

FEDERAL OCEANOGRAPHY COORDINATION
IMPROVEMENT ACT OF 1996

SEPTEMBER 4, 1996. Ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources,
submitted the following

REPORT

[To accompany H.R. 3537]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 3537) to improve coordination of Federal Oceanographic programs, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Oceanography Coordination Improvement Act of 1996".

SEC. 2. FEDERAL OCEANOGRAPHY COORDINATION IMPROVEMENT.

The Congress finds the following:

(1) The oceans and coastal areas of the United States are among the Nation's most valuable natural resources, making substantial contributions to economic growth, quality of life, and national security.

(2) Oceans drive global and regional climate. Therefore, they contain information affecting agriculture, fishing, and the prediction of severe weather.

(3) Understanding of the oceans through basic and applied research is essential for using the oceans wisely and protecting their limited resources. Therefore, the United States should maintain its world leadership in oceanography as one key to its competitive future.

(4) Ocean research and education activities take place within Federal agencies, academic institutions, and industry. These entities often have similar requirements for research facilities, data, and other resources (such as oceanographic research vessels).

(5) The need exists for a formal mechanism to coordinate existing partnerships and establish new partnerships for the sharing of resources, intellectual talent, and facilities in the ocean sciences and education, so that optimal use can be made of this most important natural resource for the well-being of all Americans.

SEC. 3. ESTABLISHMENT AND PURPOSES OF PROGRAM.

The Secretary of Commerce shall establish a program to be known as the "National Oceanographic Partnership Program". The purposes of the program are as follows:

- (1) To promote the national goals of assuring national security, advancing economic development, protecting quality of life, and strengthening science education and communication through improved knowledge of the ocean.
- (2) To coordinate and strengthen oceanographic efforts in support of those goals by—
 - (A) identifying and carrying out partnerships among Federal agencies, academia, industry, and other members of the oceanographic scientific community in the areas of data, resources, education, and communication; and
 - (B) reporting annually to Congress on the program.

SEC. 4. ESTABLISHMENT OF NATIONAL OCEAN RESEARCH LEADERSHIP COUNCIL.

(a) **IN GENERAL.**—There is established a National Ocean Research Leadership Council (hereinafter in this Act referred to as the "Council").

(b) **MEMBERSHIP.**—The Council is composed of the following members:

- (1) The Administrator of the National Oceanic and Atmospheric Administration.
- (2) The Secretary of the Navy.
- (3) The Director of the National Science Foundation.
- (4) The Administrator of the National Aeronautics and Space Administration.
- (5) The Deputy Secretary of Energy.
- (6) The Administrator of the Environmental Protection Agency.
- (7) The Commandant of the Coast Guard.
- (8) The Director of the Geological Survey of the Department of the Interior.
- (9) The Director of the Defense Advanced Research Projects Agency.
- (10) The Director of the Minerals Management Service of the Department of the Interior.
- (11) The President of the National Academy of Sciences, the President of the National Academy of Engineering, and the President of the Institute of Medicine.
- (12) The Director of the Office of Science and Technology.
- (13) The Director of the Office of Management and Budget.
- (14) One member appointed by the Chairman from among individuals who will represent the views of ocean industries.
- (15) One member appointed by the Chairman from among individuals who will represent the views of State governments.
- (16) One member appointed by the Chairman from among individuals who will represent the views of academia.
- (17) One member appointed by the Chairman from among individuals who will represent such other views as the Chairman considers appropriate.

(c) **CHAIRMAN AND VICE CHAIRMAN.**—(1) Except as provided in paragraph (2), the chairman and vice chairman of the Council shall be appointed every two years by a selection committee of the Council composed of, at a minimum, the Secretary of the Navy, the Administrator of the National Oceanic and Atmospheric Administration, and the Director of the National Science Foundation. The term of office of the chairman and vice chairman shall be 2 years. A person who has previously served as chairman or vice chairman may be reappointed.

