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APPROVED
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THE WHITE HOUSE
WASHINGTON
October 6, 1976

ACTION

Last Day: October 9

MEMORANDUM FOR THE PRESIDENT
FROM: JIM CANNON *Handwritten signature*
SUBJECT: H.R. 13035 - Sea Grant Program Improvement Act of 1976

Posted
10/9/76

archives
10/12/76

Attached for your consideration is H.R. 13035, sponsored by Representative Rogers and 17 others.

The enrolled bill would authorize appropriations of \$50 million in 1977 for the National Sea Grant Program in the Department of Commerce and would make a number of amendments to the National Sea Grant College and Program Act of 1966.

A discussion of the amendments to the Act is provided in OMB's enrolled bill report at Tab A.

Max Friedersdorf strongly recommends approval and indicates that Senator Ted Stevens has called personally to recommend approval. OMB, NSC, Counsel's Office (Kilberg) and I also recommend approval of the enrolled bill and the proposed signing statement which has been cleared by the White House Editorial Office (Smith).

RECOMMENDATION

That you sign H.R. 13035 at Tab B.

That you approve *Handwritten initials* the signing statement at Tab C.

Approve Disapprove





EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

OCT 6 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 13035 - Sea Grant Program Improvement
Act of 1976
Sponsor - Rep. Rogers (D) Florida and 17 others

Last Day for Action

October 9, 1976 - Saturday

Purpose

Extends and expands the National Sea Grant Program in the Department of Commerce.

Agency Recommendations

Office of Management and Budget	Approval (Signing statement attached)
Department of Commerce	Approval (Signing statement attached)
Office of Science and Technology Policy	Approval
Department of State	Approval
Department of Agriculture	Approval
Civil Service Commission	Approval
Environmental Protection Agency	Approval
National Science Foundation	No objection
Department of Defense	No objection
Department of Transportation	No objection
Department of Interior	Defers
Council on Environmental Quality	Defers
Marine Mammal Commission	Defers (Informally)
Department of Health, Education, and Welfare	No comment (Informally)

Discussion

Under the National Sea Grant College and Program Act of 1966 (P.L. 89-688), the National Oceanic and Atmospheric Administration (NOAA) of the Department of Commerce, through the use of matching grants, supports marine resource programs at a network of sea grant colleges. The Sea Grant Program consists of marine related research, education, training, and advisory service activities in the coastal and Great Lakes States.

H.R. 13035 would amend that Act to:

- Authorize appropriations of \$50 million in 1977 for the basic Sea Grant Program.
- Authorize the Secretary of Commerce to designate sea grant regional consortia, groups of colleges and/or other institutions which would support research, education, training and advisory activities related to ocean and coastal resources.
- Require the Secretary to support a sea grant fellowship program with up to five percent of the funds appropriated for the total Sea Grant Program.
- Create, with a \$5 million authorized funding level in 1977, a new categorical national projects program, with matching grants, to address specific national ocean-related needs and problems identified by the Secretary.
- Establish in 1977 a new \$3 million categorical grant program for international cooperative assistance in order to enhance the research and development capacity of developing foreign nations and to promote the international exchange of marine resource-related information.
- Establish an independent sea grant review panel in place of the existing administratively established sea grant advisory committee and specify the panel's membership and areas of responsibility.

H.R. 13035, which is more limited in its proposed expansion of the Sea Grant Program than the companion Senate bill (S. 3165), was passed in lieu of the Administration's bill which recommended a simple three-year extension of the existing Act.

H.R. 13035 passed the House by 326 to 34 on May 3, 1976; it passed the Senate, amended, by voice vote, on June 14, 1976. The conference report on the enrolled bill passed the House and Senate by voice vote. Both Senator Magnuson and Senator Hollings are strong supporters of an expanded Sea Grant Program.

The following table displays the funding levels involved:

<u>Program</u>	<u>1976</u>	<u>1977</u>		<u>H.R. 13035</u> <u>Auth.</u>
	<u>Auth.</u>	<u>Budget</u> <u>Request</u>	<u>Appropriated</u>	
		(\$ in millions)		
Sea Grant	40	23	28	50
National Projects	--	--	--	5
International Cooperation Assistance	--	--	--	3
Total	40	23	28	58

Although the appropriation authorization expired on September 30, 1976, the Congress appropriated \$28 million for the Sea Grant Program in 1977. The use of that appropriation was not made contingent on the enactment of authorizing legislation.

Agency Views

In recommending approval of H.R. 13035, the Department of Commerce emphasizes that "the Department has made many compromises with the Congress that have resulted in objectionable features being removed from earlier versions of this bill." Commerce also states that H.R. 13035 "would

strengthen the National Sea Grant Program by improving its efforts to meet local and regional needs while also addressing national needs through a program of applied research, marine education and training, and marine advisory services in fields related to ocean and coastal resources."

We are informally advised that the Department strongly believes that the program provides a valuable means for bringing the resources of colleges and universities to bear on the nation's efforts to make more productive use of our ocean resources.

The Department of State also recommends approval of the bill and concurs with Commerce on the benefits of the proposed program of international cooperation assistance.

While recommending approval of the bill, the Civil Service Commission objects to provisions which provide for the establishment of the position of Director of the Sea Grant Program and five other supergrade positions "outside the Government-wide quota and without regard to competitive appointment provisions..."

Comment

As Commerce points out above, H.R. 13035 is a compromise measure and many objectionable features have been removed. Earlier versions of the bill had (1) a proposed new Office of Marine Resources, Science, and Technology within NOAA with an annual authorization of \$15 million; (2) a proposed national ocean and coastal advisory service with an annual authorization of \$15 million; and (3) an authorization level of \$10 million rather than \$3 million for the new national projects program.

Unfortunately, the enrolled bill still contains a number of questionable provisions.

- The additional funds authorized in the bill (the authorization level is double the existing appropriation) are unnecessary since the Department of Commerce estimates that about \$145 million will be spent by Federal agencies in 1977 for ocean related research and development activities.

- Under current law the program is limited to providing institutional support in marine research which is primarily targeted to State and regional problems. The new national projects program established by this bill could allow the Department to become involved in broader, national issues such as ocean mining. National issues of this nature have, in the past, been the responsibility of agencies (such as Interior, Agriculture, etc.) which have been given specific missions by the President and the Congress.
- Some universities and other institutions have been receiving sea grant support for about ten years. The need for expansion of the program has not been demonstrated. Unless constrained now, the Sea Grant Program has the potential to become a large cooperative research and extension service analogous to the Department of Agriculture's service. This danger is particularly acute in the case of NOAA, which has had a history of rapid, bureaucratic growth.
- NOAA should not be given the authority to conduct a foreign aid program for developing nations. Authorities to provide assistance to other nations in the form of research, training and information activities now exist in the appropriate agencies, where they can be assessed against competing priorities and foreign policy objectives.
- The establishment of a new fellowship program runs counter to Administration efforts to phase out categorical student support.

There are other countervailing considerations.

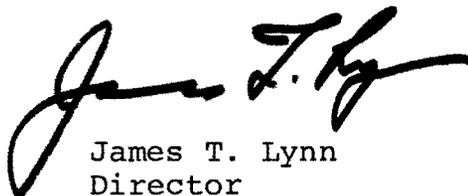
- The added authorizations in the bill are only for one year and the Administration may be able to overcome any attempts to appropriate additional funds since there is already a 1977 appropriation for the existing program.
- The Congress believes that the new activities are necessary to (1) address marine-related issues of national importance and (2) help to reduce other nations' suspicion about the nature of marine research conducted by the United States and other developed nations.

- A veto of this bill could be construed as representing a lack of commitment on the part of the Administration to addressing ocean-related issues at a time when considerable attention is focused on this area because of its perceived potential as a source of important resources.
- With respect to national issues in the marine area, the Sea Grant Program may be able to assume a very worthwhile mission dealing with certain issues that the other mission agencies are less equipped to deal with (e.g., the environmental effects of deep sea mining).
- Although the Administration clearly communicated its concern with, and opposition to, earlier versions of the bill, we did not provide Congress with a position following the conference where the more objectionable provisions were dropped.

Recommendation

The bill presents a close issue but the circumstances lead us, on balance, to recommend approval.

A signing statement is attached for your consideration.



James T. Lynn
Director

Enclosures

c

STATEMENT BY THE PRESIDENT

I am today signing H.R. 13035, the Sea Grant Program Improvement Act of 1976.

In its 10-year history, the National Sea Grant Program has played an appropriate role in developing and coordinating the resources of universities, laboratories and other institutions in furthering the understanding, assessment, development, utilization and conservation of our Nation's ocean and coastal resources. H.R. 13035 would extend the National Sea Grant Program and ensure that this worthwhile work continues.

Some provisions in H.R. 13035 are unnecessary. The proposed "National Projects" and "International Cooperation Assistance" programs are new categorical programs authorizing activities that could more appropriately be carried out by other agencies that have the responsibility to address national marine related needs and problems.

Provisions in the bill which provide for the establishment of the position of Director of the Sea Grant Program and five other supergrade positions outside the Government-wide quota and without regard to the competitive appointment provisions of the Civil Service system are also unwise.

The Sea Grant Program provides a valuable means for bringing the resources of colleges and universities to bear on the Nation's efforts to make more productive use of our ocean resources. I believe that this bill will allow us to strengthen those efforts.

I am therefore signing this bill into law.

By Courier - 10/6/76

THE WHITE HOUSE

ACTION

WASHINGTON

Last Day: October 9

October 6, 1976

MEMORANDUM FOR THE PRESIDENT
FROM: JIM CANNON *JAC*
SUBJECT: H.R. 13035 - Sea Grant Program
Improvement Act of 1976

Attached for your consideration is H.R. 13035, sponsored by Representative Rogers and 17 others.

The enrolled bill would authorize appropriations of \$50 million in 1977 for the National Sea Grant Program in the Department of Commerce and would make a number of amendments to the National Sea Grant College and Program Act of 1966.

A discussion of the amendments to the Act is provided in OMB's enrolled bill report at Tab A.

Max Friedersdorf strongly recommends approval and indicates that Senator Ted Stevens has called personally to recommend approval. OMB, NSC, Counsel's Office (Kilberg) and I also recommend approval of the enrolled bill and the proposed signing statement which has been cleared by the White House Editorial Office (Smith).

RECOMMENDATION

That you sign H.R. 13035 at Tab B.

That you approve the signing statement at Tab C.

Approve _____ Disapprove _____

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: October 6

Time: 1115am

FOR ACTION: ~~Benjamin~~ Humphreys *oh*
Max Friedersdorf
Bobbie Kilberg *oh*
NSC/S *oh*
Glenn Schleede *oh*
Robert Hartmann

cc (for information): Jack Marsh
Jim Connor
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: October 6

Time: 100pm

SUBJECT:

H.R. 13035-Sea Grant Program Improvement Act of 1976

ACTION REQUESTED:

- For Necessary Action
- For Your Recommendations
- Prepare Agenda and Brief
- Draft Reply
- For Your Comments
- Draft Remarks

REMARKS:

Please return to judy jhaston, ground floor west wing
This package must go with the courier today.

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.
For the President

To: J. Johnston
10-6-76.
11:00 9.7A.



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

OCT 6 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 13035 - Sea Grant Program Improvement
Act of 1976
Sponsor - Rep. Rogers (D) Florida and 17 others

Last Day for Action

October 9, 1976 - Saturday

Purpose

Extends and expands the National Sea Grant Program in the
Department of Commerce.

Agency Recommendations

Office of Management and Budget	Approval (Signing statement attached)
Department of Commerce	Approval (Signing statement attached)
Office of Science and Technology Policy	Approval
Department of State	Approval
Department of Agriculture	Approval
Civil Service Commission	Approval
Environmental Protection Agency	Approval
National Science Foundation	No objection
Department of Defense	No objection
Department of Transportation	No objection
Department of Interior	Defers
Council on Environmental Quality	Defers
Marine Mammal Commission	Defers (Informally)
Department of Health, Education, and Welfare	No comment (Informally)



**GENERAL COUNSEL OF THE
DEPARTMENT OF COMMERCE**
Washington, D.C. 20230

SEP 28 1976

Honorable James T. Lynn
Director, Office of Management
and Budget
Washington, D.C. 20503

Attention: Assistant Director for Legislative Reference

Dear Mr. Lynn:

This is in response to your request for the views of this Department concerning H.R. 13035, an Enrolled Enactment cited as the "Sea Grant Program Improvement Act of 1976".

The bill contains two major parts. One portion of the bill would supersede the current Title II of the Marine Resources and Engineering Development Act of 1966, also known as the National Sea Grant College and Program Act of 1966, by adding a new Title II. The second major portion of the bill would provide for a program of international cooperation assistance to be administered by the Secretary of Commerce.

The new Title II, to be known as the "National Sea Grant Program Act", is designed to extend and strengthen the National Sea Grant Program, first established in 1966, to promote responsive research, education, training, and advisory service activities in fields related to ocean and coastal resources.

Section 204 of Title II would require the Secretary of Commerce to maintain a program of financial assistance and other activities known as the National Sea Grant Program, within the National Oceanic and Atmospheric Administration (NOAA). The Secretary would be responsible for establishing long-range planning guidelines, and priorities and, along with a Director appointed by the Secretary, exercising the specifically enumerated powers found in Section 204.

Section 205(a) of Title II retains current Secretarial authority to make grants and to enter into contracts to support Sea Grant programs and projects. It would additionally require the Secretary to find that such programs and projects will be consistent with the objective detailed in Section 202(b) and will be responsive to the needs and problems of individual states and regions. Subsection (a) also retains the current funding formula which sets 66 2/3% as the maximum allowable Federal share for most Sea Grant programs and projects.



Under Section 205(b), the authority of the Secretary to make up to 100% special grants to implement the objective set forth in Section 202(b) is clarified and continued. In order to make such grants or enter into such contracts the Secretary would be required to find that: no reasonable means is available through which the applicant can meet the matching requirement for a grant under Section 205(a); the probable benefit of such project outweighs the public interest of such a matching requirement; and the same or equivalent benefit cannot be obtained through the award of a contract or grant under Section 205(a) or under Section 206. As in the present Sea Grant Act, the total amount provided for grants under this special grants program may not exceed 1% of the total funds appropriated for Title II in any fiscal year.

With respect to Section 205(d), grants and contracts would be allowed to cover the cost of rental of any research vessel which is used in direct support of activities under any Sea Grant program or project. Section 205(d) would also continue the funding restriction, contained in the current Sea Grant Act to limit the amount obligated to persons within any one state for payment of grants or contracts under this section to 15% of the total funds appropriated for Title II for any fiscal year.

Section 206 would allow the Secretary to make up to 100% grants and contracts for projects dealing with national needs and problems related to ocean and coastal resources specifically identified by the Secretary. For the purposes of Section 206, \$5 million are authorized to be appropriated for fiscal year 1977. However, the amount obligated to be expended under this section shall not exceed an amount equal to 10% of the sum appropriated for any fiscal year under Title II.

Section 207 establishes a mechanism whereby the Secretary may designate Sea Grant Colleges and Regional Consortia and allows the Secretary to suspend such designation when appropriate.

The Secretary would be directed under Section 208 to support a Sea Grant fellowship program to provide educational and training assistance to qualified individuals at the undergraduate and graduate levels of education in fields related to ocean and coastal resources. The total amount for grants under this section during any fiscal year shall not exceed an amount equal to 5% of the total funds appropriated for Title II.

