

TITLE XII--OCEANS

Subtitle A--Ocean Exploration

PART I--EXPLORATION

SEC. 12001. PURPOSE.

The purpose of this part is to establish the national ocean exploration program and the national undersea research program within the National Oceanic and Atmospheric Administration.

SEC. 12002. PROGRAM ESTABLISHED.

The Administrator of the National Oceanic and Atmospheric Administration shall, in consultation with the National Science Foundation and other appropriate Federal agencies, establish a coordinated national ocean exploration program within the National Oceanic and Atmospheric Administration that promotes collaboration with other Federal ocean and undersea research and exploration programs. To the extent appropriate, the Administrator shall seek to facilitate coordination of data and information management systems, outreach and education programs to improve public understanding of ocean and coastal resources, and development and transfer of technologies to facilitate ocean and undersea research and exploration.

SEC. 12003. POWERS AND DUTIES OF THE ADMINISTRATOR.

- (a) In General- In carrying out the program authorized by section 12002, the Administrator of the National Oceanic and Atmospheric Administration shall--*
- (1) conduct interdisciplinary voyages or other scientific activities in conjunction with other Federal agencies or academic or educational institutions, to explore and survey little known areas of the marine environment, inventory, observe, and assess living and nonliving marine resources, and report such findings;*
 - (2) give priority attention to deep ocean regions, with a focus on deep water marine systems that hold potential for important scientific discoveries, such as hydrothermal vent communities and seamounts;*
 - (3) conduct scientific voyages to locate, define, and document historic shipwrecks, submerged sites, and other ocean exploration activities that combine archaeology and oceanographic sciences;*
 - (4) develop and implement, in consultation with the National Science Foundation, a transparent, competitive process for merit-based peer-review and approval of proposals for activities to be conducted under this program, taking into consideration advice of the Board established under section 12005;*
 - (5) enhance the technical capability of the United States marine science community by promoting the development of improved oceanographic research,*

communication, navigation, and data collection systems, as well as underwater platforms and sensor and autonomous vehicles; and

(6) establish an ocean exploration forum to encourage partnerships and promote communication among experts and other stakeholders in order to enhance the scientific and technical expertise and relevance of the national program.

(b) Donations- The Administrator may accept donations of property, data, and equipment to be applied for the purpose of exploring the oceans or increasing knowledge of the oceans.

SEC. 12004. OCEAN EXPLORATION AND UNDERSEA RESEARCH TECHNOLOGY AND INFRASTRUCTURE TASK FORCE.

(a) In General- The Administrator of the National Oceanic and Atmospheric Administration, in coordination with the National Science Foundation, the National Aeronautics and Space Administration, the United States Geological Survey, the Department of the Navy, the Mineral Management Service, and relevant governmental, non-governmental, academic, industry, and other experts, shall convene an ocean exploration and undersea research technology and infrastructure task force to develop and implement a strategy--

(1) to facilitate transfer of new exploration and undersea research technology to the programs authorized under this part and part II of this subtitle;

(2) to improve availability of communications infrastructure, including satellite capabilities, to such programs;

(3) to develop an integrated, workable, and comprehensive data management information processing system that will make information on unique and significant features obtained by such programs available for research and management purposes;

(4) to conduct public outreach activities that improve the public understanding of ocean science, resources, and processes, in conjunction with relevant programs of the National Oceanic and Atmospheric Administration, the National Science Foundation, and other agencies; and

(5) to encourage cost-sharing partnerships with governmental and nongovernmental entities that will assist in transferring exploration and undersea research technology and technical expertise to the programs.

(b) Budget Coordination- The task force shall coordinate the development of agency budgets and identify the items in their annual budget that support the activities identified in the strategy developed under subsection (a).

SEC. 12005. OCEAN EXPLORATION ADVISORY BOARD.

(a) Establishment- The Administrator of the National Oceanic and Atmospheric Administration shall appoint an Ocean Exploration Advisory Board composed of experts in relevant fields--

(1) to advise the Administrator on priority areas for survey and discovery;

(2) to assist the program in the development of a 5-year strategic plan for the fields of ocean, marine, and Great Lakes science, exploration, and discovery;

- (3) to annually review the quality and effectiveness of the proposal review process established under section 12003(a)(4); and
- (4) to provide other assistance and advice as requested by the Administrator.
- (b) Federal Advisory Committee Act- Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Board appointed under subsection (a).
- (c) Application With Outer Continental Shelf Lands Act- Nothing in part supersedes, or limits the authority of the Secretary of the Interior under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.).

SEC. 12006. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the National Oceanic and Atmospheric Administration to carry out this part--

- (1) \$33,550,000 for fiscal year 2009;
- (2) \$36,905,000 for fiscal year 2010;
- (3) \$40,596,000 for fiscal year 2011;
- (4) \$44,655,000 for fiscal year 2012;
- (5) \$49,121,000 for fiscal year 2013;
- (6) \$54,033,000 for fiscal year 2014; and
- (7) \$59,436,000 for fiscal year 2015.

PART II--NOAA UNDERSEA RESEARCH PROGRAM ACT OF 2009

SEC. 12101. SHORT TITLE.

