

115TH CONGRESS 1ST SESSION S. 129

## AN ACT

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,

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1	SECTION 1. SHORT TITLE.
2	This Act may be cited as the "National Sea Grant
3	College Program Amendments Act of 2017".
4	SEC. 2. REFERENCES TO THE NATIONAL SEA GRANT COL-
5	LEGE PROGRAM ACT.
6	Except as otherwise expressly provided, wherever in
7	this Act an amendment or repeal is expressed in terms
8	of an amendment to, or repeal of, a section or other provi-
9	sion, the reference shall be considered to be made to a
10	section or other provision of the National Sea Grant Col-
11	lege Program Act (33 U.S.C. 1121 et seq.).
12	SEC. 3. MODIFICATION OF DEAN JOHN A. KNAUSS MARINE
13	POLICY FELLOWSHIP.
14	(a) In General.—Section 208(b) (33 U.S.C.
15	1127(b)) is amended by striking "may" and inserting
16	"shall".
17	(b) Placements in Congress.—Such section is
18	further amended—
19	(1) in the first sentence, by striking "The Sec-
20	retary" and inserting the following:
21	"(1) IN GENERAL.—The Secretary"; and
22	(2) in paragraph (1), as designated by para-
23	graph (1), in the second sentence, by striking "A fel-

lowship" and inserting the following:

"(2) Placement priorities.—

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1	"(A) IN GENERAL.—In each year in which
2	the Secretary awards a legislative fellowship
3	under this subsection, when considering the
4	placement of fellows, the Secretary shall
5	prioritize placement of fellows in the following:
6	"(i) Positions in offices of, or with
7	Members on, committees of Congress that
8	have jurisdiction over the National Oceanic
9	and Atmospheric Administration.
10	"(ii) Positions in offices of Members
11	of Congress that have a demonstrated in-
12	terest in ocean, coastal, or Great Lakes re-
13	sources.
14	"(B) Equitable distribution.—In plac-
15	ing fellows in offices described in subparagraph
16	(A), the Secretary shall ensure that placements
17	are equitably distributed among the political
18	parties.
19	"(3) Duration.—A fellowship".
20	(c) Effective Date.—The amendments made by
21	subsection (b) shall apply with respect to the first calendar
22	year beginning after the date of the enactment of this Act.
23	(d) Sense of Congress Concerning Federal
24	HIRING OF FORMER FELLOWS.—It is the sense of Con-
25	gress that in recognition of the competitive nature of the

- 1 fellowship under section 208(b) of the National Sea Grant
- 2 College Program Act (33 U.S.C. 1127(b)), and of the ex-
- 3 ceptional qualifications of fellowship awardees, the Sec-
- 4 retary of Commerce, acting through the Under Secretary
- 5 of Commerce for Oceans and Atmosphere, should encour-
- 6 age participating Federal agencies to consider opportuni-
- 7 ties for fellowship awardees at the conclusion of their fel-
- 8 lowships for workforce positions appropriate for their edu-
- 9 cation and experience.
- 10 SEC. 4. MODIFICATION OF AUTHORITY OF SECRETARY OF
- 11 COMMERCE TO ACCEPT DONATIONS FOR NA-
- 12 TIONAL SEA GRANT COLLEGE PROGRAM.
- 13 (a) IN GENERAL.—Section 204(c)(4)(E) (33 U.S.C.
- 14 1123(c)(4)(E)) is amended to read as follows:
- 15 "(E) accept donations of money and, not-
- withstanding section 1342 of title 31, United
- 17 States Code, of voluntary and uncompensated
- services;".
- 19 (b) Priorities.—The Secretary of Commerce, acting
- 20 through the Under Secretary of Commerce for Oceans and
- 21 Atmosphere, shall establish priorities for the use of dona-
- 22 tions accepted under section 204(c)(4)(E) of the National
- 23 Sea Grant College Program Act (33 U.S.C.
- 24 1123(c)(4)(E)), and shall consider among those priorities
- 25 the possibility of expanding the Dean John A. Knauss Ma-

