservation of ocean, coastal, and Great Lakes resources. These resources supply food, energy, and the minerals and contribute to human health, the quality of the environment, national security, and the enhancement of commerce."

Now, what I was intending to do with this amendment, Mr. Chairman, was to build on what had been done in successful projects, for instance, one that was called the digital ocean. In this project Sea Grant funded and produced detailed maps of the Gulf of Mexico that gave oil and gas producers highly-detailed information on where to lay pipelines and locate platforms. This information allowed oil and gas production to take place in a manner that promoted the sustainability of our marine ecosystem.

It seems to me that whether we like it or not we are a little bit in a vise here between demand for oil and gas resources and our desire in this committee to make sure that those things are developed in a way that do the absolute most to protect the environment and to be in balance with everything else that are priorities that this bill lays out.

And so I felt that this would be a good amendment that would further allow for a very well-controlled and well-thought-out process in development of energy to make sure that it is in balance with the environment and all of the other different competing needs in these areas of water.

So with that, Mr. Chairman, I would move for the adoption of the amendment.

[The prepared statement of Mr. Akin follows:]

PREPARED STATEMENT OF REPRESENTATIVE W. TODD AKIN

Thank you, Mr. Chairman.

This amendment adds a focus on exploring energy resources and attempting to minimize conflicts between attempts to utilize coastal energy resources and the environment to the program elements of the Sea Grant College Program. This is consistent with the findings and purposes of the original Sea Grant Program, that we seek to amend here today, which is intended to help train individuals in the best way to utilize our ocean and coastal resources as well as our Great Lake resources.

The underlying act declares that it is in the national interest to formulate a strategy to provide for the understanding and wise use of these resources and the environment. The findings of the Act further declare that "The vitality of our nation and the quality of life of its citizens depend increasingly on the understanding, assessment, development, utilization, and conservation of ocean, coastal and Great lakes resources. These resources supply food, energy, and minerals and contribute to human health, the quality of the environment, national security, and the enhancement of commerce."

This commitment is exemplified by projects such as the Digital Ocean. In this project, Sea Grant funded and produced detailed maps for the Gulf of Mexico that gave oil and gas producers highly detailed information on where to lay pipelines and locate platforms. This information allowed oil and gas production to take place in a manner that promoted the sustainability of our marine ecosystem.

The amendment I offer here seeks to build on these ideas by trying to get these varying groups to work together to address the crisis of our time, which is a shortage of viable energy resources that are necessary to our economic independence and national security.

The amendment will ensure that the partners to the Sea Grant College Program will look at ways to minimize conflicts between the environmental community and the development of energy resources. It will require the program to provide support to research and training within education programs to ensure that the various needs of the country are balanced. As we seek to site windmills or utilize natural gas or geothermal resources in the ocean's floors, my amendment will require an approach to this program that will balance these competing interests.

I urge my colleagues to support it and I yield back the balance of my time.

Chairman GORDON. Thank you, Mr. Akin. I will recognize myself for just a moment.

I think we all share your interest and objective here. I have a concern that the Sea Grant Program has no budget for this and that it could constrain other programs, and right now there are already six federal agencies involving in citing of energy facilities in coastal areas; the Minerals Management Service, the Federal Energy Regulation Commission, the Coast Guard, the Department of Transportation, and Environmental Protection Agency, as well as NOAA.

So, again, I appreciate and understand your interest here, and I am not going to object to your amendment. I just hope that it is, we need to keep it in context with this relatively small budget of this agency.

Mr. ROHRABACHER. Mr. Chairman.

Chairman GORDON. Well, yes. Mr. Rohrabacher is recognized.

Mr. ROHRABACHER. Yes. Thank you very much, Mr. Chairman. I agree with the statement you just made, but I think we also have

to put in perspective the importance of America's offshore resources. For 30 years we have not been permitted, this country has been denied the right to develop its offshore resources by basically cowering in front of groups of people who are shouting at us when we should have had the courage to stand up and say, I am sorry. We need the oil, or there are going to be serious repercussions.

And right now our people are living with those serious repercussions from a lack of courage on the part of the U.S. Congress to tell these folks who were screaming at us, no. We will need the energy, and it will have a dramatic impact on our life if we do nothing. And we can't just rely on solar energy, which is years away.

And thus, yes, you are right. There are other priorities within this program. We also have to put it in perspective, not only of those other programs, but of the suffering that is going on among the people of the United States.

And I say suffering, I don't use that word lightly. All of the discretionary income of average citizens is being sucked out of their pockets. They are not being able to live a decent life and pay for their expenses. Their car needs to have tires. They can't put new tires on their car because all of that income is being taken away from them at the gas pump. And what is happening at the gas pump was totally predictable by not prioritizing the development of our offshore resources, as well as other types of areas where we could have. For example, it is nuclear energy where we didn't have one nuclear plant built within the last 30 years, we haven't had any new oil refineries in the last 30 years. So we need to keep that in context as well when we are thinking about good amendments like Mr. Akin has suggested to us today.

So thank you very much. I would strongly support this amendment.

Chairman GORDON. And I would hope that you would explain to Governor Schwarzenegger, who—some may be cowering before him——

Mr. ROHRABACHER. If you would allow me to answer the question, I am one of only two surfers in Congress. I have scuba dived off of the offshore oil——

Chairman GORDON. I am just kidding with you.

Mr. ROHRABACHER.—and Arnold knows that very well. I was Arnold's first supporter in California just for the record.

Chairman GORDON. Ms. Woolsey is recognized.

Ms. WOOLSEY. Thank you, Mr. Chairman.

Mr. Chairman, as a Member who has a Sea Grant institution in her district, the University of California–Davis, Bodega Bay Marine Laboratories, I strenuously object to the Akin amendment. In fact, yes, I am screaming because the Sea Grant Program is about empowering institutions to study and protect our oceans. It is not about pandering to the oil and gas industry, and that, I believe, is what this amendment would do.

The Akin amendment directs the Sea Grant colleges to work to expedite energy production, placing this above all other uses. This would completely redirect the Sea Grant Program to an activity incompatible with its mission, with its resources, and actually with its expertise.

Public support for the Sea Grant Program has always been strong because its educational mission and its support of resource management approaches balance other competing needs. That support will be eroded if Sea Grant is perceives as biased towards the single goal of drilling or exploration in the coastal zone.

Beyond that I would challenge anyone who thinks that drilling for oil on our coast is a good idea to come and see the beautiful coastline in my district. My district is across the Golden Gate Bridge, north of San Francisco, 40 miles or 40 miles north of San Francisco, and it is full of natural treasure. It is home of whales, seals, sea lions, fish, and birds, and then after you have visited it, tell me you think it would look good covered in oil. I can tell you it would not.

You know, you don't tear down a cathedral to make firewood, and you must not destroy a natural wonder to drill for oil.

Mr. Chairman, I oppose the Akin amendment, and I urge all of my colleagues to do the same. Thank you, and I yield back.

Mr. BARTLETT. Mr. Chairman.

Chairman GORDON. Mr. Bartlett is recognized.

Mr. BARTLETT. Mr. Chairman, I am personally kind of pleased that we haven't yet drilled in these offshore regions because had we drilled there we would have, and I am using the words of Hyman Rickover of a speech given 51 years ago. We would have used what he referred to as riotous living, denying it to our children and our grandchildren.

I think we now are at the place where we really need to look at all of our energy resources. I will be opposed to drilling in ANWAR, offshore on our public lands, unless the revenues that we get from that are totally invested in renewables.

Mr. Chairman, we have squandered 28 years when we knew to an absolute certainty that we were going to be here today with oil at prices like this and with the demand exceeding the supply. So I think that it is entirely appropriate that we look to environmentally responsible exploitation of these relatively small reserves of oil.

If we have 10 billion barrels of oil in ANWAR, that will last the world and there is no alternative to share your oil with the world, because if we don't use the Saudi oil, someone else will use it. That will last the world 120 days. Big deal.

