



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
P.O. Box 21668
Juneau, Alaska 99802-1668

07-278
07-281
6-23-04
740

June 23, 2004

Mr. Michael Nelson, Chief
NOAA Grants Division
1325 East-West Highway
SSMC2—OFA621—Room 9344
Silver Spring, MD 20910

Re: NOAA Award No.: NA04NMF4520282
Federal Share: \$9,000,000

Dear Mr. Nelson:

Pursuant to your instructions, enclosed please find two copies of the Financial Assistance Award signed by William P. Hines, Executive Director of the Alaska Fisheries Marketing Board. The documents have also been faxed to the number provided in your correspondence of June 3, 2004.

Please do not hesitate to contact me if you have any questions regarding this correspondence.

Very truly yours,

Robyn Holloway
Administrative Assistant
to William P. Hines

Enclosures



Grants Management Division
1325 East-West Highway
SSMC2 - OFA621 - Room 9344
Silver Spring, Maryland 20910-3283

Mr. William P. Hines
Alaska Fisheries Marketing Board
P.O. Box 22131
Juneau, AK 99802-2131

JUN -3 2004

Reference: NOAA Award No. NA04NMF4520282
Federal Share \$9,000,000

Dear Mr. Hines:

Enclosed for your review and acceptance are three originals of the referenced NOAA direct payment award as identified in Public Law 108-199, Section 208. If you concur, sign each of the three originals and return two originals to the address above within 30 days. There is one Special Award Condition for this award. The copy marked "Recipient Copy" is for your files.

In addition, enclosed are two additional documents that need your immediate attention. The first document is titled CAMS Grants Profile Form. You must complete this form so that the NOAA Finance Office will know where your funds should be deposited. The second document is titled SF-270 "Request for Advance or Reimbursement" which you should complete if you do not have a Department of Treasury issued ASAP Requestor/Recipient ID. You may fax all of the documents to me at 301-713-0947 and mail the hard copies to the address above.

If you should have any questions, please contact Steve Drescher at 301-713-0926, ext. 122.

Sincerely,



Michael J. Nelson, Chief
NOAA Grants Management Division

Enclosures

cc: Gary Reisner

GRANTS COPY RETURN

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9-2-04



FORM CD-450 (REV. 10-03) OAO 203-26		U.S. DEPARTMENT OF COMMERCE		<input checked="" type="checkbox"/> GRANT <input type="checkbox"/> COOPERATIVE AGREEMENT	
FINANCIAL ASSISTANCE AWARD				AWARD PERIOD	
RECIPIENT NAME Alaska Fisheries Marketing Board			AWARD NUMBER NA04NMF4520282		
STREET ADDRESS P.O. Box 22131			FEDERAL SHARE OF COST \$ 9,000,000		
CITY, STATE, ZIP CODE Juneau, AK 99802-2131			RECIPIENT SHARE OF COST \$ 0		
AUTHORITY Public Law 108-199, Section 208			TOTAL ESTIMATED COST \$ 9,000,000		

CFDA NO. AND PROJECT TITLE
11.452

BUREAU	FUND	FCFY	PROJECT-TASK	ORGANIZATION	OBJECT CLASS
14	56	04	27L3BSFP00	30-60-0005-00-02-00-00	4119

This Award approved by the Grants Officer is issued in triplicate and constitutes an obligation of Federal funding. By signing the three documents, the Recipient agrees to comply with the Award provisions checked below and attached. Upon acceptance by the Recipient, two signed Award documents shall be returned to the Grants Officer and the third document shall be retained by the Recipient. If not signed and returned without modification by the Recipient within 30 days of receipt, the Grants Officer may unilaterally terminate this Award.

