



February 26, 2002

The Honorable Wayne Gilchrest
Chairman, Subcommittee on Fisheries Conservation,
Wildlife and Oceans
Committee on Resources
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

This letter provides you with the Department of Commerce's views on H.R. 3389, the "National Sea Grant College Program Act Amendments of 2001," as amended. The bill would increase authorization levels for the Sea Grant Program to \$112 million in Fiscal Year 2004 and make organizational changes, including transferring the Coastal Ocean Program from the National Ocean Service to the Sea Grant Program. An amendment offered by Delegate Robert A. Underwood would authorize an additional \$2.7 million in funding and technical assistance over a three-to-five year period for the Western Pacific Island Consortium.

The Department notes that the President's FY 2003 Budget proposes to transfer funding for the Sea Grant Program to the National Science Foundation (NSF). The Administration's position is that NSF needs no additional statutory authority to manage a new marine science program. Therefore, while we have concerns with other provisions of the bill, H.R. 3389 is unnecessary. Following are the Department's additional concerns with the bill.

Regarding organizational changes such as transferring the Coastal Ocean Program from the National Ocean Service to the Sea Grant Program, the National Oceanic and Atmospheric Administration (NOAA) is initiating an agency-wide programmatic review. We believe it would be premature to undertake any reorganization until that review is completed.

H.R. 3389 also includes an amendment by Delegate Underwood to authorize appropriations for the development and approval of a Sea Grant Regional Consortium for the Pacific Islands, independent of the University of Hawaii Sea Grant College Program. The Department does not support this amendment.

Current law, at subsection 33 U.S.C. §1124(a), provides that:

"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 1121(b) of this title; and
(2) be responsive to the needs or problems of individual States or regions."

"State" is defined in 33 U.S.C. §1122 as "any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the

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Commonwealth of the Mariana Islands, or any other territory or possession of the United States.” Thus, existing law already authorizes the Secretary to carry out a program as contemplated in the Underwood amendment.

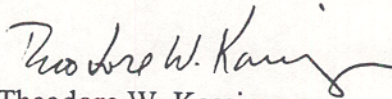
Moreover, authorizing appropriations for one specific Sea Grant Program or region would be unprecedented and could have the potential to politicize the Sea Grant Program.

Finally, NOAA already has the authority to award grants under 33 U.S.C. §1124 and, in fact, has done so, directly to the University of Guam, independent of the University of Hawaii Sea Grant College Program. Again, the Underwood amendment is not needed for this purpose.

The Department of Commerce appreciates the opportunity to present views on H.R. 3389.

The Office of Management and Budget has advised that there is no objection to the transmittal of these views from the standpoint of the Administration’s program.

Sincerely,


Theodore W. Kassinger

cc: The Honorable Robert A. Underwood
Ranking Minority Member