

## Calendar No. 426

116TH CONGRESS  
2D SESSION

# S. 910

[Report No. 116–216]

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

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### IN THE SENATE OF THE UNITED STATES

MARCH 27, 2019

Mr. WICKER (for himself, Mr. SCHATZ, Ms. CANTWELL, Mr. SULLIVAN, and  
Ms. MURKOWSKI) introduced the following bill; which was read twice and  
referred to the Committee on Commerce, Science, and Transportation

FEBRUARY 13, 2020

Reported by Mr. WICKER, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

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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 2019”.

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

3 Except as otherwise expressly provided, wherever in  
 4 this Act an amendment or repeal is expressed in terms  
 5 of an amendment to, or repeal of, a section or other provi-  
 6 sion, the reference shall be considered to be made to a  
 7 section or other provision of the National Sea Grant Col-  
 8 lege Program Act (33 U.S.C. 1121 et seq.).

9 **SEC. 3. MODIFICATION OF DEAN JOHN A. KNAUSS MARINE**  
 10 **POLICY FELLOWSHIP.**

11 (a) IN GENERAL.—Section 208(b) (33 U.S.C.  
 12 1127(b)) is amended by striking “may” and inserting  
 13 “shall”.

14 (b) PLACEMENTS IN CONGRESS.—Such section is  
 15 further amended—

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

18 “(1) IN GENERAL.—The Secretary”, and

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

22 “(2) PLACEMENT PRIORITIES.—

23 “(A) IN GENERAL.—In each year in which  
 24 the Secretary awards a legislative fellowship  
 25 under this subsection, when considering the

placement of fellows; the Secretary shall  
prioritize placement of fellows in the following:

“(i) Positions in offices of, or with  
Members on, committees of Congress that  
have jurisdiction over the National Oceanic  
and Atmospheric Administration.

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

“(B) **EQUITABLE DISTRIBUTION.**—In plac-  
ing fellows in offices described in subparagraph  
(A), the Secretary shall ensure that placements  
are equitably distributed among the political  
parties.

“(3) **DURATION.**—A fellowship”.

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

“(e) **RESTRICTION ON USE OF FUNDS.**—

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

1           ~~“(2) LIMITATION ON ADMINISTRATIVE COSTS.—~~

2           ~~Not more than 3 percent of amounts made available~~  
 3           ~~for fellowships under subsection (b) may be used by~~  
 4           ~~a sea grant college or sea grant institute for fringe~~  
 5           ~~or other necessary costs of administering the fellow-~~  
 6           ~~ships.~~

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

13           ~~(d) 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           ~~(e) 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(e)(4)(E) of the National Sea Grant College Pro-  
 6 gram Act (~~33 U.S.C. 1123(e)(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(e)(4)(F) of that  
 15 Act (~~33 U.S.C. 1123(e)(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 2019 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 FELLOWSHIP.~~—Subsection (a) applies with respect to a  
 6  
 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 2020;~~

7                     ~~“(B) \$91,900,000 for fiscal year 2021;~~

8                     ~~“(C) \$96,500,000 for fiscal year 2022;~~

9                     ~~“(D) \$101,325,000 for fiscal year 2023;~~

10                    ~~“(E) \$111,710,813 for fiscal year 2024;~~

11                    and

12                    ~~“(F) \$117,296,353 for fiscal year 2025.”;~~

13                    and

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

16           ~~“(2) PRIORITY ACTIVITIES FOR FISCAL YEARS~~  
17       ~~2020 THROUGH 2025.—~~In addition to the amounts  
18       authorized to be appropriated under paragraph (1),  
19       there are authorized to be appropriated \$6,000,000  
20       for each of fiscal years 2020 through 2025 for com-  
21       petitive grants for the following:

22                    ~~“(A) University research on the biology,~~  
23                    prevention, and control of aquatic nonnative  
24                    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(e)(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 ear-  
 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          (c) 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”.

