

116TH CONGRESS
1ST SESSION

S. _____

To reauthorize and amend the National Sea Grant College Program Act,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

_____ introduced the following bill; which was read twice
and referred to the Committee on _____

A BILL

To reauthorize and amend the National Sea Grant College
Program Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Sea Grant
5 College Program Amendments Act of 2019”.

6 **SEC. 2. REFERENCES TO THE NATIONAL SEA GRANT COL-**
7 **LEGE PROGRAM ACT.**

8 Except as otherwise expressly provided, wherever in
9 this Act an amendment or repeal is expressed in terms
10 of an amendment to, or repeal of, a section or other provi-

1 sion, the reference shall be considered to be made to a
2 section or other provision of the National Sea Grant Col-
3 lege Program Act (33 U.S.C. 1121 et seq.).

4 **SEC. 3. MODIFICATION OF DEAN JOHN A. KNAUSS MARINE**
5 **POLICY FELLOWSHIP.**

6 (a) IN GENERAL.—Section 208(b) (33 U.S.C.
7 1127(b)) is amended by striking “may” and inserting
8 “shall”.

9 (b) PLACEMENTS IN CONGRESS.—Such section is
10 further amended—

11 (1) in the first sentence, by striking “The Sec-
12 retary” and inserting the following:

13 “(1) IN GENERAL.—The Secretary”; and

14 (2) in paragraph (1), as designated by para-
15 graph (1), in the second sentence, by striking “A fel-
16 lowship” and inserting the following:

17 “(2) PLACEMENT PRIORITIES.—

18 “(A) IN GENERAL.—In each year in which
19 the Secretary awards a legislative fellowship
20 under this subsection, when considering the
21 placement of fellows, the Secretary shall
22 prioritize placement of fellows in the following:

23 “(i) Positions in offices of, or with
24 Members on, committees of Congress that

1 have jurisdiction over the National Oceanic
2 and Atmospheric Administration.

3 “(ii) Positions in offices of Members
4 of Congress that have a demonstrated in-
5 terest in ocean, coastal, or Great Lakes re-
6 sources.

7 “(B) EQUITABLE DISTRIBUTION.—In plac-
8 ing fellows in offices described in subparagraph
9 (A), the Secretary shall ensure that placements
10 are equitably distributed between—

11 “(i) the political parties; and

12 “(ii) the Senate and the House of
13 Representatives.

14 “(3) DURATION.—A fellowship”.

15 (c) ADMINISTRATIVE COSTS.—Section 208(c) (33
16 U.S.C. 1127(c)) is amended to read as follows:

17 “(c) RESTRICTION ON USE OF FUNDS.—

18 “(1) IN GENERAL.—Amounts available for fel-
19 lowships under this section, including amounts ac-
20 cepted under section 204(c)(4)(F) or appropriated
21 under section 212 to implement this section, shall be
22 used only for award of such fellowships and adminis-
23 trative costs of implementing this section.

24 “(2) LIMITATION ON ADMINISTRATIVE COSTS.—

25 Not more than 3 percent of amounts made available

1 for fellowships under subsection (b) may be used by
2 a sea grant college or sea grant institute for fringe
3 or other necessary costs of administering the fellow-
4 ships.

5 “(3) ALLOWABLE USES.—Amounts provided to
6 a fellow under subsection (b) may be used by the fel-
7 low for the costs of academic travel, including travel
8 costs relating to returning to the home institution of
9 higher education of the fellow to complete degree re-
10 quirements.”.

11 (d) EFFECTIVE DATE.—The amendments made by
12 this section shall apply with respect to the first calendar
13 year beginning after the date of the enactment of this Act.

14 (e) SENSE OF CONGRESS CONCERNING FEDERAL
15 HIRING OF FORMER FELLOWS.—It is the sense of Con-
16 gress that in recognition of the competitive nature of the
17 fellowship under section 208(b) of the National Sea Grant
18 College Program Act (33 U.S.C. 1127(b)), and of the ex-
19 ceptional qualifications of fellowship awardees—

20 (1) the Secretary of Commerce, acting through
21 the Under Secretary of Commerce for Oceans and
22 Atmosphere, should encourage participating Federal
23 agencies to consider opportunities for fellowship
24 awardees at the conclusion of their fellowships for

1 workforce positions appropriate for their education
2 and experience; and

3 (2) Members and committees of Congress
4 should consider opportunities for such awardees for
5 such positions.

