

114TH CONGRESS
1ST SESSION

S. 764

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

IN THE SENATE OF THE UNITED STATES

MARCH 17, 2015

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

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 2015”.

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, to the max-
10 imum degree practicable, that placements are
11 equitably distributed among the political par-
12 ties.

13 “(3) DURATION.—A fellowship”.

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

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

1 ties for fellowship awardees at the conclusion of their fel-
2 lowship for workforce positions appropriate for their edu-
3 cation and experience.

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

7 (a) IN GENERAL.—Section 204(c)(4)(E) (33 U.S.C.
8 1123(c)(4)(E)) is amended to read as follows:

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

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

24 (c) REPORT.—Not later than 180 days after the date
25 of the enactment of this Act, the Director of the National

1 Sea Grant College Program, in consultation with the Na-
2 tional Sea Grant Advisory Board and the Sea Grant Asso-
3 ciation, shall—

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

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

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

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

17 (2) appropriated under section 212 of that Act
18 (33 U.S.C. 1131).

19 **SEC. 5. REPEAL OF REQUIREMENT FOR REPORT ON CO-**
20 **ORDINATION OF OCEANS AND COASTAL RE-**
21 **SEARCH ACTIVITIES.**

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

1 **SEC. 6. 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 heading, by striking “BIENNIAL” and
7 inserting “PERIODIC”; and

8 (2) in the first sentence, by striking “The
9 Board shall report to the Congress every two years”
10 and inserting “Not less frequently than once every
11 3 years, the Board shall submit to Congress a re-
12 port”.

13 **SEC. 7. MODIFICATION OF ELEMENTS OF NATIONAL SEA**
14 **GRANT COLLEGE PROGRAM.**

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

19 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS FOR NA-**
20 **TIONAL SEA GRANT COLLEGE PROGRAM.**

21 (a) IN GENERAL.—Section 212(a) (33 U.S.C.
22 1131(a)) is amended—

23 (1) in paragraph (1)—

24 (A) in subparagraph (E), by striking
25 “and” at the end;

1 (B) in subparagraph (F), by striking the
2 period at the end and inserting “;”;

3 (C) by adding at the end the following:

4 “(G) \$72,000,000 for fiscal year 2015;

5 “(H) \$75,600,000 for fiscal year 2016;

6 “(I) \$79,380,000 for fiscal year 2017;

7 “(J) \$83,350,000 for fiscal year 2018;

8 “(K) \$87,520,000 for fiscal year 2019;

9 “(L) \$91,900,000 for fiscal year 2020; and

10 “(M) \$96,500,000 for fiscal year 2021.”;

11 (2) in the heading for paragraph (2), by insert-
12 ing “FOR FISCAL YEARS 2009 THROUGH 2014” after
13 “PRIORITY ACTIVITIES”; and

14 (3) by adding at the end the following:

15 “(3) PRIORITY ACTIVITIES FOR FISCAL YEARS
16 2015 THROUGH 2020.—In addition to the amounts
17 authorized under paragraph (1), there is authorized
18 to be appropriated \$6,000,000 for each of fiscal
19 years 2015 through 2020 for competitive grants for
20 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 U.S. working
10 waterfronts and other regional or national pri-
11 ority issues identified in the strategic plan
12 under section 204(c)(1).

13 “(E) University research on sustainable
14 aquaculture techniques and technologies.

15 “(F) Fishery extension activities conducted
16 by sea grant colleges or sea grant institutes to
17 enhance, and not supplant, existing core pro-
18 gram funding.”.

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

22 “(1) ADMINISTRATION.—

23 “(A) IN GENERAL.—There may not be
24 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 to meet any critical staffing requirement
 14 while carrying out the activities authorized
 15 in this title.

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

23 (c) ALLOCATION OF FUNDING.—

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

1 (A) in the matter before subparagraph (A),
2 by striking “With respect to sea grant colleges
3 and sea grant institutes” and inserting “With
4 respect to sea grant colleges, sea grant insti-
5 tutes, sea grant programs, and sea grant
6 projects”; and

7 (B) in subparagraph (B), in the matter be-
8 fore clause (i), by striking “funding among sea
9 grant colleges and sea grant institutes” and in-
10 sserting “funding among sea grant colleges, sea
11 grant institutes, sea grant programs, and sea
12 grant projects”.

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

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

17 (B) by redesignating subsections (d) and

18 (e) as subsections (c) and (d), respectively.

19 **SEC. 9. TECHNICAL CORRECTIONS.**

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

22 (1) in section 204(d)(3)(B) (33 U.S.C.
23 1123(d)(3)(B)), by moving clause (vi) two ems to
24 the right; and

1 (2) in section 209(b)(2) (33 U.S.C.
2 1128(b)(2)), as amended by section 6, in the third
3 sentence, by striking “The Secretary shall” and in-
4 serting the following:

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

○