13 **SECTION 1. SHORT TITLE.**

14 *This Act may be cited as the “National Sea Grant Col-  
15 lege Program Amendments Act of 2019”.*

16 **SEC. 2. REFERENCES TO THE NATIONAL SEA GRANT COL-  
17 LEGE PROGRAM ACT.**

18 *Except as otherwise expressly provided, wherever in  
19 this Act an amendment or repeal is expressed in terms of  
20 an amendment to, or repeal of, a section or other provision,  
21 the reference shall be considered to be made to a section or  
22 other provision of the National Sea Grant College Program  
23 Act (33 U.S.C. 1121 et seq.).*

1 **SEC. 3. MODIFICATION OF DEAN JOHN A. KNAUSS MARINE**  
 2 **POLICY FELLOWSHIP.**

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

5 (b) *PLACEMENTS IN CONGRESS.*—Such section is fur-  
 6 *ther amended—*

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

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

10 (2) *in paragraph (1), as designated by para-*  
 11 *graph (1), in the second sentence, by striking “A fel-*  
 12 *lowship” and inserting the following:*

13 “(2) *PLACEMENT PRIORITIES.*—

14 “(A) *IN GENERAL.*—*In each year in which*  
 15 *the Secretary awards a legislative fellowship*  
 16 *under this subsection, when considering the*  
 17 *placement of fellows, the Secretary shall*  
 18 *prioritize placement of fellows in the following:*

19 “(i) *Positions in offices of, or with*  
 20 *Members on, committees of Congress that*  
 21 *have jurisdiction over the National Oceanic*  
 22 *and Atmospheric Administration.*

23 “(ii) *Positions in offices of Members of*  
 24 *Congress that have a demonstrated interest*  
 25 *in ocean, coastal, or Great Lakes resources.*

1                   “(B) *EQUITABLE DISTRIBUTION.*—In plac-  
 2                   ing fellows in offices described in subparagraph  
 3                   (A), the Secretary shall ensure that placements  
 4                   are equitably distributed among the political  
 5                   parties.

6                   “(3) *DURATION.*—A fellowship”.

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

9                   “(c) *RESTRICTION ON USE OF FUNDS.*—

10                   “(1) *IN GENERAL.*—Amounts available for fel-  
 11                   lowships under this section, including amounts ac-  
 12                   cepted under section 204(c)(4)(F) or appropriated  
 13                   under section 212 to implement this section, shall be  
 14                   used only for award of such fellowships and adminis-  
 15                   trative costs of implementing this section.

16                   “(2) *LIMITATION ON ADMINISTRATIVE COSTS.*—  
 17                   Not more than 3 percent of amounts made available  
 18                   for fellowships under subsection (b) may be used by  
 19                   a sea grant college or sea grant institute for fringe or  
 20                   other necessary costs of administering the fellowships.

21                   “(3) *ALLOWABLE USES.*—Amounts provided to a  
 22                   fellow under subsection (b) may be used by the fellow  
 23                   for the costs of academic travel, including travel costs  
 24                   relating to returning to the home institution of higher

1        *education of the fellow to complete degree require-*  
 2        *ments.”.*

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

6        *(e) SENSE OF CONGRESS CONCERNING FEDERAL HIR-*  
 7        *ING OF FORMER FELLOWS.—It is the sense of Congress that*  
 8        *in recognition of the competitive nature of the fellowship*  
 9        *under section 208(b) of the National Sea Grant College Pro-*  
 10       *gram Act (33 U.S.C. 1127(b)), and of the exceptional quali-*  
 11       *fications of fellowship awardees, the Secretary of Commerce,*  
 12       *acting through the Under Secretary of Commerce for Oceans*  
 13       *and Atmosphere, should encourage participating Federal*  
 14       *agencies to consider opportunities for fellowship awardees*  
 15       *at the conclusion of their fellowships for workforce positions*  
 16       *appropriate for their education and experience.*

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

20        *(a) IN GENERAL.—Section 204(c)(4)(E) (33 U.S.C.*  
 21        *1123(c)(4)(E)) is amended to read as follows:*

22                                *“(E) accept donations of money and, not-*  
 23                                *withstanding section 1342 of title 31, United*  
 24                                *States Code, of voluntary and uncompensated*  
 25                                *services;”.*

1       (b) *PRIORITIES.*—*The Secretary of Commerce, acting*  
 2 *through the Under Secretary of Commerce for Oceans and*  
 3 *Atmosphere, shall establish priorities for the use of dona-*  
 4 *tions accepted under section 204(c)(4)(E) of the National*  
 5 *Sea Grant College Program Act (33 U.S.C. 1123(c)(4)(E)),*  
 6 *and shall consider among those priorities the possibility of*  
 7 *expanding the Dean John A. Knauss Marine Policy Fellow-*  
 8 *ship’s placement of additional fellows in relevant legislative*  
 9 *offices under section 208(b) of that Act (33 U.S.C. 1127(b)),*  
 10 *in accordance with the recommendations under subsection*  
 11 *(c) of this section.*

12       (c) *REPORT.*—*Not later than 180 days after the date*  
 13 *of the enactment of this Act, the Director of the National*  
 14 *Sea Grant College Program, in consultation with the Na-*  
 15 *tional Sea Grant Advisory Board and the Sea Grant Asso-*  
 16 *ciation, shall—*