6 **SEC. 4. MODIFICATION OF AUTHORITY OF SECRETARY OF**
7 **COMMERCE TO ACCEPT DONATIONS FOR NA-**
8 **TIONAL SEA GRANT COLLEGE PROGRAM.**

9 (a) IN GENERAL.—Section 204(c)(4)(E) (33 U.S.C.
10 1123(c)(4)(E)) is amended to read as follows:

11 “(E) accept donations of money and, not-
12 withstanding section 1342 of title 31, United
13 States Code, of voluntary and uncompensated
14 services;”.

15 (b) PRIORITIES.—The Secretary of Commerce, acting
16 through the Under Secretary of Commerce for Oceans and
17 Atmosphere, shall establish priorities for the use of dona-
18 tions accepted under section 204(c)(4)(E) of the National
19 Sea Grant College Program Act (33 U.S.C.
20 1123(c)(4)(E)), and shall consider among those priorities
21 the possibility of expanding the Dean John A. Knauss Ma-
22 rine Policy Fellowship’s placement of additional fellows in
23 relevant legislative offices under section 208(b) of that Act
24 (33 U.S.C. 1127(b)), in accordance with the recommenda-
25 tions under subsection (c) of this section.

1 (c) REPORT.—Not later than 180 days after the date
2 of the enactment of this Act, the Director of the National
3 Sea Grant College Program, in consultation with the Na-
4 tional Sea Grant Advisory Board and the Sea Grant Asso-
5 ciation, shall—

6 (1) develop recommendations for the optimal
7 use of any donations accepted under section
8 204(c)(4)(E) of the National Sea Grant College Pro-
9 gram Act (33 U.S.C. 1123(c)(4)(E)); and

10 (2) submit to Congress a report on the rec-
11 ommendations developed under paragraph (1).

12 (d) CONSTRUCTION.—Nothing in this section shall be
13 construed to limit or otherwise affect any other amounts
14 available for marine policy fellowships under section
15 208(b) of the National Sea Grant College Program Act
16 (33 U.S.C. 1127(b)), including amounts—

17 (1) accepted under section 204(c)(4)(F) of that
18 Act (33 U.S.C. 1123(c)(4)(F)); or

19 (2) appropriated pursuant to the authorization
20 of appropriations under section 212 of that Act (33
21 U.S.C. 1131).

1 **SEC. 5. REDUCTION IN FREQUENCY REQUIRED FOR NA-**
2 **TIONAL SEA GRANT ADVISORY BOARD RE-**
3 **PORT.**

4 Section 209(b)(2) (33 U.S.C. 1128(b)(2)) is amend-
5 ed—

6 (1) in the paragraph heading, by striking “Bi-
7 ENNIAL” and inserting “PERIODIC”;

8 (2) by striking the first sentence and inserting
9 the following: “The Board shall report to Congress
10 at least once every four years on the state of the na-
11 tional sea grant college program and shall notify
12 Congress of any significant changes to the state of
13 the program not later than two years after the sub-
14 mission of such a report.”; and

15 (3) in the second sentence, by adding before the
16 end period the following: “and provide a summary of
17 research conducted under the program”.

18 **SEC. 6. MODIFICATION OF ELEMENTS OF NATIONAL SEA**
19 **GRANT COLLEGE PROGRAM.**

20 Section 204(b) (33 U.S.C. 1123(b)) is amended, in
21 the matter preceding paragraph (1), by inserting “for re-
22 search, education, extension, training, technology transfer,
23 and public service” after “financial assistance”.