So I am very supportive of this amendment, and we really need to use all of the energy and all of the revenues that we get from this little bit of undiscovered oil to invest it in alternatives. We now have wasted 28 years where we should have been doing this, and so now we are paying $4 a gallon for oil at the pump. We didn't need to be here, Mr. Chairman. This is a good amendment, and we need to pass it.

Chairman GORDON. Mr. Akin, I will, unless, does anyone, Dr. Baird.

Mr. BAIRD. My question here is Mr. Akin has described a prior Sea Grant activity that apparently mapped the ocean floor, which seems to me consistent with the purpose of the Sea Grant and the research mission as I understand it, which is the focus of Sea Grant. But this amendment seems to rather dramatically change one of the missions of Sea Grant schools, and it seems that what

they are now, we are asking them to do is engage in almost lobbying.

I mean, I will read from the amendment. "To minimize the conflicts and delays in the expedited production." There is an assumption here that expedited production is a desired outcome and that it is, therefore, part of the Sea Grant mission to deal with expedited production of oil and gas.

That is a dramatically different mission than I envision and understand Sea Grant to be. I don't think if you look at the legislation that the intent of establishing the Sea Grant Program was to expedite oil and gas production. I just find that rather contradictory, and hence, I don't see that this is really consistent with the mission of the legislation, the underlying bill, and I don't think it is consistent with preservation of the oceans. And, therefore, I think it would be advisable for us to defeat this amendment in order to preserve the integrity of the underlying mission.

I do believe there is urgent challenges to meet our energy needs. I believe that have we had a responsible energy policy at the beginning of this Administration, I believe that had the President of the United States responded to the events of September 11 by suggesting the American people begin to conserve energy, develop alternative energies, we would be in a much different situation than we are, and I think he failed in that leadership opportunity.

So I believe we need to produce more energy domestically. I profoundly believe it, but I think this is not the vehicle or the appropriate way to do that, and I would urge defeat of this amendment.

Mr. INGLIS. Would the gentleman yield?

Mr. BAIRD. Certainly.

Mr. INGLIS. I think that the gentleman makes a good point about the language here, and I wonder if Mr. Akin might entertain a friendly amendment to change the language. It is a good point that you are putting in legislation something that is quite directive in an unspecific kind of way.

So if Mr. Akin might consider changing some of those words. Otherwise I would have to agree with the gentleman from Washington.

Mr. AKIN. Would the gentleman yield?

Mr. INGLIS. Yes. Surely.

Mr. AKIN. Let me just, I happen to have——

Chairman GORDON. Just for protocol I guess it is, really it is the gentleman——

Mr. BAIRD. Yeah. I am happy to yield to Mr. Akin.

Mr. AKIN. That is who I was asking. I have the *National Sea Grant College Program Act* here in front of me, and it is the section four, and it says part-way into that paragraph, "These resources supply food, energy, and minerals and contribute to human health and quality of the environment, national security, and the enhancement of commerce." So that is part of the National Sea Grant currently, what it does, and then you go over to basically about three pages into it, "the term, resource, means living resources including natural and culture, plant life, fish, shellfish, marine mammals, wildlife," and B, it says, "non-living resources including energy sources, minerals, and chemical substances."

So this is all part of what is going on, and I guess what I am trying to do is not change the focus. It seems to me the focus is that we take a holistic approach to solving our problems, and the whole point of this act is to bring all of these interests together and to come up with a balance. It seems to me that if we don't do the balance proactively now, the problem is going to be that there will be enough demand eventually that regardless of how we vote or what we think, we are going to have something shoved down our throat that does not do a good job balancing it.

Mr. BAIRD. I appreciate the perspective, and I am aware of the language the gentleman refers to. My concern, however, is the language is talking about broadly the resources available in the seas. The language of the gentleman's amendment is specifically directing towards expedited production of the resources, not the research in, of what is there or how it is impacted and how it changes, but expediting production of one certain, one of those resources, and potentially, and here is my other concern, potentially at the expense of those other resources. And I think this is of substance. Potentially expediting the production of oil and gas can be at the expense of the other resources. We will shortly be marking up a bill about the study of ocean acidification. We have looked at, in this committee, extensively at global warming. One of my concerns is you are sort of mandating one side of this equation, which may well be in contrast, not only to the underlying intent of the bill, but the broader findings that I think are emerging from some of the research at Sea Grant. So——

Mr. AKIN. If the gentleman would yield——

Mr. BAIRD. I don't know if have any time left to yield, but I will ask the Chair for his indulgence.

Chairman GORDON. With unanimous consent we will allow Mr. Baird to have an additional five minutes, which he then will yield a portion of that to Mr. Akin.

Mr. AKIN. I would be open-minded to an amendment to the amendment if you wanted to say, because my objective is to balance the environmental piece with the other and to pull that together. And it seemed like this is a good way to do that, because we are not, in environmental I am using it in the broadest sense of the word, because we are talking about wind, we are talking about geothermal, all of these different types.

The question is how do we balance all of these different needs, and it seemed like this was the best program or best forum to do that. I think the whole point of doing this is to prevent this sort of political reaction, we will drill anywhere, kind of thing. It seemed like this gets out in front a little bit on it, but I am quite open-minded to amendment to say that this has got to be done in balance and harmony with everything else.

And so that, if you want to say in an environmentally-friendly way or in balance, I am open-minded to that.

Mr. BAIRD. I would certainly be willing to work with——

Chairman GORDON. If the gentleman would, let me tell you, if I could——

Mr. AKIN. Please.

Chairman GORDON.—where I think we are at least procedurally. I think we are a group in harmony in terms of trying to do the

right thing here. This is a bill that we have really a small part, this is really, came out of the Natural Resources, and there is going to have to be an agreement with Natural Resources before this can get to the Floor.

Now, I wish that we were at Subcommittee level so that we could then say, we will work on this going to out Full Committee, but we are not. We are at the Full Committee.

Now, I would suggest that we work in good faith to try to get that amendment to Mr. Inglis and Mr. Baird and everybody can be right. But let me, I want to be clear that we are not working with just this family, and basically we have worked out everything this year, you know, pretty much, and so we are going to have an outside force. And so I cannot, you know, with this good conscience, you know, tell you that this can absolutely be worked out, because we got a whole other committee to have to deal with.

But if you would like to take that approach, you know, we can move forward or you can, you know, I will let you, Mr. Akin, I will let you decide how you would like to——

Mr. AKIN. Well, Mr. Chairman, let me just ask something. My understanding was that this amendment, that we would have complete jurisdiction in this area as heard from the Parliamentarian. Is that information correct or not correct?

Chairman GORDON. But they can stop the—yes. But the Resource Committee can stop the bill from going to the Floor.

Mr. AKIN. So they have got veto powers is what you are saying.

Chairman GORDON. In essence, yes.

Mr. AKIN. Well, Mr. Chairman, what I would—let me just ask procedurally if we could do this, I would prefer if I could offer the amendment and then if they want to veto it based on that, then I would be happy to work with them and let them modify it to where they are comfortable with it. Procedurally can we do that?

Chairman GORDON. I think, yes. I mean, we can certainly move forward. I mean, that is one more way to go about it. As I say——

Mr. AKIN. One thing we could do, Mr. Chairman——

Chairman GORDON.—I can't make any guarantees to you because it is——

Mr. AKIN. I know there are no guarantees. I am not asking for guarantees. One thing we could do is there is a word here as we look at it, it says, expedited. If that would make people a little more comfortable, I am open-minded to take the word, expedited, out if that softens the language somewhat, if people want to look at that.

Otherwise, I would just as soon go ahead and offer this amendment, we will vote on it, and just see how it goes.

Chairman GORDON. Mr. Bilbray, did you have——

Mr. BILBRAY. Yes, Mr. Chairman. Mr. Chairman, again, this committee has been very bipartisan in our approach, but I think that the amendment's intention is to be proactive at something that we all know is coming down the pipeline. I would rather us have a proactive position that this needs, you know, the environmental impacts of energy development being renewable, whatever we do, needs to be a comprehensive approach, proactively rather than reacting to proposals or pressures.

