

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Diana Hynek
Departmental Paperwork Clearance Officer
Office of the Chief Information Officer
14th and Constitution Ave. NW.
Room 6625
Washington, DC 20230

03/08/2005

In accordance with the Paperwork Reduction Act, OMB has taken the following action on your request for the extension of approval of an information collection received on 09/28/2004.

TITLE: Sea Grant Program Application Requirements for Grants, for Sea Grant Fellowships, including the Dean John A. Knauss Marine Policy Fellowships, and for Designation as a Sea Grant College or

AGENCY FORM NUMBER(S): 90-1,90-2,90-4

ACTION : APPROVED WITHOUT CHANGE
OMB NO.: 0648-0362
EXPIRATION DATE: 03/31/2008

BURDEN:	RESPONSES	HOURS	COSTS(\$,000)
Previous	1,611	580	1
New	1,741	672	1
Difference	130	92	0
Program Change		0	0
Adjustment		92	0

TERMS OF CLEARANCE:

The agency is instructed to document its participation in grants.gov in future ICR submissions covering grant programs.

OMB Authorizing Official Title

Donald R. Arbuckle Deputy Administrator, Office of Information and Regulatory Affairs

PAPERWORK REDUCTION ACT SUBMISSION

Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the supporting statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.

1. Agency/Subagency originating request	2. OMB control number b. <input type="checkbox"/> None a. _____ - _____
3. Type of information collection (<i>check one</i>) a. <input type="checkbox"/> New Collection b. <input type="checkbox"/> Revision of a currently approved collection c. <input type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note Item A2 of Supporting Statement instructions	4. Type of review requested (<i>check one</i>) a. <input type="checkbox"/> Regular submission b. <input type="checkbox"/> Emergency - Approval requested by _____ / _____ / _____ c. <input type="checkbox"/> Delegated
7. Title	5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input type="checkbox"/> No
8. Agency form number(s) (<i>if applicable</i>)	6. Requested expiration date a. <input type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: _____ / _____
9. Keywords	
10. Abstract	
11. Affected public (<i>Mark primary with "P" and all others that apply with "x"</i>) a. ___ Individuals or households d. ___ Farms b. ___ Business or other for-profit e. ___ Federal Government c. ___ Not-for-profit institutions f. ___ State, Local or Tribal Government	12. Obligation to respond (<i>check one</i>) a. <input type="checkbox"/> Voluntary b. <input type="checkbox"/> Required to obtain or retain benefits c. <input type="checkbox"/> Mandatory
13. Annual recordkeeping and reporting burden a. Number of respondents _____ b. Total annual responses _____ 1. Percentage of these responses collected electronically _____ % c. Total annual hours requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____	14. Annual reporting and recordkeeping cost burden (<i>in thousands of dollars</i>) a. Total annualized capital/startup costs _____ b. Total annual costs (O&M) _____ c. Total annualized cost requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____
15. Purpose of information collection (<i>Mark primary with "P" and all others that apply with "X"</i>) a. ___ Application for benefits e. ___ Program planning or management b. ___ Program evaluation f. ___ Research c. ___ General purpose statistics g. ___ Regulatory or compliance d. ___ Audit	16. Frequency of recordkeeping or reporting (<i>check all that apply</i>) a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input type="checkbox"/> Reporting 1. <input type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe) _____
17. Statistical methods Does this information collection employ statistical methods <input type="checkbox"/> Yes <input type="checkbox"/> No	18. Agency Contact (person who can best answer questions regarding the content of this submission) Name: _____ Phone: _____

19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal Agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9

NOTE: The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It used plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention period for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
 - (i) Why the information is being collected;
 - (ii) Use of information;
 - (iii) Burden estimate;
 - (iv) Nature of response (voluntary, required for a benefit, mandatory);
 - (v) Nature and extent of confidentiality; and
 - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of the provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee

Date

Agency Certification (signature of Assistant Administrator or head of MB staff for L.O.s, or of the Director of a Program or Staff Office)

Signature

Date

Signature of NOAA Clearance Officer

Signature

Date

SUPPORTING STATEMENT

Sea Grant Program Application Requirements for Grants, for Sea Grant Fellowships, Including John A. Knauss Marine Policy Fellowships, and for Designation as a Sea Grant College or Sea Grant Institute OMB CONTROL NO. 0648-0362

In this renewal submission, the title of the collection is slightly changed to conform to the new language in the Sea Grant Act (Sea Grant Institutes rather than regional consortia; broadened fellowships to include all Sea Grant fellowship programs, not just Knauss).

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary.

The objectives of the National Sea Grant College Program, according to the Sea Grant legislation (33USC1121-1131) are to increase the understanding, assessments, development, utilization, and conservation of the Nation's ocean, coastal, and Great Lakes resources. It accomplishes these objectives by conducting research, education, and outreach programs.

Grant monies are available for funding activities that help attain the objectives of the Sea Grant Program. Both single and multi-project grants are awarded, with the latter representing about 80 percent of the total grant program. In addition to the SF-424 and other standard grant application requirements, three additional forms are required with a grant application. These are the Sea Grant Control Form, used to identify the organizations and personnel who would be involved in the grant; the Project Record Form, which collects summary data on projects; and the Sea Grant Budget, used in place of the SF 424a or 424c. NOAA Form 90-1, Sea Grant Control, is currently cleared under OMB No. 0648-0362; NOAA Form 90-2, Project Record Form, is currently cleared under 0648-0362; and NOAA Form 90-4, the Sea Grant Budget, is cleared under 0648-0362. Each form provides information needed by the program but not supplied by the standard application process. The specific needs are described in "2" below.

The Sea Grant legislation (33 USC 1126) provides for the designation of a public or private institution of higher education, institute, laboratory, or State or local agency as a Sea Grant college or Sea Grant institute. Applications are required for designation of Sea Grant Colleges and Sea Grant Institutes. Institutions seeking designation as a Sea Grant college or Sea Grant institute must submit an application in accordance with 15 CFR 918.7. This is a one-time collection required only when a college or institution first requests to join the Sea Grant program, or when an existing program seeks to change the scope of its current designation. No forms are used. The data the collection provides helps the program officers determine the suitability of the applicant for meeting the standards and conditions for being a Sea Grant College as set forth in 33 USC 1126 and 15 CFR 918.5. These requirements are currently cleared under OMB Control No. 0648-0362.

Applications are required in order to be awarded a Sea Grant Fellowship, including the Dean John A. Knauss Marine Policy Fellowships. The requirements are set forth annually in announcements published in the Federal Register. These requirements are currently cleared under OMB Control No. 0648-0362.

2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.

The application for designation as a Sea Grant college or Sea Grant institute is required only when a college or university requests to be recognized as a Sea Grant program. Existing programs may also use the same application process to request a change in the scope of their current designation. Applications are to provide an outline of the applicant's capabilities and the reasons why it merits designation. The standards to be met are set forth in 15 CFR 918.3. The data the collection provides helps the program officers determine the suitability of the applicant for meeting the standards and qualifications for being a Sea Grant college or institute as set in the authorizing legislation.

Applications for Sea Grant Fellowships, including a Dean John A. Knauss Marine Policy Fellowship, must include a resume or curriculum vitae; a personal education and/or career goal statement; up to three letters of recommendation, including one from the student's major professor or student advisor; and a copy of undergraduate and graduate student transcripts. Depending upon the nature of the Sea Grant Fellowship, additional information may be required including a letter of endorsement from the sponsoring state Sea Grant Director; a brief description of and letter of endorsement from a required partner, if any; a project description if the fellowship is research related; and information about the student's remaining degree requirements. This information is used by program officers to evaluate the applicants and to determine which applicants will be most likely to forward the goals of the Sea Grant Program during and after the fellowship. The program seeks to support not only the best students but ones who intend to pursue related goals in the future.

The NOAA Form 90-1, Sea Grant Control, is used primarily to identify the organizations and personnel who would be involved in the proposed grant. A goal of the Sea Grant program is to maximize the number of graduate students working on research projects. For funded grants, the information is used by the National Sea Grant Office (NSGO) to collate accurate information on the number of students supported with Sea Grant funds and to summarize the impact of Sea Grants on the academic community. In addition, the form provides information on collaborations between governmental organizations, industry, and the Sea Grant program. The data supplied in this document form the basis for many of our responses to the Administration, the Congress, other agencies, and to the public about the scope of Sea Grant activities. Certain minimal summary financial data is also required to help evaluate whether the resources proposed are sufficient to achieve the goals. Much of this information is similar to biographical and other information contained in OMB Circulars A-102 and A-110, but NOAA has found it more efficient to use a form to gather this and related information.

The NOAA Form 90-2, Project Record Form requires information on the investigators involved, as well as the overall funding, objectives, methodology, and rationale for the project. The information is used by both the NSGO and the state Sea Grant programs to help determine the value of each individual project to the total program, the allowability of matching costs, the rationale for funding and the methodology used, as well as administrative controls. The summary helps the NSGO evaluate the proposals during its funding decisions. The information is also placed on a database where both Sea Grant personnel and potential grant applicants can access this data to see what other projects have been proposed and funded. This speeds the review process and reduces the chance of applicants wasting time making proposals that duplicate an existing or past project. It also provides the basic data for the next project summary for an on-going project, so that the data only has to be updated rather than resubmitted. The information required on that form is now produced with and provided to Sea Grant in various electronic software formats (doc, wpd, rtf, and pdf) that more efficiently collect the information required to monitor and evaluate the programs. The programs send this information to the NSGO where it is added to project summary information in our database.

The NOAA Form 90-4, Sea Grant Budget, is required in place of the SF 424a or SF 424c. The SF-424 provides only a summary of costs for the entire award. It does not give a detailed breakdown of costs associated with each project in a multi-project award, and such a breakdown is necessary for these applications because the Sea Grant program awards large multi-institution omnibus grants. The Form 90-4 gives the program officer a detailed breakdown of costs for each project funded by Sea Grant and allows the officer to determine whether or not the cost of a project is reasonable based on the level of effort stated in the proposal. Without these breakdowns, it would be impossible for the program officer to efficiently monitor the use of resources or the costs associated with each project funded by the National Sea Grant College Program.

