

(c) LIMITATION.—The direct hire authority under this section shall be exercised with respect to a specific qualified candidate not later than 2 years after the date that the candidate completed the fellowship described in subsection (b).

**SEC. 9. AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL SEA GRANT COLLEGE PROGRAM.**

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

(1) by amending paragraph (1) to read as follows:

“(1) IN GENERAL.—There are authorized to be appropriated to the Secretary to carry out this title—

“(A) \$87,520,000 for fiscal year 2020;  
“(B) \$91,900,000 for fiscal year 2021;  
“(C) \$96,500,000 for fiscal year 2022;  
“(D) \$101,325,000 for fiscal year 2023; and  
“(E) \$105,700,000 for fiscal year 2024.”; and

(2) by amending paragraph (2) to read as follows:

“(2) PRIORITY ACTIVITIES FOR FISCAL YEARS 2020 THROUGH 2024.—In addition to the amounts authorized to be appropriated under paragraph (1), there are authorized to be appropriated \$6,000,000 for each of fiscal years 2020 through 2024 for competitive grants for the following:

“(A) University research on the biology, prevention, and control of aquatic nonnative species.

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

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

“(D) University research, education, training, and extension services and activities focused on coastal resilience and United States working waterfronts and other regional or national priority issues identified in the strategic plan under section 204(c)(1).

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

“(F) Fishery research and extension activities conducted by sea grant colleges or sea grant institutes to enhance, and not supplant, existing core program funding.”.

(b) MODIFICATION OF LIMITATIONS ON AMOUNTS FOR ADMINISTRATION.—Paragraph (1) of section 212(b) (33 U.S.C. 1131(b)) is amended to read as follows:

“(1) ADMINISTRATION.—

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

“(i) the amount authorized to be appropriated under this title for the fiscal year; or  
“(ii) the amount appropriated under this title for the fiscal year.

“(B) CRITICAL STAFFING REQUIREMENTS.—

“(i) IN GENERAL.—The Director shall use the authority under subchapter VI of chapter 33 of title 5, United States Code, and under section 210 of this title, to meet any critical staffing requirement while carrying out the activities authorized under this title.

“(ii) EXCEPTION FROM CAP.—For purposes of subparagraph (A), any costs incurred as a result of an exercise of authority as described in clause (i) shall not be considered an amount used for administration of programs under this title in a fiscal year.”.

(c) ALLOCATION OF FUNDING.—

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

(A) in the matter preceding subparagraph (A), by striking “With respect to sea grant colleges and sea grant institutes” and inserting “With respect to sea grant colleges, sea grant institutes, sea grant programs, and sea grant projects”; and

(B) in subparagraph (B), in the matter preceding clause (i), by striking “funding among sea grant colleges and sea grant institutes” and

inserting “funding among sea grant colleges, sea grant institutes, sea grant programs, and sea grant projects”.

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

(A) by striking subsection (c); and  
(B) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

**SEC. 10. REPEAL OF REQUIREMENT FOR REPORT ON COORDINATION OF OCEANS AND COASTAL RESEARCH ACTIVITIES.**

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

**SEC. 11. TECHNICAL CORRECTIONS.**

The National Sea Grant College Program Act (33 U.S.C. 1121 et seq.) is amended—

(1) in section 204(d)(3)(B) (33 U.S.C. 1123(d)(3)(B)), by moving clause (vi) 2 ems to the right; and

(2) in section 209(b)(2) (33 U.S.C. 1128(b)(2)), as amended by section 5, in the third sentence, by striking “The Secretary shall” and inserting the following:

“(3) AVAILABILITY OF RESOURCES OF DEPARTMENT OF COMMERCE.—The Secretary shall”.

Mr. PORTMAN. I ask unanimous consent that the committee-reported substitute be withdrawn; that the Wicker amendment at the desk be agreed to; and that the bill, as amended, be considered read a third time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment, in the nature of a substitute, was withdrawn.

The amendment (No. 2674), in the nature of a substitute, was agreed to.

(The amendment is printed in today’s RECORD under “Text of Amendments.”)

The bill, as amended, was ordered to be engrossed for a third reading and was read the third time.

Mr. PORTMAN. I know of no further debate on the bill, as amended.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 910), as amended, was passed.

Mr. PORTMAN. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### DIGITAL COAST ACT

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be discharged from further consideration of S. 1069 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1069) to require the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, to establish a constituent-driven program to provide a digital information platform capable of efficiently integrating coastal data with decision-support tools, training, and best practices and to support collection of priority coastal

geospatial data to inform and improve local, State, regional, and Federal capacities to manage the coastal region, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation.

Mr. PORTMAN. I ask unanimous consent that the bill be considered read a third time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. PORTMAN. I know of no further debate on the bill.

The PRESIDING OFFICER. If there is no further debate, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 1069) was passed.

Mr. PORTMAN. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AMENDING THE NUTRIA ERADICATION AND CONTROL ACT OF 2003 TO INCLUDE CALIFORNIA IN THE PROGRAM

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be discharged from further consideration of H.R. 3399 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 3399) to amend the Nutria Eradication and Control Act of 2003 to include California in the program, and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. PORTMAN. Mr. President, I ask unanimous consent that the bill be considered read a third time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill was ordered to a third reading and was read the third time.

Mr. PORTMAN. I know of no further debate on this bill.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 3399) was passed.