So I just think from both sides of the aisle this is somewhere, if you take, you know, you can soften the words around, but it is something we should take the leadership on that science should be leading the way to addressing the issues of offshore energy capabilities, be whatever the source, and this is the vehicle you want to use. You want to use the Sea Grant, not have to tag something on an Interior bill or an Energy bill off the side as having the environmental approach being an add-on rather than the leading factor in the consideration.

So I would just ask both sides of the aisle to at least try to accommodate this, because I think that is what we are here for is to lead through science. And this is an issue we are not going to get away from, not going to avoid, so we might as well move forward with it together.

Mr. ROHRABACHER. Would the gentleman yield?

Chairman GORDON. I think Mr. Baird's time is over with, so let us get back to regular order. Who would seek to—okay. Mr. Rohrabacher.

Mr. ROHRABACHER. Well, let me just note that, again, I am a scuba diver, and Brian and I are the only surfers in Congress, and we are not deadly afraid of offshore oil wells because we realize the oil disasters we have had in the last 20 years can almost all be traced back to tankers, and to the degree that we do not develop our offshore oil resources is the degree to which we depend more on tankers, which are much more dangerous to the ocean environment than an offshore oil rig.

Also, they are dangerous to our economy, and they are also dangerous to our national security because those oil tankers are transferring oil to us but cash to people overseas who hate our way of life. What this amendment does and the vehicle that we are talking about placing this amendment in, this is precisely where you want to have something dealing with offshore oil drilling because this is aimed at trying to make it even safer than it is. If someone is saying, oh, we should oppose this because offshore oil drilling isn't safe, which I take exception with, that is no reason for us not to actually pass this amendment, because this would make it safer. We are actually asking people and our institutions to get involved with developing ways of, yes, expediting it, but expediting these things in a way that can be used, these resources can be used in an environmentally-safe way.

Mr. BAIRD. Would the gentleman yield?

Mr. ROHRABACHER. Yes. I certainly would.

Mr. BAIRD. I appreciate the gentleman's last statements. My problem is I don't see language in the amendment that refers to anything that he just spoke about. I don't see any language in the amendment, and I may have missed something.

Mr. ROHRABACHER. But that is what this bill is all about.

Mr. BAIRD. Speaking—no. I understand what the bill is about.

Mr. ROHRABACHER. That is what the Sea Grant Program is all about.

Mr. BAIRD. I understand what the Sea Grant Program is about.

Mr. ROHRABACHER. Right.

Mr. BAIRD. What I don't understand is where in this amendment we see any language seeking about safety of extraction or environ-

mental, reducing environmental impacts of the extraction. I don't see that in this amendment. What I see instead is the reverse.

Mr. ROHRABACHER. Well, reclaiming my time, let me just note that is the whole purpose of the Sea Grant Program. We are not giving them money to try to find ways of doing things that make it more environmentally damaging. You have to assume that when we are putting it in, when we are trying to move money forward in this way to meet the challenge of our energy resources, that we are talking about, yeah, they are going to help us find ways to do this in an environmentally-safe way. And of course, the author of the amendment made it very clear that if you want to add those words to it, he is perfectly willing to add those words to it right now if you want to add them.

But the fact is by its very nature that is what this amendment is all about, putting this in this bill, putting this language in this bill is talking about making offshore oil drilling safer for the people of this country.

Chairman GORDON. If the gentleman would further yield.

Mr. ROHRABACHER. Yes.

Chairman GORDON. I think we need to be clear here that this amendment is not about having offshore drilling or not. We have offshore drilling.

Mr. ROHRABACHER. Right.

Chairman GORDON. We have millions of acres that are available for offshore drilling. We are drilling offshore right now.

Mr. ROHRABACHER. Right.

Chairman GORDON. What we are trying to do is put together a bill on really a different topic, and I am afraid what has happened here is, and you know, it does happen sometimes, but we are out of the regular order. You know, if we had an opportunity to look at this at the Subcommittee level, then we could have gotten this wording out.

Again, there is no mischief on Mr. Akin's part whatsoever here, but, again, I want to be sure that is understood. There is offshore drilling.

Mr. BAIRD. Mr. Chairman, reclaiming——

Mr. ROHRABACHER. I still have the time, and reclaiming my time for one moment. Let me say, we have, it has been 30 years of this type of, well, we can't agree, and let us find exact wording or this or—one reason or another of why we haven't been developing our energy resources. We haven't had one new nuclear plant, we haven't had any new offshore oil. Even as the tankers are breaking up off our coastline and putting oil onto our beaches, realizing that if we don't do our offshore wells we are going to have to rely on those tankers, we still haven't developed our offshore oil.

Mr. BILBRAY. Mr. Chairman, reclaiming my time.

Mr. ROHRABACHER. Actually, it is my time, Brian. Yes, but I would be happy to yield to my friend, my fellow surfer, Brian Bilbray.

Mr. BILBRAY. Mr. Chairman, we are, let us get back to what we are, this is any type of, we may be talking about geothermal development, offshore wind.

Mr. ROHRABACHER. That is correct.

Mr. BILBRAY. We may be talking about all this. My biggest concern is if we ignore this issue and are not proactive, I have witnessed what happens. The Woodrow Wilson Bridge was exempted from environmental regulations because the obstructionism basically made Congress exempt all environmental regs for the Woodrow Wilson Bridge. The obstructionism that occurred in the California Coastal Commission over the border fence ended up creating a situation where the border fence was exempted.

I would rather be proactive, address these environmental issues, and this is the vehicle to talk about the big pictures, not just oil. We are talking wind, we are talking geothermal, we are talking about what are the challenges environmentally and economically. Where do we go from here? But look at the picture. Now is the time to do it with science, not wait until the proposal and the crisis makes us try to find exemptions.

Mr. ROHRABACHER. Thank you very much, Mr. Bilbray, and I would just then note that also there are, there is lots of science going into energy production, the tides and waves and the fact is——

Ms. WOOLSEY. Mr. Chairman.

Mr. ROHRABACHER.—this is part of this as well.

Chairman GORDON. The gentleman's time has expired.

Ms. WOOLSEY. Mr. Chairman.

Chairman GORDON. The gentlelady from California is recognized.

Ms. WOOLSEY. I would just like to remind the author of the legislation that it says oil and gas exploration in the amendment. It doesn't say wind, doesn't say geothermal.

Mr. AKIN. Yes, it does.

Ms. WOOLSEY. Oh, it does? But it does say oil and gas. Thank you.

Chairman GORDON. Okay. Dr. Bartlett is recognized.

Mr. BARTLETT. Mr. Chairman, would it be in order to ask unanimous consent for a text change that would remove the offending language and replace it with language that I think all of us can agree with?

Chairman GORDON. It is my—Majority Counsel thinks we can. I will ask Minority Counsel if you have any——

Mr. AKIN. Mr. Chairman.

Chairman GORDON. Do you have the language before you?

Mr. BARTLETT. Yes, sir, I do.

Chairman GORDON. Well, why don't you present it. With unanimous consent you can do most anything, so why don't you——

Mr. BARTLETT. All right. Thank you. If you have the text in front of you, this is number five in red at the bottom of the page. I would strike the language, minimize the conflicts and delays in the expedited, and replace it with the following words. Explore the environmental and scientific considerations relative to the——

Chairman GORDON. I think we should now yield to Mr. Akin to see if he would——

Mr. AKIN. I would accept that amendment if everybody will do that unanimously. That is fine with me. Yeah. I think that softens the language some. I think it still gets the basic idea. What I am looking for is a holistic solution. I am not talking, I am talking

about fish, I am talking about fishermen, I am talking about the whole deal so that you look at the thing in a package.

Mr. BAIRD. Mr. Chairman, I would——

Mr. AKIN. Surfing, too.

Mr. BAIRD.—except for the last remark I would commend Mr. Akin for his flexibility and commend Mr. Bartlett for his innovation, and it sounds like something I could certainly personally support. I appreciate the process that led us here, and I am grateful.

Chairman GORDON. And Mr. Bartlett, if you would submit your language to the desk, please, so that we could have that.