(2) The first chairman of the Council shall be the Administrator of the National Oceanic and Atmospheric Administration.

(d) **TERM OF OFFICE.**—The term of office of a member of the Council appointed under paragraph (14), (15), (16), or (17) of subsection (b) shall be two years, except that any person appointed to fill a vacancy occurring before the expiration of the term for which his or her predecessor was appointed shall be appointed for the remainder of such term.

(e) **INITIAL APPOINTMENTS OF COUNCIL MEMBERS.**—The Administrator of the National Oceanic and Atmospheric Administration shall make the appointments required by subsection (b) by not later than December 1, 1996.

(f) **RESPONSIBILITIES.**—The Council shall have the following responsibilities:

- (1) To prescribe policies and procedures to implement the National Oceanographic Partnership Program.
- (2) To review, select, identify, and allocate funds for partnership projects for implementation under the program, based on the following criteria:
 - (A) Whether the project addresses critical research objectives or operational goals, such as data accessibility and quality assurance, sharing of resources, education, or communication.

(B) Whether the project has broad participation within the oceanographic community.

(C) Whether the partners have a long-term commitment to the objectives of the project.

(D) Whether the resources supporting the project are shared among the partners.

(E) Whether the project has been subjected to adequate peer review.

(g) ANNUAL REPORT.—Not later than March 1 of each year, the Council shall submit to Congress a report on the National Oceanographic Partnership Program. The report shall contain the following:

(1) A description of activities of the program carried out during the fiscal year before the fiscal year in which the report is prepared.

(2) A general outline of the activities planned for the program during the fiscal year in which the report is prepared.

(3) A summary of projects continued from the fiscal year before the fiscal year in which the report is prepared and projects expected to be started during the fiscal year in which the report is prepared and during the following fiscal year.

(4) A description of the involvement of the program with Federal interagency coordinating entities.

(5) The amounts requested, in the budget submitted to Congress pursuant to section 1105(a) of title 31 for the fiscal year following the fiscal year in which the report is prepared, for the programs, projects, and activities of the program and the estimated expenditures under such programs, projects, and activities during such following fiscal year.

SEC. 5. PARTNERSHIP PROGRAM OFFICE.

(a) ESTABLISHMENT.—The Council shall establish in the National Ocean Service and oversee a partnership program office to carry out such duties as the Council considers appropriate to implement the National Oceanographic Partnership Program, including the following:

(1) To establish and oversee working groups to propose partnership projects to the Council and advise the Council on such projects.

(2) To manage peer review of partnership projects proposed to the Council and competitions for projects selected by the Council.

(3) To submit to the Council an annual report on the status of all partnership projects and activities of the office.

(b) CONTRACT AND GRANT AUTHORITY.—The Council may authorize the National Ocean Service to enter into contracts and make grants, using funds appropriated to agencies that have members on the Council, for the purpose of implementing the program and carrying out the Council's responsibilities.

(c) FORMS OF PARTNERSHIP PROJECTS.—Partnership projects selected by the Council may be in any form that the Council considers appropriate, including memoranda of understanding, demonstration projects, cooperative research and development agreements, and similar instruments.

PURPOSE OF THE BILL

The purpose of H.R. 3537 is to improve the coordination of Federal oceanographic programs by establishing a National Oceanographic Partnership Program and a National Ocean Research Leadership Council.

BACKGROUND AND NEED FOR LEGISLATION

The oceans and coastal areas of the United States are among the Nation's most valuable natural resources, making substantial contributions to economic growth, quality of life, and national security. Oceans drive global and regional climate, and therefore, they contain crucial information which affects agricultural production, commercial fisheries, and weather prediction. More than half the U.S. population lives in the Nation's 411 coastal counties, and marine-dependent industries support 28.3 million jobs and generate \$54 billion in goods and services on an annual basis. Thus, understanding oceans and coastal environments through basic and applied research should be considered an essential national goal. Further-

more, maintaining world leadership in oceanographic science and technology is critical to ensuring a competitive future for the United States.

