

In the House of Representatives, U. S.,

November 16, 2020.

Resolved, That the bill from the Senate (S. 910) entitled “An Act to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “National Sea Grant Col-*
3 *lege 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 of*
8 *an amendment to, or repeal of, a section or other provision,*
9 *the reference shall be considered to be made to a section or*
10 *other provision of the National Sea Grant College Program*
11 *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. 1127(b))*
15 *is amended by striking “may” and inserting “shall”.*

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

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

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

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

9 “(2) *PLACEMENT PRIORITIES.*—

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

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

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

22 “(B) *EQUITABLE DISTRIBUTION.*—*In plac-*
 23 *ing fellows in offices described in subparagraph*
 24 *(A), the Secretary shall ensure that placements*

1 *are equitably distributed among the political*
 2 *parties.*

3 “(3) *DURATION.—A fellowship*”.

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

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

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

21 *(a) IN GENERAL.—Section 204(c)(4)(E) (33 U.S.C.*
 22 *1123(c)(4)(E)) is amended to read as follows:*

23 *“(E) accept donations of money and, not-*
 24 *withstanding section 1342 of title 31, United*

1 *States Code, of voluntary and uncompensated*
 2 *services;”.*

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

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

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

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

1 (d) *CONSTRUCTION.*—*Nothing in this section shall be*
 2 *construed to limit or otherwise affect any other amounts*
 3 *available for marine policy fellowships under section 208(b)*
 4 *of the National Sea Grant College Program Act (33 U.S.C.*
 5 *1127(b)), including amounts—*

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

8 (2) *appropriated pursuant to the authorization*
 9 *of appropriations under section 212 of that Act (33*
 10 *U.S.C. 1131).*

11 **SEC. 5. REDUCTION IN FREQUENCY REQUIRED FOR NA-**
 12 **TIONAL SEA GRANT ADVISORY BOARD RE-**
 13 **PORT.**

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

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

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

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

4 **SEC. 6. MODIFICATION OF ELEMENTS OF NATIONAL SEA**
 5 **GRANT COLLEGE PROGRAM.**

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

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

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

13 *(1) in the subsection heading, by striking “EX-*
 14 *ISTING DESIGNEES” and inserting “ADDITIONAL*
 15 *DESIGNATIONS”; and*

16 *(2) by striking “Any institution” and inserting*
 17 *the following:*

18 *“(1) NOTIFICATION TO CONGRESS OF DESIGNA-*
 19 *TIONS.—*

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

1 *The notification shall include an evaluation and*
 2 *justification for the designation.*

3 “(B) *EFFECT OF JOINT RESOLUTION OF*
 4 *DISAPPROVAL.—The Secretary may not designate*
 5 *an institution, or an association or alliance of*
 6 *two or more such institutions, as a sea grant col-*
 7 *lege or sea grant institute under subsection (a)*
 8 *if, before the end of the 30-day period described*
 9 *in subparagraph (A), a joint resolution dis-*
 10 *approving the designation is enacted.*

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

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

14 (a) *IN GENERAL.—During fiscal year 2021 and any*
 15 *fiscal year thereafter, the head of any Federal agency may*
 16 *appoint, without regard to the provisions of subchapter I*
 17 *of chapter 33 of title 5, United States Code, other than sec-*
 18 *tions 3303 and 3328 of that title, a qualified candidate de-*
 19 *scribed in subsection (b) directly to a position with the Fed-*
 20 *eral agency for which the candidate meets Office of Per-*
 21 *sonnel Management qualification standards.*

22 (b) *DEAN JOHN A. KNAUSS MARINE POLICY FELLOW-*
 23 *SHIP.—Subsection (a) applies with respect to a former re-*
 24 *cipient of a Dean John A. Knauss Marine Policy Fellow-*

1 *ship under section 208(b) of the National Sea Grant College*
 2 *Program Act (33 U.S.C. 1127(b)) who—*

3 *(1) earned a graduate or post-graduate degree in*
 4 *a field related to ocean, coastal, and Great Lakes re-*
 5 *sources or policy from an accredited institution of*
 6 *higher education; and*

7 *(2) successfully fulfilled the requirements of the*
 8 *fellowship within the executive or legislative branch of*
 9 *the United States Government.*

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

14 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS FOR NA-**
 15 **TIONAL SEA GRANT COLLEGE PROGRAM.**

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

18 *(1) by amending paragraph (1) to read as fol-*
 19 *lows:*

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

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

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

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

25 *“(D) \$101,325,000 for fiscal year 2024; and*

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

2 and

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

5 “(2) *PRIORITY ACTIVITIES FOR FISCAL YEARS*
6 *2021 THROUGH 2025.—In addition to the amounts au-*
7 *thorized to be appropriated under paragraph (1),*
8 *there are authorized to be appropriated \$6,000,000 for*
9 *each of fiscal years 2021 through 2025 for competitive*
10 *grants for the following:*

11 “(A) *University research on the biology,*
12 *prevention, and control of aquatic nonnative spe-*
13 *cies.*

14 “(B) *University research on oyster diseases,*
15 *oyster restoration, and oyster-related human*
16 *health risks.*

17 “(C) *University research on the biology,*
18 *prevention, and forecasting of harmful algal*
19 *blooms.*

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

1 “(E) *University research and extension on*
 2 *sustainable aquaculture techniques and tech-*
 3 *nologies.*

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

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

11 “(1) *ADMINISTRATION.—*

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

16 “(i) *the amount authorized to be ap-*
 17 *propriated under this title for the fiscal*
 18 *year; or*

19 “(ii) *the amount appropriated under*
 20 *this title for the fiscal year.*

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

22 “(i) *IN GENERAL.—The Director shall*
 23 *use the authority under subchapter VI of*
 24 *chapter 33 of title 5, United States Code,*
 25 *and under section 210 of this title, to meet*

1 *any critical staffing requirement while car-*
 2 *rying out the activities authorized under*
 3 *this title.*

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

11 (c) *ALLOCATION OF FUNDING.*—

12 (1) *IN GENERAL.*—Section 204(d)(3) (33 U.S.C.
 13 1123(d)(3)) *is amended—*

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

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

1 (2) *REPEAL OF REQUIREMENTS CONCERNING*
 2 *DISTRIBUTION OF EXCESS AMOUNTS.—Section 212*
 3 *(33 U.S.C. 1131) is amended—*

4 *(A) by striking subsection (c); and*
 5 *(B) by redesignating subsections (d) and (e)*
 6 *as subsections (c) and (d), respectively.*

7 **SEC. 10. REPEAL OF REQUIREMENT FOR REPORT ON CO-**
 8 **ORDINATION OF OCEANS AND COASTAL RE-**
 9 **SEARCH ACTIVITIES.**

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

12 **SEC. 11. TECHNICAL CORRECTIONS.**

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

15 *(1) in section 204(d)(3)(B) (33 U.S.C.*
 16 *1123(d)(3)(B)), by moving clause (vi) 2 ems to the*
 17 *right; and*

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

- 1 “(3) *AVAILABILITY OF RESOURCES OF DEPART-*
2 *MENT OF COMMERCE.—The Secretary shall*”.

Attest:

Clerk.

116TH CONGRESS
2D SESSION

S. 910

AMENDMENT