GENERAL COUNSEL OF THE
UNITED STATES DEPARTMENT OF COMMERCE
Washington, D.C. 20230

April 28, 2005

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

Dear Mr. Chairman:

This letter provides the views of the Department of Commerce (Department) on S. 39, a bill to establish a coordinated national ocean exploration program within the Department's National Oceanic and Atmospheric Administration (NOAA). The Department supports the intent of this legislation, which establishes a program focused on ocean exploration, facilitation or discovery, and public education.

NOAA's dedicated ocean exploration program is complemented by those activities of other federal agencies, such as the National Science Foundation, the Department of the Interior, the National Aeronautics and Space Administration, and the Department of Defense. In addition, other programs within NOAA contribute to ocean discovery and greater understanding of the marine environment. The funding and language in S. 39 would support the current activities of the NOAA Ocean Exploration Program. However, the bill does not include NOAA's other ocean exploration and underwater research activities, which support and/or complement the work of the Ocean Exploration Program. The Department would welcome an opportunity to discuss with the Committee the possibility of including these additional closely related activities. The Department recommends a few changes to specific sections of the bill.

While we agree with the goal of Section 5, to promote coordination, we recommend deletion of such a statutory requirement, as it is unnecessary. We would be happy to discuss with you or your staff how NOAA currently coordinates with other federal agencies on ocean exploration activities and plans for the future. We anticipate that coordination among the agencies mentioned in the bill will increase under the auspices of the new National Science and Technology Council's Joint Subcommittee on Ocean Science and Technology. If, however, the section is not deleted, it should be amended to include the Minerals Management Service of the Department of the Interior, and the National Science Foundation.

Section 7 authorizes appropriations to carry out the program in the amount of $45 million for each of fiscal years 2006 through 2011, and in the amount of $55 million for each of the fiscal years 2012 through 2017. The Administration requests that the authorization levels in the bill be consistent with the President's FY 2006 Budget Request. The Budget provides $22.7 million for the NOAA Ocean Exploration Program in FY 2006.

Finally, the Department requests that the Great Lakes be included in this bill. This can be accomplished by including the Great Lakes in a definition of "ocean" or "marine" for purposes of this program.

The Office of Management and Budget has advised that there is no objection to the transmittal of this letter from the standpoint of the Administration's program.

Sincerely,

Jane T. Dana
Acting General Counsel

cc: The Honorable Daniel K. Inouye, Co-Chairman,
Senate Committee on Commerce, Science, and Transportation