24 **SEC. 7. DESIGNATION OF NEW NATIONAL SEA GRANT COL-**
25 **LEGES AND SEA GRANT INSTITUTES.**

26 Section 207(b) (33 U.S.C. 1126(b)) is amended—

1 (1) in the subsection heading, by striking “EX-
2 EXISTING DESIGNEES” and inserting “ADDITIONAL
3 DESIGNATIONS”; and

4 (2) by striking “Any institution” and inserting
5 the following:

6 “(1) NOTIFICATION TO CONGRESS OF DESIGNA-
7 TIONS.—

8 “(A) IN GENERAL.—Not less than 30 days
9 before designating an institution, or an associa-
10 tion or alliance of two or more such institu-
11 tions, as a sea grant college or sea grant insti-
12 tute under subsection (a), the Secretary shall
13 notify Congress in writing of the proposed des-
14 ignation. The notification shall include an eval-
15 uation and justification for the designation.

16 “(B) EFFECT OF JOINT RESOLUTION OF
17 DISAPPROVAL.—The Secretary may not des-
18 ignate an institution, or an association or alli-
19 ance of two or more such institutions, as a sea
20 grant college or sea grant institute under sub-
21 section (a) if, before the end of the 30-day pe-
22 riod described in subparagraph (A), a joint res-
23 olution disapproving the designation is enacted.

24 “(2) EXISTING DESIGNEES.—Any institution”.

1 **SEC. 8. DIRECT HIRE AUTHORITY; DEAN JOHN A. KNAUSS**
2 **MARINE POLICY FELLOWSHIP.**

3 (a) IN GENERAL.—During fiscal year 2019 and any
4 fiscal year thereafter, the head of any Federal agency may
5 appoint, without regard to the provisions of subchapter I
6 of chapter 33 of title 5, United States Code, other than
7 sections 3303 and 3328 of that title, a qualified candidate
8 described in subsection (b) directly to a position with the
9 Federal agency for which the candidate meets Office of
10 Personnel Management qualification standards.

11 (b) DEAN JOHN A. KNAUSS MARINE POLICY FEL-
12 LOWSHIP.—Subsection (a) applies with respect to a
13 former recipient of a Dean John A. Knauss Marine Policy
14 Fellowship under section 208(b) of the National Sea
15 Grant College Program Act (33 U.S.C. 1127(b)) who—

16 (1) earned a graduate or post-graduate degree
17 in a field related to ocean, coastal, and Great Lakes
18 resources or policy from an accredited institution of
19 higher education; and

20 (2) successfully fulfilled the requirements of the
21 fellowship within the executive or legislative branch
22 of the United States Government.

23 (c) LIMITATION.—The direct hire authority under
24 this section shall be exercised with respect to a specific
25 qualified candidate not later than 2 years after the date

1 that the candidate completed the fellowship described in
2 subsection (b).

3 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS FOR NA-**
4 **TIONAL SEA GRANT COLLEGE PROGRAM.**

5 (a) IN GENERAL.—Section 212(a) (33 U.S.C.
6 1131(a)) is amended—

7 (1) by amending paragraph (1) to read as fol-
8 lows:

9 “(1) IN GENERAL.—There are authorized to be
10 appropriated to the Secretary to carry out this
11 title—

12 “(A) \$83,350,000 for fiscal year 2019;

13 “(B) \$87,520,000 for fiscal year 2020;

14 “(C) \$91,900,000 for fiscal year 2021;

15 “(D) \$96,500,000 for fiscal year 2022;

16 “(E) \$101,325,000 for fiscal year 2023;

17 and

18 “(F) \$111,710,813 for fiscal year 2024.”;

19 and

20 (2) by amending paragraph (2) to read as fol-
21 lows:

22 “(2) PRIORITY ACTIVITIES FOR FISCAL YEARS
23 2019 THROUGH 2024.—In addition to the amounts
24 authorized to be appropriated under paragraph (1),
25 there are authorized to be appropriated \$6,000,000

1 for each of fiscal years 2019 through 2024 for com-
2 petitive grants for the following:

3 “(A) University research on the biology,
4 prevention, and control of aquatic nonnative
5 species.