In response to Section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001 (Public Law 106-554), NOAA has issued guidelines for ensuring and maximizing the quality of information disseminated by the agency. Information submitted to the National Sea Grant Office in grant applications is regularly subjected to internal NSGO review as part of the grant award process. Of the various types of information collected (described above) some of the information will be disseminated to the public or used to support publicly disseminated information. Sea Grant has administrative mechanisms in place to ensure that a basic level of quality of information products is maintained. These include procedures for competitive peer review of all research grants, performance-based evaluations of all university Sea Grant programs according to guidelines set by the NSGO, and quality oversight by the Sea Grant Review Panel, a legislatively mandated federal advisory committee (33 USC 1126).

Sea Grant is a science and education organization. It does not have regulatory responsibilities. In general, the NSGO provides summary information to the public about the grants it awards. Information is publically disseminated through the publication of reports describing Sea Grant's university-based research, education, and outreach activities. These reports are widely distributed in both print and web-based formats. All reports and supporting data are reviewed for objectivity, utility and integrity, as required by the NOAA guidelines, before they are

disseminated. Previously disseminated information is reviewed on a regular basis to ensure the information is current and continues to comply with the NOAA guidelines.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.

The NOAA Form 90-2, Project Record Form, and the NOAA Form 90-4, are available in electronic format. The NSGO maintains a relational database to store, archive, and retrieve information provided on these forms.

4. Describe efforts to identify duplication.

There is no similar data available from other sources.

5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.

These requirements have no significant impact on small businesses or entities.

6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.

The grant and fellowship application information is required as part of the annual grant application process and cannot be collected less frequently. The requests for Sea Grant College or Sea Grant Institute designation or change in designation is a one-time action at the respondent's discretion.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

The collection is consistent with OMB guidelines except in the number of copies required. The National Sea Grant Office requires one original and up to nineteen copies of proposals for its normal review process. Proposals are routinely sent out for mail review to three to eight individuals and then are subjected to review by a Panel of five to fifteen persons; the number of panelists varies depending on the total number of proposals to be considered.

8. Provide a copy of the PRA Federal Register notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

The PRA Federal Register notice that solicited public comments on the information collection is attached. One response was received covering the issues outlined below:

Comment: I think the criteria for this taxpayer funded alleged "research" is not what the american taxpayer wants, but instead what focus groups like commercial fishermen, hunters, instead want. This is wrong.

Response: The comment does not directly question the paperwork burden. The National Sea Grant College Program carefully adheres to the requirements mandated by the Sea Grant legislation (33USC1121-1131) as to the criteria for funding research, and allocates research funds on the basis of the well accepted practice of competitive, peer reviewed research proposals. NOAA Sea Grant procedures also require all university Sea Grant programs to maintain a constituent-based advisory process for development of strategic and implementation plans and setting priorities. We believe the Sea Grant procedures for constituent input and planning provide a process for setting research priorities that is robust, open, and inclusive. At the NOAA level, the National Sea Grant Office participates in the development of the NOAA strategic plan and also produces a national Sea Grant strategic plan. The Sea Grant Review Panel, a federal advisory committee, advises the Department of Commerce, NOAA, and the National Sea Grant Office on program priorities and the performance of the National Sea Grant College Program.

Comment: This research is multitudinous and frequently extremely negative for marine life. We have to stop funding bogus research with taxpayer dollars.

Response: The comment is not specific and does not directly question the paperwork burden. All federal grants for research must adhere to the National Environmental Policy Act of 1969 (NEPA) that requires the federal government to evaluate the effects of its actions on the environment. NEPA specifies when an environmental impact statement must be prepared. Research universities are also required to develop and enforce protocols for compliance with federal law when conducting research involving animals.

Comment: I have frequently asked this division for a report on what the taxpayer dollars accomplished in 2004, and have yet to receive any reports detailing same. I gather then that this agency has accomplished nothing. In view of that, i think they should get that much taxpayer funding. I think 672 grants is far far too many for taxpayers to fund. that number should be cut by 60%.And no duplicates. and no killing of over 3 animals ever. I think this program has gotten way out of control, accomplishes nothing and deserves deletion.

Response: We could find no record of correspondence requesting said information, although we did find two requests from the same individual for information unrelated to the above. In both instances, the requested information was delivered. We have subsequently sent the commenter Sea Grant's recently released biennial report for fiscal years 2002 and 2003. Similar information for 2004 is not yet compiled in a report, but current programs and recent accomplishments can be viewed though Sea Grant's extensive web site at: <http://www.nsgo.seagrants.org/>. The level of funding for Sea Grant is set each year in the federal

appropriations process and the number of grants reflect the given funding level. We believe that the findings from Sea Grant's six-year history of conducting performance-based evaluations of university programs do not support the conclusion reached by the commenter.

9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.

No payments or gifts are made.

10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.

No confidentiality is promised.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

No sensitive questions are asked.

12. Provide an estimate in hours of the burden of the collection of information.

The estimated number of hours for each requirement is as follows:

Form 90-1, Sea Grant Control

Estimated Number of respondents - 40
Estimated Total Responses 40
Average response time - 30 minutes
Total Annual response time - 20 hours

Project Record Form (90-2)

Estimated Number of respondents - 40
Estimated Total Responses 810
Average response time 20 minutes
Total Annual response time - 270 Hours

Form 90-4, Sea Grant Budget

Estimated Number of respondents - 40
Estimated Total Responses - 810
Average response time - 15 minutes
Total Annual response time - 202 hours

Application for Designation as a Sea Grant College or Regional Consortia

Estimated Number of respondents - 1

Estimated Total Responses - 1
Average response time - 20 hours
Total Annual response time - 20 hours

Application for Sea Grant Fellowships, including the Dean John A. Knauss Marine Policy Fellowship

Estimated Number of respondents - 80
Estimated Total Responses - 80
Average response time - 2 hours
Total Annual response time - 160 hours

Collection Totals: 121 respondents, 1,741 responses, 672 hours.

These estimates were determined from a sample of the Sea Grant Programs who are required to submit these forms regarding the length of time each form takes to complete.

13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection.

The total annual cost for copying and mailing by respondents resulting from the collection is estimated to be \$1,377.

14. Provide estimates of annualized cost to the Federal government.

The total cost burden to the government for conducting the collections and handling the information submitted is estimated at \$51,182. This does not include costs for secondary uses of the information. This estimate is based on staff time per response of 5 minutes for the 90-1 and 15 minutes each for the Project Record Form and Sea Grant Budget. An application for designation takes about 200 man-hours to review. A fellowship application takes about 12 hours to review (4 persons at 2 hours each). A salary cost of \$41/hr was used.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB 83-I.

The annual record keeping and reporting burden reported in #13 have been revised slightly upward to reflect higher number of proposal applications anticipated. The total annual cost burden was also slightly higher, but this is not reflected in #14 due to rounding to the nearest \$K.

16. For collections whose results will be published, outline the plans for tabulation and publication.

The NSGO provides summary information to the public about the grants it awards. Information is summarized and disseminated through the publication of reports describing Sea Grant's

university-based research, education, and outreach activities. These reports are widely distributed in both print and web-based formats.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.

N/A.

18. Explain each exception to the certification statement identified in Item 19 of the OMB 83-I.

There are no exceptions.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.

NOAA FORM 90-1		U.S. DEPARTMENT OF COMMERCE			
		Nat'l Oceanic and Atmospheric Adm.		OMB Control No. 0648-0362 Expiration Date 10/31/2004	
SEA GRANT CONTROL					
PART I GENERAL				5. STARTING-EFFECTIVE DATE	
1. GRANT NUMBER	2. GRANT TITLE			6. DURATION OF GRANT MONTHS	
3. NAME OF INSTITUTION			7. AMOUNT OF GRANT		
4. PRINCIPLE INVESTIGATOR-NAME			TELEPHONE	8. AMOUNT OF MATCHING FUNDS	
10. RESEARCH DATA (if all or part of this grant is for research indicate the number of individuals involved in each category)				9. AMOUNT REQUESTED 2nd YEAR	
A. FACULTY AND PROFESSIONAL STAFF	B. GRADUATE STUDENTS	C. UNDERGRADUATE STUDENTS		D. TECHNICIANS	E. CLERICAL
F. OTHER (Specific)				G. FTE's	
11. EDUCATIONAL DATA (if all or part of this grant is for education indicate the number of individuals involved in each category)					
A. FACULTY AND PROFESSIONAL STAFF	B. GRADUATE STUDENTS	C. UNDERGRADUATE STUDENTS		D. TECHNICIANS	E. CLERICAL
F. OTHER (Specific)				G. FTE's	
12. ADVISORY SERVICES DATA (if all or part of this grant is for education indicate the number of individuals involved in each category)					
A. FACULTY AND PROFESSIONAL STAFF	B. GRADUATE STUDENTS	C. UNDERGRADUATE STUDENTS		D. TECHNICIANS	E. CLERICAL
F. OTHER (Specific)				G. FTE's	
13. TOTAL NUMBER OF INDIVIDUALS INVOLVED WITH THIS GRANT				A. FACULTY & PROFESSIONAL STAFF	
B. Graduate Students		C. UNDERGRADUATE STUDENTS		D. TECHNICIANS	E. CLERICAL
F. OTHER (Specific)				G. FTE's	
14. COLLABORATING GOVERNMENTAL ORGANIZATION(S)	NAME(S)				
15. PARTICIPATING ACADEMIC INSTITUTION(S)	NAME(S)				
16. INDUSTRIAL PARTICIPANT(S)	NAME(S)				
17. ORGANIZATION(S) FURNISHING MATCHING FUNDS	NAME(S)			AMOUNT	
				\$	
				\$	
18. TITLE(S) OF PRINCIPAL REPORT(S) MADE AS A RESULT OF LAST GRANT (List only if grant is a renewal)					

SEA GRANT CONTROL FORM

(Continued)

PAPERWORK REDUCTION ACT, PRIVACY ACT, AND PUBLIC BURDEN

NOAA's National Sea Grant College Program exists to increase the understanding, assessment, development, utilization, and conservation of the Nation's ocean, coastal, and Great Lakes resources. It does this by providing grant monies to promote a strong educational base, responsive research, and training. The information requested on this form may be required in order to be considered for an award under the authority of the National Sea Grant College Act, as amended. The Control Form provides information to determine the types of research or service to be provided the collaborating and participating organizations, the number of technical and clerical personnel and staff hours involved. The information requested may be disclosed to qualified reviewers and staff assistants as part of the application review process; to applicant institutions/grantees to provide or obtain data regarding the application review process, award decisions, or the administration of awards; to government contractors, experts, volunteers and researchers as necessary to complete assigned work; to other government agencies needing information as part of the review process or in order to coordinate programs; and to another Federal agency, court or party in a court or Federal administrative proceeding if the Government is a party. Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including the time necessary for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions to reduce this burden, to National Sea Grant College Program, R/SG, NOAA, 1315 East-West Highway, Silver Spring, MD 20910 (Attn: Paperwork Reduction Act - Dr. Fritz Schuler).