We are doing Subcommittee work at the Full Committee, and with everybody's indulgence we are trying to do it in the proper way, and so if anyone has any objection as we move forward, please let us know, because are trying—and now I think—all right.

We need to let the language get to the desk and then my understanding is, Mr. Wu, you have some language also.

Mr. WU. Yes, Mr. Chairman.

Chairman GORDON. Okay. So do you have two copies by any chance?

Mr. WU. I can make another one right now.

Chairman GORDON. Well, why don't you—okay. So okay. I think, has Mr. Bartlett submitted his language? Oh, he is putting it together. Is it at—oh, okay. Well, why don't we, while that is going on just to expedite things, Mr. Wu, if you could start having copies of yours made so we—thank you for your indulgence.

We could recess for a couple of minutes while this is being done, but I am afraid it would be adios to a lot of folks, so we will just, while we are waiting do you want to, Mr. Bartlett, would you like to talk a little bit about peak oil while we are——

Mr. BARTLETT. Mr. Chairman, I savor every opportunity to educate the American public, but might I ask if it would be appropriate——

Chairman GORDON. Is this under the unanimous consent? That would be too hard.

Mr. BARTLETT. Would it be appropriate to ask unanimous consent that we could move on and dispense with Mr. Gingrey's next amendment and then come back to the Akin amendment?

Chairman GORDON. No. I think we need to finish this, because these things may be overlapping, and if you don't mind.

Mr. BARTLETT. Okay.

Chairman GORDON. Let us see. So okay. Mr. Wu, why don't in the interim as we are waiting for these copies to get together, would you want to go ahead and describe your amendment, please?

Mr. WU. Thank you, Mr. Chairman.

The precise language of my amendment, the only copy of which has now gone up to the desk, the thrust of it is to not obligate——

Chairman GORDON. Well, you know, Mr. Wu, let us just wait. I am sorry. I am trying to be courteous to everybody's time, but we are going to be better off in the long run if we will just follow regular order here, and we need to do them—okay. So if the Clerk, do you have the amendment?

The CLERK. I do not, Mr. Chairman.

Chairman GORDON. Okay. So we will, let us proceed on Mr. Bartlett's amendment, and we will close that, and then we will go to Mr. Wu.

Mr. AKIN. Mr. Chairman, if we had unanimous consent, we could just adopt his amendment.

Chairman GORDON. You know, I think we are going to be better off if Minority and Majority Counsel agree that we are at the right place. In the long run we are just going to be better off. Again, there is no bad faith here, but I would hate for a comma or a word to be left out and somebody think that there was mischief.

Mr. ROHRABACHER. Mr. Chairman, I would think that Mr. Bilbray could describe the biggest wave that he ever caught off Southern California. That would be very entertaining for us while we waited.

Chairman GORDON. Well, let me just ask counsel. Jim, where are we now? Do you have, does the desk have all the materials they need? Also, Mr. Bartlett. Okay. Well, what about Mr. Bartlett? You have Mr. Wu's amendment, but what about Mr. Bartlett's amendment? Okay.

COUNSEL. We have the wording, but we don't have copies of Mr. Bartlett's.

Chairman GORDON. Okay. The Clerk will report Mr. Bartlett's second degree amendment. And what we are going to do is read it rather than waive it so that everybody could have that before them.

The CLERK. Mr. Bartlett's second degree amendment to Mr. Akin's amendment to H.R. 5618. Okay. We are going to strike this. We are striking, minimize the conflicts and delays in the expedited. Insert, explore the environmental and scientific considerations related to, relative to.

Chairman GORDON. All right. Mr. Bartlett is recognized to speak on his amendment.

Mr. BARTLETT. I think the amendment is self-explanatory. I think that Mr. Baird is correct that the, this college should not be lobbying, and the intent of what Mr. Akin wants to do I think is perfectly preserved with this word change. And I think that it removes the confusing language which is offensive to some.

I don't think anybody can argue that we ought to be looking at the scientific and environmental implications of potential wind and drilling and so forth.

Chairman GORDON. If there is no other, no objection or no other discussion, then all in favor of Mr. Bartlett's amendment to——

Mr. WU. Mr. Chairman.

Chairman GORDON. Yes, Mr. Wu.

Mr. WU. Parliamentary inquiry. If Mr. Bartlett's amendment passes, would I have an opportunity to offer my proposed language?

Chairman GORDON. Yes, but it will be to Mr. Akin's amendment as amended by Mr. Bartlett.

Mr. WU. As amended by Mr. Bartlett. May I inquire——

Chairman GORDON. Let us just, you know, the, I am getting some shaking of heads from the Minority Counsel, and let us work it out now. I don't want to work it out later. Tell me what the problem is.

Then I guess the answer is, Mr. Wu, it depends on your amendment, whether we could be blocked or it, depending on the substance of your amendment.

Mr. WU. Mr. Chairman, if I may inquire as of Mr. Bartlett, the author of the secondary amendment, if I may make an inquiry of Mr. Bartlett at this point in time.

Chairman GORDON. Of course.

Mr. WU. Mr. Bartlett, there is not that much difference between the language that you have proposed and that I have proposed at the desk. I think that the one concept that I think is important in this amendment process is the term that I have inserted in there to provide scientifically-sound data.

Would you be amendable to working that scientifically-sound data concept into your secondary amendment?

Mr. BARTLETT. I have no, I think that, almost all scientists think that their evidence conforms to that characterization. No. I certainly have no objection to that.

I think it is implied. Why would you want to do science that is not, yeah, that is really not science unless it is that, so I certainly have no objection to that.

Mr. WU. If the gentleman is willing to incorporate the term, scientifically-sound data, or words to that effect, I would withdraw any further efforts on my part.

Mr. BARTLETT. I have no objection to that.

Chairman GORDON. My suggestion, and I hate to impose on the Committee, I think what we should do is take a three- or four-minute recess, have the parties work together. Let us get the language so that everybody can see this, and do this in a way that we are all comfortable. I think that would be best, so with that the Committee is in recess.

[Recess.]

Chairman GORDON. The Committee will return to—the Committee is returning, and let me remind everybody that we are here, we have got a vote, so we are going to try to move forward.

Mr. Bartlett is recognized.

Mr. BARTLETT. Mr. Chairman, I ask unanimous consent to withdraw my amendment and submit another, a second-degree amendment, which is an amalgamation of Mr. Wu's amendment and my amendment, to which I think everybody agrees.

Chairman GORDON. Without objection, the amendment, the Clerk will report the amendment.

The CLERK. Mr. Chairman, I have a second-degree amendment offered by Mr. Bartlett of Maryland of H.R. 5618, offered by Mr. Akin of Missouri.

Chairman GORDON. I ask unanimous consent to dispense with the reading.

Without objection, so ordered.

Okay. They have not been, I thought copies were made. Okay. If the copies were not made then, please read the amendment.

The CLERK. Strike line five, to minimize the conflicts and delays in the expedited, and insert on line five, explore the environmental and scientific considerations including providing scientifically-sound data related to, relative to the. And strike on page two, line one and two, refineries, and insert, energy-related facilities.

Chairman GORDON. The gentleman is recognized.

Mr. BARTLETT. Mr. Chairman, I think the second-degree amendment is self-explanatory. Thank you.

Chairman GORDON. If no one else wishes to be recognized, all in favor of the amendment, say aye. Opposed, nay.

The second-degree amendment passes.

Mr. AKIN. Thank you, Mr. Chairman. We have made this into a little bit of a career thing. If we could move for the adoption of the amendment as amended.

Chairman GORDON. Without objection, all in favor say aye to the amendment from Mr. Akin. Opposed, nay. The amendment passes.

Mr. Gingrey is recognized.

Mr. GINGREY. Mr. Chairman, I have two amendments at the desk. I intend to drop or withdraw one of those amendments, amendment number two I will withdraw. I ask unanimous consent to withdraw, and I have another amendment at the desk, amendment number one.

Chairman GORDON. Without objection, the Clerk will report the amendment.