Mr. PORTMAN. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

**AMENDING THE NUTRIA ERADICATION AND CONTROL ACT OF 2003 TO INCLUDE CALIFORNIA IN THE PROGRAM**

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be discharged from further consideration of S. 4403 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 4403) to amend the Nutria Eradication and Control Act of 2003 to include California in the program, and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. KENNEDY. Mr. President, though my bill, S. 4403, a bill to amend the Nutria Eradication and Control Act of 2003 to include California in the program, amends P.L. 108-16, which calls specifically for the Secretary to “require that the program consist of management, research, and public education activities carried out in accordance with the document published by the United States Fish and Wildlife Service entitled ‘Eradication Strategies for Nutria in the Chesapeake and Delaware Bay Watersheds’ dated March 2002” and to “give consideration to the 2002 report from the Louisiana Department of Wildlife and Fisheries titled ‘Nutria in Louisiana,’” the Secretary and State participants should also consider data that has been established since 2002, in developing strategies for the eradication of Nutria.

Mr. PORTMAN. Mr. President, I ask unanimous consent that the bill be considered read a third time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. PORTMAN. I know of no further debate on this bill.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 4403) was passed, as follows:

**S. 4403**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. NUTRIA ERADICATION.**

The Nutria Eradication and Control Act of 2003 (Public Law 108-16) is amended—

(1) in section 2—

(A) in subsection (a)—

(i) in paragraph (1), by striking “Wetlands and tidal marshes of the Chesapeake Bay and in Louisiana” and inserting “Wetlands, tidal marshes, and agricultural lands”;

(ii) in paragraph (2), by striking “in Maryland and Louisiana”; and

(iii) by amending paragraph (3) to read as follows:

“(3) Traditional harvest methods to control or eradicate nutria have failed. Consequently, marsh loss, loss of public and pri-

vate wetlands, and loss of agricultural lands are accelerating.”; and

(B) in subsection (b), by striking “the State of Maryland and the State of Louisiana” and inserting “any State that has demonstrated the need”; and

(2) in section 3—

(A) by amending subsection (a) to read as follows:

“(a) GRANT AUTHORITY.—The Secretary of the Interior (referred to in this Act as the ‘Secretary’), may provide financial assistance to a State, in an amount that is in proportion to the total impacted area of such State affected by nutria, that has demonstrated to the Secretary sufficient need for a program to implement measures to eradicate or control nutria and restore marshland, public and private wetlands, and agricultural lands damaged by nutria.”;

(B) by striking subsection (b);

(C) in subsection (d)—

(i) in paragraph (1), by striking “the program may” and inserting “a State program referred to in subsection (a) may”; and

(ii) in paragraph (2), by striking “the program may” and inserting “a State program referred to in subsection (a) may”;

(D) in subsection (e), by inserting “to a State” after “provided”;

(E) in subsection (f), by striking “\$4,000,000” and all that follows and inserting “\$12,000,000 for each of fiscal years 2021 through 2025.”; and

(F) by redesignating subsections (c) through (f) as subsections (b) through (e).

Passed the Senate September 30 (legislative day, September 29), 2020.

Mr. PORTMAN. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

**EXTENSION OF THE CARIBBEAN BASIN ECONOMIC RECOVERY ACT**

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Committee on Finance be discharged from further consideration of H.R. 991 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 991) to extend certain provisions of the Caribbean Basin Economic Recovery Act until September 30, 2030, and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. PORTMAN. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 991) was ordered to a third reading, was read the third time, and passed.

**PROTECTING BUSINESS OPPORTUNITIES FOR VETERANS ACT OF 2019**

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Com-

mittee on Veterans’ Affairs be discharged from further consideration of H.R. 561 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 561) to amend title 38, United States Code, to improve the oversight of contracts awarded by the Secretary of Veterans Affairs to small business concerns owned and controlled by veterans, and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. CARDIN. Mr. President, I wish to enter into a colloquy with Senators MORAN and TESTER, the chairman and ranking member of the Senate Committee on Veterans’ Affairs, to discuss H.R. 561, the Protecting Business Opportunities for Veterans Act.

H.R. 561 is important legislation that seeks to prevent large companies from using a veteran-owned small business as a front to win a small business set-aside or sole-source contract that the small business contractor is incapable of performing. To prevent this, H.R. 561 places certain subcontracting limitations on the Department of Veterans’ Affairs Vet’s First contracting program. For the agency’s small business set-asides for veteran-owned and service-disabled veteran-owned small businesses, the small business prime would need to certify that it will perform 50 percent more of the work. This limitation on subcontracting can only be circumvented if the small business prime subcontracts to a “similarly situated” business.

However, as ranking member of the Senate Small Business and Entrepreneurship Committee, I have two concerns with this legislation.

The first concern is that all the penalties for violating the limitations on subcontracting fall on the small business prime contractor and does not provide the agency with the flexibility to impose penalties on the subcontractor that is using the small business as a front to win the contract. This is inconsistent with similar Small Business Administration regulations governing other small business set-asides that provide the necessary flexibility to penalize the appropriate party.

The second concern is that the bill requires the Department of Veterans’ Affairs to monitor compliance by using a reporting system that is not used by small business prime contractors because small businesses are exempt from the requirement to provide a small business subcontracting plan. The current system does not have the capability to record compliance on limitations of subcontracting and a system has not been established by the Small Business Administration. Simply put, there is no system in place for small businesses to report into and needs to be created.