

114TH CONGRESS
1ST SESSION

S. 764

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “National Sea Grant
3 College Program Amendments Act of 2015”.

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-
24 lowship” and inserting the following:

25 “(2) PLACEMENT PRIORITIES.—

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, to the max-
17 imum degree practicable, that placements are
18 equitably distributed among the political par-
19 ties.

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 enactment of this Act.

24 (d) SENSE OF CONGRESS CONCERNING FEDERAL
25 HIRING OF FORMER FELLOWS.—It is the sense of Con-

gress that in recognition of the competitive nature of the fellowship under section 208(b) of the National Sea Grant College Program Act (33 U.S.C. 1127(b)), and of the exceptional qualifications of fellowship awardees, the Secretary of Commerce, acting through the Under Secretary of Commerce for Oceans and Atmosphere, should encourage participating Federal agencies to consider opportunities for fellowship awardees at the conclusion of their fellowship for workforce positions appropriate for their education and experience.

SEC. 4. MODIFICATION OF AUTHORITY OF SECRETARY OF COMMERCE TO ACCEPT DONATIONS FOR NATIONAL SEA GRANT COLLEGE PROGRAM.

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

“(E) accept donations of money and, notwithstanding section 1342 of title 31, United States Code, of voluntary and uncompensated services;”.

(b) PRIORITIES.—The Secretary of Commerce, acting through the Under Secretary of Commerce for Oceans and Atmosphere, shall establish priorities for the use of donations accepted under section 204(c)(4)(E) of the National Sea Grant College Program Act (33 U.S.C. 1123(c)(4)(E)), and shall consider among those priorities

1 the possibility of expanding the Dean John A. Knauss Ma-
 2 rine Policy Fellowship's placement of additional fellows in
 3 relevant legislative offices under section 208(b) of that Act
 4 (33 U.S.C. 1127(b)), in accordance with the recommenda-
 5 tions under subsection (c) of this section.

6 (c) REPORT.—Not later than 180 days after the date
 7 of the enactment of this Act, the Director of the National
 8 Sea Grant College Program, in consultation with the Na-
 9 tional Sea Grant Advisory Board and the Sea Grant Asso-
 10 ciation, shall—

11 (1) develop recommendations for the optimal
 12 use of any donations accepted under section
 13 204(c)(4)(E) of the National Sea Grant College Pro-
 14 gram Act (33 U.S.C. 1123(c)(4)(E)); and

15 (2) submit to Congress a report on the rec-
 16 ommendations developed under paragraph (1).

17 (d) CONSTRUCTION.—Nothing in this section shall be
 18 construed to limit or otherwise affect any other amounts
 19 available for marine policy fellowships under section
 20 208(b) of the National Sea Grant College Program Act
 21 (33 U.S.C. 1127(b)), including amounts—

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

24 (2) appropriated under section 212 of that Act
 25 (33 U.S.C. 1131).

1 **SEC. 5. REPEAL OF REQUIREMENT FOR REPORT ON CO-**
 2 **ORDINATION OF OCEANS AND COASTAL RE-**
 3 **SEARCH ACTIVITIES.**

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

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

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

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

13 (2) in the first sentence, by striking “The
 14 Board shall report to the Congress every two years”
 15 and inserting “Not less frequently than once every
 16 3 years, the Board shall submit to Congress a re-
 17 port”.

18 **SEC. 7. 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 before paragraph (1), by inserting “for re-
 22 search, education, extension, training, technology transfer,
 23 and public service” after “financial assistance”.

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

3 (a) IN GENERAL.—During fiscal year 2016 and
4 thereafter, the head of any Federal agency may appoint,
5 without regard to the provisions of subchapter I of chapter
6 33 of title 5, United States Code, other than sections 3303
7 and 3328 of that title, a qualified candidate described in
8 subsection (b) directly to a position with the Federal agen-
9 cy for which the candidate meets Office of Personnel Man-
10 agement 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
25 qualified candidate not later than 2 years after the date
26 that the candidate completed the fellowship.

1 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS FOR NA-**
 2 **TIONAL SEA GRANT COLLEGE PROGRAM.**

3 (a) IN GENERAL.—Section 212(a) (33 U.S.C.
 4 1131(a)) is amended—

5 (1) in paragraph (1)—

6 (A) in subparagraph (E), by striking
 7 “and” at the end;

8 (B) in subparagraph (F), by striking the
 9 period at the end and inserting “;” and

10 (C) by adding at the end the following:

11 “(G) \$72,000,000 for fiscal year 2015;

12 “(H) \$75,600,000 for fiscal year 2016;

13 “(I) \$79,380,000 for fiscal year 2017;

14 “(J) \$83,350,000 for fiscal year 2018;

15 “(K) \$87,520,000 for fiscal year 2019;

16 “(L) \$91,900,000 for fiscal year 2020; and

17 “(M) \$96,500,000 for fiscal year 2021.”;

18 (2) in the heading for paragraph (2), by insert-
 19 ing “FOR FISCAL YEARS 2009 THROUGH 2014” after
 20 “PRIORITY ACTIVITIES”; and

21 (3) by adding at the end the following:

22 “(3) PRIORITY ACTIVITIES FOR FISCAL YEARS
 23 2015 THROUGH 2020.—In addition to the amounts
 24 authorized under paragraph (1), there is authorized
 25 to be appropriated \$6,000,000 for each of fiscal

1 years 2015 through 2020 for competitive grants for
2 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 U.S. working
15 waterfronts and other regional or national pri-
16 ority issues identified in the strategic plan
17 under section 204(c)(1).

18 “(E) University research on sustainable
19 aquaculture techniques and technologies.

20 “(F) Fishery extension activities conducted
21 by sea grant colleges or sea grant institutes to
22 enhance, and not supplant, existing core pro-
23 gram 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 to meet any critical staffing requirement
20 while carrying out the activities authorized
21 in this title.

22 “(ii) EXCEPTION FROM CAP.—For
23 purposes of subparagraph (A), any costs
24 incurred as a result of an exercise of au-
25 thority as described in clause (i) shall not

1 be considered an amount used for adminis-
2 tration of programs under this title in a
3 fiscal year.”.

4 (c) ALLOCATION OF FUNDING.—

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

7 (A) in the matter before subparagraph (A),
8 by striking “With respect to sea grant colleges
9 and sea grant institutes” and inserting “With
10 respect to sea grant colleges, sea grant insti-
11 tutes, sea grant programs, and sea grant
12 projects”; and

13 (B) in subparagraph (B), in the matter be-
14 fore clause (i), by striking “funding among sea
15 grant colleges and sea grant institutes” and in-
16 serting “funding among sea grant colleges, sea
17 grant institutes, sea grant programs, and sea
18 grant projects”.

19 (2) REPEAL OF REQUIREMENTS CONCERNING
20 DISTRIBUTION OF EXCESS AMOUNTS.—Section 212
21 (33 U.S.C. 1131) is amended—

22 (A) by striking subsection (c); and

23 (B) by redesignating subsections (d) and
24 (e) as subsections (c) and (d), respectively.

1 **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) two ems to
6 the right; and

7 (2) in section 209(b)(2) (33 U.S.C.
8 1128(b)(2)), as amended by section 6, 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”.

Passed the Senate July 28, 2015.

Attest:

Secretary.

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