

115TH CONGRESS  
1ST SESSION

# H. R. 4306

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

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IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 8, 2017

Mr. HUFFMAN (for himself and Mr. LOBIONDO) introduced the following bill;  
which was referred to the Committee on Natural Resources

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## 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) of this section, in the second sentence, by  
16 striking “A fellowship” 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 committees  
24 of Congress that have jurisdiction over the

1 National Oceanic and Atmospheric Admin-  
2 istration.

3 “(ii) Positions in offices of Members  
4 of Congress who are on such committees.

5 “(iii) Positions in offices of Members  
6 of Congress that have a demonstrated in-  
7 terest in ocean, coastal, or Great Lakes re-  
8 sources.

9 “(B) EQUITABLE DISTRIBUTION.—

10 “(i) FINDING AND RECOGNITION.—  
11 Congress—

12 “(I) finds that both host offices  
13 and fellows benefit when fellows have  
14 the opportunity to choose from a  
15 range of host offices from different  
16 States and regions, both chambers of  
17 Congress, and both political parties;  
18 and

19 “(II) recognizes the steps taken  
20 by the National Sea Grant College  
21 Program to facilitate an equitable dis-  
22 tribution of fellows among the political  
23 parties.

24 “(ii) IN GENERAL.—The Secretary  
25 shall ensure, to the maximum extent prac-

1            ticable, that fellows have the opportunity  
2            to choose from offices that are described in  
3            clauses (i), (ii), and (iii) of subparagraph  
4            (A) and that are equitably distributed  
5            among—

6                            “(I) the political parties; and

7                            “(II) the Senate and the House  
8                            of Representatives.

9                            “(3) DURATION.—A fellowship”.

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

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

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

4 (a) IN GENERAL.—Section 204(c)(4)(E) (33 U.S.C.  
5 1123(c)(4)(E)) is amended to read as follows:

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

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

21 (c) REPORT.—Not later than 180 days after the date  
22 of the enactment of this Act, the Director of the National  
23 Sea Grant College Program, in consultation with the Na-  
24 tional Sea Grant Advisory Board and the Sea Grant Asso-  
25 ciation, shall—

1           (1) develop recommendations for the optimal  
2 use of any donations accepted under section  
3 204(c)(4)(E) of the National Sea Grant College Pro-  
4 gram Act (33 U.S.C. 1123(c)(4)(E)); and

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

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

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

14           (2) appropriated under section 212 of that Act  
15 (33 U.S.C. 1131).

16 **SEC. 5. REPEAL OF REQUIREMENT FOR REPORT ON CO-**  
17 **ORDINATION OF OCEANS AND COASTAL RE-**  
18 **SEARCH ACTIVITIES.**

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

21 **SEC. 6. REDUCTION IN FREQUENCY REQUIRED FOR NA-**  
22 **TIONAL SEA GRANT ADVISORY BOARD RE-**  
23 **PORT.**

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

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

3 (2) in the first sentence, by striking “The  
4 Board shall report to the Congress every two years”  
5 and inserting “Not less frequently than once every  
6 3 years, the Board shall submit to Congress a re-  
7 port”.

8 **SEC. 7. MODIFICATION OF ELEMENTS OF NATIONAL SEA**  
9 **GRANT COLLEGE PROGRAM.**

10 Section 204(b) (33 U.S.C. 1123(b)) is amended, in  
11 the matter preceding paragraph (1), by inserting “for re-  
12 search, education, extension, training, technology transfer,  
13 and public service” after “financial assistance”.

14 **SEC. 8. DIRECT HIRE AUTHORITY; DEAN JOHN A. KNAUSS**  
15 **MARINE POLICY FELLOWSHIP.**

16 (a) IN GENERAL.—During fiscal year 2017 and any  
17 fiscal year thereafter, the head of any Federal agency may  
18 appoint, without regard to the provisions of subchapter I  
19 of chapter 33 of title 5, United States Code, other than  
20 sections 3303 and 3328 of that title, a qualified candidate  
21 described in subsection (b) directly to a position with the  
22 Federal agency for which the candidate meets Office of  
23 Personnel Management qualification standards.

24 (b) QUALIFIED CANDIDATE.—Subsection (a) applies  
25 with respect to a former recipient of a Dean John A.

1 Knauss Marine Policy Fellowship under section 208(b) of  
2 the National Sea Grant College Program Act (33 U.S.C.  
3 1127(b)) who—

4 (1) earned a graduate or post-graduate degree  
5 in a field related to ocean, coastal, or Great Lakes  
6 resources or policy from an institution of higher edu-  
7 cation accredited by an agency or association recog-  
8 nized by the Secretary of Education pursuant to sec-  
9 tion 496(a) of the Higher Education Act of 1965  
10 (20 U.S.C. 1099b(a));

11 (2) received a Dean John A. Knauss Marine  
12 Policy Fellowship under section 208(b) of the Na-  
13 tional Sea Grant College Program Act (33 U.S.C.  
14 1127(b)) within 5 years before the date the indi-  
15 vidual is appointed under this section; and

16 (3) successfully fulfilled the requirements of the  
17 fellowship within the executive or legislative branch  
18 of the United States Government.

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 2018;

5                   “(B) \$79,380,000 for fiscal year 2019;

6                   “(C) \$83,350,000 for fiscal year 2020;

7                   “(D) \$87,520,000 for fiscal year 2021;

8                   “(E) \$91,900,000 for fiscal year 2022; and

9                   “(F) \$96,500,000 for fiscal year 2023.”;

10           and

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

13           “(2) PRIORITY ACTIVITIES FOR FISCAL YEARS  
14 2018 THROUGH 2023.—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 2018 through 2023 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 described in clause (i) shall not be  
 18          considered an amount used for administra-  
 19          tion of programs under this title in a fiscal  
 20          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 of this Act, in

1 the third sentence, by striking “The Secretary shall”  
2 and inserting the following:

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

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