

**Suspend the Rules and Pass the Bill, S. 910, With an Amendment**  
**(The amendment strikes all after the enacting clause and inserts a new text)**

116TH CONGRESS  
1ST SESSION

# S. 910

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

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IN THE HOUSE OF REPRESENTATIVES

MARCH 27, 2019

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## 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 2020”.

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

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

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

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

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

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

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

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

18 “(2) PLACEMENT PRIORITIES.—

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

24 “(i) Positions in offices of, or with  
25 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 among the political  
11          parties.

12          “(3) DURATION.—A fellowship”.

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

16          (d) SENSE OF CONGRESS CONCERNING FEDERAL  
17          HIRING OF FORMER FELLOWS.—It is the sense of Con-  
18          gress that in recognition of the competitive nature of the  
19          fellowship under section 208(b) of the National Sea Grant  
20          College Program Act (33 U.S.C. 1127(b)), and of the ex-  
21          ceptional qualifications of fellowship awardees, the Sec-  
22          retary of Commerce, acting through the Under Secretary  
23          of Commerce for Oceans and Atmosphere, should encour-  
24          age participating Federal agencies to consider opportuni-  
25          ties for fellowship awardees at the conclusion of their fel-

1 lowships for workforce positions appropriate for their edu-  
2 cation and experience.

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

6 (a) IN GENERAL.—Section 204(c)(4)(E) (33 U.S.C.  
7 1123(c)(4)(E)) is amended to read as follows:

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

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

23 (c) REPORT.—Not later than 180 days after the date  
24 of the enactment of this Act, the Director of the National  
25 Sea Grant College Program, in consultation with the Na-

1 tional Sea Grant Advisory Board and the Sea Grant Asso-  
2 ciation, shall—

3 (1) develop recommendations for the optimal  
4 use of any donations accepted under section  
5 204(c)(4)(E) of the National Sea Grant College Pro-  
6 gram Act (33 U.S.C. 1123(c)(4)(E)); and

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

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

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

16 (2) appropriated pursuant to the authorization  
17 of appropriations under section 212 of that Act (33  
18 U.S.C. 1131).

19 **SEC. 5. REDUCTION IN FREQUENCY REQUIRED FOR NA-**  
20 **TIONAL SEA GRANT ADVISORY BOARD RE-**  
21 **PORT.**

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

24 (1) in the paragraph heading, by striking “BI-  
25 ENNIAL” and inserting “PERIODIC”;

1           (2) by striking the first sentence and inserting  
2           the following: “The Board shall report to Congress  
3           at least once every four years on the state of the na-  
4           tional sea grant college program and shall notify  
5           Congress of any significant changes to the state of  
6           the program not later than two years after the sub-  
7           mission of such a report.”; and

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

11 **SEC. 6. MODIFICATION OF ELEMENTS OF NATIONAL SEA**  
12 **GRANT COLLEGE PROGRAM.**

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

17 **SEC. 7. DESIGNATION OF NEW NATIONAL SEA GRANT COL-**  
18 **LEGES AND SEA GRANT INSTITUTES.**

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

20                 (1) in the subsection heading, by striking “EX-  
21                 ISTING DESIGNEES” and inserting “ADDITIONAL  
22                 DESIGNATIONS”; and

23                 (2) by striking “Any institution” and inserting  
24                 the following:

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

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

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

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

20   **SEC. 8. DIRECT HIRE AUTHORITY; DEAN JOHN A. KNAUSS**  
21                           **MARINE POLICY FELLOWSHIP.**

22          (a) IN GENERAL.—During fiscal year 2021 and any  
23          fiscal year thereafter, the head of any Federal agency may  
24          appoint, without regard to the provisions of subchapter I  
25          of chapter 33 of title 5, United States Code, other than

1 sections 3303 and 3328 of that title, a qualified candidate  
2 described in subsection (b) directly to a position with the  
3 Federal agency for which the candidate meets Office of  
4 Personnel Management qualification standards.

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

10 (1) earned a graduate or post-graduate degree  
11 in a field related to ocean, coastal, and Great Lakes  
12 resources or policy from an accredited institution of  
13 higher education; and

14 (2) successfully fulfilled the requirements of the  
15 fellowship within the executive or legislative branch  
16 of the United States Government.

17 (c) LIMITATION.—The direct hire authority under  
18 this section shall be exercised with respect to a specific  
19 qualified candidate not later than 2 years after the date  
20 that the candidate completed the fellowship described in  
21 subsection (b).