The CLERK. Amendment number is 001, amendment to H.R. 5618, offered by Mr. Gingrey of Georgia.

Chairman GORDON. The gentleman is recognized.

Mr. GINGREY. Mr. Chairman, thank you.

I first want to commend the Energy and Environmental Subcommittee for its quick action on H.R. 5618, the *National Sea Grant College Program Amendments Act of 2008*. This bipartisan legislation expands the scope and purpose of the National Sea Grant College Program, and the amendment that I will be offering this morning will assist the Sea Grant Program and its expansion through H.R. 5618.

In the declaration of policy in the original Sea Grant Program, the law originally adopted back in 1966, as Mr. Akin noted, notes that the vitality of our country is dependent on the understanding, development, and utilization of ocean and coastal resources, because these resources supply energy and contribute to a number of important goals for our country, including national security and commerce.

Unfortunately, Mr. Chairman, the 89th Congress in 1966, seemed to be light years ahead of the 110th in 2008, because it was open to the potential of exploring and understanding what offshore domestic energy resources had to offer. With the improved technologies available for energy exploration on the outer Continental Shelf, it is time that this program once again lives up to its initial promise from over 40 years ago.

And so that is why I am offering this common sense amendment. This amendment would add an additional duty for the director of the Sea Grant Program to move the curriculum of the program towards more energy resource exploration, including production of energy from petroleum, natural gas, geothermal, wind, and ocean thermal resources. At a time when families are paying $4.07 for a gallon of regular gasoline it is certainly overdue that we put in place the processes to explore American offshore resources.

So, Mr. Chairman, the American people agree, and a recent poll, Rasmussen poll showed that 67 percent of Americans support ex-

ploration for oil off of our nation's coast. Yet 85 percent of the lower 48 states out of Continental Shelf, OCS, energy resources remained under the lock and key of the Federal Government that is off limits to drilling.

This amendment would bring together some of the Nation's top academic institutions through the Sea Grant Program to find ways to better utilize our offshore resources and energy production in an environmentally-sensitive manner. Their contribution will ultimately provide relief for working American families from the rising gas prices that they face each day by introducing more American supply into the marketplace.

Mr. Chairman, a real solution is long overdue. Now is the time that our laws need to reflect real-world challenges, where we need reasonably-priced fuel to not only maintain our quality of life, but also preserve American economic growth and prosperity. And I believe that this amendment helps put us on that path.

With that, Mr. Chairman, I want to just urge all of my colleagues to support this common sense amendment, and again, in essence, it just allows the director of the Sea Grant Program to include in the curriculum, not put it over and above any other part of the curriculum, but the——

[The prepared statement of Mr. Gingrey follows:]

PREPARED STATEMENT OF REPRESENTATIVE PHIL GINGREY

Mr. Chairman, I have an amendment at the desk.

Thank you Mr. Chairman. I first want to commend the Energy and Environment Subcommittee for its quick action on H.R. 5618, the *National Sea Grant College Program Amendments Act of 2008*. This bipartisan legislation expands the scope and purposes of the National Sea Grant College Program, and the amendments that I will be offering this morning will assist the Sea Grant Program in its expansion through H.R. 5618.

In the Declaration of Policy in the original Sea Grant Program, the law—originally adopted in 1966—notes that the vitality of our country is dependent on the understanding, development, and utilization of ocean and coastal resources because these resources supply energy and contribute to a number of important goals for our country—including national security and commerce.

Unfortunately Mr. Chairman, the 89th Congress in 1966 seemed to be light years ahead of the 110th Congress in 2008, because it was open to the potential of exploring and understanding what offshore domestic energy resources had to offer. With the improved technologies available for energy exploration on the Outer Continental Shelf, it is time that this program once again lives up to its initial promise from over 40 years ago.

That is why I am offering these common sense amendments. My first amendment this morning would add an additional duty for the Director of the Sea Grant Program to move the curriculum of the program towards more energy resource exploration, including production of energy from petroleum, natural gas, geothermal, wind and ocean thermal resources.

At a time when families are paying $4.07 for a gallon of regular gas, it is long overdue that we put in place the processes to explore American offshore resources. Mr. Chairman, the American people agree. A recent Rasmussen Poll shows that 67 percent of Americans support exploration for oil off of our nation's coasts. And yet, 85 percent of the lower 48 states' Outer Continental Shelf (OCS) energy resources remain under the lock and key of the Federal Government—off limits to drilling.

This amendment would bring together some of the Nation's top academic institutions through the Sea Grant Program to find ways to better utilize our offshore resources for energy production in an environmentally sensitive manner. Their contribution will ultimately provide relief for working American families from the rising gas prices they face each day, by introducing more American supply into the marketplace.

Mr. Chairman, a real solution is long overdue, and now is the time for our laws to reflect real world challenges, where we need reasonably-priced fuel to not only

maintain our quality of life, but also preserve American economic growth and prosperity. I believe that this amendment helps put us on that path.

I urge all of my colleagues to support this common sense amendment, and I yield back the balance of my time.

Chairman GORDON. Would the gentleman yield?

Mr. GINGREY. I would be glad to yield to the Chairman.

Chairman GORDON. We need to move, we need to, I think, move forward if we are going to take care of this.

Mr. GINGREY. And I yield back. Thank you.

Chairman GORDON. Thank you, Dr. Gingrey.

Let me just, I want to try to quickly say when I began Chairman of the Committee, I sincerely said that I want to be able to operate in a way that the minority is treated better than we were treated in minority and to operate in a way that when inevitably we, you know, Democrats becoming the minority again, that we would think that is fair.

But that is a two-way street. Now, you know, this amendment was brought in two or three minutes before this markup started. We haven't had a chance to look at it. It by and large is about the same thing that Mr. Akin put forth and was worked out with Mr. Bartlett. So, I mean, you just can't run a committee this way, and you know, we want to try to be fair, we have tried to do this before, but it is just not right bringing in amendments, you know, again, literally two minutes before this thing started.

So I am just going to have to, as has been the custom of this committee for many Chairmen back, when amendments aren't submitted 24 hours in advance, they are rejected.

Now, I don't think we have done that yet, because we, you know, again, we want to try to work through things, but this is just not the way you need to proceed. So I am going to oppose this amendment.

And is there anyone else that would like to speak?

Mr. Bartlett.

Mr. BARTLETT. Mr. Chairman, I am sympathetic with the goals of the amendment, but I think it suffers from some of the same problems that the other amendment suffered from, and we have two choices here. One is to do as you implied, and that is to have a vote on it, and you will certainly win. The other is simply to break for the vote and to try to work out language that will not be offensive to either side and come back after the vote and consider the amendment.

Chairman GORDON. You know, that is, as usual, Dr. Bartlett, you are reasonable and fair, but I think this is so, almost duplicate of the amendment we just went forth, I think that it is not going to be much that can be added in that regard.

So I think that if no objection, I would like to just call a vote, and we will try to get back to regular order.

All in favor of Mr. Gingrey's amendment, say aye. Opposed, nay. The nays seem to have it.

Mr. GINGREY. Mr. Chairman, on that I would like a recorded vote. Thank you.

Chairman GORDON. The, let me see what our time on the Floor is.

Okay. The Clerk will promptly call the roll.