A new fifteen member Sea Grant review panel would be established in Section 209 to supersede the current Sea Grant Advisory Panel sixty days after enactment of this legislation. Section 209 prescribes the membership qualifications and terms for members and empowers the panel to review the various aspects of the Sea Grant Program, and to advise the Director on such reviews and resulting recommendations.

Section 211 requires the Secretary to submit a report to Congress and the President not later than February 15th of each year describing the activities of and prospects for the National Sea Grant Program. The Director of the Office of Management and Budget and the Office of Science and Technology Policy shall have the opportunity to review each report and may submit for inclusion in such report comments, recommendations and independent evaluations of the National Sea Grant Program.

Section 212 provides for an appropriations authorization for fiscal year 1977 of \$50 million for the purposes of carrying out the provisions of this Title with the exception of Section 206.

The second major portion of the bill, Section 3, would provide for a program of international cooperation assistance to be administered by the Secretary of Commerce. Under this section the Secretary would be authorized to make grants to or enter into contracts with any Sea Grant College or Sea Grant Regional Consortium or any institution of higher education, laboratory, or institute (if such institution, laboratory or institute is located within the United States possession) for the purpose of (1) enhancing the research and development capability of any foreign nation with respect to ocean resources and (2) encouraging the international exchange of information and data with respect to the assessment, development, utilization, and conservation of such ocean and coastal resources. The Secretary of Commerce is to consult with the appropriate officials of the Department of State in carrying out this program. For the purposes of this section, \$3 million would be authorized to be appropriated for fiscal year 1977.

The Department of Commerce urges approval by the President of this legislation.

The National Sea Grant Program, during the past decade, has proven effective in coordinating the interdisciplinary resources of our institutions, universities and laboratories in providing the necessary bridge between oceanic and coastal research and program application. The continuation of this vital Federal ocean and coastal research program is necessary to maintain coordinated national research efforts and national research expertise, and to insure continued United States leadership in the field of ocean and coastal research.

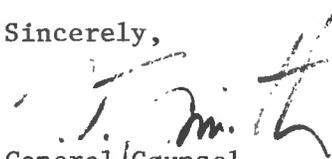
The proposed legislation would strengthen the National Sea Grant Program by improving its efforts to meet local and regional needs while also addressing national needs through a program of applied research, marine education and training, and marine advisory services in fields related to ocean and coastal resources. Finally,

that portion of the proposed legislation which would provide for a program of international cooperation assistance would help this Nation in meeting requests from other countries for the international exchange of information and transfer of technology.

We would stress that the Department has made many compromises with the Congress that have resulted in objectionable features being removed from earlier versions of this bill.

At this time, it is not possible to determine if approval of this bill would entail expenditure of funds greater than the amount of \$27.2 million presently appropriated for fiscal year 1977.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Smith", is written over the typed name. The signature is stylized and somewhat cursive.

General Counsel



**GENERAL COUNSEL OF THE
UNITED STATES DEPARTMENT OF COMMERCE**
Washington, D.C. 20230

SEP 29 1976

Honorable James T. Lynn
Director, Office of Management
and Budget
Washington, D. C. 20503

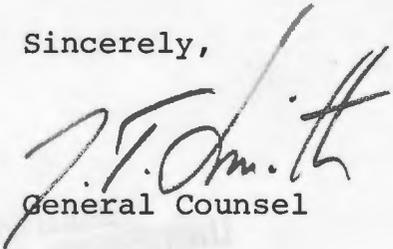
Attention: Assistant Director for Legislative Reference

Dear Mr. Lynn:

On Tuesday, September 28, 1976 we sent to you a letter urging that the President approve H. R. 13035, an Enrolled Enactment cited as the "Sea Grant Program Improvement Act of 1976". We feel that the existing sea grant program has been effective with many public benefits being derived from the work of the sea grant colleges and universities. Achievements have been realized in numerous areas related to the marine environment and the oceans covering such varied issues as the law of the sea, marine economics, fisheries, coastal zone planning, marine environmental pollution, and education. Accordingly, we urge that the President approve the bill.

Enclosed herewith is a draft statement that the President may wish to consider using when signing this legislation.

Sincerely,


General Counsel

Enclosure



DRAFT

STATEMENT BY THE PRESIDENT ON

H.R. 13035, THE SEA GRANT REAUTHORIZATION BILL

I am pleased to sign into law today H.R. 13035, the Sea Grant Program Improvement Act of 1976. This legislation will continue the valuable contribution which the National Sea Grant Program has made in its ten year history to the understanding, assessment, development, utilization, and conservation of the Nation's ocean and coastal resources, by providing assistance to promote a strong educational base, responsive research and training activities, and broad and prompt dissemination of knowledge and techniques.

The bill recognizes that the National Sea Grant Program, soon to celebrate its 10th anniversary, is the most cost-effective way to promote the necessary involvement of the Federal Government in continuing partnership with State and local governments, private industry, universities, organizations and individuals in activities related to ocean and coastal resources. This bill continues the authority of the Secretary of Commerce to

make grants and contracts on a matching funds basis, to address local and regional needs and reauthorizes the Program at a \$50 million level for Fiscal Year 1977, which is identical to the amount authorized for Fiscal Year 1976.

Covered under this authorization level is the provision in the bill providing for the award of fellowships by the National Sea Grant Program. The fellowship program provided for in the bill is designed to provide for both undergraduate and graduate training in order to develop the kind of technical expertise and skilled manpower necessary to better manage the Nation's ocean and coastal resources in the years ahead. The amount provided for this fellowship program is limited to 5% of the funds appropriated annually under the authorization for the basic National Sea Grant Program.

Certain ocean and coastal resource needs and problems affect the entire Nation, in contrast to those having just a local or regional focus. The Secretary of Commerce may designate certain projects as such national projects and he may make up to 100% Federal grants or contracts

through the National Sea Grant Program for applied marine research, marine education and training, and marine advisory service. A separate \$5 million authorization for Fiscal Year 1977 is established for the purpose of addressing these national problems and needs through the National Sea Grant Program. However, the bill provides that the amount obligated to be expended for this national projects program shall not exceed an amount equal to 10% of the sum appropriated for any fiscal year for the basic National Sea Grant Program. This one year authorization period is intended as a "trial" period. Both the Congress and the Executive intend to review this national projects program during the next year in order to determine the need for future efforts in this direction.

This legislation also provides for a program of international marine cooperation assistance to be administered by the Secretary of Commerce, through the Administrator of the National Oceanic and Atmospheric Administration, and provides for consultation with the Secretary of State in carrying out the program. This initiative will assist the Developing nations in increasing their understanding of the role that marine science can

play in ocean resource consideration and development. It will allow the Secretary of Commerce, after consultation with the Secretary of State, to make grants or enter into contracts with U.S. institutions of higher learning for the purpose of (1) enhancing the research and development capability of any foreign nation with respect to ocean resources and (2) encouraging the international exchange of information and data with respect to the assessment, development, utilization and conservation of such ocean and coastal resources. A one year, \$3 million authorization for Fiscal Year 1977, is provided in the bill for this program. This one year authorization is also viewed as a "trial" period. Both the Executive and Congress intend to review the operation of this program during the next year in order to determine future needs and objectives.

The National Sea Grant Program, during the past decade, has proven effective in coordinating the interdisciplinary resources of our institutions, universities and laboratories in providing the necessary bridge between oceanic and coastal research and program application. The continuation of this vital Federal ocean and

coastal research program is necessary to maintain coordinated national research efforts and national research expertise, and to insure continued United States leadership in the field of ocean and coastal research.

The proposed legislation would strengthen the National Sea Grant Program by improving its efforts to meet local and regional needs, while also enabling it to address national needs, through a program of applied research, marine education and training, and marine advisory services in fields related to ocean and coastal resources. Additionally, a portion of the proposed legislation would provide for a program of international marine cooperation assistance which would help this Nation meet the needs and legitimate demands of developing foreign countries and thereby aid in preventing or lessening restrictions placed on marine research conducted in or near the territorial limits of those countries by U.S. citizens.

The Secretary of Commerce is expected to act expeditiously to carry out the provisions of this new legislation. It is appropriate that these new directions established for the National Sea Grant Program be enacted as the program approaches its tenth anniversary.

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF SCIENCE AND TECHNOLOGY POLICY
WASHINGTON, D.C. 20500

October 4, 1976

MEMORANDUM FOR: James M. Frey
Assistant Director, Legislative Reference
Office of Management and Budget

SUBJECT: Comments on Enrolled Bill, H. R. 13035 -
"Sea Grant Improvement of 1976"

This memorandum confirms my position which was reported to Mr. Martin by Mr. Smith on Saturday morning, October 2, 1976. I recommended a Presidential signature on this bill.

Since the bill is an authorization bill, not an appropriation bill, and since there is a means of controlling the extent to which the Sea Grant College Program extends itself into the new program areas of the Bill by way of the budgetary review process, I feel that, on balance, the President should sign the bill. A veto would likely stir up misunderstanding and enmity far in excess of the benefits obtained by veto.

The Sea Grant College Program, now approximately 10 years old, is one of a number of marine programs that should be reviewed by the Administration in order to ensure that there is an adequate strategy for the coastal zone research that may be desirable to support the nation's broader coastal zone policies. In my estimation, this is a review that should proceed systematically through a cooperative analysis mounted by Executive Office of the President units. However, while I feel this review is entirely desirable, I do not believe that it serves as a basis for recommending a veto.


for H. Guyford Stever
Director



DEPARTMENT OF STATE

Washington, D.C. 20520

SEP 29 1976

Dear Mr. Lynn:

This is in response to Mr. James M. Frey's communication of September 24 requesting the Department's views on an enrolled bill (H.R. 13035) to improve the national sea grant program. The bill would extend the program for one year, during which period a Congressional review of the program will be continued, while at the same time adopting a number of changes to the 1966 Act which are intended to improve and strengthen the program. Since most of these changes are essentially domestic in nature, the Department will defer to the views of the Department of Commerce on them.

The Department perceives the sea grant program to be a valuable component of our overall national program for dealing with marine science and technology and marine resources. Although entirely domestically oriented, sea grant contributes materially to the foremost position held by the United States internationally in these fields. Accordingly, this Department has been a strong supporter of the sea grant program.

Section 3 of the bill would add an international component to the sea grant program. Under the new international sea grant program, up to \$3,000,000 would be authorized to enhance the research and development capabilities of developing foreign nations and promote the international exchange of information and data with respect to ocean and coastal resources. To accomplish this goal, grants or contracts would be

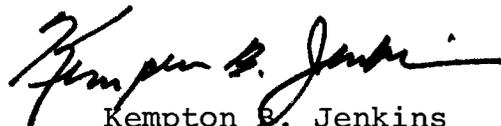
Honorable James T. Lynn,
Director,
Office of Management and Budget.

made with American colleges and eligible institutions. The Secretary of State would be consulted concerning regulations governing the international sea grant program. The Secretary of State would also be consulted before any individual grant or contract is made.

Given the vast area of the earth covered by the oceans, the large number of nations with sea coasts, the need for international cooperation in a great many ocean activities which are too vast for any one nation to undertake alone, the interest of American marine scientists in conducting their research in many areas off foreign coasts, and the interest of many American fishermen and industries in the marine resources found off the coasts of other nations, the Department believes that such an international sea grant program would contribute materially to the interests of the United States in a cost-effective way. The international cooperation and goodwill engendered by such a program, as well as the increased knowledge made available to the world and the enhanced ability of the world's nations to deal effectively with ocean problems of common concern should pay handsome dividends to the United States and to mankind.

Accordingly, the Department urges that the bill be signed into law.

Sincerely,



Kempton B. Jenkins
Acting Assistant Secretary
for Congressional Relations

Signed 10/8/76

Add to the Bill File.



NATIONAL ADVISORY COMMITTEE
ON
OCEANS AND ATMOSPHERE
Washington, D.C. 20230

October 8, 1976

President Gerald Ford
The White House
3400 Pennsylvania Avenue
Washington, DC 20004

Dear President Ford:

RA
This letter relates to H.R.-13035, The Sea Grant Program Improvement Act of 1976, which is now before you for consideration. The Act, as it now stands, has been through a careful and gruelling legislative review and incorporates the best features of the House and Senate versions. On behalf of the National Advisory Committee on Oceans and Atmosphere (NACOA), I wish to urge you to decide favorably on this Bill and sign it into law.

NACOA has just concluded a careful and critical year-long study of the Sea Grant Program and has found it to be a worthwhile and important component of our Nation's overall marine program. We have determined that it is unique in bringing the multidisciplinary capabilities of the Nation's research institutions--university and college--public, private, and industrial, to focus on solution of practical problems of the marine environment and of marine resources in a coordinated fashion. Though our complete Sea Grant report is not printed as yet, NACOA provided a summary of our findings on Sea Grant in NACOA's Fifth Annual Report to the President and the Congress, a copy of which has been forwarded to you. Our recommendations were also incorporated in the annual report.

To summarize these findings and recommendations, NACOA found needs for some improvements in the Sea Grant Program, but we found it to be a very good and effective program on the whole--one which supplies a national need relating to sound development and full use of the Nation's marine resources, with reasonable attention to the necessities of conservation. We found it to have been successful in the past and well worth continuing.

The Bill which is before you, incorporates the changes we have recommended. The Sea Grant Program is important to

President Gerald Ford

Page 2

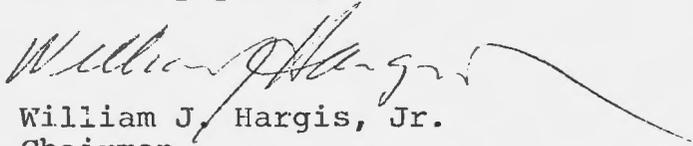
October 8, 1976

the future of the ocean's and oceanic resources and environments. It is also important to the welfare of the Great Lakes and all of the Nation's estuarine and coastal waters. Almost all of the most populous and heavily pressured coastal States, including California, New York, Massachusetts, Virginia, Florida, and Michigan are heavily involved with Sea Grant and are dependent upon its productivity. The Sea Grant Program is one requiring matching funds from local and state entities. That it is almost always "oversubscribed" with matching effort is an indication of its local and regional as well as national importance. Socially, economically, scientifically, and politically, it is an important program.

On behalf of NACOA and the Nation, I herewith urge your favorable consideration of The Sea Grant Program Improvement Act of 1976, H.R.-13035. It is a relatively inexpensive, but very productive and valuable, program which affects many economic entities, state and local agencies, and a large number of people. If it is not signed by tomorrow night, 9 October 1976, the program will expire.

With thanks for your assistance with this important national program, I am

Sincerely yours,


William J. Hargis, Jr.
Chairman

WJHJr/clr



UNITED STATES CIVIL SERVICE COMMISSION

WASHINGTON, D.C. 20415

CHAIRMAN

October 1, 1976

Honorable James T. Lynn
Director
Office of Management and Budget
Washington, D.C. 20503

Attention: Assistant Director for
Legislative Reference

Dear Mr. Lynn:

This is in response to your request for the Commission's views on enrolled H.R. 13035, an act "To improve the national sea grant program and for other purposes."

This bill would amend the National Sea Grant College and Program Act of 1966, to strengthen the grant program administered by the National Oceanic and Atmospheric Administration (NOAA), Department of Commerce, through research, education, and advisory service activities related to ocean and coastal resources.

