

116TH CONGRESS
2D SESSION

S. 910

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “National Sea Grant
3 College Program Amendments Act of 2020”.

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

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

12 **SEC. 3. MODIFICATION OF DEAN JOHN A. KNAUSS MARINE**
13 **POLICY FELLOWSHIP.**

14 (a) IN GENERAL.—Section 208(b) (33 U.S.C.
15 1127(b)) is amended by striking “may” and inserting
16 “shall”.

17 (b) PLACEMENTS IN CONGRESS.—Such section is
18 further amended—

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

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

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

25 “(2) PLACEMENT PRIORITIES.—

1 “(A) IN GENERAL.—In each year in which
 2 the Secretary awards a legislative fellowship
 3 under this subsection, when considering the
 4 placement of fellows, the Secretary shall
 5 prioritize placement of fellows in the following:

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

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

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

19 “(3) DURATION.—A fellowship”.

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

23 (d) SENSE OF CONGRESS CONCERNING FEDERAL
 24 HIRING OF FORMER FELLOWS.—It is the sense of Con-
 25 gress that in recognition of the competitive nature of the

1 fellowship under section 208(b) of the National Sea Grant
 2 College Program Act (33 U.S.C. 1127(b)), and of the ex-
 3 ceptional qualifications of fellowship awardees, the Sec-
 4 retary of Commerce, acting through the Under Secretary
 5 of Commerce for Oceans and Atmosphere, should encour-
 6 age participating Federal agencies to consider opportuni-
 7 ties for fellowship awardees at the conclusion of their fel-
 8 lowships for workforce positions appropriate for their edu-
 9 cation and experience.

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

13 (a) IN GENERAL.—Section 204(c)(4)(E) (33 U.S.C.
 14 1123(c)(4)(E)) is amended to read as follows:

15 “(E) accept donations of money and, not-
 16 withstanding section 1342 of title 31, United
 17 States Code, of voluntary and uncompensated
 18 services;”.

19 (b) PRIORITIES.—The Secretary of Commerce, acting
 20 through the Under Secretary of Commerce for Oceans and
 21 Atmosphere, shall establish priorities for the use of dona-
 22 tions accepted under section 204(c)(4)(E) of the National
 23 Sea Grant College Program Act (33 U.S.C.
 24 1123(c)(4)(E)), and shall consider among those priorities
 25 the possibility of expanding the Dean John A. Knauss Ma-

1 rine Policy Fellowship’s placement of additional fellows in
 2 relevant legislative offices under section 208(b) of that Act
 3 (33 U.S.C. 1127(b)), in accordance with the recommenda-
 4 tions under subsection (c) of this section.

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

10 (1) develop recommendations for the optimal
 11 use of any donations accepted under section
 12 204(c)(4)(E) of the National Sea Grant College Pro-
 13 gram Act (33 U.S.C. 1123(c)(4)(E)); and

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

16 (d) CONSTRUCTION.—Nothing in this section shall be
 17 construed to limit or otherwise affect any other amounts
 18 available for marine policy fellowships under section
 19 208(b) of the National Sea Grant College Program Act
 20 (33 U.S.C. 1127(b)), including amounts—

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

23 (2) appropriated pursuant to the authorization
 24 of appropriations under section 212 of that Act (33
 25 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 ISTING 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) \$87,520,000 for fiscal year 2020;

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

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

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

16 and

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

18 and

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

21 “(2) PRIORITY ACTIVITIES FOR FISCAL YEARS
 22 2020 THROUGH 2024.—In addition to the amounts
 23 authorized to be appropriated under paragraph (1),
 24 there are authorized to be appropriated \$6,000,000

1 for each of fiscal years 2020 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”.

Passed the Senate September 30 (legislative day,
 September 29), 2020.

Attest:

Secretary.

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