SEA GRANT PROJECT SUMMARY FORM

- (1) INSTITUTION: (1a) ICODE:
(2) TITLE:
(3) PROJECT NUMBER: (4) REVISION DATE:
(5) PROJECT STATUS: (6) INITIATION DATE:
(7) COMPLETION DATE:
(8) SUB PROGRAM:
(9) PRINCIPAL INVESTIGATOR: (9b) EFFORT:
(9a) AFFILIATION:
(9c) AFFILIATION CODE:
(10) CO-PRINCIPAL INVESTIGATOR: (10b) EFFORT:
(10a) AFFILIATION:
(10c) AFFILIATION CODE:
(11) ASSOCIATE INVESTIGATOR 1: (11b) EFFORT:
(11a) AFFILIATION:
(11c) AFFILIATION CODE:
(12) ASSOCIATE INVESTIGATOR 2: (12b) EFFORT:
(12a) AFFILIATION:
(12c) AFFILIATION CODE:
(13) S.G. FUNDS: (14) STATE MATCHING FUNDS:
(15) LAST YEAR'S SG FUNDS: (16) LAST YEAR'S MATCHING FUNDS:
(17) PASS-THROUGH FUNDS: (18) LAST YEAR'S PASS-THROUGH FUNDS:
(19) RELATED PROJECTS:
(20) PARENT PROJECTS:
(21) SEA GRANT STRATEGIC PLAN CLASSIFICATION:
(22) OBJECTIVES:
(23) METHODOLOGY:
(24) RATIONALE:

SEA GRANT PROJECT SUMMARY FORM

(Continued)

PAPERWORK REDUCTION ACT, PRIVACY ACT, AND PUBLIC BURDEN

NOAA's National Sea Grant College Program exists to increase the understanding, assessment, development, utilization, and conservation of the Nation's ocean, coastal, and Great Lakes resources. It does this by providing grant monies to promote a strong educational base, responsive research, and training. The information requested on this form is required in order to be considered for an award under the authority of the National Sea Grant College Act, as amended. The Project Summary provides information on the project status (for continuing projects applying for additional funding), the investigators and their level of effort, the objectives and methodology of the project, and similar summary information. The information requested may be disclosed to qualified reviewers and staff assistants as part of the application review process; to applicant institutions/grantees to provide or obtain data regarding the application review process, award decisions, or the administration of awards; to government contractors, experts, volunteers and researchers as necessary to complete assigned work; to other government agencies needing information as part of the review process or in order to coordinate programs; and to another Federal agency, court or party in a court or Federal administrative proceeding if the Government is a party. Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

Public reporting burden for this collection of information is estimated to average 20 minutes per response, including the time necessary for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions to reduce this burden, to National Sea Grant College Program, R/SG, NOAA, 1315 East-West Highway, Silver Spring, MD 20910 (Attn: Paperwork Reduction Act - Dr. Fritz Schuler).

SEA GRANT BUDGET FORM 90-4

(Continued)

PAPERWORK REDUCTION ACT, PRIVACY ACT, AND PUBLIC BURDEN

NOAA's National Sea Grant College Program exists to increase the understanding, assessment, development, utilization, and conservation of the Nation's ocean, coastal, and Great Lakes resources. It does this by providing grant monies to promote a strong educational base, responsive research, and training. The information requested on this form is required in order to be considered for an award under the authority of the National Sea Grant College Act, as amended. The information will be used to determine the cost of each project and whether proposed matching costs are allowable. The information is also used in negotiating costs and in the administrative control of expenditures. The information requested may be disclosed to qualified reviewers and staff assistants as part of the application review process; to applicant institutions/grantees to provide or obtain data regarding the application review process, award decisions, or the administration of awards; to government contractors, experts, volunteers and researchers as necessary to complete assigned work; to other government agencies needing information as part of the review process or in order to coordinate programs; and to another Federal agency, court or party in a court or Federal administrative proceeding if the Government is a party. Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time necessary for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions to reduce this burden, to National Sea Grant College Program, R/SG, NOAA, 1315 East-West Highway, Silver Spring, MD 20910 (Attn: Paperwork Reduction Act - Dr. Fritz Schuler).

United States Code Provisions Affecting the National Sea Grant College Program

- [United States Codes](#)
 - [TITLE 33 - NAVIGATION AND NAVIGABLE WATERS](#)
 - [CHAPTER 22 - SEA GRANT COLLEGES AND MARINE SCIENCE DEVELOPMENT](#)
 - [SUBCHAPTER II - NATIONAL SEA GRANT COLLEGE PROGRAM](#)
 - [Section 1121.](#) Congressional Declaration Of Policy
 - [Section 1122.](#) Definitions
 - [Section 1123.](#) National Sea Grant College Program
 - [Section 1124.](#) Program Or Project Grants And Contracts
 - [Section 1124a.](#) Repealed. Pub. L. 105-160, Sec. 6, Mar. 6, 1998, 112 Stat. 24
 - [Section 1125.](#) Repealed. Pub. L. 102-186, Sec. 4(A), Dec. 4, 1991, 105 Stat. 1283
 - [Section 1126.](#) Sea Grant Colleges And Sea Grant Institutes
 - [Section 1127.](#) Fellowships
 - [Section 1128.](#) Sea Grant Review Panel
 - [Section 1129.](#) Interagency Cooperation
 - [Section 1130.](#) Repealed. Pub. L. 102-186, Sec. 5(A), Dec. 4, 1991, 105 Stat. 1283
 - [Section 1131.](#) Authorization Of Appropriations
 - [Subchapter Notes](#)

Section 1121. Congressional declaration of policy

(a) Findings

The Congress finds and declares the following:

(1) The national interest requires a strategy to -

(A) provide for the understanding and wise use of ocean, coastal, and Great Lakes resources and the environment;

(B) foster economic competitiveness;

(C) promote public stewardship and wise economic development of the coastal ocean and its margins, the Great Lakes, and the exclusive economic zone;

(D) encourage the development of forecast and analysis systems for coastal hazards;

(E) understand global environmental processes; and

(F) promote domestic and international cooperative solutions to ocean, coastal, and Great Lakes issues.

(2) Investment in a strong program of research, education, training, technology transfer, and public service is essential for this strategy.

(3) The expanding use and development of ocean, coastal, and Great Lakes resources resulting from growing coastal area populations and the increasing pressures on the coastal and Great Lakes environment challenge the ability of the United States to manage such resources wisely.

(4) 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, coastal, and Great Lakes 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.

(5) 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, coastal, and Great Lakes resources.

(6) The National Oceanic and Atmospheric Administration, through the national sea grant college 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. The most cost-effective way to promote such activities is through continued and increased Federal support of the establishment, development, and operation of programs and projects by sea grant colleges, sea grant institutes, and other institutions, including strong collaborations between Administration scientists and scientists at academic institutions.

(b) Objective

The objective of this subchapter is to increase the understanding, assessment, development, utilization, and conservation of the Nation's ocean, coastal, and Great Lakes resources by providing assistance to promote a strong educational base, responsive research and training activities, broad and prompt dissemination of knowledge and techniques, and multidisciplinary approaches to environmental problems.

(c) Purpose

It is the purpose of the Congress to achieve the objective of this subchapter 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, coastal, and Great Lakes resources.

Section 1122. Definitions

As used in this subchapter -

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

(2) The term ''Director'' means the Director of the national sea grant college program, appointed pursuant to section 1123(b) (FOOTNOTE 1) of this title.

(FOOTNOTE 1) See References in Text note below.

(3) the (FOOTNOTE 2) term ''director of a sea grant college'' means a person designated by his or her institution to direct a sea grant college or sea grant institute.

(FOOTNOTE 2) So in original. Probably should be capitalized.

(4) The term ''field related to ocean, coastal, and Great Lakes resources'' means any discipline or field, including marine affairs, resource management, technology, education, or science, which is concerned with or likely to improve the understanding, assessment, development, utilization, or conservation of ocean, coastal, or Great Lakes resources.

(5) The term ''institution'' means any public or private institution of higher education, institute, laboratory, or State or local agency.

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

(7) The term ''ocean, coastal, and Great Lakes resources'' means the resources that are located in, derived from, or traceable to, the seabed, subsoil, and waters of -

(A) the coastal zone, as defined in section 1453(1) of title 16;

(B) the Great Lakes;

(C) Lake Champlain (to the extent that such resources have hydrological, biological, physical, or geological characteristics and problems similar or related to those of the Great Lakes);

(D) the territorial sea;

(E) the exclusive economic zone;

(F) the Outer Continental Shelf; and

(G) the high seas.

(8) The term ''resource'' means -

(A) living resources (including natural and cultured plant life, fish, shellfish, marine mammals, and wildlife);

(B) nonliving resources (including energy sources, minerals, and chemical substances);

(C) the habitat of a living resource, the coastal space, the ecosystems, the nutrient-rich areas, and the other components of the marine environment that contribute to or provide (or which are capable of contributing to or providing) recreational, scenic, esthetic, biological, habitational, commercial, economic, or conservation values; and

(D) man-made, tangible, intangible, actual, or potential resources.

(9) The term ''panel'' means the sea grant review panel established under section 1128 of this title.

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

(11) The term ''project'' means any individually described activity in a field related to ocean, coastal, and Great Lakes resources involving research, education, training, or advisory services administered by a person with expertise in such a field.

(12) The term ''sea grant college'' means any institution, or any association or alliance of two or more such institutions, designated as such by the Secretary under section 1126 of this title.

(13) The term ''sea grant institute'' means any institution, or any association or alliance of two or more such institutions, designated as such by the Secretary under section 1126 of this title.

(14) The term ''sea grant program'' means a program of research and outreach which is administered by one or more sea grant colleges or sea grant institutes.

(15) The term ''Secretary'' means the Secretary of Commerce, acting through the Under Secretary of Commerce for Oceans and Atmosphere.

(16) 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.

Section 1123. National sea grant college program

(a) Program maintenance

The Secretary shall maintain within the Administration a program to be known as the national sea grant college program. The national sea grant college program shall be administered by a national sea grant office within the Administration.