Our comments are limited to the personnel provisions of the bill.

Section 204(b) (2) of the bill provides for the Director of the National Sea Grant program to be appointed and compensated without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, at a rate not in excess of the maximum rate for GS-18 of the General Schedule. We object to the establishment of this position outside of the competitive service and the creation of another supergrade position outside the Government-wide quota.

Section 204(d) (1) provides for employees of the National Sea Grant program to be subject to the appointment, classification, and pay provisions of title 5. This is appropriate. However, section 204(d) (1) also provides for five supergrade positions to be established outside the Government-wide quota and without regard to competitive appointment provisions, with pay not to exceed the rate for GS-18 of the General Schedule. In addition to objecting to excepting these positions from competitive service provisions, we are strongly opposed to legislation which would increase the number of supergrade spaces by earmarking them for a specific agency without regard to the established Government-wide system of allocation on the basis of priorities and national needs.

Section 204(d)(2) provides for the Secretary of Commerce to make appointments with respect to temporary and intermittent services to the same extent as is authorized by section 3109 of title 5, United States Code. Section 3109 governs employment and pay of experts and consultants. We assume the provision refers only to experts and consultants rather than to all temporary and intermittent employment. More specific language in this section would have been appropriate.

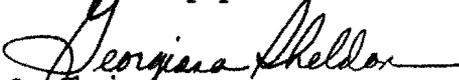
Section 209 provides for the creation of a Sea Grant Review Panel composed of 15 voting members, to be appointed by the Secretary of Commerce and paid at the daily rate of GS-18 of the General Schedule when serving on the panel. Normally legislation on advisory councils specifically excepts members from the appointment provisions of title 5. The absence of statutory exception is no problem, however. Members could be excepted by Commission action. The rate of pay is appropriate.

Finally, section 4 provides for the Deputy Assistant Administrator and the Associate Administrator in NOAA to be paid at Level IV of the Executive Schedule. Level IV is an appropriate rate of pay for these two positions.

Although we object to several of the personnel provisions of the bill, our concerns are not such as to warrant a veto. We therefore recommend that from the standpoint of the personnel provisions the President sign H.R. 13035.

By direction of the Commission:

Sincerely yours,


ACTING Chairman



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OCT 1 1976

THE ADMINISTRATOR

Dear Mr. Lynn:

These are our comments on the enrolled bill entitled "Sea Grant Program Improvement Act of 1976."

Under the legislation, the Secretary of Commerce shall maintain a program known as the national sea grant program and establish long-range planning guidelines and priorities for the adequate evaluation of the program.

The Secretary is authorized to make grants and enter into contracts to assist any sea grant program. Any person may be eligible for a grant or contract.

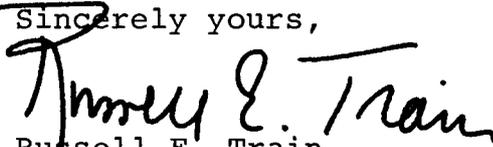
The Secretary also shall identify specific national needs and programs with respect to ocean and coastal resources. The Secretary may make grants or enter contracts with regards to these needs and problems.

In addition, this legislation authorizes the Secretary to support a sea grant fellowship program. This program is designed to provide educational and training assistance to qualified individuals at graduate and undergraduate levels of education in fields related to ocean and coastal resources.

The Environmental Protection Agency supports legislative efforts designed to strengthen our efforts in the area of marine research, development and conservation. The oceans are an area of preeminent importance and our efforts in marine research are too often inadequate, lacking in commitment and fragmentary. H.R. 13035 provides

an opportunity to promote a strong educational base and responsive research and training which should improve marine research in the future. For these reasons, we support the enactment of H. R. 13035.

Sincerely yours,



Russell E. Train

Honorable James T. Lynn
Director
Office of Management and Budget
Washington, D.C. 20503

NATIONAL SCIENCE FOUNDATION
WASHINGTON, D.C. 20550



OFFICE OF THE
DIRECTOR

SEP 28 1976

Mr. James M. Frey
Assistant Director for
Legislative Reference
Office of Management and Budget
Washington, D. C. 20503

Dear Mr. Frey:

This is in reply to your communication of September 24, 1976,
requesting the comments of the National Science Foundation on
Enrolled Bill H. R. 13035, the "Sea Grant Program Improvement
Act of 1976."

The Foundation has no objection to approval of the bill by the
President.

Sincerely yours,

A handwritten signature in cursive script that reads "R.C. Atkinson".

Richard C. Atkinson
Acting Director



DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20350

September 29, 1976

Dear Mr. Lynn:

Your transmittal sheet dated September 27, 1976, enclosing a facsimile of an enrolled bill of Congress, H.R. 13035 "To improve the national sea grant program and for other purposes," and requesting the comments of the Department of Defense, has been received. The Department of the Navy has been assigned the responsibility for the preparation of a report expressing the views of the Department of Defense.

The primary purpose of H.R. 13035 is to strengthen the national sea grant program by extending it through September 30, 1977, by requiring the Secretary of Commerce to support a sea grant fellowship program and by establishing a sea grant review panel which will supersede the existing sea grant advisory panel. Additionally, the measure requires the Secretary of Commerce to transmit to Congress an annual report covering all sea grant activities of the previous year and setting forth projected future activities and objectives.

The Department of the Navy, on behalf of the Department of Defense, has no objection to the approval of H.R. 13035.

Sincerely yours,

A handwritten signature in black ink, appearing to read "David R. Macdonald", is written above the typed name.

David R. Macdonald
Acting Secretary of the Navy

Honorable James T. Lynn
Director, Office of Management
and Budget
Washington, DC 20503



THE SECRETARY OF TRANSPORTATION
WASHINGTON, D.C. 20590

SEP 30 1976

Honorable James T. Lynn
Director
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Lynn:

You have asked for our comments on H.R. 13035, an enrolled bill

"To improve the national sea grant
program and for other purposes."

Section 2 of the enrolled bill amends Title II of the Marine Resources and Engineering Development Act of 1966 to extend the life of the National Sea Grant Program through FY 1977. The objective of the Program is to increase the understanding, assessment, development, utilization, and conservation of the Nation's ocean and coastal resources by providing financial assistance to promote a strong educational base, and responsive research and training activities.

To implement this objective the Secretary of Commerce, through the National Oceanic and Atmospheric Administration, is authorized to make grants and enter into contracts, designate sea grant colleges and regional consortia, and provide for sea grant fellowships. \$50 million is authorized to be appropriated for these purposes. An additional \$5 million is authorized to be appropriated for grants or contracts with respect to specific national needs and problems concerning ocean and coastal resources.

An independent Sea Grant Review Panel would be established to advise the Secretary in his administration of the Program, and an annual report concerning the activities of and outlook for the Program must be submitted to the President and the Congress

by February 15 of each year. The Directors of both the Office of Management and Budget and the Office of Science and Technology Policy would also be given the opportunity to submit comments and recommendations for inclusion in the report.

Section 3 of the enrolled bill provides for international cooperation assistance which would, with respect to ocean and coastal resources, enhance the research and development capability of developing foreign nations and promote the international exchange of information and data. \$3 million is authorized to be appropriated for this purpose.

In reporting this bill, Senate and House conferees expressed the intent to proceed in the next Congress towards the goal of defining and setting forth in precise detail a national oceanic policy for the United States (see Congressional Record, September 15, 1976, at page H10131).

We share the conferees' concern that there is a pressing need for a national oceanic policy and, in fact, testified on this issue before the Subcommittee on Oceanography of the House Committee on Merchant Marine and Fisheries just two weeks ago. In my testimony, I referred to the need for a policy forum within the Executive Branch for the development of coordinated policy and planning. Such a forum, identified as the Marine Affairs Council in my proposal to the President, could assure that there would be an appropriate integration of our economic and societal needs for more ocean space and resources while assuring the protection of environmental values. The Council would be chaired by the Vice President and would be composed of the Secretaries of State, Treasury, Interior, Commerce, Defense, and Transportation.

Since H. R. 13035 extends the life of the Sea Grant Program for only one fiscal year at approximately the same level of funding as the present fiscal year, we have no objection to the President signing the enrolled bill. This limited extension would give the Executive Branch an opportunity to review and evaluate the need for the Program in light of any forthcoming Presidential oceanic policy decision.

Sincerely,

A handwritten signature in cursive script that reads "William T. Coleman, Jr." The signature is written in dark ink and is positioned above the printed name.

William T. Coleman, Jr.



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

SEP 28 1976

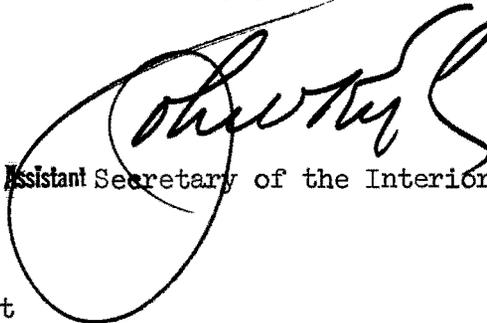
Dear Mr. Lynn:

This responds to your request for our views on the enrolled bill H.R. 13035, "To improve the national sea grant program and for other purposes."

H.R. 13035 amends the National Sea Grant College and Program Act of 1966, as amended, to extend the authorization of funds for fiscal year 1977, and makes other substantive amendments and technical changes in the Act. This program is administered by the Department of Commerce through the National Oceanic and Atmospheric Administration.

We defer to the views of the Department of Commerce as to whether the President should approve this bill.

Sincerely yours,



Assistant Secretary of the Interior

Honorable James T. Lynn
Director
Office of Management and Budget
Washington, D. C. 20503



Save Energy and You Serve America!

EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
722 JACKSON PLACE, N. W.
WASHINGTON, D. C. 20006

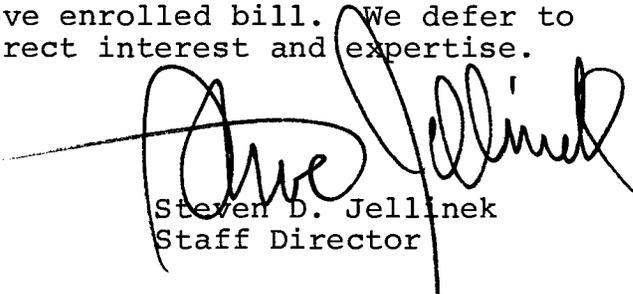
September 29, 1976

MEMORANDUM FOR JAMES M. FREY
OFFICE OF MANAGEMENT AND BUDGET

ATTN: Ms. Ramsey

SUBJECT: Enrolled Bill, H.R. 13035: To improve the
National Sea Grant Program and for Other
Purposes

The Council on Environmental Quality does not have
a position on the above enrolled bill. We defer to
agencies with more direct interest and expertise.



Steven D. Jellinek
Staff Director

Date: October 6

Time: 1115am

FOR ACTION: George Humphreys
Max Friedersdorf
Bobbie Kilberg 106
NSC/S
Glenn Schleede
Robert Hartmann

cc (for information): Jack Marsh
Jim Connor
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: October 6

Time: 100pm

SUBJECT:

H.R. 13035-Sea Grant Program Improvement Act of 1976

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to judy johnston, ground floor west wing
This package must go with the courier today.

in Judson Kilberg 10/4/76

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

James M. Cannon
For the President

Date: October 6

Time: 1115am

FOR ACTION: George Humphreys ✓
 Max Friedersdorf
 Bobbie Kilberg
 NSC/S
 Glenn Schleede
 Robert Hartmann

cc (for information): Jack Marsh
 Jim Connor
 Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: October 6

Time: 100pm

SUBJECT:

H.R. 13035-Sea Grant Program Improvement Act of 1976

ACTION REQUESTED:

 For Necessary Action For Your Recommendations Prepare Agenda and Brief Draft Reply For Your Comments Draft Remarks

REMARKS:

Please return to judy johnston, ground floor west wing
 This package must go with the courier today.

I recommend approval
cutts

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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James M. Cannon
 For the President

PRIORITY
PRECEDENCE

UNCLAS
CLASSIFICATION

FOR COMMCENTER USE ONLY

FROM: JAMES CONNOR
TO: TERRY O'DONNELL

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INFO:

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RELEASED BY:

TOR: 16 2230Z

SPECIAL INSTRUCTIONS:

1976 OCT 6 21 47

THE WHITE HOUSE
WASHINGTON

10.6.76

Terry -

Per Friedersdorf's
request, please add
to enrolled bill file for
H.R. 13035.

RDL

(THIS PACKAGE IS IN COURIER MAIL)

THE WHITE HOUSE

WASHINGTON

Date

10-6-76

TO:

FROM: Max L. Friedersdorf

For Your Information

Please Handle

Please See Me

Comments, Please

Other

Pl. to Staff
Secretary This should
be added as addendum
for enclosed bill memo
on H.R. 13035

RUSSELL B. LONG, LA., CHAIRMAN

HERMAN T. TALMADGE, GA.
VANCE HARTKE, IND.
ABRAHAM RIBICOFF, CONN.
HARRY F. BYRD, JR., VA.
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ROBERT J. DOLE, KANS.
BOB PACKWOOD, OREG.
WILLIAM V. ROTH, JR., DEL.
BILL BROCK, TENN.

United States Senate

COMMITTEE ON FINANCE
WASHINGTON, D.C. 20510

MICHAEL STERN, STAFF DIRECTOR
DONALD V. MOOREHEAD, CHIEF MINORITY COUNSEL

October 4, 1976

The Honorable James T. Lynn
Director
Office of Management and Budget
The Executive Office Building
Washington, D.C. 20503

Dear Jim:

It is my understanding that your office is considering a recommendation to the President to veto the Sea Grant FY 77 Authorization, H.R. 13035. I deeply hope you will not.

First, the President has already approved the FY 77 Appropriations for Commerce which includes the Sea Grant Program. Second, the 1-year authorization in H.R. 13035 is less than \$4 million over the President's own FY 77 budget recommendation. Third, in my home State of Oregon the Sea Grant Program has for years supported a major research facility on a matching fund basis. In FY 77, Sea Grant's contribution is \$1,642,000 and vital to the survival of the program.

I certainly hope you will give this every consideration. The Sea Grant Program is one I have long supported.

Thank you very much, Jim.

Cordially,


BOB PACKWOOD

BP/tdk

cc: Mr. Max L. Friedersdorf
Assistant to the President for Legislative Affairs

Mr. Joe Jenks
Special Assistant for Legislative Affairs.

MEMORANDUM

NATIONAL SECURITY COUNCIL

5591

October 6, 1976

MEMORANDUM FOR: JAMES M. CANNON
FROM: Jeanne W. Davis *JWD*
SUBJECT: H. R. 13035

The NSC Staff concurs in the proposed enrolled bill H. R. 13035-
Sea Grant Program Improvement Act of 1976.