22 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS FOR NA-**  
23 **TIONAL SEA GRANT COLLEGE PROGRAM.**

24 (a) IN GENERAL.—Section 212(a) (33 U.S.C.  
25 1131(a)) is amended—

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

3           “(1) IN GENERAL.—There are authorized to be  
4           appropriated to the Secretary to carry out this  
5           title—

6                   “(A) \$87,520,000 for fiscal year 2021;

7                   “(B) \$91,900,000 for fiscal year 2022;

8                   “(C) \$96,500,000 for fiscal year 2023;

9                   “(D) \$101,325,000 for fiscal year 2024;

10           and

11                   “(E) \$105,700,000 for fiscal year 2025.”;

12           and

13           (2) by amending paragraph (2) to read as fol-  
14           lows:

15           “(2) PRIORITY ACTIVITIES FOR FISCAL YEARS  
16           2021 THROUGH 2025.—In addition to the amounts  
17           authorized to be appropriated under paragraph (1),  
18           there are authorized to be appropriated \$6,000,000  
19           for each of fiscal years 2021 through 2025 for com-  
20           petitive grants for the following:

21                   “(A) University research on the biology,  
22                   prevention, and control of aquatic nonnative  
23                   species.

1           “(B) University research on oyster dis-  
2           eases, oyster restoration, and oyster-related  
3           human health risks.

4           “(C) University research on the biology,  
5           prevention, and forecasting of harmful algal  
6           blooms.

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

13          “(E) University research and extension on  
14          sustainable aquaculture techniques and tech-  
15          nologies.

16          “(F) Fishery research and extension activi-  
17          ties conducted by sea grant colleges or sea  
18          grant institutes to enhance, and not supplant,  
19          existing core program funding.”.

20          (b) MODIFICATION OF LIMITATIONS ON AMOUNTS  
21          FOR ADMINISTRATION.—Paragraph (1) of section 212(b)  
22          (33 U.S.C. 1131(b)) is amended to read as follows:

23                 “(1) ADMINISTRATION.—

24                 “(A) IN GENERAL.—There may not be  
25                 used for administration of programs under this

1 title in a fiscal year more than 5.5 percent of  
2 the lesser of—

3 “(i) the amount authorized to be ap-  
4 propriated under this title for the fiscal  
5 year; or

6 “(ii) the amount appropriated under  
7 this title for the fiscal year.

8 “(B) CRITICAL STAFFING REQUIRE-  
9 MENTS.—

10 “(i) IN GENERAL.—The Director shall  
11 use the authority under subchapter VI of  
12 chapter 33 of title 5, United States Code,  
13 and under section 210 of this title, to meet  
14 any critical staffing requirement while car-  
15 rying out the activities authorized under  
16 this title.

17 “(ii) EXCEPTION FROM CAP.—For  
18 purposes of subparagraph (A), any costs  
19 incurred as a result of an exercise of au-  
20 thority as described in clause (i) shall not  
21 be considered an amount used for adminis-  
22 tration of programs under this title in a  
23 fiscal year.”.

24 (c) ALLOCATION OF FUNDING.—

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

3           (A) in the matter preceding subparagraph  
4 (A), by striking “With respect to sea grant col-  
5 leges and sea grant institutes” and inserting  
6 “With respect to sea grant colleges, sea grant  
7 institutes, sea grant programs, and sea grant  
8 projects”; and

9           (B) in subparagraph (B), in the matter  
10 preceding clause (i), by striking “funding  
11 among sea grant colleges and sea grant insti-  
12 tutes” and inserting “funding among sea grant  
13 colleges, sea grant institutes, sea grant pro-  
14 grams, and sea grant projects”.

15           (2) REPEAL OF REQUIREMENTS CONCERNING  
16 DISTRIBUTION OF EXCESS AMOUNTS.—Section 212  
17 (33 U.S.C. 1131) is amended—

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

19           (B) by redesignating subsections (d) and  
20 (e) as subsections (c) and (d), respectively.

21 **SEC. 10. REPEAL OF REQUIREMENT FOR REPORT ON CO-**  
22 **ORDINATION OF OCEANS AND COASTAL RE-**  
23 **SEARCH ACTIVITIES.**

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

1 **SEC. 11. TECHNICAL CORRECTIONS.**

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

4 (1) in section 204(d)(3)(B) (33 U.S.C.  
5 1123(d)(3)(B)), by moving clause (vi) 2 ems to the  
6 right; and

7 (2) in section 209(b)(2) (33 U.S.C.  
8 1128(b)(2)), as amended by section 5, in the third  
9 sentence, by striking “The Secretary shall” and in-  
10 serting the following:

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