

Calendar No. 426

116TH CONGRESS
2D SESSION

S. 910

[Report No. 116–216]

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

IN THE SENATE OF THE UNITED STATES

MARCH 27, 2019

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

FEBRUARY 13, 2020

Reported by Mr. WICKER, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

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 2019~~”.

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

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

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

11 (a) **IN GENERAL.**—Section 208(b) (33 U.S.C.
 12 1127(b)) is amended by striking “may” and inserting
 13 “shall”.

14 (b) **PLACEMENTS IN CONGRESS.**—Such section is
 15 further amended—

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

18 “(1) **IN GENERAL.**—The Secretary”, and

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

22 “(2) **PLACEMENT PRIORITIES.**—

23 “(A) **IN GENERAL.**—In each year in which
 24 the Secretary awards a legislative fellowship
 25 under this subsection, when considering the

1 placement of fellows; the Secretary shall
2 prioritize placement of fellows in the following:

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

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

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

16 “(3) **DURATION.**—A fellowship”.

17 (e) **ADMINISTRATIVE COSTS.**—Section 208(e) (33
18 U.S.C. 1127(e)) is amended to read as follows:

19 “(e) **RESTRICTION ON USE OF FUNDS.**—

20 “(1) **IN GENERAL.**—Amounts available for fel-
21 lowships under this section, including amounts ac-
22 cepted under section 204(e)(4)(F) or appropriated
23 under section 212 to implement this section, shall be
24 used only for award of such fellowships and adminis-
25 trative costs of implementing this section.

1 “(2) LIMITATION ON ADMINISTRATIVE COSTS.—

2 Not more than 3 percent of amounts made available
3 for fellowships under subsection (b) may be used by
4 a sea grant college or sea grant institute for fringe
5 or other necessary costs of administering the fellow-
6 ships.

7 “(3) ALLOWABLE USES.—Amounts provided to
8 a fellow under subsection (b) may be used by the fel-
9 low for the costs of academic travel, including travel
10 costs relating to returning to the home institution of
11 higher education of the fellow to complete degree re-
12 quirements.”.

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

16 (e) 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(e)(4)(E) of the National Sea Grant College Pro-
6 gram Act (33 U.S.C. 1123(e)(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(e)(4)(F) of that
15 Act (33 U.S.C. 1123(e)(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. REDUCTION IN FREQUENCY REQUIRED FOR NA-**
20 **TIONAL SEA GRANT ADVISORY BOARD RE-**
21 **PORT.**

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

24 (1) in the paragraph heading, by striking “BI-
25 ENNIAL” and inserting “PERIODIC”;

1 (2) by striking the first sentence and inserting
 2 the following: “The Board shall report to Congress
 3 at least once every four years on the state of the na-
 4 tional sea grant college program and shall notify
 5 Congress of any significant changes to the state of
 6 the program not later than two years after the sub-
 7 mission of such a report.”; and

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

11 **SEC. 6. MODIFICATION OF ELEMENTS OF NATIONAL SEA**
 12 **GRANT COLLEGE PROGRAM.**

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

17 **SEC. 7. DESIGNATION OF NEW NATIONAL SEA GRANT COL-**
 18 **LEGES AND SEA GRANT INSTITUTES.**

19 Section 207(b) (~~33 U.S.C. 1126(b)~~) is amended—

20 (1) in the subsection heading, by striking “EX-
 21 ISTING DESIGNEES” and inserting “ADDITIONAL
 22 DESIGNATIONS”; and

23 (2) by striking “Any institution” and inserting
 24 the following:

1 “(1) NOTIFICATION TO CONGRESS OF DESIGNA-
2 TIONS.—

3 “(A) IN GENERAL.—Not less than 30 days
4 before designating an institution, or an associa-
5 tion or alliance of two or more such institu-
6 tions, as a sea grant college or sea grant insti-
7 tute under subsection (a), the Secretary shall
8 notify Congress in writing of the proposed des-
9 ignation. The notification shall include an eval-
10 uation and justification for the designation.

