

Calendar No. 607

113TH CONGRESS
2D SESSION

S. 2030

[Report No. 113-279]

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

IN THE SENATE OF THE UNITED STATES

FEBRUARY 12, 2014

Mr. SCHATZ (for himself, Mr. WICKER, and Ms. CANTWELL) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

DECEMBER 1, 2014

Reported by Mr. ROCKEFELLER, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

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 2014”.

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. SEA GRANT COLLEGES AND SEA GRANT INSTI-**
 10 **TUTES; ANNUAL REPORT ON PROGRESS.**

11 Section 207 (33 U.S.C. 1126) is amended by striking
 12 subsection (c).

13 **SEC. 4. DEAN JOHN A. KNAUSS MARINE POLICY FELLOW-**
 14 **SHIP.**

15 Section 208(b) (33 U.S.C. 1127(b)) is amended by
 16 striking “may” and inserting “shall”.

17 **SEC. 5. REPORT ON COORDINATION OF OCEANS AND**
 18 **COASTAL RESEARCH 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 20 Act Amendments of 2002 (33 U.S.C. 857–20) is repealed.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. NATIONAL SEA GRANT ADVISORY BOARD REPORT.**

22 Section 209(b) (33 U.S.C. 1128(b)) is amended by
 23 amending paragraph (2) to read as follows:

24 “(2) REPORT.—The Board shall report to the
 25 Congress every 3 years on the state of the national
 26 sea grant college program. The Board shall indicate

1 in each such report the progress made toward meet-
 2 ing the priorities identified in the strategic plan in
 3 effect under section 204(e). The Secretary shall
 4 make available to the Board such information, per-
 5 sonnel, and administrative services and assistance as
 6 it may reasonably require to carry out its duties
 7 under this title.”.

8 **SEC. 7. TECHNICAL AMENDMENT.**

9 Section 205(e) (33 U.S.C. 1124(e)) is amended by
 10 striking “ELEGIBILITY” in the heading and inserting
 11 “ELIGIBILITY”.

12 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

13 (a) IN GENERAL.—Section 212(a) (33 U.S.C.
 14 1131(a)) is amended—

15 (1) in paragraph (1)—

16 (A) by striking “and” at the end of sub-
 17 paragraph (E);

18 (B) by striking the period at the end of
 19 subparagraph (F) and inserting a semicolon;
 20 and

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

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

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

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

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

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

2 and

3 ~~“(L) \$91,900,000 for fiscal year 2020.”;~~

4 ~~(2) in paragraph (2), by striking “ACTIVITIES”~~

5 in the heading and inserting “ACTIVITIES THROUGH

6 FISCAL YEAR 2014”; and

7 ~~(3) by adding at the end the following:~~

8 ~~“(3) PRIORITY ACTIVITIES FOR FISCAL YEARS~~

9 ~~2015 THROUGH 2020.—In addition to the amounts~~

10 ~~authorized under paragraph (1), there is authorized~~

11 ~~to be appropriated for each of fiscal years 2015~~

12 ~~through 2020 \$18,000,000 for competitive grants~~

13 ~~for the following:~~

14 ~~“(A) University research on the biology,~~

15 ~~prevention, and control of aquatic nonnative~~

16 ~~species.~~

17 ~~“(B) University research on oyster dis-~~

18 ~~eases, oyster restoration, and oyster-related~~

19 ~~human health risks.~~

20 ~~“(C) University research on the biology,~~

21 ~~prevention, and forecasting of harmful algal~~

22 ~~blooms.~~

23 ~~“(D) University research, education, train-~~

24 ~~ing, and extension services and activities fo-~~

25 ~~cused on regional or national priority issues~~

1 identified in the strategic plan under section
2 204(e)(1).

3 “(E) 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) LIMITATIONS.—Section 212(b)(1) (33 U.S.C.
8 1131(b)(1)) is amended to read as follows:

9 “(1) ADMINISTRATION.—

10 “(A) IN GENERAL.—There may not be
11 used for administration of programs under this
12 title in a fiscal year more than 5.5 percent of
13 the lesser of—

14 “(i) the amount authorized to be ap-
15 propriated under this title for the fiscal
16 year; or

17 “(ii) the amount appropriated under
18 this title for the fiscal year.

