

111TH CONGRESS  
1ST SESSION

# S. 1252

To promote ocean and human health and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JUNE 11, 2009

Mr. ROCKEFELLER (for himself, Mr. INOUE, and Ms. CANTWELL) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To promote ocean and human health 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,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Oceans and Human  
5       Health Reauthorization Act of 2009”.

6       **SEC. 2. INTERAGENCY OCEANS AND HUMAN HEALTH RE-**  
7       **SEARCH PROGRAM.**

8       (a) COORDINATION.—Subsection (a) of section 902  
9       of the Oceans and Human Health Act (33 U.S.C. 3101)  
10       is amended by striking “in human health.” and inserting  
11       “, coasts, and Great Lakes in human health and deliver

1 information, products, and services to assist the Nation  
2 in reducing public health risks, including those related to  
3 climate change, and enhancing health benefits from the  
4 ocean.”.

5 (b) IMPLEMENTATION PLAN.—Subsection (b) of sec-  
6 tion 902 of the Oceans and Human Health Act (33 U.S.C.  
7 3101) is amended—

8 (1) by amending the matter preceding para-  
9 graph (1) to read as follows:

10 “(b) IMPLEMENTATION PLAN.—Not later than 5  
11 years after the date of the enactment of the Oceans and  
12 Human Health Reauthorization Act of 2009, an Inter-  
13 agency Oceans and Human Health Task Force or working  
14 group established by the National Science and Technology  
15 Council, through the Director of the Office of Science and  
16 Technology Policy, shall revise and update the 2007  
17 ‘Interagency Oceans and Human Health Research Imple-  
18 mentation Plan’ and submit to the Congress the updated  
19 Plan. Nothing in this subsection is intended to duplicate  
20 or supersede the activities of the Inter-Agency Task Force  
21 on Harmful Algal Blooms and Hypoxia established under  
22 section 603 of the Harmful Algal Bloom and Hypoxia Re-  
23 search and Control Act of 1998 (Public Law 105–383; 16  
24 U.S.C. 1451 note). The updated plan shall—”;

25 (2) in paragraph (1)—

1 (A) by inserting “, surveillance, and fore-  
2 casting” after “prediction”;

3 (B) by inserting “, including problems re-  
4 lated to climate change,” after “health prob-  
5 lems”;

6 (C) by inserting “and chemical” after “bio-  
7 logical”; and

8 (D) by inserting “products for the preven-  
9 tion and” after “new”;

10 (3) in paragraph (2), by striking “and partici-  
11 pation;” and all that follows through the end and in-  
12 serting “participation in national and international  
13 research and outreach efforts, and outreach to the  
14 medical community and the public;”;

15 (4) in paragraph (3), by inserting “, including  
16 joint efforts,” after “departments”;

17 (5) in paragraph (4), by striking “preventive”  
18 and inserting “preventing”;

19 (6) in paragraph (5), by inserting “Resources”  
20 after “the Ocean”;

21 (7) in paragraph (6), by striking “and” at the  
22 end;

23 (8) by amending paragraph (7) to read as fol-  
24 lows:

1           “(7) estimate funding needed for research, sur-  
2           veillance, education, and outreach activities to be  
3           conducted within or supported by Federal agencies  
4           and departments under the program.”; and

5           (9) by at the end the following:

6           “(8) build on, and complement, the research,  
7           surveillance, and outreach activities of the National  
8           Oceanic and Atmospheric Administration, the Na-  
9           tional Science Foundation, the National Institutes of  
10          Health, the Centers for Disease Control and Preven-  
11          tion, the National Institute of Environmental Health  
12          Sciences, and other departments and agencies.”.

13          (c) PROGRAM SCOPE.—Subsection (c) of section 902  
14 of the Oceans and Human Health Act (33 U.S.C. 3101)  
15 is amended—

16           (1) by amending paragraph (1) to read as fol-  
17          lows:

18           “(1) Interdisciplinary research among the  
19          ocean, atmospheric, and medical sciences, and co-  
20          ordinated research and activities to improve under-  
21          standing of processes within the ocean that may af-  
22          fect human and marine animal health and to explore  
23          the potential contribution of marine organisms to  
24          medicine and research, including—

1           “(A) vector-, water-, and food-borne dis-  
2           eases of humans and marine organisms, includ-  
3           ing marine mammals, corals, and fish;

4           “(B) health effects for both humans and  
5           marine animals associated with harmful algal  
6           blooms and hypoxia (in collaboration with the  
7           Inter-Agency Task Force on Harmful Algal  
8           Blooms and Hypoxia);

9           “(C) health effects for humans and marine  
10          organisms associated with climate change im-  
11          pacts in ocean, coastal, and Great Lakes wa-  
12          ters;