Date: October 6

Time: 1115am

FOR ACTION: George Humphreys
Max Friedersdorf
Bobbie Kilberg
NSC/S
Glenn Schleede
Robert Hartmann

cc (for information): Jack Marsh
Jim Connor
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: October 6

Time: 100pm

SUBJECT:

H.R. 13035-Sea Grant Program Improvement Act of 1976

ACTION REQUESTED:

- For Necessary Action
- For Your Recommendations
- Prepare Agenda and Brief
- Draft Reply
- For Your Comments
- Draft Remarks

REMARKS:

Please return to judy johnston, ground floor west wing
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*Recommend
Approved
for Schleede
10/6/76*

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

James M. Cannon
For the President

10/6/76 - 11:25 am
w

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: October 6

Time: 1115am

FOR ACTION: George Humphreys
Max Friedersdorf
Bobbie Kilberg
NSC/S
Glenn Schleede
Robert Hartmann

cc (for information): Jack Marsh
Jim Connor
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: October 6

Time: 100pm

SUBJECT:

H.R. 13035-Sea Grant Program Improvement Act of 1976

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

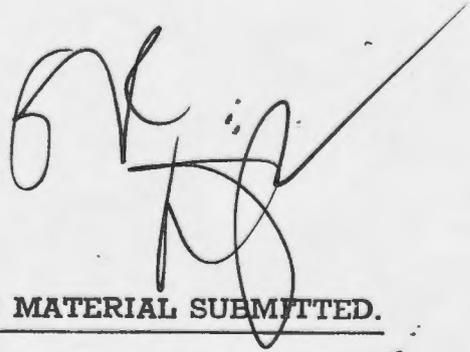
For Your Comments

Draft Remarks

REMARKS:

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10/6/76 - copy sent for researching. mm



PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

James M. Cannon
For the President

SIGNING STATEMENT

I am today signing H.R. 13035, the Sea Grant Program Improvement Act of 1976.

In its 10-year history, the National Sea Grant Program has played an appropriate role in developing and coordinating the resources of universities, laboratories and other institutions in furthering the understanding, assessment, development, utilization and conservation of our Nation's ocean and coastal resources. H.R. 13035 would extend the National Sea Grant Program and ensure that this worthwhile work continues.

Some provisions in H.R. 13035 are unnecessary. The proposed "National Projects" and "International Cooperation Assistance" programs are new categorical programs authorizing activities that could more appropriately be carried out by other agencies that have the responsibility to address national marine related needs and problems.

Provisions in the bill which provide for the establishment of the position of Director of the Sea Grant Program and five other supergrade positions outside the Government-wide quota and without regard to the competitive appointment provisions of the Civil Service system are also unwise.

The Sea Grant Program provides a valuable means for bringing the resources of colleges and universities to bear on the Nation's efforts to make more productive use of our ocean resources. I believe that this bill will allow us to strengthen those efforts.

I am therefore signing this bill into law.

THE WHITE HOUSE

10/6/76 - 11:25 am
w

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: October 6

Time: 1115am

FOR ACTION: George Humphreys
Max Friedersdorf
Bobbie Kilberg
NSC/S
Glenn Schleede
Robert Hartmann

cc (for information): Jack Marsh
Jim Connor
Ed Schmults

297
to Res 11:37
10/6 6Am

to DJS
10/6 1:15
6Am

FROM THE STAFF SECRETARY

DUE: Date: October 6

Time: 100pm

SUBJECT:

H.R. 13035-Sea Grant Program Improvement Act of 1976

ACTION REQUESTED:

___ For Necessary Action

___ For Your Recommendations

___ Prepare Agenda and Brief

___ Draft Reply

^x
___ For Your Comments

___ Draft Remarks

REMARKS:

Please return to judy johnston, ground floor west wing
This package must go with the courier today.

10/6
researched copy returned g.

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

James M. Cannon
For the President

SIGNING STATEMENT

1966
Back-up

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10/6/76 - 11:25 am

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[Faint, mostly illegible text from the reverse side of the page is visible through the paper.]

10/6/76 - 11:25 am
w

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STATEMENT BY THE PRESIDENT

I am today signing H.R. 13035, the Sea Grant Program Improvement Act of 1976.

In its 10-year history, the National Sea Grant Program has played an appropriate role in developing and coordinating the resources of universities, laboratories and other institutions in furthering the understanding, assessment, development, utilization and conservation of our Nation's ocean and coastal resources. H.R. 13035 would extend the National Sea Grant Program and ensure that this worthwhile work continues.

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OMB

SIGNING STATEMENT

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NATIONAL SEA GRANT COLLEGE AND PROGRAM ACT AMENDMENTS

APRIL 27, 1976.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mrs. SULLIVAN, from the Committee on Merchant Marine and
Fisheries, submitted the following

REPORT

[To accompany H.R. 13035]

The Committee on Merchant Marine and Fisheries, to whom was referred the bill (H.R. 13035) to amend the National Sea Grant College and Program Act of 1966, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE LEGISLATION

The purpose of H.R. 13035 is to amend the National Sea Grant College and Program Act of 1966, as amended, to extend the authorization of funds for fiscal year 1977, to separately authorize funds for programs of international cooperation, to separately authorize funds for programs national in scope, to remove the prohibition of using Sea Grant funds for purpose of payment for the services of research vessels and other ocean facilities directly supporting specific sea grant-sponsored activities, to expand the definition of "marine environment," to encourage the cooperation among and joint participation by local and state agencies of the government, industries, and educational institutions in the development and conservation of coastal and marine resources, to substitute the words "development and conservation" of marine resources for "exploitation," and to make certain technical changes in the Act.

BACKGROUND AND HISTORY

The National Sea Grant Program was created on October 15, 1966, with enactment of Public Law 89-688, the "National Sea Grant College and Program Act." Sponsors of the Act sought to develop a solid base of expertise in universities and colleges by drawing on scientists and engineers committed to the ocean and its resources, and directing all available disciplines toward the understanding, utilization, man-

agement, and protection of the resources of the oceans and the Great Lakes.

Originally assigned to the National Science Foundation, the National Sea Grant Program was transferred to the National Oceanic and Atmospheric Administration (NOAA), U.S. Department of Commerce, by the President's Reorganization Plan 4 in October of 1970.

The National Sea Grant Program is a Federal-state-university partnership. It supports the integration of all three functions of American universities—research, education, and public service—in a practical approach to marine technology and resource development. It includes the flow of information from user need through research and testing and back to user application. This approach encourages interaction between individuals, speeding both research output and personnel training, and it insures that Sea Grant receives and makes use of feedback from the marine community.

Sea Grant is guided by a central staff in NOAA which provides overall management, general program guidance and regular and continuing review of the state programs. This facilitates identification of new research needs and continuous evaluation of program performance and productivity. The Office of Sea Grant provides integration of Sea Grant activities with those of other Federal agencies. Local and statewide programs are managed at the university level, guided by local advisory groups and reviewed for technical merit at the local level, as well as through review mechanisms at the national office. This system of dual program review assures responsiveness to identified needs. After problems have been identified and priorities of the program are established, university resources are sought and mobilized.

A program at an institution begins with several coherent projects which are limited in both scope and funding. After a few years, during which the program may develop and expand in multi-project efforts, the program can achieve "institutional" status. Following at least three years of satisfactory progress and the development of a broad research program, an adequate practical education and training program and a functioning marine advisory service program, Sea Grant College status may be designated.

This is a formal designation by the Secretary of Commerce. A Sea Grant College is a college only in the sense that it pulls together a wide variety of people and facilities to accomplish specified goals. It is neither a hierarchy of staff or departments with a permanent or formal structure, nor does it have its own research staff. Institutions officially designated "Sea Grant Colleges" are:

- Oregon State University.
- University of Washington.
- University of Wisconsin.
- University of California.
- University of Rhode Island.
- University of Hawaii.
- Texas A. & M. University.
- State University of New York/Cornell.

As of early 1976, 124 educational institutions were participating in the Program. In addition, 412 government agencies and private companies were providing matching funds or in-kind support. Sea Grant is supporting activities in 26 states, the District of Columbia, the Trust

Territories, American Samoa, and Guam. As of June 30, 1975, there were a total of 3,604 persons involved in 737 Sea Grant sponsored projects.

The following table presents the budget history of the National Sea Grant Program for the fiscal years 1967 through 1977.

NATIONAL SEA GRANT PROGRAM, BUDGET HISTORY—FISCAL YEAR 1976 THROUGH 1977

(Dollar amounts in millions)

Fiscal year	Authoriza- tion	Request to—			Approved budget level	Obligations	Matching funds
		DOC	OMB	Congress			
1967	\$5		\$1.0	\$1.0			
1968	15	\$5.0	5.0	5.0	\$5.0	\$5.0	\$3.1
1969	6	9.0	6.0	6.0	6.0	6.0	3.7
1970	15	10.0	6.0	6.0	10.0	9.0	5.1
1971	20	18.0	13.5	13.5	13.5	13.5	8.5
1972	25	28.1	22.0	22.0	15.2	17.7	9.7
1973	30	30.0	30.0	21.2	21.2	19.5	12.0
1974	30	30.0	28.3	19.8	19.8	19.8	12.9
1975	40	24.9	24.3	24.3	23.3	22.7	14.9
1976	50	31.5	25.7	21.1	23.1		11.4
1977	50	30.9	26.9	23.2			

¹ Through February 1976.

LEGISLATIVE AND HEARING RECORD

On March 1, 2, and 3, 1976, the Oceanography Subcommittee held oversight and authorization hearings for the purpose of evaluating the Sea Grant program.

Some of the issues discussed during the hearings included: how attuned to national priorities are the Sea Grant Program's priorities; what is the proper balance between local and nationally-oriented projects; what is the proper balance between research, education and advisory service activities; how effective has the program been in making services and products known to potential users; what is the right balance between individual projects and institutional support; and what is the proper funding level for the program?

The list of witnesses testifying before the Subcommittee included professionals from government, industry, academia and the Sea Grant program itself. The overall view of the program was positive and well represented in the statement by Dr. William McElroy, Chancellor, University of California, and President of the American Association for the Advancement of Science, "It is an excellent, much-needed, highly beneficial program which has justified the expectations of its founders."

Although the testimony expressed pride and confidence in the past accomplishments of the Sea Grant program, alternatives and possible new directions were discussed. During the three days of hearings there were several topics emerged which could be addressed in this year's legislation: the removal of prohibition on ship time funding, international information exchanges, and projects of national priority.

There was unanimous support for the removal of the prohibition of ship time funding by Sea Grant. Dr. Stanley Murphy of the University of Washington suggested that the ship time funding would be needed for Sea Grant investigators to obtain data at sea in order to conduct many phases of marine research. He stated that additional

resources for this purpose beyond those already provided are required to meet the program's objectives.

All of the testimony indicated that the present level of funding was inadequate and should be increased. Dr. Paul Fye, President of Woods Hole Oceanographic Institution, stated, "The present Federal funding is not sufficient to permit growth of those programs which are progressive and responsive to changing needs."

Other testimony indicated there are excellent opportunities for international cooperative efforts, particularly with the lesser-developed countries. Testimony indicated the need to upgrade our methods of technology exchange, and that the Sea Grant program was a suitable vehicle for this effort.

With regard to Sea Grant resources placing greater emphasis on projects of national orientation, it was generally stated that Sea Grant's service to state and local problems must be preserved for it is in the local regions that the nation's needs are identified, clarified and brought into proper focus.

Witnesses testifying before the Committee supported the proposal providing 100 percent grants for projects which are national in importance.

There was a great deal of testimony before the Subcommittee expressing opposition to proposals to reorganize the program within the National Oceanic and Atmospheric Administration to provide a separate office for the marine advisory service function. There was also opposition to the suggestion that a new office within NOAA with overall responsibility in marine science research be established which would oversee the Sea Grant effort.

The Subcommittee intends to examine these and other proposals dealing with not only Sea Grant but the broader question of the nation's overall marine science effort in hearings and studies during the next year.

Legislation introduced and referred to the Subcommittee on Oceanography, Committee on Merchant Marine and Fisheries for consideration included: H.R. 12097, H.R. 12108, H.R. 12322, and H.R. 13035. The Executive Communication, which was transmitted March 4, 1976, was considered by the Committee, but not introduced. On April 12, 1976, the Merchant Marine and Fisheries Committee met and Congressman Murphy, Chairman of the Subcommittee, made a motion to discharge the Subcommittee from the further consideration of H.R. 13035, and that it be taken up by the full Committee at that time. This motion was unanimously agreed to, and after discussion the full Committee reported H.R. 13035 unanimously, by voice vote, without amendment.

NEED FOR THE LEGISLATION

The Sea Grant College and Program Act of 1966 was most recently amended on July 10, 1973 (P.L. 93-73), which extended authorizations for appropriations through June 30, 1976.

In preparation for consideration of an extension of the authorization, the Subcommittee on Oceanography conducted oversight and authorization hearings on March 1, 2 and 3, 1976. The Subcommittee heard from a variety of witnesses, including federal managers of the program, Sea Grant directors and other participants in the program,

representatives from related outside groups, the National Advisory Committee on Oceans and Atmosphere, and other knowledgeable leaders in marine affairs. The consensus of the testimony from the 17 witnesses who addressed the Subcommittee was basically supportive of the program and its contributions to the nation's marine science and technology.

Basically, the bill would extend the Sea Grant program for one year beyond September, 1976. (Funding for the transitional period is covered by P.L. 94-274.) A one-year extension, rather than the usual three-year extension, is recommended to allow the Subcommittee on Oceanography to conduct its planned thorough review and examination of the Nation's marine science and technology policy and the role that Sea Grant might best play in helping to implement such policy. Extension of the program for only one year should not be interpreted to mean that the Committee does not support the continuation of the program at the authorized level. It is the consensus of the Members of the Committee that to provide a three-year extension of the program now would be a mistake. It would remove the incentive to proceed expeditiously with the planned review and implementation of an overall federal marine science program, and would perpetuate Sea Grant at what is apparently a fixed level of funding. For the latter to happen is certain to cause some of the present participants to reconsider their involvement, inasmuch as Sea Grant is a matching program which requires one-third of its funds from the States and local sources.

Two new initiatives for the Sea Grant program were discussed before the Subcommittee. The first deals with a provision for the expertise within the Sea Grant program to focus on marine problems and projects that are national in scope and impact, and funded in a manner that does not require matching funds from the states. The granting mechanism provided by Section 204 of the law requires that federal funding for any participant in any program not exceed 66 $\frac{2}{3}$ percent of the total cost of the program. This system has served well to develop programs at universities and other institutions in which local and regional needs are addressed and for which state legislatures and other local and regional funding sources have been able to provide the matching funds. This has been a key element in maintaining local and regional interest, participation and interaction. A new Section 206 of the title contains a separate authorization of \$5 million for Sea Grant studies addressed specifically to national marine issues. This responds to the need seen by the Congress for the Sea Grant program to address ocean issues of major national importance. In this experimental program, the Secretary is not restricted to the matching fund requirements under this section.

While supporting this new categorical grant program within Sea Grant, the Committee does not intend to imply that the focus of research should begin to shift to those projects of national scope only. The Committee is satisfied that the present direction of the national Sea Grant Program should remain balanced between national and regional projects designed to increase local and regional capabilities and knowledge in the marine science field. In this respect, some Committee Members expressed concern that the "site visitation teams" sent to Sea Grant institutions to evaluate grant proposals should be composed of a balanced cross-section of local, state, and federal experts. In this way,

the local and regional interests can be assured of adequate participation and contribution during the evaluation process.