U.S. ocean research and education take place within a wide array of venues including over 50 academic institutions, large and small businesses and a variety of non-profit and regional organizations. In addition, over nine Federal agencies conduct or otherwise fund basic research in coastal and ocean sciences. Primary activity occurs within the National Science Foundation, the Department of the Navy's Office of Naval Research, and the National Oceanic and Atmospheric Administration (NOAA). Additional, though less substantial, capabilities are housed in the Environmental Protection Agency, National Aeronautics and Space Administration, Department of Energy, U.S. Geological Survey, and the Minerals Management Service.

Since 1982, however, Federal funding for basic research in ocean sciences has remained constant, while the total Federal investment in all basic research has nearly doubled. Effectively, U.S. funding for basic ocean research has been halved as a percentage of the total research investment. This trend suggests that ocean science has fared poorly in comparison to other scientific disciplines.

Of particular concern to members of the national oceanographic community are ways in which the U.S. can leverage its oceanographic capabilities and better address national research needs. For example, the different sectors of the Nation's oceanographic community often share common requirements in research facilities and information. Meaningful partnerships and cooperation, coupled with refocused and accelerated research capabilities, would represent a significant improvement in how our national ocean research agenda is carried out. To this end, the need exists for a formal oceanographic program to coordinate existing partnerships and establish new ones among public and private sector stakeholders in ocean sciences and education. Through such a framework, resource-sharing can lead to the coordination of cost-intensive activities, so that the goals of optimal use and cost-effectiveness can be achieved.

COMMITTEE ACTION

On January 25, 1996, the Subcommittee on Fisheries, Wildlife and Oceans conducted a joint hearing on leveraging our Nation's national oceanographic capabilities with the Subcommittee on Military Research and Development of the Committee on National Security and the Subcommittee on Energy and the Environment of the Committee on Science. Testimony was heard from: Dr. Bruce Alberts, President, National Academy of Sciences; Dr. Neal Lane, Director, National Science Foundation; Dr. D. James Baker, Undersecretary for Oceans and Atmosphere, NOAA; Admiral Jeremy M. Boorda, Chief of Naval Operations, Department of the Navy; Dr. Robert Ballard, Senior Scientist and Director, Center for Marine Exploration, Woods Hole Oceanographic Institution; Rear Admiral Paul G. Gaffney II, Commander, Naval Meteorological and Oceanographic Command, Stennis Space Center; Admiral James D. Watkins, President, Consortium for Oceanographic Research and Education; and Dr. Robert Frosch, Senior Research Fellow, John F. Kennedy School of Government, Harvard University. In their testi-

mony, these leaders of the ocean research community emphasized the need for more cooperation in planning and the use of physical resources so that increased efficiency and better platforms for ocean science could be achieved. Dr. Lane clarified that this includes “developing new ways of coordinating research across agencies and leveraging resources both inside the government and in the private sector.”

H.R. 3537 was introduced on May 29, 1996, by Jim Saxton (R-NJ), the Chairman of the Subcommittee on Fisheries, Wildlife and Oceans. This bill was referred to Committee on Resources, and within the Committee to the Subcommittee on Fisheries, Wildlife and Oceans. The bill was additionally referred to the Committee on National Security and the Committee on Science.

On May 30, 1996, the Subcommittee met to markup H.R. 3537. At that time, no amendments were offered. The bill was approved by voice vote and ordered favorably reported to the Full Committee.

On July 17, 1996, the Full Resources Committee met to consider H.R. 3537. Congressman Saxton offered an amendment in the nature of a substitute to H.R. 3537. The substitute deleted the separate authorization of appropriations and streamlined the administrative structure of the Partnership Program by eliminating the Ocean Research Partnership Coordinating Group and the Ocean Research Advisory Council. The amendment was adopted by voice vote. Subsequently, the bill, as amended, was ordered favorably reported to the House of Representatives by voice vote in the presence of a quorum.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

This Act may be cited as the “Federal Oceanography Coordination Improvement Act of 1996.”