13          “(D) marine-derived pharmaceuticals and  
14          other natural products;

15          “(E) marine organisms and habitats as  
16          models for biomedical research and as indica-  
17          tors of human health and well being and marine  
18          environmental health;

19          “(F) marine environmental microbiology;

20          “(G) legacy and emerging chemicals of  
21          concern, including bioaccumulative and endo-  
22          crine-disrupting chemical contaminants;

23          “(H) predictive models based on indicators  
24          of marine environmental health or public health  
25          threats; and

1           “(I) social, economic, and behavioral stud-  
2           ies of relationships between the condition of  
3           oceans, coasts, and Great Lakes and human  
4           health and well-being.”;

5           (2) by amending paragraph (2) to read as fol-  
6           lows:

7           “(2) Coordination with any appropriate inter-  
8           agency working group of the Joint Subcommittee on  
9           Ocean Science and Technology, or its successor  
10          body, through the National Science and Technology  
11          Council, to ensure that any integrated ocean and  
12          coastal observing system provides information nec-  
13          essary to monitor and reduce marine public health  
14          problems, including climate change information,  
15          health-related data on biological populations, and de-  
16          tection of toxins and contaminants in marine waters  
17          and seafood.”; and

18          (3) in paragraph (3)—

19                 (A) in subparagraph (A), by striking  
20                 “genomics and proteomics” and inserting  
21                 “genomics, proteomics, metabolomics, and other  
22                 related sciences”;

23                 (B) by amending subparagraph (C) to read  
24                 as follows:

1           “(C) in situ, laboratory, and remote sen-  
2           sors—

3                   “(i) to detect, quantify, and predict  
4           the presence, distribution, concentration,  
5           toxicity, or virulence of infectious microbes,  
6           harmful algae, toxins, and chemical con-  
7           taminants in ocean, coastal, and Great  
8           Lakes waters, sediments, organisms, and  
9           seafood; and

10                   “(ii) to identify new genetic resources  
11           for biomedical purposes;”; and

12           (C) in subparagraph (E), by striking  
13           “equipment and technologies” and inserting  
14           “equipment, technologies, and methodologies”.

15           (d) BIENNIAL REPORT.—Subsection (d) of section  
16           902 of the Oceans and Human Health Act (33 U.S.C.  
17           3101) is amended—

18                   (1) in the heading, by striking “ANNUAL” and  
19           inserting “BIENNIAL”;

20                   (2) in the material preceding paragraph (1)—

21                           (A) by striking “24 months after the date  
22           of enactment of this Act” and inserting “12  
23           months after the date of the enactment of the  
24           Oceans and Human Health Reauthorization Act  
25           of 2009”;

1 (B) by striking “each year an annual” and  
2 inserting “alternate years a biennial”; and

3 (C) by striking “year,” and inserting  
4 “years,”;

5 (3) in paragraph (1), by striking “year;” and  
6 inserting “years;”;

7 (4) in paragraph (4), by striking “that pre-  
8 ceding fiscal year;” and inserting “the preceding two  
9 fiscal years;” and

10 (5) in paragraph (5), by inserting “, funding  
11 needs,” after “action”.

12 **SEC. 3. NATIONAL OCEANIC AND ATMOSPHERIC ADMINIS-**  
13 **TRATION OCEANS AND HUMAN HEALTH INI-**  
14 **TIATIVE.**

15 (a) ESTABLISHMENT.—Subsection (a) of section 903  
16 of the Oceans and Human Health Act (33 U.S.C. 3102)  
17 is amended—

18 (1) in the matter preceding paragraph (1), by  
19 striking the second sentence, and inserting “In car-  
20 rying out this section, the Secretary shall consult  
21 with other Federal agencies and departments con-  
22 ducting integrated oceans and human health re-  
23 search and disease surveillance activities and re-  
24 search in related areas, including the National  
25 Science Foundation, the National Institutes of



1 Health, the Centers for Disease Control and Preven-  
2 tion, the National Institute of Environmental Health  
3 Sciences, and other agencies and departments.”; and

4 (2) in paragraph (2), by inserting “external”  
5 after “an”.

6 (b) ADVISORY PANEL.—Subsection (b) of section 903  
7 of the Oceans and Human Health Act (33 U.S.C. 3102)  
8 is amended—

9 (1) by striking “is authorized to” and inserting  
10 “shall”; and

11 (2) by striking “sciences.” and inserting  
12 “sciences, including public health practitioners.”.