11 “(B) EFFECT OF JOINT RESOLUTION OF
12 DISAPPROVAL.—The Secretary may not des-
13 ignate an institution, or an association or alli-
14 ance of two or more such institutions, as a sea
15 grant college or sea grant institute under sub-
16 section (a) if, before the end of the 30-day pe-
17 riod described in subparagraph (A), a joint res-
18 olution disapproving the designation is enacted.

19 “(2) EXISTING DESIGNEES.—Any institution”.

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

22 (a) IN GENERAL.—During fiscal year 2019 and any
23 fiscal year thereafter, the head of any Federal agency may
24 appoint, without regard to the provisions of subchapter I
25 of chapter 33 of title 5, United States Code, other than

1 sections ~~3303~~ and ~~3328~~ of that title, a qualified candidate
 2 described in subsection (b) directly to a position with the
 3 Federal agency for which the candidate meets Office of
 4 Personnel Management qualification standards.

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

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

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

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

22 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS FOR NA-**
 23 **TIONAL SEA GRANT COLLEGE PROGRAM.**

24 (a) IN GENERAL.—Section 212(a) (~~33~~ U.S.C.
 25 1131(a)) is amended—

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

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

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

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

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

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

10 “(E) \$111,710,813 for fiscal year 2024;

11 and

12 “(F) \$117,296,353 for fiscal year 2025.”;

13 and

14 (2) by amending paragraph (2) to read as fol-
15 lows:

16 “(2) PRIORITY ACTIVITIES FOR FISCAL YEARS
17 2020 THROUGH 2025.—In addition to the amounts
18 authorized to be appropriated under paragraph (1),
19 there are authorized to be appropriated \$6,000,000
20 for each of fiscal years 2020 through 2025 for com-
21 petitive grants for the following:

22 “(A) University research on the biology,
23 prevention, and control of aquatic nonnative
24 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 United States
10 working waterfronts and other regional or na-
11 tional priority issues identified in the strategic
12 plan under section 204(e)(1).

13 “(E) University research and extension on
14 sustainable aquaculture techniques and tech-
15 nologies.

16 “(F) Fishery research and extension activi-
17 ties conducted by sea grant colleges or sea
18 grant institutes to enhance, and not supplant,
19 existing core program funding.”.

20 (b) MODIFICATION OF LIMITATIONS ON AMOUNTS
21 FOR ADMINISTRATION.—Paragraph (1) of section 212(b)
22 (33 U.S.C. 1131(b)) is amended to read as follows:

23 “(1) ADMINISTRATION.—

24 “(A) IN GENERAL.—There may not be
25 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 and under section 210 of this title, to meet
14 any critical staffing requirement while ear-
15 nying out the activities authorized under
16 this title.

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

24 (c) ALLOCATION OF FUNDING.—

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

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

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

15 ~~(2) REPEAL OF REQUIREMENTS CONCERNING~~
 16 ~~DISTRIBUTION OF EXCESS AMOUNTS.—Section 212~~
 17 ~~(33 U.S.C. 1131) is amended—~~

18 ~~(A) by striking subsection (e); and~~

19 ~~(B) by redesignating subsections (d) and~~
 20 ~~(e) as subsections (e) and (d), respectively.~~

21 **SEC. 10. REPEAL OF REQUIREMENT FOR REPORT ON CO-**
 22 **ORDINATION OF OCEANS AND COASTAL RE-**
 23 **SEARCH ACTIVITIES.**

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

1 **SEC. 11. TECHNICAL CORRECTIONS.**

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

4 (1) in section 204(d)(3)(B) (33 U.S.C.
5 1123(d)(3)(B)), by moving clause (vi) 2 ems to the
6 right; and