19 “(B) CRITICAL STAFFING REQUIRE-
20 MENTS.—The Director shall use the authority
21 under subchapter VI of chapter 33 of title 5,
22 United States Code, to meet any critical staff-
23 ing requirement while implementing the activi-
24 ties authorized in this title. The costs associated
25 with that exercise of authority shall not be

1 **SEC. 4. DEAN JOHN A. KNAUSS MARINE POLICY FELLOW-**
2 **SHIP.**

3 (a) *IN GENERAL.*—Section 208(b) (33 U.S.C. 1127(b))
4 *is amended by striking “may” and inserting “shall”.*

5 (b) *PLACEMENTS IN CONGRESS.*—Section 208(b) (33
6 U.S.C. 1127(b)), *as amended by subsection (a) of this sec-*
7 *tion, is further amended—*

8 (1) *in the first sentence, by striking “The Sec-*
9 *retary” and inserting the following:*

10 “(1) *IN GENERAL.*—*The Secretary*”; and

11 (2) *in paragraph (1), as designated by para-*
12 *graph (1), in the second sentence, by striking “A fel-*
13 *lowship” and inserting the following:*

14 “(2) *PLACEMENT PRIORITIES.*—

15 “(A) *IN GENERAL.*—*In each year in which*
16 *the Secretary awards a legislative fellowship*
17 *under this subsection, when considering the*
18 *placement of fellows, the Secretary shall*
19 *prioritize placement of fellows in the following:*

20 “(i) *Positions in offices of, or with*
21 *members on, committees of Congress that*
22 *have jurisdiction over the National Oceanic*
23 *and Atmospheric Administration.*

24 “(ii) *Positions in offices of members of*
25 *Congress that have a demonstrated interest*
26 *in ocean, coastal, or Great Lakes resources.*

1 “(B) *EQUITABLE DISTRIBUTION.*—*In plac-*
 2 *ing fellows in offices described in subparagraph*
 3 *(A), the Secretary shall ensure, to the degree*
 4 *practicable, that placements are equitably dis-*
 5 *tributed among the political parties.*

6 “(3) *DURATION.*—*A fellowship*”.

7 (c) *EFFECTIVE DATE.*—*The amendments made by sub-*
 8 *section (b) shall apply with respect to the first calendar*
 9 *year beginning after the date of enactment of this Act.*

10 (d) *SENSE OF CONGRESS; ENCOURAGEMENT OF CA-*
 11 *REER DEVELOPMENT.*—*It is the sense of Congress that in*
 12 *recognition of the competitive nature of the fellowship under*
 13 *section 208(b) of the National Sea Grant College Program*
 14 *Act (33 U.S.C. 1127(b)), and of the exceptional qualifica-*
 15 *tions of fellowship awardees, the Secretary of Commerce,*
 16 *acting through the Under Secretary of Commerce for Oceans*
 17 *and Atmosphere, should encourage participating Federal*
 18 *agencies to consider opportunities for fellowship awardees*
 19 *at the conclusion of their fellowship for workforce positions*
 20 *appropriate for their education and experience.*

21 **SEC. 5. DONATIONS.**

22 (a) *IN GENERAL.*—*Section 204(c)(4)(E) (33 U.S.C.*
 23 *1123(c)(4)(E)) is amended to read as follows:*

24 “(E) *accept donations of money and, not-*
 25 *withstanding section 1342 of title 31, United*

1 *States Code, of voluntary and uncompensated*
2 *services;”.*

3 **(b) PRIORITIES.**—*The Secretary of Commerce, acting*
4 *through the Under Secretary of Commerce for Oceans and*
5 *Atmosphere, shall establish priorities for the use of dona-*
6 *tions accepted under section 204(c)(4)(E) of the National*
7 *Sea Grant College Program Act (33 U.S.C. 1123(c)(4)(E)),*
8 *and shall consider among those priorities the possibility of*
9 *expanding the Dean John A. Knauss Marine Policy Fellow-*
10 *ship’s placement of additional fellows in relevant legislative*
11 *offices under section 208(b) of that Act (33 U.S.C. 1127(b)),*
12 *in accordance with the recommendations under subsection*
13 *(c) of this section.*

14 **(c) REPORT.**—*Not later than 180 days after the date*
15 *of enactment of this Act, the National Sea Grant Office,*
16 *in consultation with the National Sea Grant Advisory*
17 *Board and the Sea Grant Association, shall—*

18 **(1)** *recommend the optimal use of any donations*
19 *accepted under section 204(c)(4)(E) of the National*
20 *Sea Grant College Program Act (33 U.S.C.*
21 *1123(c)(4)(E)); and*

22 **(2)** *report the recommendations under paragraph*
23 *(1) to Congress.*

24 **(d) CONSTRUCTION.**—*Nothing in this section shall be*
25 *construed to limit or otherwise affect any other amounts*

1 *available for marine policy fellowships under section 208(b)*
 2 *of the National Sea Grant College Program Act (33 U.S.C.*
 3 *1127(b)), including amounts accepted under section*
 4 *204(c)(4)(F) of that Act (33 U.S.C. 1123(c)(4)(F) or appro-*
 5 *priated under section 212 of that Act (33 U.S.C. 1131).*