- Department of Commerce Financial Assistance Standard Terms and Conditions
- Special Award Conditions
- Line Item Budget
- 15 CFR Part 14, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, Other Nonprofit, and Commercial Organizations
- 15 CFR Part 24, Uniform Administrative Requirements for Grants and Agreements to State and Local Governments
- OMB Circular A-21, Cost Principles for Educational Institutions
- OMB Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments
- OMB Circular A-122, Cost Principles for Nonprofit Organizations
- 48 CFR Part 31, Contract Cost Principles and Procedures
- OMB Circular A-133, Audits of States, Local Governments, and Nonprofit Organizations
- Other(s): _____

SIGNATURE OF DEPARTMENT OF COMMERCE GRANTS OFFICER 		TITLE Grants Officer	DATE JUN -3 2004
TYPED NAME AND SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL 		TITLE Executive Director	DATE 23 JUN 04

Attachment A**NOAA Award Number: NA 04NMF4520282****NOAA Special Award Condition**

1. This Direct Authorized Grant, NA04NMF4520282, is to the Alaska Fisheries Marketing Board, pursuant to Public Law 108-199, Section 208, which directs that "\$10,000,000 shall be provided to the Alaska Fisheries Marketing Board". This award obligates \$9,000,000 directly to the Alaska Fisheries Marketing Board and allocates \$1,000,000 to be used for Alaska Crab Rationalization activities by the National Marine Fisheries Service pursuant to the Magnuson-Stevens Fishery Conservation Management Act, 16 U.S.C. 313(j).

H. R. 2673

One Hundred Eight Congress of the United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Tuesday,
the seventh day of January, two thousand and three*

An Act

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2004, and for other purposes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Consolidated Appropriations Act, 2004".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. References.

DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES PROGRAMS APPROPRIATIONS, 2004

- Title I—Agricultural Programs
- Title II—Conservation Programs
- Title III—Rural Development Programs
- Title IV—Domestic Food Programs
- Title V—Foreign Assistance and Related Programs
- Title VI—Related Agencies and Food and Drug Administration
- Title VII—General Provisions

DIVISION B—COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS, 2004

- Title I—Department of Justice
- Title II—Department of Commerce and Related Agencies
- Title III—The Judiciary
- Title IV—Department of State and Related Agency
- Title V—Related Agencies
- Title VI—General Provisions
- Title VII—Rescissions
- Title VIII—Alaskan Fisheries

DIVISION C—DISTRICT OF COLUMBIA APPROPRIATIONS, 2004

- Title I—Federal Funds
- Title II—District of Columbia Funds
- Title III—DC School Choice Incentive Act of 2003
- Title IV—General Provisions

DIVISION D—FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS, 2004

- Title I—Export and Investment Assistance
- Title II—Bilateral Economic Assistance
- Title III—Military Assistance
- Title IV—Multilateral Economic Assistance

H. R. 2678—71

to funding reductions included in this title or from actions taken for the care and protection of loan collateral or grant property shall be absorbed within the total budgetary resources available to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 206. Hereafter, the Secretary of Commerce may use the Commerce franchise fund for expenses and equipment necessary for the maintenance and operation of such administrative services as the Secretary determines may be performed more advantageously as central services, pursuant to section 408 of Public Law 108-366: *Provided*, That any inventories, equipment, and other assets pertaining to the services to be provided by such fund, either on hand or on order, less the related liabilities or unpaid obligations, and any appropriations made for the purpose of providing capital shall be used to capitalize such fund: *Provided further*, That such fund shall be paid in advance from funds available to the Department and other Federal agencies for which such centralized services are performed, at rates which will return in full all expenses of operation, including accrued leave, depreciation of fund plant and equipment, amortization of automated data processing software and systems (either acquired or donated), and an amount necessary to maintain a reasonable operating reserve, as determined by the Secretary: *Provided further*, That such fund shall provide services on a competitive basis: *Provided further*, That an amount not to exceed 4 percent of the total annual income to such fund may be retained in the fund for fiscal year 2004 and each fiscal year thereafter, to remain available until expended, to be used for the acquisition of capital equipment, and for the improvement and implementation of department financial management, automated data processing, and other support systems: *Provided further*, That such amounts retained in the fund for fiscal year 2004 and each fiscal year thereafter shall be available for obligation and expenditure only in accordance with section 605 of this Act: *Provided further*, That no later than 30 days after the end of each fiscal year, amounts in excess of this reserve limitation shall be deposited as miscellaneous receipts in the Treasury.