The second initiative recognizes the importance of international cooperation for the successful resolution of many marine issues. It is particularly important that the developing nations be assisted in increasing their understanding of the role that marine science can play in ocean resource consideration and development. This initiative may help to reduce other nations' suspicions about the nature of marine research conducted by the United States and other developed nations so that restrictions on these activities will not be increased. As other nations are better able to digest the shared results of research off their coasts, the more willing they will be to permit such activities, it is hoped. Finally, with new international agreements being entered into by the United States, such as the International Convention for the Prevention of the Pollution of the Sea by Oil, the Intergovernmental Maritime Consultative Organization, the Law of the Sea Conference, and others, this section will afford an opportunity for the United States to work with other nations in a spirit of cooperation in implementing these agreements.

A new Section 205 of the title separately authorizes a \$3 million experimental program which would provide for the training and education of foreign nationals through the Sea Grant program and which would permit Sea Grant to provide advisory services to foreign nations with respect to the development and conservation of their marine resources.

The two new authorizations for international cooperation and national programs are to provide a one-year experimental period to determine the kinds of initiatives the Sea Grant program can devise. The Committee can then review these initiatives to determine what support it might wish to provide in subsequent years. It will be particularly helpful to be able to review the progress Sea Grant makes in addressing national priority issues in the coming months in view of the emphasis this subject area received during the Subcommittee's hearings.

The other major substantive change in H.R. 13035 is to allow Sea Grant funds to be used to rent time on research vessels. This is a recommendation from the Sea Grant program personnel who have found that their needs for ship time are considerable. At the same time, the program officials are anxious that this funding not be the basis for a reduction in ship support from the National Science Foundation.

In addition to the extension, the removal of prohibition for rental of research vessels, and the two new initiatives, the bill makes technical changes in the language of the original act. In particular, a new section in the statement of purpose of the law states that it is in the national interest to encourage joint participation among various institutions, governmental and private, in marine projects. This confirms a basic operating tenet of the Sea Grant program which has stressed inter-disciplinary research activity and involvement of a variety of interests. This addition comes from the Sea Grant community which seeks recognition and sanction for this approach. Also, in the statement of purposes, the word, "exploitation" of marine resources was substituted by the words "conservation and development" to avoid the negative connotation of the word "exploit", which suggests abuse.

H.R. 13035 represents a consolidation of measures proposed by Mr. Rogers, sponsor of the original legislation, Mr. Matsunaga (H.R. 12097), and the Administration's proposed three-year extension.

Questions about the future direction of the Sea Grant program have been raised. One consequence has been the effective level funding of the program during the last several budgets. The Office of Management and Budget has stated its finding that the program needs a new focus and direction in order to expand. Major new areas of emphasis seen needed by Congress is for Sea Grant research to address ocean issues of national importance and to produce timely analyses of the issues in readily-understandable form and to promote international cooperation. The questions that Congress has addressed in recent months, such as the 200-mile fishing zone, the extent of onshore impacts stemming from offshore oil and gas operations and ocean mining considerations, are examples of the issues to be addressed. The new authorizations in Sections 205 and 206 in H.R. 13035 are first steps in this direction.

SECTION-BY-SECTION ANALYSIS

The following amendments to the Sea Grant College Act are proposed in H.R. 13035:

DECLARATION OF PURPOSE

(1) The language of Sec. 202(b) is amended to clarify that it is in the national interest to develop the skilled manpower, facilities, and equipment necessary for the "development and conservation" of marine resources, rather than the "exploitation" of marine resources.

(2) New language is added as Sec. 202(d) declaring that it is in the national interest to "encourage the cooperation among and joint participation by local and State agencies of the government, industries, and educational institutions in the development and conservation of coastal and marine resources."

(3) Technical changes are made which accommodate the addition of the new subsection (d) by redesignating existing subsections (d) and (e) as (e) and (f) respectively.

GRANTS AND CONTRACTS FOR SEA GRANT COLLEGES AND PROGRAMS

An extension of the basic Act is provided by authorizing in Sec. 203(b) (1) funds for fiscal year 1977 in the amount of \$50 million.

MARINE RESOURCES

(1) Sec. 204(d) (2) is amended to make it clear that the provisions of this paragraph that prohibit grant funds from being applied to the rental, purchase, construction, preservation or repair of any building, dock or vessel shall not apply to payment for the services of research vessels and other ocean facilities directly supporting specific sea grant-sponsored activities.

(2) Technical and conforming amendments are made to Sec. 204(i) : An amendment strikes out "scientific" in Sec. 204(i) (1). The definition of the term "marine environment" in Sec. 204(i) (2) is amended

to include the "water of the coastal zone as defined in the Coastal Zone Management Act of 1972." Specific delimiting language in the definition is deleted which referred to the "depth of 200 meters, or beyond that limit, to where the depths of superjacent waters admit of the exploitation of the natural resources of the area." Language that reads "seabed and subsoil of submarine areas beyond the Outer Continental Shelf" is substituted in lieu thereof.

INTERNATIONAL COOPERATION

An obsolete reference in Sec. 205 to a \$200,000 study of international marine technology transfer to have been completed not later than September 30, 1974, is deleted and replaced by a new Sec. 205 authorizing a fiscal year 1977 appropriation of up to \$3 million to support and encourage the advancement of research and development capabilities of other nations relating to the exploration, conservation, and management of marine resources, and to encourage the international sharing and exchange of information thereon. The Secretary of Commerce is authorized to support the funding of education and training of foreign nationals through sea grant institutions, and to provide advice to foreign nations on the development of their marine resources. For the purpose of carrying out this section, paragraphs (1) and (3) of Sec. 204(d) of this Act shall not apply.

NATIONAL PROGRAMS

A new Sec. 206 authorizes a fiscal year 1977 appropriation of up to \$5 million to allow the Secretary of Commerce to enter into contracts with, or make grants to, institutions, agencies, and organizations described in Sec. 204(c) of this Act with respect to activities of a national scope and concern determined by the Secretary to be appropriate in assisting him in carrying out programs relating to the development, conservation, utilization, management, and protection of the marine environment. For the purposes of carrying out this section, paragraphs (1) and (3) of Sec. 204(d) of this Act shall not apply.

ESTIMATED COST OF THE LEGISLATION

Pursuant to Clause 7 of Rule XIII of the Rules of the House of Representatives, the Committee estimates that the cost of the legislation for fiscal year 1977 will be as follows:

Section 203	\$50,000,000
Section 205	3,000,000
Section 206	5,000,000
Total	58,000,000

COMPLIANCE WITH CLAUSE 2(1) (3) OF RULE XI

With respect to the requirements of Clause 2(1) (3) of Rule XI of the Rules of the House of Representatives—

(A) Oversight and authorization hearings were held on the administration of the National Sea Grant College and Program Act of 1966, as amended, in Washington, D.C. on March 1, 2, and

3, 1976. The findings and recommendations based on these hearings are detailed in the sections of this report dealing with the need for the legislation and the hearing record, a copy of which will be transmitted to the Committee on Government Operations.

(B) In the opinion of the Congressional Budget Office, no new budget authority or increased tax expenditures, as required in Section 308(a) of the Congressional Budget Act of 1974 will result from enactment of this act.

(C) Pursuant to Section 403 of the Congressional Budget Act of 1974, the Congressional Budget Office has prepared a cost estimate for H.R. 13035 which follows the inflationary impact statement below.

(D) The Committee on Government Operations has sent no report to the Committee on Merchant Marine and Fisheries pursuant to Clause 2(b) (2) of Rule X.

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. 13035 would have no significant impact on the prices and costs in the national economy.

CONGRESS OF THE UNITED STATES,
CONGRESSIONAL BUDGET OFFICE,
Washington, D.C., April 22, 1976.

HON. LEONOR K. SULLIVAN,
Chairman, Committee on Merchant Marine and Fisheries, U.S. House of Representatives, Washington, D.C.

DEAR MADAM CHAIRMAN: Pursuant to Section 403 of the Congressional Budget Act of 1974, the Congressional Budget Office has prepared the attached cost estimate for H.R. 13035, a bill to amend the National Sea Grant College and Program Act of 1966.

Should the Committee so desire, we would be pleased to provide further details on the attached cost estimate.

Sincerely,

Alice M. Rivlin, *Director.*

Attachment.

COST ESTIMATE

1. Bill number: H.R. 13035.
2. Bill title: To amend the National Sea Grant College and Program Act of 1966.
3. Purpose of bill: The bill authorizes appropriations for the support of education and research in marine science, pursuant to the National Sea Grant College and Program Act of 1966. In addition, the bill makes several amendments to the Act, including:

(a) an authorization of appropriations to support the education and training of foreign nationals and to provide advice to foreign nations on the development of their marine resources (sec. 205).

(b) an authorization of appropriations for contracts with or grants to institutions or agencies to assist the Secretary of Com-

merce in the management and development of the marine environment (sec. 206).

Programs under this Act are to be administered by the Secretary of Commerce. This is an authorization bill, which requires subsequent appropriation action.

4. Cost estimate: The authorizations in this bill are for the fiscal year 1977. The budget impact is estimated as follows:

	BUDGET EFFECTS				
	[Millions of dollars; fiscal years]				
	1977	1978	1979	1980	1981
Authorization amount.....	58				
Estimated costs.....	23	35			

5. Basis for estimate: There are three basic categories of expenses in this bill: administration; education, training and research programs; international cooperation and national programs.

Administration expenses are estimated to total \$1.0 million and are expected to be spent entirely during the 1977 fiscal year.

Education, training, and research programs are carried out through grants to or contracts with various institutions, primarily academic. Almost all of these grants or contracts are for a period of one year, with a substantial portion of the commitments made during the summer period preceding each academic year. Historically, virtually all of the appropriated funds have been obligated during the fiscal year of the appropriation, and approximately 75 percent of the funds have been spent during that year. However, with the shift in fiscal years, this relationship is expected to change. A substantial portion of the funds will still be obligated in the summer months, which will now be the end rather than the beginning of a fiscal year. As a result, much more spending will carry over into the following year. It is therefore estimated that of the \$49 million authorized for FY 1977, 40 percent (\$20 million) will be spent during that year and 60 percent (\$29 million) will be spent in FY 1978.

The international cooperation and national programs are authorized for the first time in this bill. They are expected, in general, to follow the same spend-out pattern as the rest of the Sea Grant Program—except that for FY 1977, obligation of the funds and thus expenditures are expected to lag three or four months, because of the newness of the programs. Therefore, of the \$8 million authorized for these programs, about 30 percent (\$2 million) will be spent in FY 1977 and 70 percent (\$6 million) will be spent in FY 1978.

6. Estimate comparison: None.

7. Previous CBO estimate: None.

8. Estimate prepared by Robert A. Sunshine.

9. Estimate approved by: James L. Blum, Assistant Director for Budget Analysis.

DEPARTMENTAL REPORTS

Reports were requested from the Departments of Commerce, State, Interior, the Environmental Protection Agency and the National Science Foundation. At the time this legislation was ordered reported,

no reports had been received. This was due to the fact that H.R. 13035 was introduced on April 5, 1976, and was considered in markup on April 12, 1976. The Department of Commerce and the National Science Foundation representatives testified at the hearings.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, as amended, 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 AND PROGRAM ACT OF 1966

TITLE II.—SEA GRANT COLLEGES AND PROGRAMS

SHORT TITLE

SEC. 201. This title may be cited as the "National Sea Grant College and Program Act of 1966".

DECLARATION OF PURPOSE

SEC. 202. The Congress hereby finds and declares—

(a) that marine resources, including animal and vegetable life and mineral wealth, constitute a far-reaching and largely untapped asset of immense potential significance to the United States; and

(b) that it is in the national interest of the United States to develop the skilled manpower, including scientists, engineers, and technicians, and the facilities and equipment necessary for the [exploitation] *development and conservation* of these resources; and

(c) that aquaculture, as with agriculture on land, and the gainful use of marine resources can substantially benefit the United States, and ultimately the people of the world, by providing greater economic opportunities, including expanded employment and commerce; the enjoyment and use of our marine resources; new sources of food; and new means for the development of marine resources; and

(d) that it is in the national interest to encourage the cooperation among and joint participation by State and local government agencies, industries, and educational institutions in the development and conservation of coastal and marine resources; and

[(d)](e) that Federal support toward the establishment, development, and operation of programs by sea grant colleges and Federal support of other sea grant programs designed to achieve the gainful use of marine resources, offer the best means of promoting programs toward the goals set forth in clauses (a), (b), [and (c),] (c), and (d), and should be undertaken by the Federal Government; and

[(e)](f) that in view of the importance of achieving the earliest possible institution of significant national activities related to the development of marine resources, it is the purpose of this title to provide for the establishment of a program of sea grant colleges and education, training, and research in the fields of marine science, engineering, and related disciplines.

GRANTS AND CONTRACTS FOR SEA GRANT COLLEGES AND PROGRAMS

SEC. 203. (a) The provisions of this title shall be administered by the Secretary of Commerce (hereafter in this title referred to as the "Secretary").

(b) (1) For the purpose of carrying out this title (*other than sections 205 and 206*) there is authorized to be appropriated to the Secretary for the fiscal year ending June 30, 1967, not to exceed the sum of \$5,000,000 for the fiscal year ending June 30, 1968, not to exceed the sum of \$15,000,000, for the fiscal year ending June 30, 1969, not to exceed the sum of \$6,000,000, for the fiscal year ending June 30, 1970, not to exceed the sum of \$15,000,000, for the fiscal year ending June 30, 1971, not to exceed the sum of \$20,000,000, for the fiscal year ending June 30, 1972, not to exceed the sum of \$25,000,000, for the fiscal year ending June 30, 1973, not to exceed the sum of \$30,000,000, for the fiscal year ending June 30, 1974, not to exceed the sum of \$30,000,000, for the fiscal year ending June 30, 1975, not to exceed the sum of \$40,000,000, for the fiscal year ending June 30, 1976, not to exceed the sum of \$50,000,000, for the fiscal year ending September 30, 1977, not to exceed the sum of \$50,000,000, and for each subsequent fiscal year only such sums as the Congress may hereafter specifically authorize by law.

(2) Amounts appropriated under this title are authorized to remain available until expended.

MARINE RESOURCES

SEC. 204. (a) In carrying out the provisions of this title the Secretary shall consult with those experts engaged in pursuits in the various fields related to the development of marine resources and with all departments and agencies of the Federal Government (including the United States Office of Education in all matters relating to education) interested in, or affected by, activities in any such fields.

(b) The Secretary shall exercise his authority under this title by—

(1) initiating and supporting programs at sea grant colleges and other suitable institutes, laboratories, and public or private agencies for the education of participants in the various fields relating to the development of marine resources;

(2) initiating and supporting necessary research programs in the various fields relating to the development of marine resources, with preference given to research aimed at practices, techniques, and design of equipment applicable to the development of marine resources; and

(3) encouraging and developing programs consisting of instruction, practical demonstrations, publications, and otherwise, by sea grant colleges and other suitable institutes, laboratories, and public or private agencies through marine advisory programs with the object of imparting useful information to persons currently employed or interested in the various fields related

to the development of marine resources, the scientific community, and the general public.

(c) Programs to carry out the purposes of this title shall be accomplished through contracts with, or grants to, suitable public or private institutions of higher education, institutes, laboratories, and public or private agencies which are engaged in, or concerned with, activities in the various fields related to the development of marine resources, for the establishment and operation by them of such programs.

