

116TH CONGRESS
1ST SESSION

H. R. 2405

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

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.

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 UNITY.—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-

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 Na-
tional Sea Grant College Program Act (33 U.S.C.
1127(b)) within 5 years before the date the indi-
vidual 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 NA-
TIONAL 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 fol-
lows:

“(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

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”.

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