6 **SEC. 6. REPORT ON COORDINATION OF OCEANS AND**
 7 **COASTAL RESEARCH ACTIVITIES.**

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

10 **SEC. 7. NATIONAL SEA GRANT ADVISORY BOARD REPORT.**

11 *Section 209(b) (33 U.S.C. 1128(b)) is amended by*
 12 *amending paragraph (2) to read as follows:*

13 *“(2) REPORT.—The Board shall report to the*
 14 *Congress every 3 years on the state of the national sea*
 15 *grant college program. The Board shall indicate in*
 16 *each such report the progress made toward meeting*
 17 *the priorities identified in the strategic plan in effect*
 18 *under section 204(c). The Secretary shall make avail-*
 19 *able to the Board such information, personnel, and*
 20 *administrative services and assistance as it may rea-*
 21 *sonably require to carry out its duties under this*
 22 *title.”.*

23 **SEC. 8. PROGRAM ELEMENTS.**

24 *Section 204(b) (33 U.S.C. 1123(b)) is amended by in-*
 25 *serting “for research, education, extension, training, tech-*

1 *nology transfer, and public service” after “financial assist-*
2 *ance”.*

3 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

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

6 *(1) in paragraph (1), by striking subparagraphs*
7 *(A) through (F) and inserting the following:*

8 *“(A) \$72,000,000 for fiscal year 2015;*

9 *“(B) \$75,600,000 for fiscal year 2016;*

10 *“(C) \$79,380,000 for fiscal year 2017;*

11 *“(D) \$83,350,000 for fiscal year 2018;*

12 *“(E) \$87,520,000 for fiscal year 2019; and*

13 *“(F) \$91,900,000 for fiscal year 2020.”; and*

14 *(2) by amending paragraph (2) to read as fol-*
15 *lows:*

16 *“(2) PRIORITY ACTIVITIES.—In addition to the*
17 *amounts authorized under paragraph (1), there is au-*
18 *thorized to be appropriated for each of fiscal years*
19 *2015 through 2020 \$6,000,000 for competitive grants*
20 *for the following:*

21 *“(A) University research on the biology,*
22 *prevention, and control of aquatic nonnative spe-*
23 *cies.*

1 “(B) *University research on oyster diseases,*
2 *oyster restoration, and oyster-related human*
3 *health risks.*

4 “(C) *University research on the biology,*
5 *prevention, and forecasting of harmful algal*
6 *blooms.*

7 “(D) *University research, education, train-*
8 *ing, and extension services and activities focused*
9 *on coastal resilience and U.S. working water-*
10 *fronts and other regional or national priority*
11 *issues identified in the strategic plan under sec-*
12 *tion 204(c)(1).*

13 “(E) *University research on sustainable*
14 *aquaculture techniques and technologies.*

15 “(F) *Fishery extension activities conducted*
16 *by sea grant colleges or sea grant institutes to*
17 *enhance, and not supplant, existing core pro-*
18 *gram funding.”.*

19 (b) *LIMITATIONS.—Section 212(b)(1) (33 U.S.C.*
20 *1131(b)(1)) is amended to read as follows:*

21 “(1) *ADMINISTRATION.—*

22 “(A) *IN GENERAL.—There may not be used*
23 *for administration of programs under this title*
24 *in a fiscal year more than 5.5 percent of the less-*
25 *er 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 REQUIREMENTS.—
 7 The Director shall use the authority under sub-
 8 chapter VI of chapter 33 of title 5, United States
 9 Code, to meet any critical staffing requirement
 10 while implementing the activities authorized in
 11 this title. The costs associated with that exercise
 12 of authority shall not be counted toward the cap
 13 under subparagraph (A).”.

14 (c) ALLOCATION OF FUNDING.—

15 (1) IN GENERAL.—Section 204(d)(3) (33 U.S.C.
 16 1123(d)(3) is amended—

17 (A) by striking “With respect to sea grant
 18 colleges and sea grant institutes” and inserting
 19 “With respect to sea grant colleges, sea grant in-
 20 stitutes, sea grant programs, and sea grant
 21 projects”; and

22 (B) in subparagraph (B), by striking
 23 “funding among sea grant colleges and sea grant
 24 institutes” and inserting “funding among sea

1 *grant colleges, sea grant institutes, sea grant*
2 *programs, and sea grant projects”.*

3 (2) *EXCESS AMOUNTS.*—*Section 212 (33 U.S.C.*
4 *1131) is amended—*

5 *(A) by striking subsection (c); and*

6 *(B) by redesignating subsections (d) and (e)*

7 *as subsections (c) and (d), respectively.*

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College Program Act, and for other purposes.

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Reported with an amendment