(d) (1) The total amount of payments under any grant to or contract with any participant in any program to be carried out by such participant under this title shall not exceed 66 $\frac{2}{3}$ per centum of the total cost of such program. The Secretary may grant total payments that exceed such per centum with respect to those programs or portions of programs requested by the Secretary on his own initiative, upon his determination that the requirement for payments of 33 $\frac{1}{3}$ per centum of the cost thereof by the participant would be inequitable relative to the benefits which the participant would receive therefrom. The total amount of payments to be made by the Federal Government under all programs and portions of programs as to which the Secretary shall in any fiscal year exercise his authority under the preceding sentence to reduce or eliminate matching payments by the participant shall not exceed 1 per centum of the funds appropriated under this title for such fiscal year. For purposes of computing the amount of the total cost of any such program furnished by any participant, the Secretary shall include in such computation an amount equal to the reasonable value of any buildings, facilities, equipment, supplies, or services provided by such participant with respect to such program (but not the cost or value of land or of Federal contributions).

(2) No portion of any payment by the Secretary to any participant in any program to be carried out under this title shall be applied to the purchase or rental of any land or the rental, purchase, construction, preservation, or repair of any building, dock, or [vessel: *Provided*, That the] vessel. The prohibitions of this paragraph shall not apply to (A) non-self-propelled habitats, buoys, platforms, or other similar devices or structures, used principally for research purposes, and (B) the payment for the services of research vessels and other ocean facilities directly supporting specific sea grant sponsored activities, as authorized by the Secretary.

(3) The total amount of payments in any fiscal year by the Secretary to participants within any State shall not exceed 15 per centum of the total amount appropriated to the Secretary for the purposes of this title for such fiscal year.

(e) In allocating funds appropriated in any fiscal year for the purposes of this title the Secretary shall endeavor to achieve maximum participation by sea grant colleges and other suitable institutes, laboratories, and public or private agencies throughout the United States, consistent with the purposes of this title.

(f) In carrying out his functions under this title, the Secretary shall attempt to support programs in such a manner as to supplement and not duplicate or overlap any existing and related Government activities.

(g) Except as otherwise provided in this title, the Secretary, in carrying out his functions under this title, has the same powers and authority as has the National Science Foundation under the National

Science Foundation Act of 1950, as amended, to carry out its functions under that Act.

(h) The head of each department, agency, or instrumentality of the Federal Government is authorized, upon request of the Secretary, to make available to the Secretary, from time to time, on a reimbursable basis, such personnel, services, and facilities as may be necessary to assist the Secretary in carrying out his functions under this title.

(i) For the purposes of this title—

(1) the term "development of marine resources" means [scientific] endeavors relating to the marine environment, including, but not limited to, the fields oriented toward the development, conservation, or economic utilization of the physical, chemical, geological, and biological resources of the marine environment; the fields of marine commerce and marine engineering; the fields relating to exploration or research in, the recovery of natural resources from, and the transmission of energy in, the marine environment; the fields of oceanography and oceanology; and the fields with respect to the study of the economic, legal, medical, or sociological recovery, and control of the natural resources of the marine environment;

[(2) the term "marine environment" means the oceans; the Continental Shelf of the United States; the Great Lakes; the seabed and subsoil of the submarine areas adjacent to the coasts of the United States to the depth of two hundred meters, or beyond that limit, to where the depths of the superjacent waters admit of the exploitation of the natural resources of the area; the seabed and subsoil of similar submarine areas adjacent to the coasts of islands which comprise United States territory; and the natural resources thereof;]

(2) the term "marine environment" means the Great Lakes, the oceans (including the waters of the coastal zone as defined in section 304(a) of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453(a))), the Outer Continental Shelf of the United States, the seabed and subsoil of submarine areas adjacent to the coasts of islands which comprise United States territory, the seabed and subsoil of submarine areas beyond the Outer Continental Shelf, and the natural resources thereof;

(3) the term "sea grant college" means any suitable public or private institution of higher education supported pursuant to the purposes of this title which has major programs devoted to increasing our Nation's utilization of the world's marine resources and which is so designated by the Secretary; and

(4) the term "sea grant program" means (A) any activities of education or research related to the development of marine resources supported by the Secretary by contracts with or grants to institutions of higher education either initiating, or developing existing programs in fields related to the purposes of this title, (B) any activities of education or research related to the development of marine resources supported by the Secretary by contracts with or grants to suitable institutes, laboratories, and public or private agencies, and (C) any programs of advisory services oriented toward imparting information in fields related to the development of marine resources supported by the Secretary by contracts with or grants to suitable institutes, laboratories, and public or private agencies.

[STUDY OF INTERNATIONAL MARINE TECHNOLOGY TRANSFER

[SEC. 205. (a) The Secretary of Commerce is authorized and directed to undertake, through the National Sea Grant College Program, a study of the means of sharing, through cooperative programs with other nations, the results of marine research useful in the exploration, development, conservation, and management of marine resources.

[(b) In carrying out the study required by subsection (a), the Secretary is authorized, without regard for paragraphs (1) and (3) of section 204(d), to enter into contracts with, and make grants to, institutions, agencies, and organizations described in section 204(c).

[(c) The Secretary shall submit to the President and to the Congress the results and findings of such study, including specific recommendations, not later than September 30, 1974.

[(d) For the purpose of carrying out this section there is authorized to be appropriated not to exceed the sum of \$200,000.]

INTERNATIONAL COOPERATION

SEC. 205. (a) The Secretary is authorized to support and encourage the advancement of research and development capabilities of other nations relating to the exploration, conservation, and management of marine resources, and to encourage the international sharing and exchange of information with respect to such resources.

(b) In carrying out the provisions of this section, the Secretary is authorized to support the funding of education and training of foreign nationals through sea grant colleges and other suitable institutes, laboratories, and public or private agencies of the United States, and to provide advice to foreign nations with respect to the development of their marine resources. The provisions of paragraphs (1) and (3) of section 204(d) of this title shall not apply to any payments made pursuant to this section.

(c) For purposes of carrying out the provisions of this section there is authorized to be appropriated not to exceed the sum of \$3,000,000 for the fiscal year ending September 30, 1977. Amounts appropriated under this section are authorized to remain available until expended.

NATIONAL PROGRAMS

SEC. 206. (a) The Secretary, in addition to his authority under section 204 of this title, is authorized to enter into contracts with, or make grants to, organizations described in section 204(c) of this title, for purposes of conducting activities of a national scope and concern which are determined by the Secretary, on his own initiative, to be appropriate in assisting him in carrying out programs relating to the development, conservation, utilization, management, and protection of the marine environment. The provisions of paragraphs (1) and (3) of section 204(d) of this title and shall not apply to any payment made pursuant to this section.

(b) For purposes of carrying out the provisions of this section, there is authorized to be appropriated not to exceed the sum of \$5,000,000 for the fiscal year ending September 30, 1977. Amounts appropriated under this section are authorized to remain available until expended.

SEA GRANT PROGRAM IMPROVEMENT ACT OF 1976

SEPTEMBER 15, 1976.—Ordered to be printed

Mrs. SULLIVAN, from the committee of conference,
submitted the following

CONFERENCE REPORT

[To accompany H.R. 13035]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 13035) to amend the National Sea Grant College and Program Act of 1966, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

That this Act may be cited as the "Sea Grant Program Improvement Act of 1976".

SEC. 2. AMENDMENT TO THE NATIONAL SEA GRANT COLLEGE AND PROGRAM ACT OF 1966.

Title II of the Marine Resources and Engineering Development Act of 1966 (33 U.S.C. 1101 et seq.) is amended to read as follows:

TITLE II—NATIONAL SEA GRANT PROGRAM

"SEC. 201. SHORT TITLE.

"This title may be cited as the 'National Sea Grant Program Act'.

"SEC. 202. DECLARATION OF POLICY.

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

"(1) The vitality of the Nation and the quality of life of its citizens depend increasingly on the understanding, assessment, development, utilization, and conservation of ocean and coastal 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.

"(2) The understanding, assessment, development, utilization, and conservation of such resources require a broad commitment and an intense involvement on the part of the Federal Government in continuing partnership with State and local governments, private industry, universities, organizations, and individuals concerned with or affected by ocean and coastal resources.

"(3) The National Oceanic and Atmospheric Administration, through the national sea grant 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. Continued and increased Federal support of the establishment, development, and operation of programs and projects by sea grant colleges, sea grant regional consortia, institutions of higher education, institutes, laboratories, and other appropriate public and private entities is the most cost-effective way to promote such activities.

"(b) OBJECTIVE.—The objective of this title is to increase the understanding, assessment, development, utilization, and conservation of the Nation's ocean and coastal resources by providing assistance to promote a strong educational base, responsive research and training activities, and broad and prompt dissemination of knowledge and techniques.

"(c) PURPOSE.—It is the purpose of the Congress to achieve 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 in fields related to ocean and coastal resources.

"SEC. 203. DEFINITIONS.

"As used in this title—

"(1) The term 'Administration' means the National Oceanic and Atmospheric Administration.

"(2) The term 'Administrator' means the Administrator of the National Oceanic and Atmospheric Administration.

"(3) The term 'Director' means the Director of the national sea grant program, appointed pursuant to section 204(b).

"(4) The term "field related to ocean and coastal resources" means any discipline or field (including marine science (and the physical, natural, and biological sciences, and engineering, included therein), marine technology, education, economics, sociology, communications, planning, law, international affairs, and public administration) which is concerned with or likely to improve the understanding, assessment, development, utilization, or conservation of ocean and coastal resources.

"(5) The term 'includes' and variants thereof should be read as if the phrase 'but is not limited to' were also set forth.

"(6) The term 'marine environment' means the coastal zone, as defined in section 304(1) of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453(1)); the seabed, subsoil, and waters of the territorial sea of the United States; the waters of any zone over which the United States asserts exclusive fishery management authority; the waters of the high seas; and the seabed and subsoil of and beyond the outer Continental Shelf.

"(7) The term 'ocean and coastal resource' means any resource (whether living, nonliving, manmade, tangible, intangible, actual, or potential) which is located in, derived from, or traceable to, the marine environment. Such term includes the habitat of any such living resource, the coastal space, the ecosystems, the nutrient-rich areas, and the other components of the marine environment which contribute to or provide (or which are capable of contributing to or providing) recreational, scenic, esthetic, biological, habitational, commercial, economic, or conservation values. Living resources include natural and cultural plant life, fish, shellfish, marine mammals, and wildlife. Nonliving resources include energy sources, minerals, and chemical substances.

"(8) The term 'panel' means the sea grant review panel established under section 209.

"(9) The term 'person' means any individual; any public or private corporation, partnership, or other association or entity (including any sea grant college, sea grant regional consortium, institution of higher education, institute, or laboratory); or any State, political subdivision of a State, or agency or officer thereof.

"(10) The term 'sea grant college' means any public or private institution of higher education which is designated as such by the Secretary under section 207.

"(11) The term 'sea grant program' means any program which—

"(A) is administered by any sea grant college, sea grant regional consortium, institution of higher education, institute, laboratory, or State or local agency; and

"(B) includes two or more projects involving one or more of the following activities in fields related to ocean and coastal resources:

"(i) research,

"(ii) education,

"(iii) training, or

"(iv) advisory services.

"(12) The term 'sea grant regional consortium' means any association or other alliance which is designated as such by the Secretary under section 207.

"(13) The term 'Secretary' means the Secretary of Commerce.

"(14) The term 'State' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Mariana Islands, or any other territory or possession of the United States.

"SEC. 204. NATIONAL SEA GRANT PROGRAM.

"(a) IN GENERAL.—The Secretary shall maintain, within the Administration, a program to be known as the national sea grant program. The national sea grant program shall consist of the financial assistance and other activities provided for in this title. The Secretary shall establish long-range planning guidelines and priorities for, and adequately evaluate, this program.

"(b) DIRECTOR.—(1) The Secretary shall appoint a Director of the national sea grant program who shall be a qualified individual who has—

"(A) knowledge or expertise in fields related to ocean and coastal resources; and

"(B) appropriate administrative experience.

"(2) The Director shall be appointed and compensated, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, at a rate not in excess of the maximum rate for GS-18 of the General Schedule under section 5332 of such title.

"(c) DUTIES.—The Director shall administer the national sea grant program subject to the supervision of the Secretary and the Administrator. In addition to any other duty prescribed by law or assigned by the Secretary, the Director shall—

"(1) apply the long-range planning guidelines and the priorities established by the Secretary under subsection (a);

"(2) advise the Administrator with respect to the expertise and capabilities which are available within or through the national sea grant program, and provide (as directed by the Administrator) those which are or could be of use to other offices and activities within the Administration;

"(3) evaluate activities conducted under grants and contracts awarded pursuant to sections 205 and 206 to assure that the objective set forth in section 202(b) is implemented;

"(4) encourage other Federal departments, agencies, and instrumentalities to use and take advantage of the expertise and capabilities which are available through the national sea grant program, on a cooperative or other basis;

"(5) advise the Secretary on the designation of sea grant colleges and sea grant regional consortia and, in appropriate cases, if any, on the termination or suspension of any such designation; and

"(6) encourage the formation and growth of sea grant programs.

"(d) Powers.—To carry out the provisions of this title, the Secretary may—

"(1) appoint, assign the duties, transfer, and fix the compensation of such personnel as may be necessary, in accordance with the civil service laws; except that five positions may be established without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, but the pay rates for such positions may not exceed the maximum rate for GS-18 of the General Schedule under section 5332 of such title;

"(2) make appointments with respect to temporary and intermittent services to the same extent as is authorized by section 3109 of title 5, United States Code;

"(3) publish or arrange for the publication of, and otherwise disseminate, in cooperation with other services, offices, and programs in the Administration, any information of research, educational, training, and other value in fields related to ocean and coastal resources and with respect to ocean and coastal resources, without regard to section 501 of title 44, United States Code;

"(4) enter into contracts, cooperative agreements, and other transactions without regard to section 3709 of the Revised Statutes of the United States (41 U.S.C. 5);

"(5) accept donations and voluntary and uncompensated services, notwithstanding section 3679 of the Revised Statutes of the United States (31 U.S.C. 665(b)); and

"(6) issue such rules and regulations as may be necessary and appropriate.

"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) implement the objective set forth in section 202(b); and

"(2) be responsive to the needs or problems of individual States or regions.

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.

"(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) no reasonable means is available through which the applicant can meet the matching requirement for a grant under subsection (a);

"(2) the probable benefit of such project outweighs the public interest in such matching requirement; and

"(3) the same or equivalent benefit cannot be obtained through the award of a contract or grant under subsection (a) or section 206.

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.

"(c) ELIGIBILITY AND PROCEDURE.—Any person may apply to the Secretary for a grant or contract under this section. Application shall be made in such form and manner, and with such content and other submissions, as the Secretary shall by regulation prescribe. The Secretary shall act upon each such application within 6 months after the date on which all required information is received.

"(d) TERMS AND CONDITIONS.—(1) Any grant made, or contract entered into, under this section shall be subject to the limitations and provisions set forth in paragraphs (2), (3), and (4) and to such other terms, conditions, and requirements as the Secretary deems necessary or appropriate.

"(2) No payment under any grant or contract under this section may be applied to—

"(A) the purchase or rental of any land; or

"(B) the purchase, rental, construction, preservation, or repair of any building, dock, or vessel;

except that payment under such grant or contract may, if approved by the Secretary, be applied to the purchase, rental, construction, preservation, or repair of non-self-propelled habitats, buoys, platforms, and other similar devices or structures, or to the rental of any research

vessel which is used in direct support of activities under any sea grant program or project.