(b) Program elements

The national sea grant college program shall consist of the financial assistance and other activities authorized in this subchapter, and shall provide support for the following elements -

(1) sea grant programs which comprise a national sea grant college program network, including international projects conducted within such programs;

(2) administration of the national sea grant college program and this subchapter by the national sea grant office, the Administration, and the panel;

(3) the fellowship program under section 1127 of this title; and

(4) any national strategic investments in fields relating to ocean, coastal, and Great Lakes resources developed with the approval of the panel, the sea grant colleges, and the sea grant institutes.

(c) Responsibilities of Secretary

(1) The Secretary, in consultation with the panel, sea grant colleges, and sea grant institutes, shall develop at least every 4 years a strategic plan that establishes priorities for the national sea grant college program, provides an appropriately balanced response to local, regional, and national needs, and is reflective of integration with the relevant portions of the strategic plans of the Department of Commerce and of the Administration.

(2) Within 6 months of March 6, 1998, the Secretary, in consultation with the panel, sea grant colleges, and sea grant institutes, shall establish guidelines related to the activities and responsibilities of sea grant colleges and sea grant institutes. Such guidelines shall include requirements for the conduct of merit review by the sea grant colleges and sea grant institutes of proposals for grants and contracts to be awarded under section 1124 of this title, providing, at a minimum, for standardized documentation of such proposals and peer review of all research projects.

(3) The Secretary shall by regulation prescribe the qualifications required for designation of sea grant colleges and sea grant institutes under section 1126 of this title.

(4) To carry out the provisions of this subchapter, the Secretary may-

(A) appoint, assign the duties, transfer, and fix the compensation of such personnel as may be necessary, in accordance with civil service laws;

(B) make appointments with respect to temporary and intermittent services to the extent authorized by section 3109 of title 5;

(C) publish or arrange for the publication of, and otherwise disseminate, in cooperation with other offices and programs in the Administration and without regard to section 501 of title 44, any information of research, educational, training or other value in fields related to ocean, coastal, or Great Lakes resources;

(D) enter into contracts, cooperative agreements, and other transactions without regard to section 5 of title 41;

(E) notwithstanding section 1342 of title 31, accept donations and voluntary and uncompensated services;

(F) accept funds from other Federal departments and agencies, including agencies within the Administration, to pay for and add to grants made and contracts entered into by the Secretary; and

(G) promulgate such rules and regulations as may be necessary and appropriate.

(d) Director of National Sea Grant College Program

(1) The Secretary shall appoint, as the Director of the National Sea Grant College Program, a qualified individual who has appropriate administrative experience and knowledge or expertise in fields related to ocean, coastal, and Great Lakes resources. The Director shall be appointed and compensated, without regard to the provisions of title 5 governing appointments in the competitive service, at a rate payable under section 5376 of title 5.

(2) Subject to the supervision of the Secretary, the Director shall administer the national sea grant college program and oversee the operation of the national sea grant office. In addition to any other duty prescribed by law or assigned by the Secretary, the Director shall -

(A) facilitate and coordinate the development of a long-range

strategic plan under subsection (c)(1) of this section;

(B) advise the Secretary with respect to the expertise and capabilities which are available within or through the national sea grant college program and encourage the use of such expertise and capabilities, on a cooperative or other basis, by other offices and activities within the Administration, and other Federal departments and agencies;

(C) advise the Secretary on the designation of sea grant colleges and sea grant institutes, and, if appropriate, on the termination or suspension of any such designation; and

(D) encourage the establishment and growth of sea grant programs, and cooperation and coordination with other Federal activities in fields related to ocean, coastal, and Great Lakes resources.

(3) With respect to sea grant colleges and sea grant institutes, the Director shall -

(A)(i) evaluate the performance of the programs of sea grant colleges and sea grant institutes, using the priorities, guidelines, and qualifications established by the Secretary under subsection (c), and determine which of the programs are the best managed and carry out the highest quality research, education, extension, and training activities; and

(ii) rate the programs according to their relative performance (as determined under clause (i) into no less than 5 categories, with each of the 2 best-performing categories containing no more than 25 percent of the programs;

(B) subject to the availability of appropriations, allocate funding among sea grant colleges and sea grant institutes so as to -

(i) promote healthy competition among sea grant colleges and institutes;

(ii) encourage successful implementation of sea grant programs;

(iii) to the maximum extent consistent with other provisions of this subchapter, provide a stable base of funding for sea grant colleges and institutes; and

(iv) encourage and promote coordination and cooperation between the research, education, and outreach programs of the Administration and those of academic institutions; and

(C) ensure compliance with the guidelines for merit review under subsection (c)(2) of this section.

Section 1124. Program or project grants and contracts

(a) Authorization; purposes; limitation on amount

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.

The total amount paid pursuant to any such grant or contract may equal $66 \frac{2}{3}$ percent, or any lesser percent, of the total cost of the sea grant program or project involved; except that this limitation shall not apply in the case of grants or contracts paid

for with funds accepted by the Secretary under section 1123(d)(6) (FOOTNOTE 1) of this title.

(FOOTNOTE 1) See References in Text note below.

(b) Special grants; maximum amount; prerequisites

The Secretary may make special grants under this subsection to implement the objective set forth in section 1121(b) of this title. 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) of this section;
- (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) of this section.

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 1131 of this title.

(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. Terms, conditions, and requirements imposed by the Secretary under this paragraph shall minimize any requirement of prior Federal approval.

(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 any such grant or contract may be applied to the short-term rental of buildings or facilities for meetings which are in direct support of any sea grant program or project and 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 1131 of this title.

(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.

Section 1124a. Repealed. Pub. L. 105-160, Sec. 6, Mar. 6, 1998, 112 Stat. 24

Section 1125. Repealed. Pub. L. 102-186, Sec. 4(a), Dec. 4, 1991, 105 Stat. 1283

Section 1126. Sea grant colleges and sea grant institutes

(a) Designation

(1) A sea grant college or sea grant institute shall meet the following qualifications -

(A) have an existing broad base of competence in fields related to ocean, coastal, and Great Lakes resources;

(B) make a long-term commitment to the objective in section 1121(b) of this title, as determined by the Secretary;

(C) cooperate with other sea grant colleges and institutes and other persons to solve problems or meet needs relating to ocean, coastal, and Great Lakes resources;

(D) have received financial assistance under section 1124 of this title;

(E) be recognized for excellence in fields related to ocean, coastal, and Great Lakes resources (including marine resources management and science), as determined by the Secretary; and

(F) meet such other qualifications as the Secretary, in consultation with the panel, considers necessary or appropriate.

(2) The Secretary may designate an institution, or an association or alliance of two or more such institutions, as a sea grant college if the institution, association, or alliance -

(A) meets the qualifications in paragraph (1); and

(B) maintains a program of research, advisory services, training, and education in fields related to ocean, coastal, and Great Lakes resources.

(3) The Secretary may designate an institution, or an association or alliance of two or more such institutions, as a sea grant institute if the institution, association, or alliance -

(A) meets the qualifications in paragraph (1); and

(B) maintains a program which includes, at a minimum, research and advisory services.

(b) Existing designees

Any institution, or association or alliance of two or more such institutions, designated as a sea grant college or awarded institutional program status by the Director prior to March 6,

1998, shall not have to reapply for designation as a sea grant college or sea grant institute, respectively, after March 6, 1998, if the Director determines that the institution, or association or alliance of institutions, meets the qualifications in subsection (a) of this section.

(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) of this section.

(d) Duties

Subject to any regulations prescribed or guidelines established by the Secretary, it shall be the responsibility of each sea grant college and sea grant institute -

(1) to develop and implement, in consultation with the Secretary and the panel, a program that is consistent with the guidelines and priorities established under section 1123(c) of this title; and

(2) to conduct a merit review of all proposals for grants and contracts to be awarded under section 1124 of this title.

(e) Annual Report on Progress

(1) Report requirement.--The Secretary shall report annually to the Committee on Resources and the Committee on Science of the House of Representatives, and to the Committee on Commerce, Science, and Transportation of the Senate, on efforts and progress made by colleges, universities, institutions, associations, and alliances to become designated under this section as sea grant colleges or sea grant institutes, including efforts and progress made by sea grant institutes in being designated as sea grant colleges.

(2) Territories and freely associated states.--The report shall include descriptions of -

(A) efforts made by colleges, universities, associations, institutions, and alliances in United States territories and freely associated States to develop the expertise necessary to be designated as a sea grant college;

(B) the administrative, technical, and financial assistance provided by the Secretary to those entities seeking to be designated; and

(C) the additional actions or activities necessary for those entities to meet the qualifications for such designation under subsection (a)(1).

Section 1127. Fellowships

(a) In general

To carry out the educational and training objectives of this subchapter, the Secretary shall support a program of fellowships for qualified individuals at the graduate and post-graduate level. The fellowships shall be related to ocean, coastal, and Great Lakes resources and awarded pursuant to guidelines established by the Secretary. The Secretary shall strive to ensure equal access for minority and economically disadvantaged students to the program carried out under this subsection. Not later than 1 year after the date of the enactment of the National Sea Grant College Program Act Amendments of 2002, and every 2 years thereafter, the Secretary shall submit a report to Congress describing the efforts by the

Secretary to ensure equal access for minority and economically disadvantaged students to the program carried out under this subsection, and the results of such efforts.

(b) Dean John A. Knauss Marine Policy Fellowship

The Secretary may award marine policy fellowships to support the placement of individuals at the graduate level of education in fields related to ocean, coastal and Great Lakes resources in positions with the executive and legislative branches of the United States Government. A fellowship awarded under this subsection shall be for a period of not more than 1 year.

Section 1128. Sea grant review panel

(a) Establishment

There shall be established an independent committee to be known as the sea grant review panel.

(b) Duties

The panel shall advise the Secretary and the Director concerning

-

- (1) applications or proposals for, and performance under, grants and contracts awarded under section 1124 of this title;
- (2) the sea grant fellowship program;
- (3) the designation and operation of sea grant colleges and sea grant institutes, and the operation of sea grant programs;
- (4) the formulation and application of the planning guidelines and priorities under section 1123(a) and (c)(1) of this title; 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 and a director of a sea grant program who is elected by the various directors of sea grant programs shall serve as nonvoting members of the panel. Not less than 8 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, marine affairs and resource management, 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, coastal, and Great Lakes 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 or sea grant institute; (B) an applicant for, or beneficiary (as determined by the Secretary) of, any grant or contract under section 1124 of this title; 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 for a member appointed before the date of enactment of the National Sea Grant College Program Act Amendments of 2002, and 4

years for a member appointed or reappointed after the date of enactment of the National Sea Grant College Program Act Amendments of 2002. The Director may extend the term of office of a voting member of the panel appointed before the date of enactment of the National Sea Grant College Program Act Amendments of 2002 by up to 1 year. At least once each year, the Secretary shall publish a notice in the Federal Register soliciting nominations for membership on the panel.