The CLERK. Chairman Gordon.
Chairman GORDON. No.
The CLERK. Chairman Gordon votes no. Mr. Costello.
[No response.]
The CLERK. Ms. Johnson.
Ms. JOHNSON. No.
The CLERK. Ms. Johnson votes no. Ms. Woolsey.
Ms. WOOLSEY. No.
The CLERK. Ms. Woolsey votes no. Mr. Udall.
[No response.]
The CLERK. Mr. Wu.
Mr. WU. No.
The CLERK. Mr. Wu votes no. Mr. Baird.
Mr. BAIRD. No.
The CLERK. Mr. Baird votes no. Mr. Miller.
[No response.]
The CLERK. Mr. Lipinski.
Mr. LIPINSKI. No.
The CLERK. Mr. Lipinski votes no. Mr. Lampson.
[No response.]
The CLERK. Ms. Giffords.
Ms. GIFFORDS. Aye.
The CLERK. Ms. Giffords votes aye. Mr. McNerney.
Mr. MCNERNEY. No.
The CLERK. Mr. McNerney votes no. Ms. Richardson.
Ms. RICHARDSON. No.
The CLERK. Ms. Richardson votes no. Mr. Kanjorski.
[No response.]
The CLERK. Mr. Rothman.
[No response.]
The CLERK. Mr. Matheson.
[No response.]
The CLERK. Mr. Ross.
[No response.]
The CLERK. Mr. Chandler.
Mr. CHANDLER. No.
The CLERK. Mr. Chandler votes no. Mr. Carnahan.
Mr. CARNAHAN. No.
The CLERK. Mr. Carnahan votes no. Mr. Melancon.
[No response.]
The CLERK. Mr. Hill.
Mr. HILL. No.
The CLERK. Mr. Hill votes no. Mr. Mitchell.
Mr. MITCHELL. Yes.
The CLERK. Mr. Mitchell votes aye. Mr. Wilson.
Mr. WILSON. No.
The CLERK. Mr. Wilson votes no. Mr. Carson.
Mr. CARSON. No.
The CLERK. Mr. Carson votes no. Mr. Hall.
Mr. HALL. Aye.
The CLERK. Mr. Hall votes aye. Mr. Sensenbrenner.
[No response.]
The CLERK. Mr. Smith of Texas.
[No response.]

The CLERK. Mr. Rohrabacher.
[No response.]
The CLERK. Mr. Bartlett.
Mr. BARTLETT. Aye.
The CLERK. Mr. Bartlett votes aye. Mr. Ehlers.
Mr. EHLERS. Aye.
The CLERK. Mr. Ehlers votes aye. Mr. Lucas.
[No response.]
The CLERK. Mrs. Biggert.
Ms. BIGGERT. Aye.
The CLERK. Mrs. Biggert votes aye. Mr. Akin.
Mr. AKIN. Aye.
The CLERK. Mr. Akin votes aye. Mr. Feeney.
[No response.]
The CLERK. Mr. Neugebauer.
[No response.]
The CLERK. Mr. Inglis.
[No response.]
The CLERK. Mr. Reichert.
Mr. REICHERT. No.
The CLERK. Mr. Reichert votes no. Mr. McCaul.
Mr. MCCAUL. Aye.
The CLERK. Mr. McCaul votes aye. Mr. Diaz-Balart.
[No response.]
The CLERK. Mr. Gingrey.
Mr. GINGREY. Aye.
The CLERK. Mr. Gingrey votes aye. Mr. Bilbray.
[No response.]
The CLERK. Mr. Smith of Nebraska.
Mr. SMITH OF NEBRASKA. Aye.
The CLERK. Mr. Smith votes aye.
Chairman GORDON. Is there anyone whose vote wasn't, oh, excuse me. I am sorry.
The CLERK. Mr. Brown.
[No response.]
Chairman GORDON. Is there anyone whose vote was not counted.
Mr. Costello.
Mr. COSTELLO. No.
The CLERK. Mr. Costello votes no.
Chairman GORDON. Is there anyone else?
If the Clerk will report.
The CLERK. Mr. Chairman, 15 Members vote aye. No. Ten Members vote aye, and 15 Members vote no.

COMMITTEE ON SCIENCE AND TECHNOLOGY

ROLL CALL #1 BILL: *H.R. 5618* DATE: *June 25, 2008*

AMENDMENT NUMBER **#3**

SPONSOR/AMENDMENT *Congressman Gingrey*

Defeated by a vote of 10-15

MEMBER	AYE	NO	PRESENT	NOT VOTING
Mr. GORDON, Chairman		X		
Mr. COSTELLO		X		
Ms. JOHNSON		X		
Ms. WOOLSEY		X		
Mr. UDALL				
Mr. WU		X		
Mr. BAIRD		X		
Mr. MILLER				
Mr. LIPINSKI		X		
Mr. LAMPSON				
Ms. GIFFORDS	X			
Mr. McNERNEY		X		
Ms. RICHARDSON		X		
Mr. KANJORSKI				
Mr. ROTHMAN				
Mr. MATHESON				
Mr. ROSS				
Mr. CHANDLER		X		
Mr. CARNAHAN		X		
Mr. MELANCON				
Mr. HILL		X		
Mr. MITCHELL	X			
Mr. WILSON		X		
Mr. CARSON		X		

MEMBER	AYE	NO	PRESENT	NOT VOTING
Mr. HALL	X			
Mr. SENSENBRENNER				
Mr. SMITH - TX				
Mr. ROHRABACHER				
Mr. BARTLETT	X			
Mr. EHLERS	X			
Mr. LUCAS				
Mrs. BIGGERT	X			
Mr. AKIN	X			
Mr. FEENEY				
Mr. NEUGEBAUER				
Mr. INGLIS				
Mr. REICHERT		X		
Mr. McCAUL	X			
Mr. DIAZ-BALART				
Mr. GINGREY	X			
Mr. BILBRAY				
Mr. SMITH - NE	X			
Mr. BROUN				
Vacancy				
TOTALS	10	15		

Chairman GORDON. The amendment is not passed.

Are there any other amendments?

If no, then the vote is on the bill H.R. 5618 as amended. All those in favor, say aye. All opposed, no. In the opinion of the Chair the ayes have it.

And I, you know, we are just going to have to come back. So I am sorry for the inconvenience, but we will take a recess, come back after this and finish this, and we have one more bill in addition to this.

[Recess.]

Chairman GORDON. The Committee will reconvene, and I will recognize Dr. Gingrey for a motion.

Mr. GINGREY. Mr. Chairman, I move that the Committee favorably report H.R. 5618 as amended, the *National Sea Grant College Program Act of 2008,* to the House with the recommendation that the bill do pass.

Furthermore, I move that 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.

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.

Mr. AKIN. Mr. Chairman, should we ask for a recorded vote on that or——

Chairman GORDON. I don't——

Mr. AKIN. Oh, maybe not. Okay.

Chairman GORDON. Yes. The ayes have it, and the bill is favorably reported.

Without objection, the motion to reconsider is laid upon the table. Members will have two subsequent calendar days in which to submit supplemental, Minority, or additional views on the measure, ending Monday, May, June 30, excuse me, at 9:00 a.m.

I move pursuant to Clause one of rule 22 of the Rules of the House of Representatives that the Committee authorizes the Chairman to offer such motions as may be necessary in the House to adopt and pass H.R. 5618, the *National Sea Grant College Program Amendments Act of 2008,* as amended.

Without objection, so ordered.

I want to thank Members for their attendance, and we will see you next Wednesday probably.

[Whereupon, at 1:33 p.m., the Committee was adjourned.]

Appendix:

H.R. 5618, Section-by-Section Analysis, Amendment Roster

Union Calendar No.

110TH CONGRESS
2D SESSION

H. R. 5618

[Report No. 110–]

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

IN THE HOUSE OF REPRESENTATIVES

MARCH 13, 2008

Ms. BORDALLO (for herself, Mr. FALEOMAVAEGA, Mr. SAXTON, Mr. ABERCROMBIE, Mr. GILCHREST, and Mr. FARR) introduced the following bill; which was referred to the Committee on Natural Resources

MAY --, 2008

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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

[For text of introduced bill, see copy of bill as introduced on March 13, 2008]

A BILL

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

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Sea Grant College Program Amendments Act of 2008".

SEC. 2. REFERENCES.

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

SEC. 3. FINDINGS AND PURPOSE.

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

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

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

(2) in paragraph (2) by striking "program of research, education," and inserting "program of integrated research, education, extension,"; and

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

"(6) The National Ocean Research Priorities Plan and Implementation Strategy issued by the National Science and Technology Council's Joint Sub-

committee on Ocean Science and Technology on January 26, 2007, identifies research priorities for compelling areas of interaction between society and the ocean, and calls for the engagement of a broad array of ocean science sectors (government, academia, industry, and non-government entities) to address the areas of greatest research need and opportunity.