6 “(B) University research on oyster dis-
7 eases, oyster restoration, and oyster-related
8 human health risks.

9 “(C) University research on the biology,
10 prevention, and forecasting of harmful algal
11 blooms.

12 “(D) University research, education, train-
13 ing, and extension services and activities fo-
14 cused on coastal resilience and United States
15 working waterfronts and other regional or na-
16 tional priority issues identified in the strategic
17 plan under section 204(c)(1).

18 “(E) University research and extension on
19 sustainable aquaculture techniques and tech-
20 nologies.

21 “(F) Fishery research and extension activi-
22 ties conducted by sea grant colleges or sea
23 grant institutes to enhance, and not supplant,
24 existing core program funding.”.

1 (b) MODIFICATION OF LIMITATIONS ON AMOUNTS
2 FOR ADMINISTRATION.—Paragraph (1) of section 212(b)
3 (33 U.S.C. 1131(b)) is amended to read as follows:

4 “(1) ADMINISTRATION.—

5 “(A) IN GENERAL.—There may not be
6 used for administration of programs under this
7 title in a fiscal year more than 5.5 percent of
8 the lesser of—

9 “(i) the amount authorized to be ap-
10 propriated under this title for the fiscal
11 year; or

12 “(ii) the amount appropriated under
13 this title for the fiscal year.

14 “(B) CRITICAL STAFFING REQUIRE-
15 MENTS.—

16 “(i) IN GENERAL.—The Director shall
17 use the authority under subchapter VI of
18 chapter 33 of title 5, United States Code,
19 and under section 210 of this title, to meet
20 any critical staffing requirement while car-
21 rying out the activities authorized under
22 this title.

23 “(ii) EXCEPTION FROM CAP.—For
24 purposes of subparagraph (A), any costs
25 incurred as a result of an exercise of au-

1 thority as described in clause (i) shall not
2 be considered an amount used for adminis-
3 tration of programs under this title in a
4 fiscal year.”.

5 (c) ALLOCATION OF FUNDING.—

6 (1) IN GENERAL.—Section 204(d)(3) (33
7 U.S.C. 1123(d)(3)) is amended—

8 (A) in the matter preceding subparagraph
9 (A), by striking “With respect to sea grant col-
10 leges and sea grant institutes” and inserting
11 “With respect to sea grant colleges, sea grant
12 institutes, sea grant programs, and sea grant
13 projects”; and

14 (B) in subparagraph (B), in the matter
15 preceding clause (i), by striking “funding
16 among sea grant colleges and sea grant insti-
17 tutes” and inserting “funding among sea grant
18 colleges, sea grant institutes, sea grant pro-
19 grams, and sea grant projects”.

20 (2) REPEAL OF REQUIREMENTS CONCERNING
21 DISTRIBUTION OF EXCESS AMOUNTS.—Section 212
22 (33 U.S.C. 1131) is amended—

23 (A) by striking subsection (c); and

24 (B) by redesignating subsections (d) and
25 (e) as subsections (c) and (d), respectively.

1 **SEC. 10. REPEAL OF REQUIREMENT FOR REPORT ON CO-**
2 **ORDINATION OF OCEANS AND COASTAL RE-**
3 **SEARCH ACTIVITIES.**

4 Section 9 of the National Sea Grant College Program
5 Act Amendments of 2002 (33 U.S.C. 857–20) is repealed.

6 **SEC. 11. TECHNICAL CORRECTIONS.**

7 The National Sea Grant College Program Act (33
8 U.S.C. 1121 et seq.) is amended—

9 (1) in section 204(d)(3)(B) (33 U.S.C.
10 1123(d)(3)(B)), by moving clause (vi) 2 ems to the
11 right; and

12 (2) in section 209(b)(2) (33 U.S.C.
13 1128(b)(2)), as amended by section 5, in the third
14 sentence, by striking “The Secretary shall” and in-
15 serting the following:

16 “(3) AVAILABILITY OF RESOURCES OF DEPART-
17 MENT OF COMMERCE.—The Secretary shall”.