IN THE HOUSE OF REPRESENTATIVES

APRIL 30, 2019

Mr. Huffman (for himself, Mr. Lowenthal, Mr. Kilmer, Mr. Katko, Mr. Beyer, Mr. Zeldin, Mr. Suozzi, Mr. Panetta, Ms. Bonamici, Mr. Raskin, Mr. DeFazio, Mr. Courtney, Mr. Langevin, Mr. Case, Ms. Gabbard, Mr. Fitzpatrick, Mr. Sires, Mr. Pappas, and Mr. Keating) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Sea Grant College Program Amendments Act of 2019”.

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SEC. 2. REFERENCES TO THE NATIONAL SEA GRANT COLLEGE PROGRAM ACT.

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

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

(a) In General.—Section 208(b) (33 U.S.C. 1127(b)) is amended by striking “may” and inserting “shall”.

(b) Placements in Congress.—Such section is further amended—

(1) in the first sentence, by striking “The Secretary” and inserting the following:

“(1) In general.—The Secretary”; and

(2) in paragraph (1), as designated by paragraph (1) of this section, in the second sentence, by striking “A fellowship” and inserting the following:

“(2) Placement priorities.—

“(A) In general.—In each year in which the Secretary awards a legislative fellowship under this subsection, when considering the
placement of fellows, the Secretary shall
prioritize placement of fellows in the following:

“(i) Positions in offices of committees
of Congress that have jurisdiction over the
National Oceanic and Atmospheric Admin-
istration.

“(ii) Positions in offices of Members
of Congress who are on such committees.

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

“(B) Equitable distribution.—

“(i) Finding and recognition.—

Congress—

“(I) finds that both host offices
and fellows benefit when fellows have
the opportunity to choose from a
range of host offices from different
States and regions, both chambers of
Congress, and both political parties;
and

“(II) recognizes the steps taken
by the National Sea Grant College
Program to facilitate an equitable dis-
tribution of fellows among the political parties.

“(ii) IN GENERAL.—The Secretary shall ensure, to the maximum extent practicable, that fellows have the opportunity to choose from offices that are described in clauses (i), (ii), and (iii) of subparagraph (A) and that are equitably distributed among—

“(I) the political parties; and

“(II) the Senate and the House of Representatives.

“(iii) POLITICAL AND CAMERAL EQUITY.—The Secretary shall ensure that placements are equitably distributed between—

“(I) the political parties; and

“(II) the Senate and the House of Representatives.

“(3) DURATION.—A fellowship”.

(c) EFFECTIVE DATE.—The amendments made by subsection (b) shall apply with respect to the first calendar year beginning after the date of the enactment of this Act and each fiscal year thereafter.
(d) Sense of Congress Concerning Federal Hiring of Former Fellows.—It is the sense of Congress that in recognition of the competitive nature of the fellowship under section 208(b) of the National Sea Grant College Program Act (33 U.S.C. 1127(b)), and of the exceptional qualifications of fellowship awardees—

(1) the Secretary of Commerce, acting through the Under Secretary of Commerce for Oceans and Atmosphere, should encourage participating Federal agencies to consider opportunities for fellowship awardees at the conclusion of their fellowships for workforce positions appropriate for their education and experience; and

(2) Members and committees of Congress should consider opportunities for such awardees for such positions.

SEC. 4. Modification of Authority of Secretary of Commerce to Accept Donations for National Sea Grant College Program.

(a) In General.—Section 204(e)(4)(E) (33 U.S.C. 1123(c)(4)(E)) is amended to read as follows:

“(E) accept donations of money and, notwithstanding section 1342 of title 31, United States Code, of voluntary and uncompensated services,”.
(b) PRIORITIES.—The Secretary of Commerce, acting through the Under Secretary of Commerce for Oceans and Atmosphere, shall establish priorities for the use of donations accepted under section 204(c)(4)(E) of the National Sea Grant College Program Act (33 U.S.C. 1123(c)(4)(E)), and shall consider among those priorities the possibility of expanding the Dean John A. Knauss Marine Policy Fellowship’s placement of additional fellows in relevant legislative offices under section 208(b) of that Act (33 U.S.C. 1127(b)), in accordance with the recommendations under subsection (c) of this section.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of the National Sea Grant College Program, in consultation with the National Sea Grant Advisory Board and the Sea Grant Association, shall—

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

(2) submit to Congress a report on the recommendations developed under paragraph (1).