(3) Any individual appointed to a partial or full term may be reappointed for one additional full term. 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.

(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 a rate established by the Secretary, not to exceed the maximum daily rate payable under section 5376 of title 5, 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) of this section.

Section 1129. 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, coastal, and Great Lakes 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 subchapter;

(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 subchapter; and

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

Section 1130. Repealed. Pub. L. 102-186, Sec. 5(a), Dec. 4, 1991, 105 Stat. 1283

Section 1131. Authorization of appropriations

(a) Authorization--

(1) In general--There are authorized to be appropriated to the Secretary to carry out this title--
subchapter -

(A) \$60,000,000 for fiscal year 2003;

- (B) \$75,000,000 for fiscal year 2004;
- (C) \$77,500,000 for fiscal year 2005;
- (D) \$80,000,000 for fiscal year 2006;
- (E) \$82,500,000 for fiscal year 2007; and
- (F) \$85,000,000 for fiscal year 2008.

(2) Priority activities.--in addition to the amounts authorized under paragraph (1), there are authorized to be appropriated for each of fiscal years 2003 through 2008--

- (A) \$5,000,000 for competitive grants for university research on the biology and control of zebra mussels and other important aquatic nonnative species;
- (B) \$5,000,000 for competitive grant for university research on oyster diseases, oyster restoration, and oyster-related human health risks;
- (C) \$5,000,000 for competitive grants for university research on the biology, prevention, and forecasting of harmful algal blooms, including *Pfiesteria piscicida*; and
- (D) \$3,000,000 for competitive grants for fishery extension activities conducted by sea grant colleges or sea grant institutes to enhance, and not supplant, existing core program funding.

(b) Limitations.--

(1) Administration.--There may not be used for administration of programs under this title in a fiscal year more than 5 percent of the lesser of--

- (A) the amount authorized to be appropriated under this title for the fiscal year; or
- (B) the amount appropriated under this title for the fiscal year.

(2) Use for other offices or programs.--Sums appropriated under the authority of subsection (a)(2) shall not be available for administration of this title by the National Sea Grant Office, for any other Administration or department program, or for any other administrative expenses.

(c) Distribution of Funds.--In any fiscal year in which the appropriations made under subsection (a)(1) exceed the amounts appropriated for fiscal year 2003 for the purposes described in such subsection, the Secretary shall distribute any excess amounts (except amounts used for the administration of the sea grant program) to any combination of the following:

- (1) sea grant programs, according to their rating under section 204(d)(3)(A);
- (2) national strategic investments authorized under section 204(b)(4);
- (3) a college, university, institution, association, or alliance for activities that are necessary for it to be designated as a sea grant college or sea grant institute
- (4) a sea grant college or sea grant institute designated after the date of enactment of the National Sea Grant College Program Act Amendments of 2002 but not yet evaluated under section 204(d)(3)(A).

(d) Availability of sums

Sums appropriated pursuant to this section shall remain available until expended.

(e) Reversion of unobligated amounts

The amount of any grant, or portion of a grant, made to a person under any section of this subchapter that is not obligated by that

person during the first fiscal year for which it was authorized to be obligated or during the next fiscal year thereafter shall revert to the Secretary. The Secretary shall add that reverted amount to the funds available for grants under the section for which the reverted amount was originally made available.

Section 9: COORDINATION

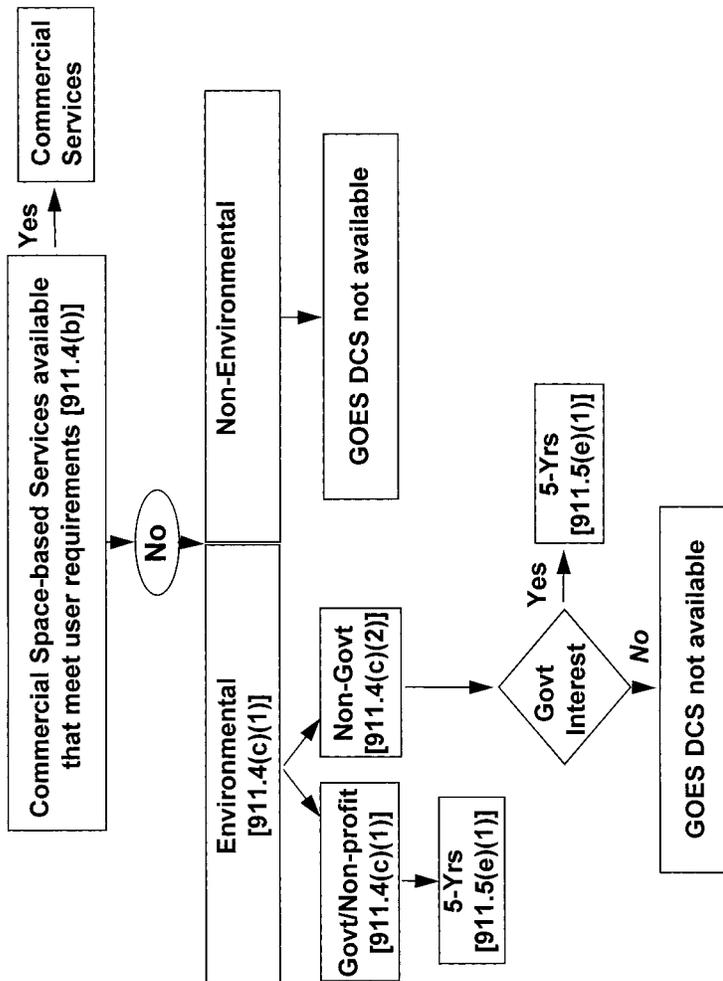
(This section has not yet been placed in the text sequence above.)

Not later than February 15 of each year, the Under Secretary of Commerce for Oceans and Atmosphere and the Director of the National Science Foundation shall jointly submit to the Committees on Resources and Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on how the oceans and coastal research activities of the National Oceanic and Atmospheric Administration, including the Coastal Ocean Program and the National Sea Grant College Program, and of the National Science Foundation will be coordinated during the fiscal year following the fiscal year in which the report is submitted. The report shall describe in detail any overlapping ocean and coastal research interests between the agencies and specify how such research interests will be pursued by the programs in a complementary manner.

APPENDIX B TO PART 911—GOES DCS USE POLICY DIAGRAM



GOES DCS Use Policy Diagram



Note: Testing Use permitted as per [911.4(c)(5)] for up to 1-Yr [911.5(e)(2)]

Appendix B

PART 917—NATIONAL SEA GRANT PROGRAM FUNDING REGULATIONS

Subpart A—General

Sec.
917.1 Basic provisions.

917.2 Definitions.

Subpart B—Sea Grant Matched Funding Program

917.10 General.
917.11 Guidelines for Sea Grant Fellowships.

Subpart C—National Projects

- 917.20 General.
- 917.21 National needs and problems.
- 917.22 National Projects funding.

Subpart D—International Cooperation Assistance

- 917.30 General.

Subpart E—General Considerations Pertaining to Sea Grant Funding

- 917.40 General.
- 917.41 Application guidance for Sea Grant funding.
- 917.42 Categories of support available for the conducting of Sea Grant activities.
- 917.43 Terms and conditions of Sea Grant funding.

AUTHORITY: Pub. L. 94-461, 90 Stat. 1961 (33 U.S.C. 1121 et seq.).

SOURCE: 43 FR 15307, Apr. 11, 1978, unless otherwise noted.

Subpart A—General

§917.1 Basic provisions.

(a) This section sets forth the basic purposes for which Sea Grant funding may be made pursuant to the following sections of the Act: 33 U.S.C. 1124, 1127, 1125 and 1124a. These sections provide for the funding of programs and projects in fields related to ocean and coastal resources that involve marine research, marine education and training, and marine advisory services. However, there is a significant difference in focus among these sections since section 1124(a) is concerned chiefly with regional and state needs relative to ocean and coastal resources (including the funding of Sea Grant Fellowships under section 1127) while section 1125 is concerned with national needs and problems relative to ocean and coastal resources, and section 1124a is concerned with programs of international cooperation assistance with respect to those resources.

(b) *Comment:* Statutory citation 33 U.S.C. 1124(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 66% percent, or any lesser percent, of the total cost of the Sea Grant program or project involved.

(c) *Comment:* Statutory citation 33 U.S.C. 1127(a):

In General. 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.

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

§917.2 Definitions.

(a) The term *Act* means the Sea Grant Program Improvement Act of 1976, as amended (33 U.S.C. 1121 et seq.).

(b) The term *Secretary* means the Secretary of Commerce.

(c) The term *Administrator* means the Administrator of the National Oceanic and Atmospheric Administration.

(d) The term *Office of Sea Grant* means the National Oceanic and Atmospheric Administration's Office of Sea Grant, which administers the National Sea Grant Program provided for in the Act.

(e) The term *objective of the Act* means the objective set forth at 33 U.S.C. 1121(b) and is "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."

(f) The term *ocean and coastal resource(s)* is as defined at 33 U.S.C. 1122(7) and 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,

§917.10

or conservation values. Living resources include natural and cultured plant life, fish, shellfish, marine mammals, and wildlife. Nonliving resources include energy sources, minerals, and chemical substances.

(g) The term *marine environment* used in the definition for “ocean and coastal resources” in §917.2(e) and used elsewhere in these regulations is as defined at 33 U.S.C. 1122(6) and 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.

(h) The term *person* is as defined at 33 U.S.C. 1122(9) and means: “any individual; any public or private corporation, partnership, or other association or entity (including any Sea Grant College, Sea Grant Regional Consortium, education, institute, or laboratory); or any state, political subdivision of a state, or agency or officer thereof.”

(i) The term *Sea Grant College* is as defined at 33 U.S.C. 1122(10) and means: “any public or private institution of higher education which is designated as such by the Secretary . . .” pursuant to regulations promulgated at 15 CFR part 918.

(j) The term *Sea Grant Program* is as defined at 33 U.S.C. 1122(11) and means: “any program which” (1) is administered by a Sea Grant College, Sea Grant Regional Consortium, institution of higher education, institute, laboratory, or state or local agency; and (2) 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.

