

115TH CONGRESS  
1ST SESSION

# S. 129

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

JANUARY 12, 2017

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

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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 2017”.

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 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          subsection (b) 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. 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 preceding paragraph (1), by inserting “for re-  
17 search, education, extension, training, technology transfer,  
18 and public service” after “financial assistance”.

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

21 (a) IN GENERAL.—During fiscal year 2017 and any  
22 fiscal year thereafter, the head of any Federal agency may  
23 appoint, without regard to the provisions of subchapter I  
24 of chapter 33 of title 5, United States Code, other than  
25 sections 3303 and 3328 of that title, a qualified candidate  
26 described in subsection (b) directly to a position with the

1 Federal agency for which the candidate meets Office of  
2 Personnel Management qualification standards.

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

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

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

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

20 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS FOR NA-**  
21 **TIONAL SEA GRANT COLLEGE PROGRAM.**

22 (a) IN GENERAL.—Section 212(a) (33 U.S.C.  
23 1131(a)) is amended—

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

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

4                   “(A) \$75,600,000 for fiscal year 2017;

5                   “(B) \$79,380,000 for fiscal year 2018;

6                   “(C) \$83,350,000 for fiscal year 2019;

7                   “(D) \$87,520,000 for fiscal year 2020;

8                   “(E) \$91,900,000 for fiscal year 2021; and

9                   “(F) \$96,500,000 for fiscal year 2022.”;

10           and

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

13           “(2) PRIORITY ACTIVITIES FOR FISCAL YEARS  
14 2017 THROUGH 2022.—In addition to the amounts  
15 authorized to be appropriated under paragraph (1),  
16 there are authorized to be appropriated \$6,000,000  
17 for each of fiscal years 2017 through 2022 for com-  
18 petitive grants for the following:

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

22                   “(B) University research on oyster dis-  
23 eases, oyster restoration, and oyster-related  
24 human health risks.



1           “(C) University research on the biology,  
2 prevention, and forecasting of harmful algal  
3 blooms.

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

10           “(E) University research on sustainable  
11 aquaculture techniques and technologies.

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

16           (b) MODIFICATION OF LIMITATIONS ON AMOUNTS  
17 FOR ADMINISTRATION.—Paragraph (1) of section 212(b)  
18 (33 U.S.C. 1131(b)) is amended to read as follows:

19           “(1) ADMINISTRATION.—

20           “(A) IN GENERAL.—There may not be  
21 used for administration of programs under this  
22 title in a fiscal year more than 5.5 percent of  
23 the lesser of—

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

4           “(ii) the amount appropriated under  
 5           this title for the fiscal year.

6           “(B) CRITICAL STAFFING REQUIRE-  
 7           MENTS.—

8           “(i) IN GENERAL.—The Director shall  
 9           use the authority under subchapter VI of  
 10          chapter 33 of title 5, United States Code,  
 11          to meet any critical staffing requirement  
 12          while carrying out the activities authorized  
 13          under this title.

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

21          (c) ALLOCATION OF FUNDING.—

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

24                         (A) in the matter preceding subparagraph

25                         (A), by striking “With respect to sea grant col-

1 leges and sea grant institutes” and inserting  
 2 “With respect to sea grant colleges, sea grant  
 3 institutes, sea grant programs, and sea grant  
 4 projects”; and

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

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

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

15 (B) by redesignating subsections (d) and  
 16 (e) as subsections (c) and (d), respectively.

17 **SEC. 10. TECHNICAL CORRECTIONS.**

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

20 (1) in section 204(d)(3)(B) (33 U.S.C.  
 21 1123(d)(3)(B)), by moving clause (vi) 2 ems to the  
 22 right; and

23 (2) in section 209(b)(2) (33 U.S.C.  
 24 1128(b)(2)), as amended by section 6, in the third

1 sentence, by striking “The Secretary shall” and in-  
2 sserting the following:

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

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