(d) CONSTRUCTION.—Nothing in this section shall be construed to limit or otherwise affect any other amounts available for marine policy fellowships under section
208(b) of the National Sea Grant College Program Act
(33 U.S.C. 1127(b)), including amounts—
(1) accepted under section 204(c)(4)(F) of that
Act (33 U.S.C. 1123(c)(4)(F)); or
(2) appropriated under section 212 of that Act
(33 U.S.C. 1131).
SEC. 5. REPEAL OF REQUIREMENT FOR REPORT ON CO-
ORDINATION OF OCEANS AND COASTAL RE-
SEARCH ACTIVITIES.
Section 9 of the National Sea Grant College Program
SEC. 6. REDUCTION IN FREQUENCY REQUIRED FOR NA-
TIONAL SEA GRANT ADVISORY BOARD RE-
PORT.
Section 209(b)(2) (33 U.S.C. 1128(b)(2)) is amend-
ed—
(1) in the heading, by striking “BIENNIAL” and
inserting “PERIODIC”; and
(2) in the first sentence, by striking “The
Board shall report to the Congress every two years”
and inserting “Not less frequently than once every
4 years, the Board shall submit to Congress a re-
port”.

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SEC. 7. MODIFICATION OF ELEMENTS OF NATIONAL SEA GRANT COLLEGE PROGRAM.

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

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) Qualified Candidate.—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, or Great Lakes resources or policy from an institution of higher education accredited by an agency or association recognized by the Secretary of Education pursuant to sec-
tion 496(a) of the Higher Education Act of 1965 (20 U.S.C. 1099b(a));

(2) received 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)) within 5 years before the date the individual is appointed under this section; and

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

SEC. 9. AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL SEA GRANT COLLEGE PROGRAM.

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

(1) by amending paragraph (1) to read as follows:

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

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

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

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

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

“(E) $106,380,000 for fiscal year 2024;

and
“(F) $111,710,813 for fiscal year 2025.”;

and

(2) by amending paragraph (2) to read as follows:

“(2) PRIORITY ACTIVITIES FOR FISCAL YEARS 2020 THROUGH 2025.—In addition to the amounts authorized to be appropriated under paragraph (1), there are authorized to be appropriated $6,000,000 for each of fiscal years 2020 through 2025 for competitive grants for the following:

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

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

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

“(D) University research, education, training, and extension services and activities focused on coastal resilience and United States working waterfronts and other regional or national priority issues identified in the strategic plan under section 204(e)(1).
“(E) University research on sustainable aquaculture techniques and technologies.

“(F) Fishery extension activities conducted by sea grant colleges or sea grant institutes to enhance, and not supplant, existing core program funding.”.

(b) Modification of limitations on amounts for administration.—Paragraph (1) of section 212(b) (33 U.S.C. 1131(b)) is amended to read as follows:

“(1) Administration.—

“(A) In general.—There may not be used for administration of programs under this title in a fiscal year more than 5.5 percent of the lesser of—

“(i) the amount authorized to be appropriated under this title for the fiscal year; or

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

“(B) Critical staffing requirements.—

“(i) In general.—The Director shall use the authority under subchapter VI of chapter 33 of title 5, United States Code, to meet any critical staffing requirement
while carrying out the activities authorized
under this title.

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

(c) ALLOCATION OF FUNDING.—

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

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

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

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(2) **Repeal of requirements concerning distribution of excess amounts.**—Section 212 (33 U.S.C. 1131) is amended—

(A) by striking subsection (c); and

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

**SEC. 10. TECHNICAL CORRECTIONS.**

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

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

(2) in section 209(b)(2) (33 U.S.C. 1128(b)(2)), as amended by section 6 of this Act, in the third sentence, by striking “The Secretary shall” and inserting the following:

“(3) **Availability of resources of Department of Commerce.**—The Secretary shall”.

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