

116TH CONGRESS  
1ST SESSION

# H. R. 2405

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

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## 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

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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 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) of this section, in the second sentence, by  
21 striking “A fellowship” 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 committees  
4 of Congress that have jurisdiction over the  
5 National Oceanic and Atmospheric Admin-  
6 istration.

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

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

13 “(B) EQUITABLE DISTRIBUTION.—

14 “(i) FINDING AND RECOGNITION.—  
15 Congress—

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

23 “(II) recognizes the steps taken  
24 by the National Sea Grant College  
25 Program to facilitate an equitable dis-

1                   tribution of fellows among the political  
2                   parties.

3                   “(ii) IN GENERAL.—The Secretary  
4                   shall ensure, to the maximum extent prac-  
5                   ticable, that fellows have the opportunity  
6                   to choose from offices that are described in  
7                   clauses (i), (ii), and (iii) of subparagraph  
8                   (A) and that are equitably distributed  
9                   among—

10                                   “(I) the political parties; and

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

13                   “(iii) POLITICAL AND CAMERAL EQ-  
14                   UITY.—The Secretary shall ensure that  
15                   placements are equitably distributed be-  
16                   tween—

17                                   “(I) the political parties; and

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

20                   “(3) DURATION.—A fellowship”.

21                   (c) EFFECTIVE DATE.—The amendments made by  
22                   subsection (b) shall apply with respect to the first calendar  
23                   year beginning after the date of the enactment of this Act  
24                   and each fiscal year thereafter.

1 (d) SENSE OF CONGRESS CONCERNING FEDERAL  
2 HIRING OF FORMER FELLOWS.—It is the sense of Con-  
3 gress that in recognition of the competitive nature of the  
4 fellowship under section 208(b) of the National Sea Grant  
5 College Program Act (33 U.S.C. 1127(b)), and of the ex-  
6 ceptional qualifications of fellowship awardees—

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

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

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

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

22 “(E) accept donations of money and, not-  
23 withstanding section 1342 of title 31, United  
24 States Code, of voluntary and uncompensated  
25 services;”.

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.  
6 1123(c)(4)(E)), and shall consider among those priorities  
7 the possibility of expanding the Dean John A. Knauss Ma-  
8 rine Policy Fellowship’s placement of additional fellows in  
9 relevant legislative offices under section 208(b) of that Act  
10 (33 U.S.C. 1127(b)), in accordance with the recommenda-  
11 tions under subsection (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  
18 use of any donations accepted under section  
19 204(c)(4)(E) of the National Sea Grant College Pro-  
20 gram Act (33 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

1 208(b) of the National Sea Grant College Program Act  
2 (33 U.S.C. 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 under section 212 of that Act  
6 (33 U.S.C. 1131).

7 **SEC. 5. 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. 6. REDUCTION IN FREQUENCY REQUIRED FOR NA-**  
13 **TIONAL SEA GRANT ADVISORY BOARD RE-**  
14 **PORT.**

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

17 (1) in the heading, by striking “BIENNIAL” and  
18 inserting “PERIODIC”; and

19 (2) in the first sentence, by striking “The  
20 Board shall report to the Congress every two years”  
21 and inserting “Not less frequently than once every  
22 4 years, the Board shall submit to Congress a re-  
23 port”.

1 **SEC. 7. MODIFICATION OF ELEMENTS OF NATIONAL SEA**  
2 **GRANT COLLEGE PROGRAM.**

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

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

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

17 (b) QUALIFIED CANDIDATE.—Subsection (a) applies  
18 with respect to a former recipient of a Dean John A.  
19 Knauss Marine Policy Fellowship under section 208(b) of  
20 the National Sea Grant College Program Act (33 U.S.C.  
21 1127(b)) who—

22 (1) earned a graduate or post-graduate degree  
23 in a field related to ocean, coastal, or Great Lakes  
24 resources or policy from an institution of higher edu-  
25 cation accredited by an agency or association recog-  
26 nized by the Secretary of Education pursuant to sec-

1 tion 496(a) of the Higher Education Act of 1965  
2 (20 U.S.C. 1099b(a));

3 (2) received a Dean John A. Knauss Marine  
4 Policy Fellowship under section 208(b) of the Na-  
5 tional Sea Grant College Program Act (33 U.S.C.  
6 1127(b)) within 5 years before the date the indi-  
7 vidual is appointed under this section; and

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

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

13 (a) IN GENERAL.—Section 212(a) (33 U.S.C.  
14 1131(a)) is amended—

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

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

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

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

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

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

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

25 and

1           “(F) \$111,710,813 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           2020 THROUGH 2025.—In addition to the amounts

7           authorized to be appropriated under paragraph (1),

8           there are authorized to be appropriated \$6,000,000

9           for each of fiscal years 2020 through 2025 for com-

10          petitive grants for the following:

11           “(A) University research on the biology,

12           prevention, and control of aquatic nonnative

13           species.

14           “(B) University research on oyster dis-

15           eases, oyster restoration, and oyster-related

16           human 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 fo-

22           cused on coastal resilience and United States

23           working waterfronts and other regional or na-

24           tional priority issues identified in the strategic

25           plan under section 204(c)(1).

1           “(E) University research on sustainable  
2           aquaculture techniques and technologies.

3           “(F) Fishery extension activities conducted  
4           by sea grant colleges or sea grant institutes to  
5           enhance, and not supplant, existing core pro-  
6           gram funding.”.

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

10           “(1) ADMINISTRATION.—

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

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

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

20           “(B) CRITICAL STAFFING REQUIRE-  
21           MENTS.—

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           to meet any critical staffing requirement

1 while carrying out the activities authorized  
2 under this title.

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

10 (c) ALLOCATION OF FUNDING.—

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

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

19 (B) in subparagraph (B), in the matter  
20 preceding clause (i), by striking “funding  
21 among sea grant colleges and sea grant insti-  
22 tutes” and inserting “funding among sea grant  
23 colleges, sea grant institutes, sea grant pro-  
24 grams, and sea 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  
6           (e) as subsections (c) and (d), respectively.

7   **SEC. 10. TECHNICAL CORRECTIONS.**

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

10           (1) in section 204(d)(3)(B) (33 U.S.C.  
11   1123(d)(3)(B)), by moving clause (vi) 2 ems to the  
12   right; and

13           (2) in section 209(b)(2) (33 U.S.C.  
14   1128(b)(2)), as amended by section 6 of this Act, in  
15   the third sentence, by striking “The Secretary shall”  
16   and inserting the following:

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

○