This part may be cited as the `NOAA Undersea Research Program Act of 2009'.

SEC. 12102. PROGRAM ESTABLISHED.

- (a) *In General- The Administrator of the National Oceanic and Atmospheric Administration shall establish and maintain an undersea research program and shall designate a Director of that program.*
- (b) *Purpose- The purpose of the program is to increase scientific knowledge essential for the informed management, use, and preservation of oceanic, marine, and coastal areas and the Great Lakes.*

SEC. 12103. POWERS OF PROGRAM DIRECTOR.

The Director of the program, in carrying out the program, shall--

- (1) *cooperate with institutions of higher education and other educational marine and ocean science organizations, and shall make available undersea research facilities, equipment, technologies, information, and expertise to support undersea research efforts by these organizations;*

- (2) *enter into partnerships, as appropriate and using existing authorities, with the private sector to achieve the goals of the program and to promote technological advancement of the marine industry; and*
- (3) *coordinate the development of agency budgets and identify the items in their annual budget that support the activities described in paragraphs (1) and (2).*

SEC. 12104. ADMINISTRATIVE STRUCTURE.

(a) In General- The program shall be conducted through a national headquarters, a network of extramural regional undersea research centers that represent all relevant National Oceanic and Atmospheric Administration regions, and the National Institute for Undersea Science and Technology.

(b) Direction- The Director shall develop the overall direction of the program in coordination with a Council of Center Directors comprised of the directors of the extramural regional centers and the National Institute for Undersea Science and Technology. The Director shall publish a draft program direction document not later than 1 year after the date of enactment of this Act in the Federal Register for a public comment period of not less than 120 days. The Director shall publish a final program direction, including responses to the comments received during the public comment period, in the Federal Register within 90 days after the close of the comment period. The program director shall update the program direction, with opportunity for public comment, at least every 5 years.

SEC. 12105. RESEARCH, EXPLORATION, EDUCATION, AND TECHNOLOGY PROGRAMS.

(a) In General- The following research, exploration, education, and technology programs shall be conducted through the network of regional centers and the National Institute for Undersea Science and Technology:

- (1) Core research and exploration based on national and regional undersea research priorities.*
- (2) Advanced undersea technology development to support the National Oceanic and Atmospheric Administration's research mission and programs.*
- (3) Undersea science-based education and outreach programs to enrich ocean science education and public awareness of the oceans and Great Lakes.*
- (4) Development, testing, and transition of advanced undersea technology associated with ocean observatories, submersibles, advanced diving technologies, remotely operated vehicles, autonomous underwater vehicles, and new sampling and sensing technologies.*
- (5) Discovery, study, and development of natural resources and products from ocean, coastal, and aquatic systems.*

(b) Operations- The Director of the program, through operation of the extramural regional centers and the National Institute for Undersea Science and Technology, shall leverage partnerships and cooperative research with academia and private industry.

SEC. 12106. COMPETITIVENESS.

(a) Discretionary Fund- The Program shall allocate no more than 10 percent of its annual budget to a discretionary fund that may be used only for program administration and priority undersea research projects identified by the Director but not covered by funding available from centers.

(b) Competitive Selection- The Administrator shall conduct an initial competition to select the regional centers that will participate in the program 90 days after the publication of the final program direction under section 12104 and every 5 years thereafter. Funding for projects conducted through the regional centers shall be awarded through a competitive, merit-reviewed process on the basis of their relevance to the goals of the program and their technical feasibility.

SEC. 12107. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the National Oceanic and Atmospheric Administration--

(1) for fiscal year 2009--

(A) \$13,750,000 for the regional centers, of which 50 percent shall be for West Coast regional centers and 50 percent shall be for East Coast regional centers; and

(B) \$5,500,000 for the National Technology Institute;

(2) for fiscal year 2010--

(A) \$15,125,000 for the regional centers, of which 50 percent shall be for West Coast regional centers and 50 percent shall be for East Coast regional centers; and

(B) \$6,050,000 for the National Technology Institute;

(3) for fiscal year 2011--

(A) \$16,638,000 for the regional centers, of which 50 percent shall be for West Coast regional centers and 50 percent shall be for East Coast regional centers; and

(B) \$6,655,000 for the National Technology Institute;

(4) for fiscal year 2012--

(A) \$18,301,000 for the regional centers, of which 50 percent shall be for West Coast regional centers and 50 percent shall be for East Coast regional centers; and

(B) \$7,321,000 for the National Technology Institute;

(5) for fiscal year 2013--

(A) \$20,131,000 for the regional centers, of which 50 percent shall be for West Coast regional centers and 50 percent shall be for East Coast regional centers; and

(B) \$8,053,000 for the National Technology Institute;

(6) for fiscal year 2014--

(A) \$22,145,000 for the regional centers, of which 50 percent shall be for West Coast regional centers and 50 percent shall be for East Coast regional centers; and

(B) \$8,859,000 for the National Technology Institute; and

(7) for fiscal year 2015--

(A) \$24,359,000 for the regional centers, of which 50 percent shall be for West Coast regional centers and 50 percent shall be for East Coast regional centers; and

(B) \$9,744,000 for the National Technology Institute.