"(3) The total amount which may be obligated for payment pursuant to grants made to, and contracts entered into with, persons under this section within any one State in any fiscal year shall not exceed an amount equal to 15 percent of the total funds appropriated for such year pursuant to section 212.

"(4) Any person who receives or utilizes any proceeds of any grant or contract under this section shall keep such records as the Secretary shall by regulation prescribe as being necessary and appropriate to facilitate effective audit and evaluation, including records which fully disclose the amount and disposition by such recipient of such proceeds, the total cost of the program or project in connection with which such proceeds were used, and the amount, if any, of such cost which was provided through other sources. Such records shall be maintained for 3 years after the completion of such a program or project. The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access, for the purpose of audit and evaluation, to any books, documents, papers, and records of receipts which, in the opinion of the Secretary or of the Comptroller General, may be related or pertinent to such grants and contracts.

"SEC. 206. NATIONAL PROJECTS

"(a) *IN GENERAL.*—The Secretary shall identify specific national needs and problems with respect to ocean and coastal resources. The Secretary may make grants or enter into contracts under this section with respect to such needs or problems. The amount of any such grant or contract may equal 100 percent, or any lesser percent, of the total cost of the project involved.

"(b) *ELIGIBILITY AND PROCEDURE.*—Any person may apply to the Secretary for a grant or contract under this section. In addition, the Secretary may invite applications with respect to specific national needs or problems identified under subsection (a). Application shall be made in such form and manner, and with such content and other submissions, as the Secretary shall by regulation prescribe. The Secretary shall act upon each such application within 6 months after the date on which all required information is received. Any grant made, or contract entered into, under this section shall be subject to the limitations and provisions set forth in section 205(d) (2) and (4) and to such other terms, conditions, and requirements as the Secretary deems necessary or appropriate.

"(c) *AUTHORIZATION FOR APPROPRIATIONS.*—There is authorized to be appropriated for purposes of carrying out this section not to exceed \$5,000,000 for the fiscal year ending September 30, 1977. Such sums as may be appropriated pursuant to this subsection shall remain available until expended. The amounts obligated to be expended for the purposes set forth in subsection (a) shall not, in any fiscal year, exceed an amount equal to 10 percent of the sums appropriated for such year pursuant to section 212.

"SEC. 207. SEA GRANT COLLEGES AND SEA GRANT REGIONAL CONSORTIA.

"(a) *DESIGNATION.*—(1) The Secretary may designate—

"(A) any institution of higher education as a sea grant college; and

"(B) any association or other alliance of two or more persons (other than individuals) as a sea grant regional consortium.

"(2) No institution of higher education may be designated as a sea grant college unless the Secretary finds that such institution—

"(A) is maintaining a balanced program of research, education, training, and advisory services in fields related to ocean and coastal resources and has received financial assistance under section 205 of this title or under section 204(c) of the National Sea Grant College and Program Act of 1966;

"(B) will act in accordance with such guidelines as are prescribed under subsection (b) (2); and

"(C) meets such other qualifications as the Secretary deems necessary or appropriate.

The designation of any institution as a sea grant college under the authority of such Act of 1966 shall, if such designation is in effect on the day before the date of the enactment of the Sea Grant Program Improvement Act of 1967, be considered to be a designation made under paragraph (1) so long as such institution complies with subparagraphs (B) and (C).

"(3) No association or other alliance of two or more persons may be designated as a sea grant regional consortium unless the Secretary finds that such association or alliance—

"(A) is established for the purpose of sharing expertise, research, educational facilities, or training facilities, and other capabilities in order to facilitate research, education, training, and advisory services, in any field related to ocean and coastal resources;

"(B) will encourage and follow a regional approach to solving problems or meeting needs relating to ocean and coastal resources, in cooperation with appropriate sea grant colleges, sea grant programs, and other persons in the region;

"(C) will act in accordance with such guidelines as are prescribed under subsection (b) (2); and

"(D) meets such other qualifications as the Secretary deems necessary or appropriate.

"(b) *REGULATIONS.*—The Secretary shall by regulation prescribe—

"(1) the qualifications required to be met under paragraphs (2) (C) and (3) (D) of subsection (a); and

"(2) guidelines relating to the activities and responsibilities of sea grant colleges and sea grant regional consortia.

"(c) *SUSPENSION OR TERMINATION OF DESIGNATION.*—The Secretary may, for cause and after an opportunity for hearing, suspend or terminate any designation under subsection (a).

"SEC. 208. SEA GRANT FELLOWSHIPS.

"(a) *IN GENERAL.*—The Secretary shall support a sea grant fellowship program to provide educational and training assistance to qualified individuals at the undergraduate and graduate levels of education in fields related to ocean and coastal resources. Such fellowships shall be awarded pursuant to guidelines established by the Secretary. Sea grant fellowships may only be awarded by sea grant colleges, sea grant regional consortia, institutions of higher education, and professional associations and institutes.

"(b) **LIMITATION ON TOTAL FELLOWSHIP GRANTS.**—The total amount which may be provided for grants under the sea grant fellowship program during any fiscal year shall not exceed an amount equal to 5 percent of the total funds appropriated for such year pursuant to section 212.

"SEC. 209. SEA GRANT REVIEW PANEL.

"(a) **ESTABLISHMENT.**—There shall be established an independent committee to be known as the sea grant review panel. The panel shall, on the 60th day after the date of the enactment of the Sea Grant Program Improvement Act of 1976, supersede the sea grant advisory panel in existence before such date of enactment.

"(b) **DUTIES.**—The panel shall take such steps as may be necessary to review, and shall advise the Secretary, the Administrator, and the Director with respect to—

"(1) applications or proposals for, and performance under, grants and contracts awarded under sections 205 and 206;

"(2) the sea grant fellowship program;

"(3) the designation and operation of sea grant colleges and sea grant regional consortia, 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.

"(c) **MEMBERSHIP TERMS, AND POWERS.**—(1) The panel shall consist of 15 voting members who shall be appointed by the Secretary. The Director shall serve as a nonvoting member of the panel. Not less than five of the voting members of the panel 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, 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 and coastal resources. No individual is eligible to be a voting member of the panel if the individual is (A) the director of a sea grant college, sea grant regional consortium, or sea grant program; (B) an applicant for, or beneficiary (as determined by the Secretary) of, any grant or contract under section 205 or 206; or (C) a full-time officer or employee of the United States.

"(2) The term of office of a voting member of the panel shall be 3 years, except that of the original appointees, five shall be appointed for a term of 1 year, five shall be appointed for a term of 2 years, and five shall be appointed for a term of 3 years.

"(3) Any individual appointed to fill a vacancy occurring before the expiration of the term for which his or her predecessor was appointed shall be appointed only for the remainder of such term. No

individual may be appointed as a voting member after serving one full term as such a member. 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, or until 90 days after such date, whichever is earlier.

"(4) The panel 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 shall—

"(A) receive compensation at the daily rate for GS-18 of the General Schedule under section 5332 of title 5, United States Code, when actually engaged in the performance of duties for such panel; and

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

"(6) The panel 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 may exercise such powers as are reasonably necessary in order to carry out its duties under subsection (b).

"SEC. 210. INTERAGENCY COOPERATION.

"Each department, agency, or other instrumentality of the Federal Government which is engaged in or concerned with, or which has authority over, matters relating to ocean and coastal resources—

(1) may, upon a written request from the Secretary, make available, on a reimbursable basis or otherwise, any personnel (with their consent and without prejudice to their position and rating), service, or facility which the Secretary deems necessary to carry out any provision of this title;

(2) shall, upon a written request from the Secretary, furnish any available data or other information which the Secretary deems necessary to carry out any provision of this title; and

(3) shall cooperate with the Administration and duly authorized officials thereof.

"SEC. 211. ANNUAL REPORT AND EVALUATION.

"(a) **ANNUAL REPORT.**—The Secretary shall submit to the Congress and the President, not later than February 15 of each year, a report on the activities of, and the outlook for, the national sea grant program.

"(b) **EVALUATION.**—The Director of the Office of Management and Budget and the Director of the Office of Science and Technology Policy, in the Executive Office of the President, shall have the opportunity to review each report prepared pursuant to subsection (a). Such Directors may submit, for inclusion in such report, comments and recommendations and an independent evaluation of the national sea grant program. Such material shall be transmitted to the Secretary not later than February 1 of each year, and the Secretary shall cause it to be published as a separate section in the annual report submitted pursuant to subsection (a).

"SEC. 212. AUTHORIZATION FOR APPROPRIATIONS.

"There is authorized to be appropriated for purposes of carrying out the provisions of this title (other than section 206) not to exceed

\$50,000,000 for the fiscal year ending September 30, 1977. Such sums as may be appropriated under this section shall remain available until expended."

SEC. 3. INTERNATIONAL COOPERATION ASSISTANCE.

(a) *IN GENERAL.*—The Secretary of Commerce (hereafter in this section referred to as the "Secretary") may enter into contracts and make grants under this section to—

(1) enhance the research and development capability of developing foreign nations with respect to ocean and coastal resources, as such term is defined in section 203 of the National Sea Grant Program Act; and

(2) promote the international exchange of information and data with respect to the assessment, development, utilization, and conservation of such resources.

(b) *ELIGIBILITY AND PROCEDURE.*—Any sea grant college and sea grant regional consortium (as defined in section 203 of the National Sea Grant Program Act) and any institution of higher education, laboratory, or institute (if such institution, laboratory, or institute is located within any State (as defined in such section 203)) may apply for and receive financial assistance under this section. Each grant or contract under this section shall be made pursuant to such requirements as the Secretary shall, after consultation with the Secretary of State, by regulation prescribe. Application shall be made in such form, and with such content and other submissions, as may be so required. Before approving any application for a grant or contract under this section, the Secretary shall consult with the Secretary of State. Any grant made, or contract entered into, under this section shall be subject to the limitations and provisions set forth in section 205(d) (2) and (4) of the National Sea Grant Program Act and to such other terms, conditions, and requirements as the Secretary deems necessary or appropriate.

(c) *AUTHORIZATION FOR APPROPRIATIONS.*—There is authorized to be appropriated for purposes of carrying out this section not to exceed \$3,000,000 for the fiscal year ending September 30, 1977. Such sums as may be appropriated under this section shall remain available until expended.

SEC. 4 CONFORMING AND MISCELLANEOUS PROVISIONS

(a) Section 5314 of title 5, United States Code, is amended by adding at the end thereof the following new paragraph:

"(65) Administrator, National Oceanic and Atmospheric Administration."

(b) Section 5315 of title 5, United States Code, is amended by adding at the end thereof the following new paragraphs:

"(109) Deputy Administrator, National Oceanic and Atmospheric Administration.

"(110) Associate Administrator, National Oceanic and Atmospheric Administration."

(c) (1) Section 2(d) of Reorganization Plan Numbered 4 of 1970 (84 Stat. 2090) is amended by striking out "Level V" and "(5 U.S.C. 5316)" and inserting in lieu thereof "Level IV" and "(5 U.S.C. 5315)", respectively.

(2) The individual serving as the Associate Administrator of the National Oceanic and Atmospheric Administration (pursuant to section 2(d) of Reorganization Plan Numbered 4 of 1970) on the date of the enactment of this Act shall continue as the Associate Administrator, notwithstanding the provisions of paragraph (1).

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill.

LEONOR K. SULLIVAN,
TOM N. DOWNING,
PAUL G. ROGERS,
JOHN M. MURPHY,
JOHN BREAUX,
PHILIP E. RUPPE,
C. A. MOSHER,

Managers on the Part of the House.

WARREN G. MAGNUSON,
ERNEST F. HOLLINGS,
TED STEVENS,
CLAIBORNE PELL,
ALAN CRANSTON,
J. JAVITS,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 13035) to amend the National Sea Grant College and Program Act of 1966, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The Senate amendments struck out all of the House bill after the enacting clause and inserted a substitute text and provided a new title for the House bill. The House disagreed to the Senate amendments.

The committee of conference recommends that the House recede from its disagreement to the amendment of the Senate to the text of the House bill, with an amendment which is a substitute for both the text of the House bill and the Senate amendment to the text of the House bill. The committee of conference also recommends that the House recede from its disagreement to the amendment of the Senate to the title of the House bill.

The provisions of the amendment recommended by the committee of conference are set forth below in a manner sufficiently detailed and explicit to inform the House and the Senate as to the effect which the amendment contained in the accompanying conference report will have upon the measure to which it relates.

SUMMARY AND DESCRIPTION

The purpose of the conference substitute is to improve and strengthen the national sea grant program and to increase the understanding, assessment, development, utilization, and conservation of ocean and coastal resources upon which the quality of life of the major portion of this Nation's population is increasingly dependent.

Both the House bill and the Senate amendment extended the operation of the national sea grant program in the National Oceanic and Atmospheric Administration by authorizing appropriations for an additional period of time. The House bill authorized appropriations for one additional fiscal year, through September 30, 1977, essentially as an interim extension. The Committee on Merchant Marine and Fisheries of the House of Representatives determined to conduct a comprehensive review of the entire program in the 95th Congress before authorizing any longer term extension. The Senate amendment authorized appropriations for three additional fiscal years, through September 30, 1978. This was a result of the investigations and conclusions reached by the Senate Committees on Labor and Public Welfare and on Commerce in regard to the program. The conferees

adopted some of the changes included in the Senate amendment but followed the House bill in limiting the extension of the program to only one additional fiscal year. During this period the Committees can continue their review of the program, with special attention paid to the implementation of the changes included in the conference substitute and the effect of these changes.

At present, the national sea grant program is limited to providing financial assistance primarily for programs or projects designed to meet the needs of individual States and localities. Both the House bill and the Senate amendment authorized the national sea grant program, directly in the case of the House bill and indirectly in the case of the Senate amendment, to assist national projects which are responsive to national needs or problems. This provision is included in the conference substitute in a form which represents an amalgam of the two provisions.

The Senate amendment made a number of substantive and technical changes in the Act which created the national sea grant program (the National Sea Grant Program and College Act of 1966) and set them forth as a single amendment to that Act. The House bill did not include a comparable provision, although certain of these changes were set forth in the House bill in the form of separate amendments to the 1966 Act. The conference substitute follows the Senate amendment in this regard, but with some significant changes to the substance of the Senate amendment:

Contracts and grants are to be made consistent with the objective of this title, and subject to terms and conditions which incorporate changes suggested by the House conferees which clarify the Senate amendment.

Sea grant colleges and sea grant regional consortia are to be designated pursuant to specific findings made, and regulations promulgated by, the Secretary of Commerce. The authority of the Secretary to suspend or terminate such a designation is retained in the same form as proposed by the Senate.

The Senate amendment established a sea grant fellowship program as a means to encourage and recognize the efforts of qualified graduates and undergraduates in fields related to ocean and coastal resources. The conference substitute follows this provision.

The Senate amendment contained a provision establishing an independent sea grant review panel to provide improved review of the national sea grant program and to enhance the information available for congressional oversight. The conference substitute includes this provision but with modifications which reflect the desires and concerns of the House conferees to focus and clarify the duties of the panel in a more appropriate manner, and to establish criteria for membership.