SEC. 207. Notwithstanding any other provision of law, of the amounts made available elsewhere in this title to the "National Institute of Standards and Technology, Construction of Research Facilities", \$14,000,000 is appropriated to fund a cooperative agreement with the Medical University of South Carolina, \$5,000,000 is appropriated to the Thayer School of Engineering, of which \$1,000,000 is for research relating to intelligent control of distributed systems, \$2,000,000 is for a smart laser beam project, and \$2,000,000 is for research relating to nanomagnetism, \$500,000 is appropriated to the Institute for Information Infrastructure Protection at the Institute for Security and Technology Studies, \$1,000,000 is appropriated for the Institute of Politics, and \$500,000 is appropriated for the Coastal Conservation Center.

SEC. 208. Of the amount available from the fund entitled "Promote and Develop Fishery Products and Research Pertaining to

H. R. 2673—72

American Fisheries", \$10,000,000 shall be provided to the Alaska Fisheries Marketing Board, \$2,000,000 shall be available to the Gulf and South Atlantic Fisheries Foundation, \$2,000,000 shall be available to the South Carolina Seafood Alliance, \$1,500,000 shall be available to the Oregon Trawl Commission, and \$1,500,000 shall be available to the Oregon State University Seafood Laboratory: *Provided, That:* (1) the Alaska Fisheries Marketing Board (hereinafter "the Board") shall be a nonprofit organization and not an agency or establishment of the United States; (2) the Secretary may appoint, assign, or otherwise designate as Executive Director an employee of the Department of Commerce, who may serve in an official capacity in such position, with or without reimbursement, and such appointment or assignment shall be without interruption or loss of civil service status or privilege; and (3) the Board may adopt bylaws consistent with the purposes of this section, and may undertake other acts necessary to carry out the provisions of this section.

SEC. 209. (a) Notwithstanding the provisions of the Public Works and Economic Development Act as amended (42 U.S.C. 3121, et seq.) or any other provision of law, the Economic Development Administration shall approve the sale, transfer, or conveyance, without compensation to the agency, of any land on the former Charleston Naval Base, located north of Viaduct Road which was improved by EDA project numbers 04-49-04196, 04-49-04280, 04-49-04462, and 04-49-04461 and funds obligated but not yet disbursed in connection with EDA project number 04-49-04347 shall remain available until expended and, as of September 30, 2003, shall be exempt from the application of section 1552 of title 31, United States Code.

(b) Notwithstanding any other provision of law, the Secretary of Commerce shall approve, without compensation to the Agency, a lease to be entered into by the City of Florence, Alabama, and Alabama Real Estate Holdings, Inc., containing such terms and conditions as the city of Florence determines appropriate, for use of the parcel of land (including improvements thereon) located in Florence, Alabama, that was improved using assistance from the Economic Development Administration under EDA project number 04-01-03963.

SEC. 210. (a) The Secretary of Commerce is authorized to operate a marine laboratory in South Carolina in accordance with a memorandum of agreement, including any future amendments, among the National Oceanic and Atmospheric Administration, the National Institute of Standards and Technology, the State of South Carolina, the Medical University of South Carolina, and the College of Charleston as a partnership for collaborative, interdisciplinary marine scientific research.

(b) To carry out subsection (a), the agencies that are partners in the Laboratory may accept, apply for, use, and spend Federal, State, private and grant funds as necessary to further the mission of the Laboratory without regard to the source or of the period of availability of these funds and may apply for and hold patents, as well as share personnel, facilities, and property. Any funds collected or accepted by any partner may be used to offset all or portions of its costs, including overhead, without regard to 31 U.S.C. 143302(b); to reimburse other participating agencies for all or portions of their costs; and to fund research and facilities expansion. Funds for management and operation of the Laboratory may