- 1 rine Policy Fellowship's placement of additional fellows in
- 2 relevant legislative offices under section 208(b) of that Act
- 3 (33 U.S.C. 1127(b)), in accordance with the recommenda-
- 4 tions under subsection (c) of this section.
- 5 (c) Report.—Not later than 180 days after the date
- 6 of the enactment of this Act, the Director of the National
- 7 Sea Grant College Program, in consultation with the Na-
- 8 tional Sea Grant Advisory Board and the Sea Grant Asso-
- 9 ciation, shall—
- 10 (1) develop recommendations for the optimal
- 11 use of any donations accepted under section
- 12 204(c)(4)(E) of the National Sea Grant College Pro-
- 13 gram Act (33 U.S.C. 1123(c)(4)(E)); and
- 14 (2) submit to Congress a report on the rec-
- ommendations developed under paragraph (1).
- 16 (d) Construction.—Nothing in this section shall be
- 17 construed to limit or otherwise affect any other amounts
- 18 available for marine policy fellowships under section
- 19 208(b) of the National Sea Grant College Program Act
- 20 (33 U.S.C. 1127(b)), including amounts—
- 21 (1) accepted under section 204(c)(4)(F) of that
- 22 Act (33 U.S.C. 1123(c)(4)(F)); or
- 23 (2) appropriated pursuant to the authorization
- of appropriations under section 212 of that Act (33
- 25 U.S.C. 1131).

1	SEC. 5. 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";
8	(2) by striking the first sentence and inserting
9	the following: "The Board shall report to Congress
10	at least once every four years on the state of the na-
11	tional sea grant college program and shall notify
12	Congress of any significant changes to the state of
13	the program not later than two years after the sub-
14	mission of such a report."; and
15	(3) in the second sentence, by adding before the
16	end period the following: "and provide a summary of
17	research conducted under the program".
18	SEC. 6. MODIFICATION OF ELEMENTS OF NATIONAL SEA
19	GRANT COLLEGE PROGRAM.
20	Section 204(b) (33 U.S.C. 1123(b)) is amended, in
21	the matter preceding paragraph (1), by inserting "for re-
22	search, education, extension, training, technology transfer,
23	and public service" after "financial assistance".
24	SEC. 7. DESIGNATION OF NEW NATIONAL SEA GRANT COL-
25	LEGES AND SEA GRANT INSTITUTES.
26	Section 207(b) (33 U.S.C. 1126(b)) is amended—

1	(1) in the subsection heading, by striking "Ex-
2	ISTING DESIGNEES" and inserting "ADDITIONAL
3	DESIGNATIONS"; and
4	(2) by striking "Any institution" and inserting
5	the following:
6	"(1) Notification to congress of designa-
7	TIONS.—
8	"(A) In general.—Not less than 30 days
9	before designating an institution, or an associa-
10	tion or alliance of two or more such institu-
11	tions, as a sea grant college or sea grant insti-
12	tute under subsection (a), the Secretary shall
13	notify Congress in writing of the proposed des-
14	ignation. The notification shall include an eval-
15	uation and justification for the designation.
16	"(B) Effect of joint resolution of
17	DISAPPROVAL.—The Secretary may not des-
18	ignate an institution, or an association or alli-
19	ance of two or more such institutions, as a sea
20	grant college or sea grant institute under sub-
21	section (a) if, before the end of the 30-day pe-
22	riod described in subparagraph (A), a joint res-
23	olution disapproving the designation is enacted.

 $\mbox{``(2)}$  Existing designees.—Any institution''.

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1	SEC. 8. DIRECT HIRE AUTHORITY; DEAN JOHN A. KNAUSS
2	MARINE POLICY FELLOWSHIP.
3	(a) In General.—During fiscal year 2017 and any
4	fiscal year thereafter, the head of any Federal agency may
5	appoint, without regard to the provisions of subchapter l
6	of chapter 33 of title 5, United States Code, other than
7	sections 3303 and 3328 of that title, a qualified candidate
8	described in subsection (b) directly to a position with the
9	Federal agency for which the candidate meets Office of
10	Personnel Management qualification standards.
11	(b) Dean John A. Knauss Marine Policy Fel-
12	LOWSHIP.—Subsection (a) applies with respect to a
13	former recipient of a Dean John A. Knauss Marine Policy
14	Fellowship under section 208(b) of the National Sea
15	Grant College Program Act (33 U.S.C. 1127(b)) who—
16	(1) earned a graduate or post-graduate degree
17	in a field related to ocean, coastal, and Great Lakes
18	resources or policy from an accredited institution of
19	higher education; and
20	(2) successfully fulfilled the requirements of the
21	fellowship within the executive or legislative branch
22	of the United States Government.
23	(c) LIMITATION.—The direct hire authority under
24	this section shall be exercised with respect to a specific
2.5	qualified candidate not later than 2 years after the date