Section 2. Federal oceanography coordination improvement

Section 2 declares the national goals of assuring national security, advancing economic development, protecting quality of life, and strengthening science education through oceanographic research and development.

Section 3. Establishment and purposes of Program

Section 3 establishes the National Oceanographic Partnership Program. The purposes of the Program are: to promote national goals through improved knowledge of the ocean; to coordinate and strengthen oceanographic efforts by carrying out partnerships within the oceanographic community; and to report annually to Congress.

Section 4. Establishment of National Ocean Research Leadership Council

The National Ocean Research Leadership Council will be composed of representatives from Federal agencies, industry, and academia. Initial appointments will be made by December 1, 1996, by the Administrator of NOAA, who will serve as the first Chairman.

The Council will also be responsible for coordinating all inter-agency oceanographic programs, partnerships, and facilities, and for making annual reports to Congress.

Section 5. Partnership Program office

The Council shall establish a Partnership Program office to carry out administrative duties. The Partnership Program office will be housed in NOAA's National Ocean Service and will be charged with establishing and overseeing working groups on specific oceanographic topics, managing peer review of proposed projects, and submitting an annual report to the Council.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to the requirements of clause 2(1)(3) of rule XI of the Rules of the House of Representatives, and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

INFLATIONARY IMPACT STATEMENT

Pursuant to clause 2(1)(4) of rule XI of the Rules of the House of Representatives, the Committee estimates that the enactment of H.R. 3537 will have no significant inflationary impact on prices and costs in the operation of the national economy.

COST OF THE LEGISLATION

Clause 7(a) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out H.R. 3537. However, clause 7(d) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974.

COMPLIANCE WITH HOUSE RULE XI

1. With respect to the requirement of clause 2(1)(3)(B) of rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, H.R. 3537 does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

2. With respect to the requirement of clause 2(1)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform and Oversight on the subject of H.R. 3537.

3. With respect to the requirement of clause 2(1)(3)(C) of rule XI of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for H.R. 3537 from the Director of the Congressional Budget Office.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,
 CONGRESSIONAL BUDGET OFFICE,
 Washington, DC, August 30, 1996.

Hon. DON YOUNG,
 Chairman, Committee on Resources,
 House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 3537, the Federal Oceanography Coordination Improvement Act of 1996, as ordered reported by the House Committee on Resources on July 17, 1996. CBO estimates that enacting H.R. 3537 would result in new discretionary spending of about \$1 million a year, assuming the appropriation of the necessary amounts. Enacting the bill would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

H.R. 3537 would direct the Secretary of Commerce to establish the National Oceanographic Partnership Program. The purpose of the program would be to coordinate within the oceanographic community. The program would be administered through the National Ocean Service and overseen by a National Ocean Research Leadership Council, which would be composed primarily of representatives from several federal agencies. Other members would represent the views of state governments, the private sector, and academia. The council could authorize the National Ocean Service to enter into contracts and make grants for oceanographic research using funds appropriated to the agencies that have members on the council. Based on information provided by the Department of Commerce, CBO estimates that implementing the bill would require about \$1 million annually for council staff, to identify and allocate funds for partnership projects, and to complete annual reports.

H.R. 3537 contains no private-sector or intergovernmental mandates as defined in the Unfunded Mandates Reform Act of 1995 (Public Law 104-4), and would impose no costs on state, local, or tribal governments.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Gary Brown.

Sincerely,

 (For June E. O'Neill, *Director*).

COMPLIANCE WITH PUBLIC LAW 104-4

H.R. 3537 contains no unfunded mandates.

CHANGES IN EXISTING LAW

If enacted, H.R. 3537 would make no changes in existing law.