7 (2) in section 209(b)(2) (33 U.S.C.
8 1128(b)(2)), as amended by section 5, in the third
9 sentence, by striking “The Secretary shall” and in-
10 serting the following:

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

13 **SECTION 1. SHORT TITLE.**

14 *This Act may be cited as the “National Sea Grant Col-
15 lege Program Amendments Act of 2019”.*

16 **SEC. 2. REFERENCES TO THE NATIONAL SEA GRANT COL-
17 LEGE PROGRAM ACT.**

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

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

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

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

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

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

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

13 “(2) *PLACEMENT PRIORITIES.*—

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

19 “(i) *Positions in offices of, or with*
20 *Members on, committees of Congress that*
21 *have jurisdiction over the National Oceanic*
22 *and Atmospheric Administration.*

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

1 “(B) *EQUITABLE DISTRIBUTION.*—*In plac-*
 2 *ing fellows in offices described in subparagraph*
 3 *(A), the Secretary shall ensure that placements*
 4 *are equitably distributed among the political*
 5 *parties.*

6 “(3) *DURATION.*—*A fellowship”.*

7 (c) *ADMINISTRATIVE COSTS.*—*Section 208(c) (33*
 8 *U.S.C. 1127(c)) is amended to read as follows:*

9 “(c) *RESTRICTION ON USE OF FUNDS.*—

10 “(1) *IN GENERAL.*—*Amounts available for fel-*
 11 *lowships under this section, including amounts ac-*
 12 *cepted under section 204(c)(4)(F) or appropriated*
 13 *under section 212 to implement this section, shall be*
 14 *used only for award of such fellowships and adminis-*
 15 *trative costs of implementing this section.*

16 “(2) *LIMITATION ON ADMINISTRATIVE COSTS.*—
 17 *Not more than 3 percent of amounts made available*
 18 *for fellowships under subsection (b) may be used by*
 19 *a sea grant college or sea grant institute for fringe or*
 20 *other necessary costs of administering the fellowships.*

21 “(3) *ALLOWABLE USES.*—*Amounts provided to a*
 22 *fellow under subsection (b) may be used by the fellow*
 23 *for the costs of academic travel, including travel costs*
 24 *relating to returning to the home institution of higher*

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

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

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

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

23 (d) *CONSTRUCTION.*—*Nothing in this section shall be*
24 *construed to limit or otherwise affect any other amounts*
25 *available for marine policy fellowships under section 208(b)*

1 *of the National Sea Grant College Program Act (33 U.S.C.*
2 *1127(b)), including amounts—*

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

5 *(2) appropriated pursuant to the authorization*
6 *of appropriations under section 212 of that Act (33*
7 *U.S.C. 1131).*

8 **SEC. 5. REDUCTION IN FREQUENCY REQUIRED FOR NA-**
9 **TIONAL SEA GRANT ADVISORY BOARD RE-**
10 **PORT.**

11 *Section 209(b)(2) (33 U.S.C. 1128(b)(2)) is amend-*
12 *ed—*

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

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

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

1 **SEC. 6. MODIFICATION OF ELEMENTS OF NATIONAL SEA**
 2 **GRANT COLLEGE PROGRAM.**

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

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

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

10 *(1) in the subsection heading, by striking “EX-*
 11 *ISTING DESIGNEES” and inserting “ADDITIONAL*
 12 *DESIGNATIONS”; and*

13 *(2) by striking “Any institution” and inserting*
 14 *the following:*

15 *“(1) NOTIFICATION TO CONGRESS OF DESIGNA-*
 16 *TIONS.—*

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

25 *“(B) EFFECT OF JOINT RESOLUTION OF*
 26 *DISAPPROVAL.—The Secretary may not designate*

1 *an institution, or an association or alliance of*
 2 *two or more such institutions, as a sea grant col-*
 3 *lege or sea grant institute under subsection (a)*
 4 *if, before the end of the 30-day period described*
 5 *in subparagraph (A), a joint resolution dis-*
 6 *approving the designation is enacted.*