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

(b) PURPOSE.—Section 202(c) (33 U.S.C. 1121(c)) is amended by striking "to promote research, education, training, and advisory service activities" and inserting "to pro-

mote integrated research, education, training, and extension activities".

SEC. 4. DEFINITIONS.

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

(1) in paragraph (11) by striking "advisory services" and inserting "extension services";

(2) in each of paragraphs (12) and (13) by striking "(33 U.S.C. 1126)"; and

(3) by adding at the end the following:

"(17) The term 'regional research and information plan' means a plan developed by one or more sea grant colleges or sea grant institutes that identifies regional priorities to implement the National Ocean Research Priorities Plan and Implementation Strategy.

"(18) The term 'National Ocean Research Priorities Plan and Implementation Strategy' means such plan and strategy issued by the National Science and Technology Council's Joint Subcommittee on Ocean Science and Technology on January 26, 2007.".

(b) REPEAL.—Section 307 of the Act entitled "An Act to provide for the designation of the Flower Garden Banks National Marine Sanctuary" (Public Law 102–251; 106 Stat. 66) is repealed.

SEC. 5. NATIONAL SEA GRANT COLLEGE PROGRAM, GENERALLY.

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

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

"(1) sea grant programs that comprise a national sea grant college program network, including international projects conducted within such programs and regional and national projects conducted among such programs;";

(2) by amending paragraph (2) to read as follows:

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

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

"(4) any regional or national strategic investments in fields relating to ocean, coastal, and Great Lakes resources developed in consultation with the board and with the approval of the sea grant colleges and the sea grant institutes.".

(b) TECHNICAL CORRECTION.—Section 204(c)(2) (33 U.S.C. 1123(c)(2)) is amended by striking "Within 6 months of the date of enactment of the National Sea Grant

College Program Reauthorization Act of 1998, the" and inserting "The".

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

(1) in paragraph (2)(A), by striking "long-range";

(2) in paragraph (3)(A)—

(A) by striking "(A)(i) evaluate" and inserting "(A) evaluate and assess";

(B) by striking "activities; and" and inserting "activities;"; and

(C) by striking clause (ii); and

(3) in paragraph (3)(B)—

(A) by redesignating clauses (ii) through (iv) as clauses (iii) through (v), respectively, and by inserting after clause (i) the following:

"(ii) encourage collaborations among sea grant colleges and sea grant institutes to address regional and national priorities established under subsection (c)(1);"; and

(B) in clause (iii) (as so redesignated) by striking "encourage" and inserting "ensuring".

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

2 *(a) EXEMPTION FROM LIMITATION ON COST SHARE.—*
3 *Section 205(a) (33 U.S.C. 1124(a)) is amended in the mat-*
4 *ter following paragraph (2), by inserting "or that are ap-*
5 *propriated under section 208(b)" before the period at the*
6 *end.*

7 *(b) SPECIAL GRANTS; MAXIMUM AMOUNT.—Section*
8 *205(b) (33 U.S.C. 1124(b)) is amended by striking the mat-*
9 *ter following paragraph (3) and inserting the following:*
10 *"The total amount that may be provided for grants under*
11 *this subsection during any fiscal year shall not exceed an*
12 *amount equal to 5 percent of the total funds appropriated*
13 *for such year under section 212.".*

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

16 *Section 207(a) (33 U.S.C. 1126(a)) is amended in each*
17 *of paragraphs (2)(B) and (3)(B) by striking "advisory serv-*
18 *ices" and inserting "extension services".*

19 ***SEC. 8. TECHNICAL CORRECTION RELATING TO FELLOW-***
20 ***SHIPS.***

21 *Section 208(a) (33 U.S.C. 1127(a)) is amended by*
22 *striking "Not later than 1 year after the date of the enact-*
23 *ment of the National Sea Grant College Program Act*
24 *Amendments of 2002, and every 2 years thereafter," and*
25 *inserting "Every 2 years,".*

SEC. 9. NATIONAL SEA GRANT ADVISORY BOARD.

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

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

(2) MEMBERSHIP NOT AFFECTED.—An individual serving as a member of the sea grant review panel immediately before the enactment of this Act may continue to serve as a member of the National Sea Grant Advisory Board until the expiration of such member's term under section 209(c) of such Act (33 U.S.C. 1128(c).

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

(4) CONFORMING AMENDMENTS.—

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

1 ***"SEC. 209. NATIONAL SEA GRANT ADVISORY BOARD.***

2 *"(a) ESTABLISHMENT.—There shall be an independent*
3 *committee to be known as the National Sea Grant Advisory*
4 *Board.".*

5 *(B) DEFINITION.—Section 203(9) (33*
6 *U.S.C. 1122(9)) is amended to read as follows:*
7 *"(9) The term 'Board' means the National Sea*
8 *Grant Advisory Board established under section*
9 *209.";*

10 *(C) OTHER PROVISIONS.—The following*
11 *provisions are each amended by striking "panel"*
12 *each place it appears and inserting "Board":*

13 *(i) Section 204 (33 U.S.C. 1123).*
14 *(ii) Section 207 (33 U.S.C. 1126).*
15 *(iii) Section 209 (33 U.S.C. 1128).*

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

18 *"(b) DUTIES.—*

19 *"(1) IN GENERAL.—The Board shall advise the*
20 *Secretary and the Director concerning—*

21 *"(A) strategies for utilizing the sea grant*
22 *college program to address the Nation's highest*
23 *priorities regarding the understanding, assess-*
24 *ment, development, utilization, and conservation*
25 *of ocean, coastal, and Great Lakes resources;*

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

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

"(2) BIENNIAL REPORT.—The Board shall report to the Congress every two years on the state of the national sea grant college program. The Board shall indicate in each such report the progress made toward meeting the priorities identified in the strategic plan in effect under section 204(c). The Secretary shall make available to the Board such information, personnel, and administrative services and assistance as it may reasonably require to carry out its duties under this title.".

(c) EXTENSION OF TERM.—Section 209(c)(2) (33 U.S.C. 1128(c)(2)) is amended by striking the second sentence and inserting the following: "The Director may extend the term of office of a voting member of the Board once by up to 1 year.".

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

"(8) The Board may establish such subcommittees as are reasonably necessary to carry out its duties under sub-

1 *section (b). Such subcommittees may include individuals*
2 *who are not Board members.".*

3 ***SEC. 10. AUTHORIZATION OF APPROPRIATIONS.***

4 *(a) AUTHORIZATION.—Section 212(a) (33 U.S.C.*
5 *1131(a)) is amended to read as follows:*

6 *"(a) AUTHORIZATION.—There are authorized to be ap-*
7 *propriated to the Secretary to carry out this title—*

8 *"(1) $66,000,000 for fiscal year 2009;*
9 *"(2) $72,800,000 for fiscal year 2010;*
10 *"(3) $79,600,000 for fiscal year 2011;*
11 *"(4) $86,400,000 for fiscal year 2012;*
12 *"(5) $93,200,000 for fiscal year 2013; and*
13 *"(6) $100,000,000 for fiscal year 2014.".*

14 *(b) REPEAL OF DISTRIBUTION REQUIREMENT.—Sec-*
15 *tion 212 (33 U.S.C. 1131) is amended by striking sub-*
16 *section (c), and by redesignating subsections (d) and (e) as*
17 *subsections (c) and (d), respectively.*

SECTION-BY-SECTION ANALYSIS OF H.R. 5618, THE NATIONAL SEA GRANT COLLEGE PROGRAM AMENDMENTS ACT OF 2008

SECTION 1. SHORT TITLE

Section 1 entitles the legislation as the "National Sea Grant College Program Amendments Act of 2008."

SECTION 2. REFERENCES

Section 2 clarifies that all amendment references in the legislation are made to the National Sea Grant College Program Act (33 U.S.C. 1121 et seq.).

SECTION 3. FINDINGS AND PURPOSES

Section 3 amplifies the extension aspects of the Sea Grant program and cites the relevance of the National Ocean Research Priorities Plan and Implementation Strategy to the Sea Grant Program.