(k) The term *Sea Grant Program Directors* means the local Directors of the Sea Grant coherent area programs, insitutional programs, Sea Grant Colleges, and Sea Grant Regional Consortia.

(l) The term *Sea Grant Regional Consortium* is as defined at 33 U.S.C. 1122(12) and means: “any association or

15 CFR Ch. IX (1–1–01 Edition)

alliance which is designated as such by the Secretary . . .” pursuant to regulations promulgated at 15 CFR part 918.

(m) The term *state* is as defined at 33 U.S.C. 1122 (14) and 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.”

(n) The term *developing foreign nations* includes any foreign nation other than a foreign nation that 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 of that Act.

Subpart B—Sea Grant Matched Funding Program

§917.10 General.

(a) 33 U.S.C. 1124(a) establishes a program for the funding of Sea Grant Programs and projects dealing with marine research, marine education and training, and/or marine advisory services, that are designed to achieve the objective of the Act and that generally respond to the needs of individual states or regions. Included as a part of this program is the Sea Grant Fellowship Program, established by 33 U.S.C. 1127. Any person may apply to the Office of Sea Grant for Sea Grant Matched Funding Program Monies, except for Sea Grant Fellowship funding. Sea Grant Fellowship funding may be granted only to Sea Grant Colleges, Sea Grant Regional Consortia, institutions of higher education, and professional associations and institutions.

(b) Federal Sea Grant funding for the section 1124(a) Matched Funding Program cannot exceed 66⅔ percent of the total cost of the project involved.

§917.11 Guidelines for Sea Grant Fellowships.

(a) Sea Grant Fellowships are designed 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 objective of the program is to increase the national supply of individuals educated

and trained in the assessment, development, utilization, and conservation of ocean and coastal resources. The purpose of this section is to provide guidelines regarding the content of applications for Sea Grant Fellowship funding.

(b) Funding will be made to eligible entities (see §917.10 of this part) that are selected to award and administer Sea Grant Fellowships. Fellowships will not be awarded directly to students by the Office of Sea Grant. The entity receiving Fellowship funding will select the students to be awarded the Fellowships and will handle the administration of the Fellowships.

(c) Proposals for Fellowship funding will be expected to address (1) the nature and focus of the proposed Fellowship Program, (2) the utilization of institutional or other appropriate resources in the education and training of Sea Grant Fellows, (3) the method of advertising availability of the Fellowships, (4) the method of selection of recipients, and (5) the terms of tenure and method of determining continuity of tenure.

(d) Innovation and uniqueness will be significant factors in the determination of which proposals will be funded. Another factor considered will be the potential of the proposed program to stimulate interest in marine related careers among those individuals; for example, minorities, women, and the handicapped whose previous background or training might not have generated such an interest.

(e) The total amount that may be provided for grants under the Sea Grant Fellowship Program during any fiscal year cannot exceed an amount equal to five percent of the total funds appropriated for the Matched Funding Program for that year. Fellowship programs are subject to the requirement of a minimum of 33½ percent matching funds from non-Federal sources to which all Matched Funding Program projects are subject. Indirect costs are not allowable for either the Fellowships or for any costs associated with the Fellowships.

Considering the variations in the cost-of-living and the differences in tuition, fees, etc., between one college or university and another, the amount of

money requested and awarded per Fellowship may vary.

Subpart C—National Projects

§ 917.20 General.

(a) 33 U.S.C. 1125 requires the Secretary to identify specific national needs and problems relative to ocean and coastal resources. This responsibility has been delegated to the Administrator. The designation is intended to focus public attention on needs and problems of the marine environment that are considered to be of particular national importance at a given point in time.

(b) 33 U.S.C. 1125 provides for the funding of national projects in marine research, marine education and training, and marine advisory services that are designed to deal with the national needs and problems concerning ocean and coastal resources identified by the Administrator.

(c) The Administrator will identify the national needs and problems apart from considerations of Office of Sea Grant funding for “National Projects” responsive to national needs and problems that are identified.

§ 917.21 National needs and problems.

(a) The Administrator will, periodically, publish in the FEDERAL REGISTER the identified national needs and problems with respect to ocean and coastal resources at a given point in time.

(b) Suggestions from the general public as to the identity of national needs and problems may be submitted to the Office of Sea Grant at any time. These suggestions will be reviewed by the Office of Sea Grant and the Sea Grant Review Panel, and those receiving a positive critique will be forwarded to the Administrator. In addition, suggestions concerning the identification of national needs and problems will be requested from the Sea Grant Program Directors.

(c) The Administrator has identified the following as currently being national needs and problems with respect to ocean and coastal resources: global and regional climate and primary productivity.

(1) Improve the prediction of extreme natural events and their effects on

§917.21

ocean coastal and continental shelf locations as well as analogous regions of the Great Lakes.

(2) Improve the predictability of global sea-level change and determine the impact of this change on coastal areas.

(3) Define the processes that determine ocean variability on the time scale of a few weeks to a few years, and the relationship to fluctuations in global and regional climate, primary productivity, and fisheries production.

(4) Improve understanding of the flow fields and mixing processes on the continental shelves of the United States.

(5) Develop an increased understanding of the arctic and antarctic environment and a capability to predict the special hazards posed to transportation and resource development.

(6) Develop and increased capability to characterize the engineering properties of ocean bottom sediments.

(7) Reduce the recurring economic loss due to corrosion of structures, vessels, and other devices in the marine environment.

(8) Gain a fundamental understanding of the processes by which biological fouling and associated corrosion are initiated upon material surfaces exposed to seawater.

(9) Investigate methods to improve man's underwater capability to conduct undersea research and perform useful work.

(10) Investigate the wider application of remotely operated and artificial intelligence techniques for vehicles for undersea activities.

(11) Expand/improve remote sensing technologies for use on the ocean and Great Lakes.

(12) Advance knowledge of acoustics in the ocean and ocean bottom in order to exploit the burgeoning acoustics technologies.

(13) Develop techniques for in-situ monitoring of biological, chemical, and physical processes in the Great Lakes, oceans, and their connecting waterways which are cost effective and provide data in real time.

(14) Improve the position of the U.S. seafood industry in world seafood markets.

(15) Design more efficient mechanisms to allocate U.S. fish resources to

15 CFR Ch. IX (1-1-01 Edition)

achieve optimum yield and minimize industry dislocations.

(16) Gain a fundamental understanding of the biological productivity of estuarine and coastal waters.

(17) Conduct research leading to the restoration and/or enhancement of heavily exploited fishery stocks.

(18) Improve the capability for stock assessment, predicting yield, age-class strength, and long-term population status of important fisheries.

(19) Conduct research to increase the economic potential of low-value, high-volume fish products.

(20) Develop productive and profitable aquaculture industries in the United States and technology that can be exported to less developed nations of the world with different climate, cultural, and economic constraints.

(21) Explore marine biochemicals as source of chemical feedstocks, enzymes, pharmacological substance, and other bioactive agents such as pesticides.

(22) Apply modern biotechnology to exploiting marine plants, animals, and microorganisms for good and services.

(23) Develop rapid, efficient, and specific methods for assaying the potential of marine organisms to communicate disease to humans.

(24) Develop innovations that would promote safe, nondestructive, recreational access to and use of marine and Great Lakes water.

(25) Re-examine the ocean as an appropriate place for the disposal of wastes from land-based society.

(26) Develop an increased understanding of the impacts of low density, nonbiodegradable, solid wastes on marine and Great Lakes species.

(27) Conduct research for realizing the economic potential of the non-living resources of the U.S. 200-mile Exclusive Economic Zone.

(28) Investigate the effect of seafloor hydrothermal systems on the seafloor, oceans, and atmosphere.

(29) Develop a better understanding of the value the marine sector contributes to the U.S. economy and culture.

(30) Improve the competitive position of American ports in the face of rapid technological and social change.

(31) Improve the capability of developing nations to address their marine resource needs.

(32) Develop educational programs to increase application of marine sector research.

(33) Develop syntheses of and better access to existing multidisciplinary marine and Great Lakes information.

[43 FR 15307, Apr. 11, 1978, as amended at 51 FR 35210, Oct. 2, 1986]

§ 917.22 National Projects funding.

(a) National Projects funding proposals will be expected to address: (1) The relevance of the proposed project to a national need or problem that has been identified by the Administrator; (2) the nature and focus of the proposed project; (3) a demonstrated capacity to carry out the proposed project in a competent and cost-effective manner; and (4) the utilization of existing capability and coordination with other relevant projects. Innovation and uniqueness will be significant factors in determining whether to fund a proposed project.

(b) Any person may apply to the Office of Sea Grant for National Project funding. In addition, the Office of Sea Grant may invite applications for National Project funding.

(c) The total amount provided for National Projects' funding during any fiscal year can never exceed an amount equal to 10 percent of the total funds appropriated for the Matched Funding Program. Federal Sea Grant funding for National Projects can be up to 100 percent of the total cost of the project involved.

Subpart D—International Cooperation Assistance

§ 917.30 General.

(a) 33 U.S.C. 1124a sets up a program of International Cooperation Assistance in marine research, marine education and training, and marine advisory services designed to enhance the research and technical capability of developing foreign nations with respect to ocean and coastal resources and to promote the international exchange of information and data with respect to the assessment, development, utiliza-

tion, and conservation of such resources. 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 any state) may apply for and receive International Cooperation Assistance funding.

(b) International Cooperation Assistance funding proposals will be expected to address: (1) The nature and focus of the proposed project, (2) the utilization of institutional and other appropriate resources in the implementation of the project, (3) a clear indication of the foreign participant's (individual or institution) commitment to the project, (4) identification of accomplishments expected from a single granting interval, (5) implicit or explicit out-year commitment of resources, and (6) the impact of the proposed project on the institution receiving funding.

(c) The projects supported by International Cooperation Assistance funding are intended to be genuinely cooperative. Innovation and uniqueness will be significant factors in the determination of proposals to be funded. In the case of a proposed international project that is submitted from an institution where a Sea Grant program is in existence, the extent to which the proposed project takes advantage of the Sea Grant institutional capability existing at that institution and thereby strengthening it, as opposed to being a mere appendage to the ongoing Sea Grant program, will also be an important evaluation factor. The U.S. Department of State will be given the opportunity to review all International Cooperation Assistance projects and none will be funded without this consultation. Because the United Nations Educational, Scientific, and Cultural Organization (UNESCO) also funds international projects of the kind that can be funded under the Sea Grant International Cooperation Assistance program, and, to effect coordination in this area between Sea Grant and UNESCO, the Division of Marine Sciences (UNESCO) will be informed of all International Cooperation Assistance projects funded.