1	that the candidate completed the fellowship described in
2	subsection (b).
3	SEC. 9. AUTHORIZATION OF APPROPRIATIONS FOR NA-
4	TIONAL SEA GRANT COLLEGE PROGRAM.
5	(a) In General.—Section 212(a) (33 U.S.C.
6	1131(a)) is amended—
7	(1) by amending paragraph (1) to read as fol-
8	lows:
9	"(1) In general.—There are authorized to be
10	appropriated to the Secretary to carry out this
11	title—
12	"(A) \$75,600,000 for fiscal year 2017;
13	"(B) \$79,380,000 for fiscal year 2018;
14	"(C) \$83,350,000 for fiscal year 2019;
15	"(D) \$87,520,000 for fiscal year 2020;
16	"(E) $$91,900,000$ for fiscal year 2021; and
17	"(F) $$96,500,000$ for fiscal year $2022$ .";
18	and
19	(2) by amending paragraph (2) to read as fol-
20	lows:
21	"(2) Priority activities for fiscal years
22	2017 THROUGH 2022.—In addition to the amounts
23	authorized to be appropriated under paragraph (1),
24	there are authorized to be appropriated \$6,000,000

1	for each of fiscal years 2017 through 2022 for com-
2	petitive grants for the following:
3	"(A) University research on the biology,
4	prevention, and control of aquatic nonnative
5	species.
6	"(B) University research on oyster dis-
7	eases, oyster restoration, and oyster-related
8	human health risks.
9	"(C) University research on the biology,
10	prevention, and forecasting of harmful algal
11	blooms.
12	"(D) University research, education, train-
13	ing, and extension services and activities fo-
14	cused on coastal resilience and United States
15	working waterfronts and other regional or na-
16	tional priority issues identified in the strategic
17	plan under section $204(e)(1)$ .
18	"(E) University research and extension on
19	sustainable aquaculture techniques and tech-
20	nologies.
21	"(F) Fishery research and extension activi-
22	ties conducted by sea grant colleges or sea
23	grant institutes to enhance, and not supplant,
24	existing core program funding."

1	(b) Modification of Limitations on Amounts
2	FOR ADMINISTRATION.—Paragraph (1) of section 212(b)
3	(33 U.S.C. 1131(b)) is amended to read as follows:
4	"(1) Administration.—
5	"(A) IN GENERAL.—There may not be
6	used for administration of programs under this
7	title in a fiscal year more than 5.5 percent of
8	the lesser of—
9	"(i) the amount authorized to be ap-
10	propriated under this title for the fiscal
11	year; or
12	"(ii) the amount appropriated under
13	this title for the fiscal year.
14	"(B) Critical staffing require-
15	MENTS.—
16	"(i) In general.—The Director shall
17	use the authority under subchapter VI of
18	chapter 33 of title 5, United States Code,
19	and under section 210 of this title, to meet
20	any critical staffing requirement while car-
21	rying out the activities authorized under
22	this title.
23	"(ii) Exception from cap.—For
24	purposes of subparagraph (A), any costs
25	incurred as a result of an exercise of au-

1 thority as described in clause (i) shall	not
2 be considered an amount used for admir	nis-
3 tration of programs under this title in	ı a
4 fiscal year.".	
5 (c) Allocation of Funding.—	
6 (1) In General.—Section 204(d)(3)	(33
7 U.S.C. 1123(d)(3)) is amended—	
8 (A) in the matter preceding subparagra	aph
9 (A), by striking "With respect to sea grant	col-
leges and sea grant institutes" and insert	ing
"With respect to sea grant colleges, sea gr	ant
institutes, sea grant programs, and sea gr	ant
projects"; and	
(B) in subparagraph (B), in the mat	ter
preceding clause (i), by striking "fund	ing
among sea grant colleges and sea grant in	sti-
tutes" and inserting "funding among sea gr	ant
colleges, sea grant institutes, sea grant p	ro-
grams, and sea grant projects".	
(2) Repeal of requirements concern	ING
21 DISTRIBUTION OF EXCESS AMOUNTS.—Section 2	212
22 (33 U.S.C. 1131) is amended—	
(A) by striking subsection (c); and	
(B) by redesignating subsections (d) a	and
(e) as subsections (c) and (d), respectively.	

## SEC. 10. 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 7 209(b)(2)(2)section (33 U.S.C. in 8 1128(b)(2)), as amended by section 6, in the third 9 sentence, by striking "The Secretary shall" and inserting the following: 10 11 "(3) Availability of resources of depart-12 MENT OF COMMERCE.—The Secretary shall". Passed the Senate September 14, 2017.

Secretary.

Attest:

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## AN ACT

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