

114TH CONGRESS
2D SESSION

S. 3282

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

IN THE SENATE OF THE UNITED STATES

JULY 14, 2016

Mr. WICKER (for himself, Ms. CANTWELL, Mr. SCHATZ, and Mr. SULLIVAN)
introduced the following bill; which was considered, read the third time,
and passed

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 2016”.

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

1 have jurisdiction over the National Oceanic
2 and Atmospheric Administration.

3 “(ii) Positions in offices of members
4 of Congress that have a demonstrated in-
5 terest in ocean, coastal, or Great Lakes re-
6 sources.

7 “(B) EQUITABLE DISTRIBUTION.—In plac-
8 ing fellows in offices described in subparagraph
9 (A), the Secretary shall ensure, to the max-
10 imum degree practicable, that placements are
11 equitably distributed among the political par-
12 ties.

13 “(3) DURATION.—A fellowship”.

14 (c) EFFECTIVE DATE.—The amendments made by
15 subsection (b) shall apply with respect to the first calendar
16 year beginning after the date of enactment of this Act.

17 (d) SENSE OF CONGRESS CONCERNING FEDERAL
18 HIRING OF FORMER FELLOWS.—It is the sense of Con-
19 gress that in recognition of the competitive nature of the
20 fellowship under section 208(b) of the National Sea Grant
21 College Program Act (33 U.S.C. 1127(b)), and of the ex-
22 ceptional qualifications of fellowship awardees, the Sec-
23 retary of Commerce, acting through the Under Secretary
24 of Commerce for Oceans and Atmosphere, should encour-
25 age participating Federal agencies to consider opportuni-

1 ties for fellowship awardees at the conclusion of their fel-
 2 lowship for workforce positions appropriate for their edu-
 3 cation and experience.

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

7 (a) IN GENERAL.—Section 204(c)(4)(E) (33 U.S.C.
 8 1123(c)(4)(E)) is amended to read as follows:

9 “(E) accept donations of money and, not-
 10 withstanding section 1342 of title 31, United
 11 States Code, of voluntary and uncompensated
 12 services;”.

13 (b) PRIORITIES.—The Secretary of Commerce, acting
 14 through the Under Secretary of Commerce for Oceans and
 15 Atmosphere, shall establish priorities for the use of dona-
 16 tions accepted under section 204(c)(4)(E) of the National
 17 Sea Grant College Program Act (33 U.S.C.
 18 1123(c)(4)(E)), and shall consider among those priorities
 19 the possibility of expanding the Dean John A. Knauss Ma-
 20 rine Policy Fellowship’s placement of additional fellows in
 21 relevant legislative offices under section 208(b) of that Act
 22 (33 U.S.C. 1127(b)), in accordance with the recommenda-
 23 tions under subsection (c) of this section.

24 (c) REPORT.—Not later than 180 days after the date
 25 of the enactment of this Act, the Director of the National

1 Sea Grant College Program, in consultation with the Na-
2 tional Sea Grant Advisory Board and the Sea Grant Asso-
3 ciation, shall—

4 (1) develop recommendations for the optimal
5 use of any donations accepted under section
6 204(c)(4)(E) of the National Sea Grant College Pro-
7 gram Act (33 U.S.C. 1123(c)(4)(E)); and

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

10 (d) CONSTRUCTION.—Nothing in this section shall be
11 construed to limit or otherwise affect any other amounts
12 available for marine policy fellowships under section
13 208(b) of the National Sea Grant College Program Act
14 (33 U.S.C. 1127(b)), including amounts—

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

17 (2) appropriated under section 212 of that Act
18 (33 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.**

15 Section 204(b) (33 U.S.C. 1123(b)) is amended, in
 16 the matter before paragraph (1), by inserting “for re-
 17 search, education, extension, training, technology transfer,
 18 and public service” after “financial assistance”.

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

21 (a) IN GENERAL.—During fiscal year 2016 and
 22 thereafter, the head of any Federal agency may appoint,
 23 without regard to the provisions of subchapter I of chapter
 24 33 of title 5, United States Code, other than sections 3303
 25 and 3328 of that title, a qualified candidate described in
 26 subsection (b) directly to a position with the Federal agen-

1 cy for which the candidate meets Office of Personnel Man-
2 agement 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
10 resources or policy from an accredited institution of
11 higher education; and

12 (2) successfully fulfilled the requirements of the
13 fellowship within the executive or legislative branch
14 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.

19 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS FOR NA-**
20 **TIONAL SEA GRANT COLLEGE PROGRAM.**

21 (a) IN GENERAL.—Section 212(a) (33 U.S.C.
22 1131(a)) is amended—

23 (1) by amending paragraph (1) to read as fol-
24 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 2016;

5 “(B) \$79,380,000 for fiscal year 2017;

6 “(C) \$83,350,000 for fiscal year 2018;

7 “(D) \$87,520,000 for fiscal year 2019;

8 “(E) \$91,900,000 for fiscal year 2020; and

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

10 and

11 (2) by amending paragraph (2) to read as fol-
12 lows:

13 “(2) PRIORITY ACTIVITIES FOR FISCAL YEARS
14 2016 THROUGH 2021.—In addition to the amounts
15 authorized under paragraph (1), there is authorized
16 to be appropriated \$6,000,000 for each of fiscal
17 years 2016 through 2021 for competitive grants for
18 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 U.S. working
7 waterfronts and other regional or national pri-
8 ority issues identified in the strategic plan
9 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 in 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 before subparagraph (A),
 25 by striking “With respect to sea grant colleges

1 and sea grant institutes” and inserting “With
2 respect to sea grant colleges, sea grant insti-
3 tutes, sea grant programs, and sea grant
4 projects”; and

5 (B) in subparagraph (B), in the matter be-
6 fore clause (i), by striking “funding among sea
7 grant colleges and sea grant institutes” and in-
8 serting “funding among sea grant colleges, sea
9 grant institutes, sea grant programs, and sea
10 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) two ems to
22 the 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

1 sentence, by striking “The Secretary shall” and in-
2 sserting the following:

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

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