Subpart E—General Considerations Pertaining to Sea Grant Funding

§ 917.40 General.

This subpart sets forth general considerations pertaining to Sea Grant funding.

§ 917.41 Application guidance for Sea Grant funding.

(a) Detailed guidance for submission of applications for National Sea Grant Program Funding is given in the publication, “The National Sea Grant Program: Program Description and Suggestions for Preparing Proposals,” available on request from: Office of Sea Grant Program, 3300 Whitehaven Street NW., Washington, DC 20235.

(b) It is noted here that application for Sea Grant funding shall be made pursuant to the following Federal provisions:

(1) OMB Circular A-110 “Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations.”

(2) OMB Circular A-111, “Designation of Federal Programs Suitable for Joint Funding Purposes.”

(3) GSA FMC 73-6, “Coordinating Indirect Cost Rates and Audit at Educational Institutions.”

(4) GSA FMC 73-7, “Administration of College and University Research Grants.”

(5) GSA FMC 73-8, “Cost Principles for Educational Institutions.”

(6) GSA FMC 74-4, “Cost Principles Applicable to Grants and Contracts with State and Local Governments.”

(7) OMB Circular A-102, “Uniform Administrative Requirements for Grants-in-Aid to State and Local Governments.”

(8) NOAA General Provisions implementing OMB Circular A-110, “Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations.”

§ 917.42 Categories of support available for the conducting of Sea Grant activities.

(a) Three categories of support are available for the conducting of Sea Grant activities: Projects; coherent area programs; and institutional pro-

grams. In general, funding for institutional programs and coherent area programs are made with expectation of renewal, as long as the funding recipient maintains a high level of quality and relevance in its activities. Project funding is made generally for a single item of research, education and training, or advisory service, but may be renewed under certain conditions; each renewal is negotiated individually.

(b) Project support is for a clearly defined activity to be conducted over a definite period of time to achieve a specified goal. The project may be in research, education, training, or advisory services. Support for a project is made to an individual investigator or project director through his organization.

(c) Intermediate between the institutional programs and individual projects are coherent area programs. These have two main purposes:

(1) To bring into the National Sea Grant Program institutions of higher education that have a strong core of capability in some aspects of marine affairs, but which do not qualify or do not wish to qualify for institutional program support at this time. The purpose of support in such cases is to enable the institution to apply its existing competence to its regional problems and opportunities while developing the broader base of capability and the internal organization that will lead to institutional support. This program category requires a definite commitment on the part of the institution to develop an institutional program and to present a multiproject, multidisciplinary program involving the existing competence of an institution in a unified or coherent attack on well-defined local or regional problems. Such a coherent area program should include research, education and training, and advisory services, to the extent of the institution's capability.

(2) To bring into the National Sea Grant Program (on a more or less continuing basis) qualified entities that have rare or unique capability in a specialized field of marine affairs. Such entities need not be institutions of higher education.

(d) Institutional grants are made to institutions of higher education or to a

combination of institutions that have an existing broad base of competence in marine affairs. To qualify, an institution must make a positive, long-range commitment to objectives of the National Sea Grant Program as evidence by committing the institution's own resources in the form of matching funds, creation of the organization necessary for management of the Sea Grant Program, quality education programs in marine areas, establishment of interdisciplinary research teams, and development of advisory service mechanisms for strong interaction with marine communities in its region. A Sea Grant institutional program is expected to provide intellectual leadership in assisting its region to solve problems and to realize opportunities of its marine environment. To the extent possible, an institutional program should involve all appropriate elements of the institution, whether colleges or departments, and devise cooperative or mutually supporting programs with other institutions of higher education, and with Federal and state agencies, local agencies, and industry. An institutional program should have substantial strength in the three basic Sea Grant activities: research, education and training, and advisory services. Sea Grant institutional programs that meet the qualifications for Sea Grant College or Sea Grant Regional Consortium status set forth at 15 CFR part 918 will be so designated by the Secretary.

§917.43 Terms and conditions of Sea Grant funding.

No Sea Grant funding may be applied to:

(a)(1) the purchase or rental of any land or (2) the purchase, rental, construction, preservation, or repair of any building, dock, or vessel, except that payment under any such grant or contract may (if approved by the Assistant Administrator for Administration of the National Oceanic and Atmospheric Administration or designee) 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.

(b) In addition, Sea Grant funding under the Sea Grant Matched Funding Program will be subject to the limitation that the total amount which may be obligated within any one state to persons under the Sea Grant Matched Funding Program in any fiscal year shall not exceed an amount equal to 15 percent of the funds appropriated for the Sea Grant Matched Funding Program.

(c) Any person who receives or utilizes Sea Grant funding shall keep the records required by OMB Circular A-110, "Grant and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations," and by NOAA General Provision, implementing OMB Circular A-110, by OMB Circular A-102, "Uniform Administrative Requirements for Grants-in-Aid to State and Local Governments," including records that fully disclose the amount and disposition by the recipient of such proceeds, the total cost of the program or project in 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 three 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 receipt which, in the opinion of the Secretary or the Comptroller General, may be related or pertinent to such grants and contracts.

PART 918—SEA GRANTS

Sec.

918.1 Introduction.

918.2 Definitions.

918.3 Eligibility, qualifications, and responsibility of a Sea Grant College.

918.4 Duration of Sea Grant College designation.

918.5 Eligibility, qualifications, and responsibilities—Sea Grant Regional Consortia.

918.6 Duration of Sea Grant Regional Consortium designation.

918.7 Application for designation.

§918.1

AUTHORITY: Sec. 207, National Sea Grant College Program Act, as amended (Pub. L. 94-461, 33 U.S.C. 1121, et seq.).

SOURCE: 44 FR 75054, Dec. 18, 1979, unless otherwise noted.

§918.1 Introduction.

Pursuant to section 207 of the National Sea Grant College Program Act, as amended (Pub. L. 94-461, 33 U.S.C. 1121 et seq.), herein referred to as the Act, the following guidelines establish the procedures by which organizations can qualify for designation as Sea Grant Colleges or Sea Grant Regional Consortia, and the responsibilities required of organizations so designated.

§918.2 Definitions.

(a) *Marine environment.* The term *Marine Environment* means any or all of the following: 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, including the Great Lakes; 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.

(b) *Ocean, Great Lakes, and coastal resources.* The term *ocean, Great Lakes, and coastal resources* means any resource (whether living, nonliving, man-made, 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, aesthetic, biological, habitational, commercial, economic, or conservation values. Living resources include natural and cultured plant life, fish, shellfish, marine mammals, and wildlife. Nonliving resources include energy sources, minerals, and chemical substances.

(c) *Person.* The term *Person* means any public or private corporation, partnership, or other association or entity (including any Sea Grant College, Sea

15 CFR Ch. IX (1-1-01 Edition)

Grant Regional Consortium, institution of higher education, institute, or laboratory); or any State, political subdivision of a State, or agency or officer thereof.

(d) *Sea Grant College.* The term *Sea Grant College* means any public or private institution of higher education or confederation of such institutions which is designated as such by the Secretary under section 207 of the National Sea Grant Program Act. Included in this term are all campuses (or other administrative entities) of a designated Sea Grant College, working through the established management structure of the Sea Grant College.

(e) *Sea Grant Program.* The term *Sea Grant Program* means any program which:

(1) Is administered by a Sea Grant College, Sea Grant Regional Consortium, institution of higher education, institute, laboratory, or State or local agency; and

(2) Includes two or more Sea Grant projects involving one or more of the following activities in fields related to ocean, Great Lakes, and coastal resources:

- (i) Research,
- (ii) Education and training, and
- (iii) Advisory services.

(f) *Sea Grant project.* A Sea Grant project is any separately described activity which has been proposed to the National Sea Grant College Program, and has subsequently been approved.

(g) *Sea Grant Regional Consortium.* The term *Sea Grant Regional Consortium* means any association or other alliance of two or more persons as defined above (other than individuals) established for the purpose of pursuing programs in marine research education, training, and advisory services on a regional basis (i.e., beyond the boundaries of a single state) and which is designated as a consortium by the Secretary under section 207 of the National Sea Grant Program Act.

(h) *Field related to Ocean, Great Lakes, and coastal resources.* The term *field related to Ocean, Great Lakes, and coastal resources* means any discipline or field (including marine sciences and the physical, natural, and biological sciences, and engineering, included therein, marine technology, education,

economics, sociology, communications, planning law, international affairs, public administration, humanities, and the arts) which is concerned with, or likely to improve the understanding, assessment, development, utilization, or conservation of, ocean, Great Lakes, and coastal resources.

§918.3 Eligibility, qualifications, and responsibility of a Sea Grant College.

(a) To be eligible for designation as a Sea Grant College, the institution of higher education or confederation of such institutions must have demonstrated a capability to maintain a high quality and balanced program of research, education, training, and advisory services in fields related to ocean, Great Lakes, and coastal resources for a minimum of three years, and have received financial assistance as an Institutional program under either section 205 of the National Sea Grant College Program Act or under section 204(c) of the earlier National Sea Grant College and Program Act of 1966.

(b) To be eligible for designation as a Sea Grant College, the candidate institution or confederation of institutions must meet the qualifications set forth above as evaluated by a site review team composed of members of the Sea Grant Review Panel, NOAA's Office of Sea Grant, and other experts named by NOAA. As a result of this review, the candidate must be rated highly in all of the following qualifying areas:

(1) *Leadership.* The Sea Grant College candidate must have achieved recognition as an intellectual and practical leader in marine science, engineering, education, and advisory service in its state and region.

(2) *Organization.* The Sea Grant College candidate must have created the management organization to carry on a viable and productive Sea Grant Program, and must have the backing of its administration at a sufficiently high level to fulfill its multidisciplinary and multifaceted mandate.

(3) *Relevance.* The Sea Grant College candidate's program must be relevant to local, State, regional, or National opportunities and problems in the marine environment. Important factors in evaluating relevance are the need for

marine resource emphasis and the extent to which capabilities have been developed to be responsive to that need.

(4) *Programmed team approach.* The Sea Grant College candidate must have a programmed team approach to the solution of marine problems which includes relevant, high quality, multidisciplinary research with associated educational and advisory services capable of producing identifiable results.

(5) *Education and training.* Education and training must be clearly relevant to National, regional, State and local needs in fields related to ocean, Great Lakes, and coastal resources. As appropriate, education may include pre-college, college, post-graduate, public and adult levels.