SECTION 4. DEFINITIONS

Section 4 defines key terms included within the text of the proposed legislation, including 'regional research and information plan' and 'National Ocean Research Priorities Plan and Implementation Strategy' where they appear in the bill.

SECTION 5. NATIONAL SEA GRANT COLLEGE PROGRAM, GENERALLY

Section 5 amends the Program Elements to expand Sea Grant programs to include regional and national projects among Sea Grant institutions and to add regional strategic investments in projects undertaken through sea grant projects. Section 5 also augments the functions of the Director of the National Sea Grant College Program to include encouraging collaborations among Sea Grant colleges and institutions. This section also strikes the sea grant program performance ranking system for allocating additional resources on the basis of performance.

SECTION 6. PROGRAM OR PROJECT GRANTS AND CONTRACTS

Section 6 exempts the Dean John A. Knauss Marine Policy Fellowship Program from having to match grant awards in order to achieve parity between fellows placed in Congressional offices with those fellows placed in federal agencies.

This section also increases the percentage of funds exempt from the non-federal match requirement from the current one percent to five percent.

SECTION 7. EXTENSION SERVICES BY SEA GRANT COLLEGES AND SEA GRANT INSTITUTES

Section 7 clarifies that one of the requirements for designation includes an extension program (as opposed to an "advisory service").

SECTION 8. TECHNICAL CORRECTION RELATING TO FELLOWSHIPS

Section 8 updates the statutory language requiring a report every two years on efforts to include minority and economically disadvantaged students.

SECTION 9. NATIONAL SEA GRANT ADVISORY BOARD

Section 9 expands the responsibilities of the National Sea Grant Review Panel, renaming the panel as the "National Sea Grant Advisory Board" to more appropriately and accurately describe its purpose and function.

SECTION 10. AUTHORIZATION OF APPROPRIATIONS

Section 10 increases authorized funding levels from $66 million to $100 million for the period between Fiscal Year 2009 through Fiscal Year 2014.

COMMITTEE ON SCIENCE AND TECHNOLOGY
FULL COMMITTEE MARKUP
JUNE 25, 2008

AMENDMENT ROSTER

H.R. 5618, National Sea Grant College Program Amendments Act of 2008

No.	Sponsor	Description	Results
1	Ms. Johnson	Amends section 5 to encourage Sea Grant colleges and institutes to collaborate with minority serving institutions, their students and faculty.	Agreed to by voice vote.
2.	Mr. Akin	Amends section 5 to add as a program element of the National Sea Grant College Program methods for minimizing conflicts and delays in the production of offshore oil and gas, geothermal, wind, and ocean power, including the siting of refineries in the coastal zone.	Agreed to by voice vote, as amended.
2a.	Mr. Bartlett	Second degree amendment to Mr. Akin's amendment.	Offered and withdrawn.
2b.	Mr. Bartlett	Second degree amendment to Mr. Akin's amendment.	Agreed to by voice vote.
3.	Mr. Gingrey	Amends section 5 by adding to the list of functions of the Director of the National Sea Grant College Program advising the Secretary on ways to incorporate into the curriculum of the sea grant programs research and study into the expedited production of energy offshore and methods of minimizing conflict and delay.	Defeated by roll call vote 10-15

AMENDMENT TO H.R. 5618

OFFERED BY MS. EDDIE BERNICE JOHNSON OF TEXAS

Page 6, lines 14 through 23, amend paragraph (3) to read as follows:

1 (3) in paragraph (3)(B)—
2 (A) by redesignating clauses (ii) through
3 (iv) as clauses (iv) through (vi), respectively,
4 and by inserting after clause (i) the following:
5 "(ii) encourage collaborations among
6 sea grant colleges and sea grant institutes
7 to address regional and national priorities
8 established under subsection (c)(1);
9 "(iii) encourage cooperation with Mi-
10 nority Serving Institutions—
11 "(I) to enhance collaborative re-
12 search opportunities for faculty and
13 students in the areas of atmospheric,
14 oceanic, and environmental sciences,
15 and remote sensing;
16 "(II) to improve opportunities
17 for, and retention of, students and
18 faculty from Minority Serving Institu-

1 tions in the NOAA related sciences;
2 and
3 "(III) to increase the number of
4 such students graduating in NOAA
5 science areas;"; and
6 (B) in clause (iv) (as so redesignated) by
7 striking "encourage" and inserting "ensuring".

AMENDMENT TO H.R. 5618
OFFERED BY D. Cadell Cole

Page 5, line 16, strike "; and" and insert a semicolon.

Page 5, line 17, redesignate paragraph (3) as paragraph (4).

Page 5, after line 16, insert the following new paragraph:

1 (3) in paragraph (3), by striking "and";

Page 5, line 23, strike "institutes." and insert "institutes; and".

Page 5, after line 23, insert the following new paragraph:

2 (5) by adding at the end the following new
3 paragraph:
4 "(5) methods for the national sea grant college
5 program to minimize the conflicts and delays in the
6 expedited production of ocean and coastal offshore
7 petroleum, natural gas, geothermal, wind, and ocean

1 thermal energy resources, including the siting of re-
2 fineries in the coastal zone.".

2nd Degree
offered
By Mr. Bartlett
And [withdrawn],

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AMENDMENT TO H.R. 5618
OFFERED BY R. Cadell Cole

Page 5, line 16, strike "; and" and insert a semicolon.

Page 5, line 17, redesignate paragraph (3) as paragraph (4).

Page 5, after line 16, insert the following new paragraph:

1 (3) in paragraph (3), by striking "and";

Page 5, line 23, strike "institutes." and insert "institutes; and".

Page 5, after line 23, insert the following new paragraph:

2 (5) by adding at the end the following new
3 paragraph:
4 "(5) methods for the national sea grant college
5 program to minimize the conflicts and delays in the
6 expedited production of ocean and coastal offshore
7 petroleum, natural gas, geothermal, wind, and ocean

explore the environmental and economic considerations relating to the

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June 23, 2008 (4:52 p.m.)

1 thermal energy resources, including the siting of re-
2 fineries in the coastal zone.".

☒

2nd Degree Amendment
TO Akin Amendment offered
By Mr. Bartlett of Md.

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AMENDMENT TO H.R. 5618

OFFERED BY D. Cardell

Page 5, line 16, strike "; and" and insert a semicolon.

Page 5, line 17, redesignate paragraph (3) as paragraph (4).

Page 5, after line 16, insert the following new paragraph:

1 (3) in paragraph (3), by striking "and";

Page 5, line 23, strike "institutes." and insert "institutes; and".

Page 5, after line 23, insert the following new paragraph:

2 (5) by adding at the end the following new
3 paragraph:
4 "(5) methods for the national sea grant college
Line 5 program to ~~minimize the conflicts and delays in the~~ explore the environmental and scientific consider-
6 ~~expedited~~ production of ocean and coastal offshore ations, including
7 petroleum, natural gas, geothermal, wind, and ocean providing scientifically sound data relative to the

1 thermal energy resources, including the siting of ~~re-~~

2 ~~fineries in the coastal zone.~~"

energy
related
facilities

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Defeated
by A 12-15
of 10-15

AMENDMENT TO H.R. 5618

OFFERED BY MR. GINGREY OF GEORGIA

Page 6, lines 8 and 14, redesignate paragraphs (2) and (3) as paragraphs (5) and (6), respectively.

Page 6, after line 7, insert the following new paragraphs:

1 (2) in paragraph (2)(C), by striking "designa-
2 tion; and" and inserting "designation;";
3 (3) in paragraph (2)(D), by striking the period
4 and inserting "; and";
5 (4) by adding at the end of paragraph (2) and
6 following new subparagraph:
7 "(E) advise the Secretary on ways to in-
8 corporate into the curriculum of the sea grant
9 programs research and study into the expedited
10 production of energy offshore (including the
11 production of energy from petroleum, natural
12 gas, geothermal, wind, and ocean thermal re-
13 sources) and methods of minimizing conflict
14 and delay.";