Title II of the Senate amendment provided for an annual report and evaluation to be prepared with respect to the National Oceanic and Atmospheric Administration, which necessarily would include a discussion of the national sea grant program. Since the conferees did not adopt most of the provisions of title II of the Senate amendment, the conference substitute has been narrowed to provide for an annual report and evaluation only with respect to the national sea grant program. This provision of the conference substitute reflects the view

of the conferees that the Congress should be provided with the kind of information and evaluation that will assist it in the performance of its oversight and policymaking responsibilities.

Both the 1966 Act and the Senate amendment contained provisions to facilitate better utilization of the national sea grant program through interagency cooperation. The conference substitute includes such a provision.

The other changes in the national sea grant program which are included in the conference substitute are set forth in the section-by-section discussion portion of this statement of managers.

Both the House bill and the Senate amendment directed the United States to provide assistance to developing foreign nations to increase the capabilities of such nations in the management and utilization of ocean and coastal resources. This provision is included in the conference substitute in a form which represents an amalgam of the two provisions.

The Senate amendment included a title II which set forth a program for a national marine science and technology policy within the National Oceanic and Atmospheric Administration under an Associate Administrator and a new Office of Marine Resources, Science, and Technology. The House bill contained no comparable provision. The conference substitute follows the House bill in this regard, with the Senate conferees having agreed to recede from their position. The conferees agreed, however, that there is a pressing need to define and set forth in precise detail a national ocean policy for the United States. It is the intent of the conferees to proceed towards this goal within their respective committees during the next Congress.

The Congress has noted with dismay the worsening financial condition of the national sea grant program. Essentially level funding over the past half decade has not only drastically reduced the program's buying power, but has prevented the program from progressing as rapidly as was originally envisioned toward one of its most important goals: the formation of a strong coastal and Great Lakes network of centers of excellence in marine research, education, training, and advisory services.

In light of the changes made in this legislation, the conferees would now encourage the program's managers to give serious consideration to the possibilities of slow and careful augmentation of the network, so long as this action seems justified according to the guidelines and criteria called for by the conference substitute and in keeping with responsible program management and the funds available to the program.

SECTION-BY-SECTION DISCUSSION

Section 1. Short title

The first section of the conference substitute follows the Senate amendment in providing that the short title of this legislation is the "Sea Grant Program Improvement Act of 1976."

Section 2. Amendment to the National Sea Grant College and Program Act of 1966.

This section follows the House bill or the Senate amendment, or both, in amending the National Sea Grant College and Program Act

of 1966 (which is title II of the Marine Resources and Engineering Act of 1966) as follows:

Section 201 provides that the short title of this legislation is the "National Sea Grant Program Act".

Section 202 sets forth the findings, of Congress and the objective and purpose of the title. The national sea grant program, initially established in 1966, shall be extended and strengthened to promote research, education, training, and advisory service activities in fields related to ocean and coastal resources through federal support to sea grant colleges, sea grant regional consortia, and other institutions, through the National Oceanic and Atmospheric Administration (NOAA). Education, training, research or advisory services activities should not be funded under the national sea grant program unless they are responsive to State, local, regional, or national needs or problems.

Section 203, the Definitions section, follows the House bill or the Senate amendment, or both, by adding new definitions to the title or by modifying definitions used in the Act of 1966. The terms "Administration" and "Administrator" are added to reflect changes made by the transfer of the National Sea Grant Program (under Reorganization Plan Numbered Four of 1970) from the National Science Foundation to the National Oceanic and Atmospheric Administration.

The term "marine environment" follows the House bill and the Senate amendment. The term is meant to include the coastal zone, as defined in the Coastal Zone Management Act of 1972; the seabed, subsoil, and waters of the territorial sea of the United States; the waters of any zone over which the United States asserts exclusive fishery management authority; the waters of the high seas; and the seabed and subsoil of and beyond the outer Continental Shelf. The term "outer Continental Shelf" as used in this definition is intended to have the same meaning as in section 2(a) of the Outer Continental Shelf Lands Act of 1953 (43 U.S.C. 1331(a)).

The term "ocean and coastal resource" means any living, non-living, manmade, tangible, intangible, actual, or potential resource which is located in, derived from, or traceable to the marine environment. Specific examples of those resources which are meant to be included are enumerated.

The term "Director" means the Director of the national sea grant program appointed pursuant to section 204(b) of this title.

The term "field related to ocean and coastal resources" follows the Senate amendment to include any discipline or field "which is concerned with or likely to improve the understanding, assessment, development, utilization, or conservation of ocean or coastal resources".

The section defines "person" to mean any individual, any public or private corporation, partnership, or other association or entity (including any sea grant college, sea grant regional consortium, institution of higher education, institute, or laboratory); or any State, political subdivision of a State, or agency or officer thereof.

The definition of the term "panel" means the sea grant review panel established in section 209 of this title.

The terms "sea grant college" and "sea grant regional consortium" mean those colleges and association or alliances of persons which are designated as such pursuant to section 207 of this title.

The section defines the term "sea grant program" to reflect the specific activities to be conducted pursuant to this title. Such a program must be administered by a sea grant college, sea grant regional consortium, other institution of higher education, institute, laboratory or State or local agency, and it must include two or more projects involving research, education, training, or advisory services in fields related to ocean and coastal resources.

Section 204 directs the Secretary of Commerce to maintain a national sea grant program within NOAA to be administered by a Director appointed by the Secretary. The qualifications of the Director are set forth as well as specific duties. The Director shall—(1) apply long-range guidelines and implement priorities established by the Secretary; (2) advise the NOAA Administrator of program expertise and capabilities beneficial to other offices of NOAA; (3) assure that Federally-funded sea grant projects comply with the objective of this title; (4) encourage the sharing of program expertise and capabilities with other Federal agencies; (5) advise the Secretary on the designation (or termination or suspension of such designation) of sea grant colleges and sea grant regional consortia; and (6) encourage the formation and growth of sea grant programs.

The section also grants certain powers which are necessary to carry out the title. The Act of 1966 as amended, by declaring that "the Secretary, in carrying out his functions under this title, has the same powers and authority as has the National Science Foundation under the National Science Foundation Act of 1950", provides that the sea grant program may employ "such technical and professional personnel" as the Secretary "may deem necessary", without regard to the civil service laws. The conference substitute restricts this power to create excepted (i.e. non-civil service) positions by limiting to 5 the number thereof. The present authority to publish or arrange for publication of information, which is also based in the Science Foundation Act, is included in the conference substitute but with the modification that such information shall be disseminated by the sea grant program "in cooperation with" the other entities within NOAA (such as the National Marine Fisheries Service and the Coastal Zone Management Office).

Section 205 authorizes the Secretary to make grants and enter into contracts to assist any sea grant program or project found to implement objectives and be responsive to needs and problems of individual states or regions through grants or contracts not exceeding 66 $\frac{2}{3}$ % of the cost of the program or project involved. Special grants of up to 100% may be made, from up to 1% of funds appropriated, for purposes unable to be achieved through matching grants. Certain terms and conditions are listed in this section which follow the House bill and the Senate amendment. No financial assistance can be provided by the Secretary if the proceeds "will be applied to the purchase or rental of any land or to the purchase, rental, construction, preservation, or repair of any building, dock, or vessel." An exception to this prohibition is provided to allow funds to be used for the purchase, rental, construction, preservation, or repair of non-self-propelled habitats, buoys, platforms, and other similar devices or structures, or to the rental of any research vessel which is used in direct support of activities under a sea grant program. The exceptions relating to stationary habitats,

buoys, platforms, and similar devices is included in present law so that the one additional exception provided for in this conference substitute pertains to the rental of research vessels. This provision follows the House bill and the Senate amendment. When the original Act was enacted in 1966, it was thought that funds for the purchase of ship time could be drawn from other sources within the National Science Foundation. Because of Federal funding constraints imposed upon the scientific community during recent years, many of the former sources of research grants are no longer in a position to be able to assist sea grant programs. Therefore, this flexibility is being given to the Secretary so that sea grant programs on projects can utilize funds for the purchase of ship time to accomplish specific scientific objectives related to such programs or projects.

No one State can receive, under such contracts and grants, more than 15 percent of the funds appropriated to the National Sea Grant Program in a particular fiscal year. An additional condition set forth in this section relates to the manner and form of recordkeeping by grant recipients. This auditing language is rather standard in recent statutes to inform those persons receiving grants of requirements imposed upon them for government auditing purposes.

Section 206 follows the House bill and the Senate amendment by authorizing the Secretary to make grants up to 100 percent of the total cost of projects if such projects address specific national needs or problems with respect to ocean and coastal resources. The Secretary is directed to identify specific national needs and problems related to ocean and coastal resources. It is anticipated that the Secretary will carry out this function on a continuing basis so that the program can shift in direction as national needs change. Specific terms and conditions are set forth in this section which are consistent with some of the requirements imposed upon contract and grant recipients under section 205. This national project provision is authorized on an experimental basis for one year, so that the responsible Committees of the Congress can closely evaluate its effectiveness and value. The appropriations authorization is kept separate from the authorization for all of the other activities because the conferees do not want the major program funds eroded, and they want the two programs dealt with separately on their respective merits. While \$5 million is authorized to be appropriated for national projects, an additional restriction mandates that the Secretary cannot obligate to be expended for national projects an amount equal to more than 10 percent of funds appropriated under section 212.

Section 207 follows the House bill and the Senate amendment by authorizing the Secretary of Commerce to designate "sea grant colleges" throughout the United States. This power was given to the Secretary previously in the Act of 1966, and it is being extended in this legislation. Subsection (a) (1) (B) follows the Senate amendment by authorizing the Secretary to designate a "sea grant regional consortium". Any association or other alliance of two or more persons (as defined in section 203) can be designated as a consortium if it is established for the purpose of sharing expertise, research, educational facilities, or training facilities, and other capabilities in order to facilitate research, education, training and advisory services, in any field related to ocean and coastal resources. The Secretary must also find that such

consortium will encourage and follow a regional approach to solving problems or meeting needs relating to ocean and coastal resources. While the sea grant regional consortium can be designated as such based on a finding that it will provide one or more of the services enumerated in the legislation (i.e., research, education, training, or advisory services) it is essential that it be required to provide all four services as soon as is practicable after designation. Each sea grant college must maintain a balanced program of research, education, training, and advisory services in fields related to ocean and coastal resources. The conferees intend that designation as a sea grant college or sea grant regional consortium shall not entitle such entity to preferential treatment beyond the recognition of capabilities required for such designation. It is expected that the National Sea Grant Program will be administered in a manner which will provide an equal opportunity for participation of all qualified applicants.

The Secretary is required to promulgate regulations setting forth the qualifications required to be met by sea grant colleges and sea grant regional consortia as well as the duties of such colleges and consortia after designation. Section 207 (c) permits the Secretary to suspend or terminate such designation for cause.

Section 208 requires the Secretary to support a sea grant fellowship program to provide educational and training assistance to qualified individuals at the undergraduate and graduate levels of education. This education must be in fields related to ocean and coastal resources. Such assistance shall be awarded by sea grant colleges, sea grant regional consortia, and other suitable institutions of higher education, pursuant to guidelines issued by the Secretary. The total amount of funds which may be obligated for such fellowships during any fiscal year cannot exceed 5 percent of the total funds appropriated pursuant to section 212 for such year. This provision follows the Senate amendment.

Section 209 establishes a statutory sea grant review panel which, on the 60th day after the day on which this legislation is enacted, will supersede the sea grant advisory panel currently in existence. Specific duties of the panel are set forth in subsection (b); these are not meant to be exclusive. This panel shall review and advise the Secretary on grant proposals and projects; the fellowship program; the designation and operation of sea grant colleges, sea grant regional consortia, and the operation of sea grant programs, and such other matters as the Secretary refers to the panel. The conferees do not expect the panel to review all proposals and applications for grants and contracts, but review a cross-section of such proposals and applications. Subsection (c) provides for the organization of the panel, outlining the membership, terms of office, and powers and sets forth some prohibitions concerning membership. The panel shall consist of 15 voting members appointed by the Secretary, plus the Director as a non-voting member. No less than five members shall be qualified in marine science, and the remaining members shall be qualified in education, extension services, state government, industry, economics, planning or other activity appropriate to ocean and coastal resources. No individual is eligible to be a voting member of the panel if the individual is a director of a sea grant college, sea grant regional consortium, or sea grant program; a Federal employee; an applicant for, or beneficiary (as determined by

the Secretary) of any grant or contract under section 205 or 206. The Secretary, in determining beneficiary, shall consider all possible conflicts of interest which might prejudice a voting member's actions on the panel. The panel is required to meet biannually; it may meet at other times at the call of the Chairman, upon the request of a majority of the voting members, or upon the request of the Director.

Section 210 follows the Senate amendment by placing certain requirements upon departments, agencies, or other instrumentalities of the Federal Government engaged in, concerned with, or which have authority over matters relating to ocean and coastal resources. Such departments, agencies, or instrumentalities must cooperate with NOAA and its duly authorized officials and may provide personnel, services, and facilities to NOAA to assist in achieving the objective of this title. Such departments, agencies or instrumentalities are required to provide available data or other information which the Secretary deems necessary to carry out this title. This section is intended to stimulate cooperation and coordination within NOAA as well as throughout the Executive Branch.

Section 211 follows the Senate amendment in requiring the Secretary to transmit an annual report to the Congress and to the President by February 15 of each year. This report should comprehensively cover all of the activities of the national sea grant program for the preceding fiscal year and it should project future activities and objectives of such program. The Director of the Office of Management and Budget and the Director of the Office of Science and Technology Policy, in the Executive Office of the President, shall be given an opportunity to review each report to be submitted. In addition, such Directors may submit their own comments, recommendations and independent evaluations of the national sea grant program. These OMB and OSTP views shall be transmitted to the Secretary not later than February 1 of each year and the Secretary shall publish such views as a separate section in the annual report. The conferees feel that the Directors can provide valuable opinions to assist the Congress in its oversight responsibilities.

Section 212 authorizes appropriations for the implementation of the activities and programs of the National Sea Grant Program (other than section 206 of this title). The level and duration of authorizations follows the House bill by providing \$50 million for one fiscal year (FY 1977).

Section 3. International cooperation assistance

The Secretary may enter into grants and contracts with any sea grant college, sea grant regional consortium, institution of higher education, laboratory, or institute within the United States, to enhance research and development capabilities of developing foreign nations and promote the international exchange of information and data with respect to ocean and coastal resources. \$3,000,000 is authorized for FY 1977. The conferees intend that the term "developing foreign nation" include any foreign nation other than a foreign nation which is ineligible for designation (under section 502(b) of the Trade Act of 1974 (19 U.S.C. 2462(b)) as a beneficiary developing country under title V of such Act.

The conferees envision that this provision will be utilized by sea grant colleges, sea grant regional consortia, institutions of higher education, laboratories, and institutes in this Nation to encourage the research and development of, and technology transfer to, developing countries in respect to ocean and coastal resources. The purpose is to enhance scientific cooperation between developing foreign nations and their institutions of higher education, institutes, and laboratories with those of the United States. The conferees intend that the Secretary delegate the administrative functions of this program to the Administrator of NOAA.

Section 4. Conforming and miscellaneous provisions

This section follows the Senate amendment.

Subsection (a) adds the Administrator of NOAA to the statutory list of Federal officials at Level III of the Executive Pay Schedule.

Subsection (b) and (c) adds the Deputy and the Associate Administrator of NOAA to the list of executives compensated at Level IV of the Executive Pay Schedule.

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