17               (1) *develop recommendations for the optimal use*  
 18               *of any donations accepted under section 204(c)(4)(E)*  
 19               *of the National Sea Grant College Program Act (33*  
 20               *U.S.C. 1123(c)(4)(E)); and*

21               (2) *submit to Congress a report on the rec-*  
 22               *ommendations developed under paragraph (1).*

23       (d) *CONSTRUCTION.*—*Nothing in this section shall be*  
 24 *construed to limit or otherwise affect any other amounts*  
 25 *available for marine policy fellowships under section 208(b)*

1 *of the National Sea Grant College Program Act (33 U.S.C.*  
 2 *1127(b)), including amounts—*

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

5 *(2) appropriated pursuant to the authorization*  
 6 *of appropriations under section 212 of that Act (33*  
 7 *U.S.C. 1131).*

8 **SEC. 5. REDUCTION IN FREQUENCY REQUIRED FOR NA-**  
 9 **TIONAL SEA GRANT ADVISORY BOARD RE-**  
 10 **PORT.**

11 *Section 209(b)(2) (33 U.S.C. 1128(b)(2)) is amend-*  
 12 *ed—*

13 *(1) in the paragraph heading, by striking “BI-*  
 14 *ENNIAL” and inserting “PERIODIC”;*

15 *(2) by striking the first sentence and inserting*  
 16 *the following: “The Board shall report to Congress at*  
 17 *least once every four years on the state of the national*  
 18 *sea grant college program and shall notify Congress*  
 19 *of any significant changes to the state of the program*  
 20 *not later than two years after the submission of such*  
 21 *a report.”; and*

22 *(3) in the second sentence, by adding before the*  
 23 *end period the following: “and provide a summary of*  
 24 *research conducted under the program”.*

1 **SEC. 6. MODIFICATION OF ELEMENTS OF NATIONAL SEA**  
 2 **GRANT COLLEGE PROGRAM.**

3 *Section 204(b) (33 U.S.C. 1123(b)) is amended, in the*  
 4 *matter preceding paragraph (1), by inserting “for research,*  
 5 *education, extension, training, technology transfer, and*  
 6 *public service” after “financial assistance”.*

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

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

10 *(1) in the subsection heading, by striking “EX-*  
 11 *ISTING DESIGNEES” and inserting “ADDITIONAL*  
 12 *DESIGNATIONS”; and*

13 *(2) by striking “Any institution” and inserting*  
 14 *the following:*

15 *“(1) NOTIFICATION TO CONGRESS OF DESIGNA-*  
 16 *TIONS.—*

17 *“(A) IN GENERAL.—Not less than 30 days*  
 18 *before designating an institution, or an associa-*  
 19 *tion or alliance of two or more such institutions,*  
 20 *as a sea grant college or sea grant institute*  
 21 *under subsection (a), the Secretary shall notify*  
 22 *Congress in writing of the proposed designation.*  
 23 *The notification shall include an evaluation and*  
 24 *justification for the designation.*

25 *“(B) EFFECT OF JOINT RESOLUTION OF*  
 26 *DISAPPROVAL.—The Secretary may not designate*

an institution, or an association or alliance of two or more such institutions, as a sea grant college or sea grant institute under subsection (a) if, before the end of the 30-day period described in subparagraph (A), a joint resolution disapproving the designation is enacted.

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

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

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

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

(1) earned a graduate or post-graduate degree in a field related to ocean, coastal, and Great Lakes re-

1        *sources or policy from an accredited institution of*  
 2        *higher education; and*

3                *(2) successfully fulfilled the requirements of the*  
 4        *fellowship within the executive or legislative branch of*  
 5        *the United States Government.*

6        *(c) LIMITATION.—The direct hire authority under this*  
 7        *section shall be exercised with respect to a specific qualified*  
 8        *candidate not later than 2 years after the date that the can-*  
 9        *didate completed the fellowship described in subsection (b).*

10    **SEC. 9. AUTHORIZATION OF APPROPRIATIONS FOR NA-**  
 11                **TIONAL SEA GRANT COLLEGE PROGRAM.**

12        *(a) IN GENERAL.—Section 212(a) (33 U.S.C. 1131(a))*  
 13        *is amended—*

14                *(1) by amending paragraph (1) to read as fol-*  
 15        *lows:*

16                *“(1) IN GENERAL.—There are authorized to be*  
 17        *appropriated to the Secretary to carry out this title—*

