

## 115TH CONGRESS 1ST SESSION

## S. 129

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

## 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

## 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

- have jurisdiction over the National Oceanic and Atmospheric Administration.
- 3 "(ii) Positions in offices of Members
  4 of Congress that have a demonstrated in5 terest in ocean, coastal, or Great Lakes re6 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(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 $204(c)(4)(F)$ of that
15	Act $(33 \text{ U.S.C. } 1123(e)(4)(F)); \text{ or }$
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.
14 15	GRANT COLLEGE PROGRAM.  Section 204(b) (33 U.S.C. 1123(b)) is amended, in
15	Section 204(b) (33 U.S.C. 1123(b)) is amended, in the matter preceding paragraph (1), by inserting "for re-
15 16	Section 204(b) (33 U.S.C. 1123(b)) is amended, in the matter preceding paragraph (1), by inserting "for re- search, education, extension, training, technology transfer,
15 16 17 18	Section 204(b) (33 U.S.C. 1123(b)) is amended, in the matter preceding paragraph (1), by inserting "for re- search, education, extension, training, technology transfer,
15 16 17	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".
15 16 17 18	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
15 16 17 18 19	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.
15 16 17 18 19 20 21	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 2017 and any
15 16 17 18 19 20 21	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 2017 and any fiscal year thereafter, the head of any Federal agency may
15 16 17 18 19 20 21 22 23	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 2017 and any fiscal year thereafter, the head of any Federal agency may appoint, without regard to the provisions of subchapter I

- 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
- resources or policy from an accredited institution of
- 11 higher education; and
- 12 (2) successfully fulfilled the requirements of the
- fellowship within the executive or legislative branch
- 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-
- 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

- sentence, by striking "The Secretary shall" and inserting the following:
- 3 "(3) Availability of resources of Depart-

4 MENT OF COMMERCE.—The Secretary shall".

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