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

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

10 *(a) IN GENERAL.—During fiscal year 2019 and any*
 11 *fiscal year thereafter, the head of any Federal agency may*
 12 *appoint, without regard to the provisions of subchapter I*
 13 *of chapter 33 of title 5, United States Code, other than sec-*
 14 *tions 3303 and 3328 of that title, a qualified candidate de-*
 15 *scribed in subsection (b) directly to a position with the Fed-*
 16 *eral agency for which the candidate meets Office of Per-*
 17 *sonnel Management qualification standards.*

18 *(b) DEAN JOHN A. KNAUSS MARINE POLICY FELLOW-*
 19 *SHIP.—Subsection (a) applies with respect to a former re-*
 20 *cipient of a Dean John A. Knauss Marine Policy Fellow-*
 21 *ship under section 208(b) of the National Sea Grant College*
 22 *Program Act (33 U.S.C. 1127(b)) who—*

23 *(1) earned a graduate or post-graduate degree in*
 24 *a field related to ocean, coastal, and Great Lakes re-*

1 *sources or policy from an accredited institution of*
 2 *higher education; and*

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

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

10 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS FOR NA-**
 11 **TIONAL SEA GRANT COLLEGE PROGRAM.**

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

14 (1) *by amending paragraph (1) to read as fol-*
 15 *lows:*

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

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

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

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

21 “(D) *\$101,325,000 for fiscal year 2023; and*

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

23 *and*

24 (2) *by amending paragraph (2) to read as fol-*
 25 *lows:*

1 “(2) *PRIORITY ACTIVITIES FOR FISCAL YEARS*
2 *2020 THROUGH 2024.—In addition to the amounts au-*
3 *thorized to be appropriated under paragraph (1),*
4 *there are authorized to be appropriated \$6,000,000 for*
5 *each of fiscal years 2020 through 2024 for competitive*
6 *grants for the following:*

7 “(A) *University research on the biology,*
8 *prevention, and control of aquatic nonnative spe-*
9 *cies.*

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

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

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

22 “(E) *University research and extension on*
23 *sustainable aquaculture techniques and tech-*
24 *nologies.*

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

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

8 “(1) *ADMINISTRATION.—*

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

13 “(i) *the amount authorized to be ap-*
 14 *propriated under this title for the fiscal*
 15 *year; or*

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

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

19 “(i) *IN GENERAL.—The Director shall*
 20 *use the authority under subchapter VI of*
 21 *chapter 33 of title 5, United States Code,*
 22 *and under section 210 of this title, to meet*
 23 *any critical staffing requirement while car-*
 24 *rying out the activities authorized under*
 25 *this title.*

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

8 (c) *ALLOCATION OF FUNDING.*—

9 (1) *IN GENERAL.*—Section 204(d)(3) (33 U.S.C.
10 1123(d)(3)) is amended—

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

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

23 (2) *REPEAL OF REQUIREMENTS CONCERNING*
24 *DISTRIBUTION OF EXCESS AMOUNTS.*—Section 212
25 (33 U.S.C. 1131) is amended—

1 (A) by striking subsection (c); and
2 (B) by redesignating subsections (d) and (e)
3 as subsections (c) and (d), respectively.

4 **SEC. 10. REPEAL OF REQUIREMENT FOR REPORT ON CO-**
5 **ORDINATION OF OCEANS AND COASTAL RE-**
6 **SEARCH ACTIVITIES.**

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

9 **SEC. 11. TECHNICAL CORRECTIONS.**

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

12 (1) in section 204(d)(3)(B) (33 U.S.C.
13 1123(d)(3)(B)), by moving clause (vi) 2 ems to the
14 right; and

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

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

Calendar No. 426

116TH CONGRESS
2^D SESSION

S. 910

[Report No. 116-216]

A BILL

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

FEBRUARY 13, 2020

Reported with an amendment