



DEC 18 2003

The Honorable John McCain
Chairman, Committee on Commerce,
Science and Transportation
United States Senate
Washington, DC 20510-6125

Dear Mr. Chairman:

This letter responds to the Committee's request for the views of the Department of Commerce on S. 1218, the "Oceans and Human Health Act", as reported by the Committee on Commerce, Science and Transportation on November 19, 2003. This bill would provide for development and coordination of a comprehensive and integrated ocean, coastal and Great Lakes research and monitoring program to assist the Nation and the world in understanding, using, and responding to the numerous and varied roles of the oceans in human health.

The U.S. Commission on Ocean Policy, created under the Oceans Act of 2000 (P.L. 106-256), is expected to issue its report in the near future in which it will provide specific science and policy recommendations regarding oceans and human health policy. Therefore, the Department will withhold any views in support or opposition to S. 1218 until after the Commission has issued its report, and the Department has fully studied the recommendations of the Commission. The Department appreciates the Committee's continuing support for our current programs related to human health and the oceans. At the request of Committee staff, we have enclosed the Department's technical comments on various provisions of the legislation.

The Department of Commerce appreciates the opportunity to present its views on S. 1218, and for the reasons explained in this letter, recommends that further consideration of S. 1218 be deferred. The Office of Management and Budget has advised that there is no objection to transmittal of these views from the standpoint of the Administration's program.

Sincerely,

A handwritten signature in cursive script that reads "Theodore W. Kassinger".

Theodore W. Kassinger

Enclosure

cc: The Honorable Ernest F. Hollings, Ranking Member

**Technical Comments on S. 1218,
The Oceans and Human Health Act**

Section 3 of the bill establishes an interagency Oceans and Human Health Program coordinated by the President through the National Science and Technology Council (NSTC). The draft Act mandates a duplicative oversight structure, without the flexibility for placing the relatively narrow subject of oceans and human health into a wider realm of global ocean, health and the environment. The subject of oceans and human health will be considered under the NSTC Subcommittee on Oceans in coordination with the NSTC Subcommittee on Health and the Environment. Addition of a new committee on oceans and human health is unnecessary and duplicates current NSTC subcommittee functions.

Although the wording in Section 3(b)(1) allows the Committee on the Oceans and Human Health to develop a plan that will set priorities, the wording in Section 3(c) on Program Scope states that the program “shall include” a very ambitious list of activities and subject areas. The language should be more flexible to allow priorities to be set among the various program activities.

Section 3(c)(3)(C) should be amended to read “in situ and remote sensors used to detect, quantify, and predict the presence and spread of contaminants in marine waters, marine air, and organisms;” which is more descriptive of the full capabilities of these sensors. The language “and to identify new genetic resources” needs to be clarified as to whether this refers to biomedical or potentially commercial resources. As it is distinct from the sensors, it should be listed as a separate subparagraph.

Section 4(a)(1) should be clarified to indicate that existing programs that address scientific questions may be employed, and that programs should be coordinated across agencies to avoid duplication.

The reference to consultation with the National Sea Grant College Program, in Section 4(d), should be deleted, since the Sea Grant Program is part of the Department of Commerce.

The authorization to provide grants should be amended to specify that grants or interagency agreements may be made to academic institutions, non-profit research organizations, private sector entities, agencies of State and Federal governments, and federally recognized Indian tribes.

Section 4(e) should be amended to specify that the distinguished scholars are to work in collaboration with NOAA scientists and facilities. Also, the training program should be amended to include the provision of support for pre- and post-doctoral traineeships in oceans and human health research.