(6) *Advisory services.* The Sea Grant College candidate must have a strong program through which information, techniques, and research results from any reliable source, domestic or international, may be communicated to and utilized by user communities. In addition to the educational and information dissemination role, the advisory service program must aid in the identification and communication of user communities' research and educational needs.

(7) *Relationships.* The Sea Grant College candidate must have close ties with Federal agencies, State agencies and administrations, local authorities, business and industry, and other educational institutions. These ties are: (i) To ensure the relevance of its programs, (ii) to give assistance to the broadest possible audience, (iii) to involve a broad pool of talent in providing this assistance (including universities and other administrative entities outside the Sea Grant College), and (iv) to assist others in developing research and management competence. The extent and quality of an institution's relationships are critical factors in evaluating the institutional program.

(8) *Productivity.* The Sea Grant College candidate must have demonstrated the degree of productivity (of research results, reports, employed students, service to State agencies and industry, etc.) commensurate with the length of

§918.4

its Sea Grant operations and the level of funding under which it has worked.

(9) *Support.* The Sea Grant College candidate must have the ability to obtain matching funds from non-Federal sources, such as state legislatures, university management, state agencies, business, and industry. A diversity of matching fund sources is encouraged as a sign of program vitality and the ability to meet the Sea Grant requirement that funds for the general programs be matched with at least one non-Federal dollar for every two Federal dollars.

(c) Finally, it must be found that the Sea Grant College candidate will act in accordance with the following standards relating to its continuing responsibilities if it should be designated a Sea Grant College:

(1) Continue pursuit of excellence and high performance in marine research, education, training, and advisory services.

(2) Provide leadership in marine activities including coordinated planning and cooperative work with local, state, regional, and Federal agencies, other Sea Grant Programs, and non-Sea Grant universities.

(3) Maintain an effective management framework and application of institutional resources to the achievement of Sea Grant objectives.

(4) Develop and implement long-term plans for research, education, training, and advisory services consistent with Sea Grant goals and objectives.

(5) Advocate and further the Sea Grant concept and the full development of its potential within the institution and the state.

(6) Provide adequate and stable matching financial support for the program from non-Federal sources.

(7) Establish and operate an effective system to control the quality of its Sea Grant programs.

§918.4 Duration of Sea Grant College designation.

Designation will be made on the basis of merit and the determination by the Secretary of Commerce that such a designation is consistent with the goals of the Act. Continuation of the Sea Grant College designation is contingent upon the institution's ability to maintain a high quality perform-

15 CFR Ch. IX (1-1-01 Edition)

ance consistent with the requirements outlined above. The Secretary may, for cause and after an opportunity for hearing, suspend or terminate a designation as a Sea Grant College.

§918.5 Eligibility, qualifications, and responsibilities—Sea Grant Regional Consortia.

(a) To be eligible for designation as a Sea Grant Regional Consortium, the candidate association or alliance of organizations must provide, in significant breadth and quality, one or more services in the areas of research, education, and training, or advisory service in fields related to ocean, Great Lakes, and coastal resources. Further, it is essential that the candidate Sea Grant Consortium be required to provide all three services as soon as possible after designation. Further, such association or alliance must demonstrate that:

(1) It has been 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, Great Lakes, and coastal resources; and

(2) It will encourage and follow a regional multi-State approach to solving problems or meeting needs relating to ocean, Great Lakes, and coastal resources, in cooperation with appropriate Sea Grant Colleges, Sea Grant Programs and other persons in the region.

(b) Although it is recognized that the distribution of effort between research, education, training, and advisory services to achieve appropriate balance in a Sea Grant Regional Consortium may differ from a Sea Grant College, sustained effort in all of these areas is, nonetheless, an essential requirement for retention of such designation. To be eligible for designation as a Sea Grant Regional Consortium, the candidate association or alliance of organizations must meet the qualifications set forth above as evaluated by a site review team composed of members of the Sea Grant Review Panel, the Office of Sea Grant, and other experts. Further, the candidate must be rated highly in all of the following qualifying areas which

are pertinent to the Consortium's program:

(1) *Leadership.* The Sea Grant Regional Consortium candidate must have achieved recognition as an intellectual and practical leader in marine science, engineering, education, and advisory service in its region.

(2) *Organization.* The Sea Grant Regional Consortium candidate must have created the management organization to carry on a viable and productive multidisciplinary Sea Grant Program and have the backing of the administrations of its component organizations at a sufficiently high level to fulfill its multidisciplinary and multifaceted mandate.

(3) *Relevance.* The Sea Grant Regional Consortium candidate's Sea Grant Program must be relevant to regional opportunities and problems in the marine environment. Important factors in evaluating relevance are the extent and depth of the need of a region for a focused marine resource emphasis and the degree to which the candidate has developed its capability to be responsive to that need.

(4) *Education and training.* Education and training must be clearly relevant to regional needs and must be of high quality in fields related to ocean, Great Lakes, and coastal resources. As appropriate, education may include precollege, college, post-graduate, public and adult levels.

(5) *Advisory services.* The Sea Grant Regional Consortium candidate must have a strong program through which information techniques, and research results from any reliable source, domestic or international, may be communicated to and utilized by user communities. In addition to the educational and information dissemination role, the advisory service program must aid in the identification and communication of user communities' research and educational needs.

(6) *Relationships.* The Sea Grant Regional Consortium candidate must have close ties with federal agencies, state agencies and administrations, regional authorities, regional business and industry, and other regional educational institutions. These regional ties are: (i) To ensure the relevance of programs, (ii) to generate requests for

such assistance as the consortium may offer, and (iii) to assist others in developing research and management competence. The extent and quality of a candidate's relationships are critical factors in evaluating the proposed designation.

(7) *Productivity.* The Sea Grant Regional Consortium candidate must have demonstrated a degree of productivity (of research results, reports, employed students, service to regional agencies, industry, etc.) commensurate with the length of its Sea Grant operations and the level of funding under which it has worked.

(8) *Support.* The Sea Grant Regional Consortium candidate must have the ability to obtain matching funds from non-Federal sources, such as State legislatures, university management, State agencies, and business and industry. A diversity of matching funds sources is encouraged as a sign of program vitality and the ability to meet the Sea Grant requirement that funds for the general programs be matched with at least one non-Federal dollar for every two Federal dollars.

(c) Finally, it must be found that the Sea Grant Regional Consortium candidate will act in accordance with the following standards relating to its continuing responsibilities as a Sea Grant Regional Consortium:

(1) Continue pursuit of excellence and high performance in marine research education, training, and advisory services.

(2) Provide regional leadership in marine activities including coordinated planning and cooperative work with local, State, regional, and Federal agencies, other Sea Grant Programs, and non-Sea Grant organizations.

(3) Maintain an effective management framework and application of organizational resources to the achievement of Sea Grant objectives.

(4) Develop and implement long-term plans for research, education, training, and advisory services consistent with Sea Grant goals and objectives.

(5) Advocate and further the Sea Grant concept and the full development of its potential within the consortium and the region.

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

[I.D. 072004A]

Proposed Information Collection; Comment Request; Sea Grant Program Application Requirements for Grants, for Sea Grant Fellowships, Including the Dean John A. Knauss Marine Policy Fellowships, and for Designation as a Sea Grant College or Sea Grant Institute**AGENCY:** National Oceanic and Atmospheric Administration (NOAA).**ACTION:** Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before September 21, 2004.

ADDRESSES: Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW, Washington, DC 20230 (or via the Internet at dHynek@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Francis Schuler, R/SG, Room 11836, 1315 East-West Highway, Silver Spring, MD 20910-3282 (phone 301-713-2445, ext. 158).

SUPPLEMENTARY INFORMATION:**I. Abstract**

The objectives of the National Sea Grant College Program are to increase the understanding, assessments, development, utilization, and conservation of the Nation's ocean, coastal, and Great Lakes resources. It accomplishes these objectives by conducting research, education, and outreach programs.

Grant monies are available for funding activities that help obtain the objectives of the Sea Grant Program. Both single and multi-project grants are awarded, with the latter representing about 80 percent of the total grant program. In addition to the SF-424 and other standard grant application

requirements, three additional forms are required with a grant application. These are the Sea Grant Control Form, used to identify the organizations and personnel who would be involved in the grant; the Project Record Form, which collects summary data on projects; and the Sea Grant Budget, used in place of the SF-424A or SF-424C.

Applications are also required in order to be awarded a Sea Grant Fellowship, including the Dean John A. Knauss Marine Policy Fellowships.

The law (33 U.S.C. 1126) provides for the designation of a public or private institution of higher education, institute, laboratory, or State or local agency as a Sea Grant college or Sea Grant institute. Applications are required for designation of Sea Grant Colleges and Sea Grant Institutes.

II. Method of Collection

Responses are made in a variety of formats, including forms and narrative paper submissions. The Sea Grant Project Record Form and Sea Grant Budget Form must also be submitted in electronic format.

III. Data

OMB Number: 0648-0362.

Form Number: NOAA Forms 90-1, 90-2 and 90-4.

Type of Review: Regular submission.

Affected Public: State, Local, or Tribal Government; and Not-for-profit institutions.

Estimated Number of Respondents: 121.

Estimated Time Per Response: 30 minutes for a Sea Grant Control form; 20 minutes for a Project Record Form; 15 minutes for a Sea Grant Budget form; 20 hours for an application for designation as a Sea Grant college or Sea Grant institute; and 2 hours for an application for a Sea Grant Fellowship, including the Dean John A. Knauss Marine Policy Fellowship.

Estimated Total Annual Burden Hours: 672.

Estimated Total Annual Cost to Public: \$1,377.

IV. Request for Comments

Comments are invited on: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information

on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: July 19, 2004.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 04-16858 Filed 7-22-04; 8:45 am]

BILLING CODE 3510-KA-S

DEPARTMENT OF DEFENSE**Department of the Air Force****Proposed Collection; Common Request**

AGENCY: Department of the Air Force.

ACTION: Notice.

In compliance with section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Headquarters Air Force Services Agency (HQ AFSVA) announces a continuation of use to the existing Air Force Form (AF) 3211, Customer Comment Card and seeks public comment of the provisions thereof. Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by August 6, 2004.

ADDRESSES: Written comments and recommendations on the proposed information collection should be sent to HQ AFSVA/SVOHL, Lodging Branch, 10100 Reunion Place, Suite 401, San Antonio, TX 78216-4138, ATTN: TSgt Pamela D. Cook

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the above address or call