18                        *“(A) \$87,520,000 for fiscal year 2020;*

19                        *“(B) \$91,900,000 for fiscal year 2021;*

20                        *“(C) \$96,500,000 for fiscal year 2022;*

21                        *“(D) \$101,325,000 for fiscal year 2023; and*

22                        *“(E) \$105,700,000 for fiscal year 2024.”;*

23                *and*

24                *(2) by amending paragraph (2) to read as fol-*  
 25        *lows:*

1           “(2) *PRIORITY ACTIVITIES FOR FISCAL YEARS*  
 2           *2020 THROUGH 2024.*—*In addition to the amounts au-*  
 3           *thorized to be appropriated under paragraph (1),*  
 4           *there are authorized to be appropriated \$6,000,000 for*  
 5           *each of fiscal years 2020 through 2024 for competitive*  
 6           *grants for the following:*

7                   “(A) *University research on the biology,*  
 8                   *prevention, and control of aquatic nonnative spe-*  
 9                   *cies.*

10                   “(B) *University research on oyster diseases,*  
 11                   *oyster restoration, and oyster-related human*  
 12                   *health risks.*

13                   “(C) *University research on the biology,*  
 14                   *prevention, and forecasting of harmful algal*  
 15                   *blooms.*

16                   “(D) *University research, education, train-*  
 17                   *ing, and extension services and activities focused*  
 18                   *on coastal resilience and United States working*  
 19                   *waterfronts and other regional or national pri-*  
 20                   *ority issues identified in the strategic plan under*  
 21                   *section 204(c)(1).*

22                   “(E) *University research and extension on*  
 23                   *sustainable aquaculture techniques and tech-*  
 24                   *nologies.*

1           “(F) *Fishery research and extension activi-*  
 2           *ties conducted by sea grant colleges or sea grant*  
 3           *institutes to enhance, and not supplant, existing*  
 4           *core program funding.*”.

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

8           “(1) *ADMINISTRATION.—*

9           “(A) *IN GENERAL.—There may not be used*  
 10           *for administration of programs under this title*  
 11           *in a fiscal year more than 5.5 percent of the less-*  
 12           *er of—*

13           “(i) *the amount authorized to be ap-*  
 14           *propriated under this title for the fiscal*  
 15           *year; or*

16           “(ii) *the amount appropriated under*  
 17           *this title for the fiscal year.*

18           “(B) *CRITICAL STAFFING REQUIREMENTS.—*

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

1                   “(ii) *EXCEPTION FROM CAP.*—For pur-  
 2                   poses of subparagraph (A), any costs in-  
 3                   curred as a result of an exercise of authority  
 4                   as described in clause (i) shall not be con-  
 5                   sidered an amount used for administration  
 6                   of programs under this title in a fiscal  
 7                   year.”.

8                   (c) *ALLOCATION OF FUNDING.*—

9                   (1) *IN GENERAL.*—Section 204(d)(3) (33 U.S.C.  
 10                  1123(d)(3)) is amended—

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

17                  (B) in subparagraph (B), in the matter pre-  
 18                  ceding clause (i), by striking “funding among  
 19                  sea grant colleges and sea grant institutes” and  
 20                  inserting “funding among sea grant colleges, sea  
 21                  grant institutes, sea grant programs, and sea  
 22                  grant projects”.

23                  (2) *REPEAL OF REQUIREMENTS CONCERNING*  
 24                  *DISTRIBUTION OF EXCESS AMOUNTS.*—Section 212  
 25                  (33 U.S.C. 1131) is amended—

1                   (A) by striking subsection (c); and  
 2                   (B) by redesignating subsections (d) and (e)  
 3                   as subsections (c) and (d), respectively.

4 **SEC. 10. REPEAL OF REQUIREMENT FOR REPORT ON CO-**  
 5 **ORDINATION OF OCEANS AND COASTAL RE-**  
 6 **SEARCH ACTIVITIES.**

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

9 **SEC. 11. TECHNICAL CORRECTIONS.**

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

12               (1) in section 204(d)(3)(B) (33 U.S.C.  
 13 1123(d)(3)(B)), by moving clause (vi) 2 ems to the  
 14 right; and

15               (2) in section 209(b)(2) (33 U.S.C. 1128(b)(2)),  
 16 as amended by section 5, in the third sentence, by  
 17 striking “The Secretary shall” and inserting the fol-  
 18 lowing:

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



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116<sup>TH</sup> CONGRESS  
2<sup>D</sup> Session

**S. 910**

[Report No. 116-216]

**A BILL**

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

FEBRUARY 13, 2020  
Reported with an amendment