13 (c) NATIONAL CENTERS.—Subsection (c) of section  
14 903 of the Oceans and Human Health Act (33 U.S.C.  
15 3102) is amended—

16 (1) in paragraph (1), by striking “for”; and

17 (2) by amending paragraph (2) to read as fol-  
18 lows:

19 “(2) The centers shall focus on—

20 “(A) areas related to agency missions, in-  
21 cluding use of marine organisms and habitats  
22 as indicators for marine environmental health,  
23 impacts of climate change on ocean health  
24 threats, ocean pollutants, marine toxins and  
25 pathogens, harmful algal blooms, hypoxia, sea-

1 food safety and quality, identification of poten-  
2 tial marine products, and biology and  
3 pathobiology of marine mammals, corals, and  
4 other marine organisms; and

5 “(B) supporting disciplines including ma-  
6 rine genomics, marine environmental microbi-  
7 ology, ecological chemistry, and conservation  
8 medicine.”.

9 (d) EXTRAMURAL RESEARCH GRANTS.—Subsection  
10 (d) of section 903 of the Oceans and Human Health Act  
11 (33 U.S.C. 3102) is amended by adding at the end the  
12 following:

13 “(3) Grants under this subsection shall support  
14 research to improve understanding of processes with-  
15 in the ocean that may affect human and marine ani-  
16 mal health and to explore the potential contribution  
17 of marine organisms to medicine and research, in-  
18 cluding—

19 “(A) vector-, water-, and food-borne dis-  
20 eases of humans and marine organisms, includ-  
21 ing marine mammals, corals, and fish;

22 “(B) health effects for humans and marine  
23 organisms associated with climate change im-  
24 pacts in ocean, coastal, and Great Lakes wa-  
25 ters;

1           “(C) marine-derived pharmaceuticals and  
2 other natural products;

3           “(D) marine organisms and habitats as  
4 models for biomedical research and as indica-  
5 tors of human health and well being and marine  
6 environmental health;

7           “(E) marine environmental microbiology;

8           “(F) legacy and emerging chemicals of  
9 concern, including bioaccumulative and endo-  
10 crine-disrupting chemical contaminants;

11           “(G) predictive models based on indicators  
12 of marine environmental health or public health  
13 threats;

14           “(H) cataloging and interpreting microbes  
15 and understanding microbial functions in eco-  
16 systems and impacts on human and marine  
17 health; and

18           “(I) social, economic, and behavioral stud-  
19 ies of relationships between the condition of  
20 oceans, coasts, and Great Lakes, and human  
21 health and well-being.”.

22           (e) DISTINGUISHED SCHOLARS; COOPERATIVE  
23 AGREEMENTS.—Section 903 of the Oceans and Human  
24 Health Act (33 U.S.C. 3102) is amended by adding at  
25 the end the following:

1       “(f) DISTINGUISHED SCHOLARS.—The Secretary of  
2 Commerce is authorized to establish a competitive pro-  
3 gram to recognize highly distinguished external scientists  
4 in any area of oceans and human health research and to  
5 involve those scientists in collaborative work with the  
6 Oceans and Human Health Initiative of the National Oce-  
7 anic and Atmospheric Administration.

8       “(g) COOPERATIVE AGREEMENTS.—The Secretary of  
9 Commerce may execute and perform such contracts,  
10 leases, grants, or cooperative agreements as may be nec-  
11 essary to carry out this section.”.

12 **SEC. 4. PUBLIC INFORMATION AND OUTREACH.**

13       (a) IN GENERAL.—Subsection (a) of section 904 of  
14 the Oceans and Human Health Act (33 U.S.C. 3103) is  
15 amended by striking “program,” and inserting “and insti-  
16 tutions of higher education,”.

17       (b) REPORT.—Subsection (b) of section 904 of the  
18 Oceans and Human Health Act (33 U.S.C. 3103) is  
19 amended to read as follows:

20       “(b) REPORT.—

21               “(1) REQUIREMENT.—The Secretary of Com-  
22 merce shall submit to Congress a biennial report re-  
23 viewing the results of the research, assessments, and  
24 findings developed under the Oceans and Human

1 Health Initiative of the National Oceanic and At-  
2 mospheric Administration. Each such report shall—

3 “(A) describe the projects, products, and  
4 programs funded under the Initiative;

5 “(B) describe the work of the Advisory  
6 Committee and the manner in which the pro-  
7 gram is meeting development and implementa-  
8 tion recommendations for the program; and

9 “(C) include recommendations for improv-  
10 ing or expanding the program.

11 “(2) COMBINED REPORTS.—Each report re-  
12 quired by paragraph (1) may be combined with the  
13 National Ocean and Atmospheric Administration’s  
14 input to the biennial interagency report required by  
15 section 902(d).”.

16 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

17 Subsection (a) of section 905 of the Oceans and  
18 Human Health Act (33 U.S.C. 3104) is amended—

19 (1) by striking “2005 through 2008” and in-  
20 serting “2010 through 2014”; and

21 (2) by inserting “, distinguished scholar,” after  
22 “grant”.

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