

lege or sea grant institute under subsection (a) if, before the end of the 30-day period described in subparagraph (A), a joint resolution disapproving the designation is enacted.

(2) Existing designees

Any institution, or association or alliance of two or more such institutions, designated as a sea grant college or awarded institutional program status by the Director prior to March 6, 1998, shall not have to reapply for designation as a sea grant college or sea grant institute, respectively, after March 6, 1998, if the Director determines that the institution, or association or alliance of institutions, meets the qualifications in subsection (a).

(c) Suspension or termination of designation

The Secretary may, for cause and after an opportunity for hearing, suspend or terminate any designation under subsection (a).

(d) Duties

Subject to any regulations prescribed or guidelines established by the Secretary, it shall be the responsibility of each sea grant college and sea grant institute—

(1) to develop and implement, in consultation with the Secretary and the Board, a program that is consistent with the guidelines and priorities established under section 1123(c) of this title; and

(2) to conduct a merit review of all proposals for grants and contracts to be awarded under section 1124 of this title.

(Pub. L. 89-454, title II, § 207, as added Pub. L. 94-461, § 2, Oct. 8, 1976, 90 Stat. 1966; amended Pub. L. 100-220, title III, § 3104(b)(1)(E), Dec. 29, 1987, 101 Stat. 1470; Pub. L. 105-160, § 7, Mar. 6, 1998, 112 Stat. 24; Pub. L. 107-299, § 8, Nov. 26, 2002, 116 Stat. 2348; Pub. L. 110-394, §§ 7, 9(a)(4)(C)(ii), Oct. 13, 2008, 122 Stat. 4207, 4208; Pub. L. 113-188, title II, § 201(a), Nov. 26, 2014, 128 Stat. 2018; Pub. L. 116-221, § 7, Dec. 18, 2020, 134 Stat. 1059.)

Editorial Notes

AMENDMENTS

2020—Subsec. (b). Pub. L. 116-221, § 7(2), added par. (1), designated existing provisions as par. (2), and inserted par. (2) heading.

Pub. L. 116-221, § 7(1), substituted “Additional designations” for “Existing designees” in heading.

2014—Subsec. (e). Pub. L. 113-188, which directed amendment of section 207 of the National Sea Grant Program Act by striking subsec. (e), was executed to this section, which is section 207 of the National Sea Grant College Program Act, to reflect the probable intent of Congress. Prior to amendment, subsec. (e) related to annual reports on progress made by colleges, universities, institutions, associations, and alliances to become designated under this section as sea grant colleges or sea grant institutes.

2008—Subsec. (a)(1)(F). Pub. L. 110-394, § 9(a)(4)(C)(ii), substituted “Board” for “panel”.

Subsec. (a)(2)(B), (3)(B). Pub. L. 110-394, § 7, substituted “extension services” for “advisory services”.

Subsec. (d)(1). Pub. L. 110-394, § 9(a)(4)(C)(ii), substituted “Board” for “panel”.

2002—Subsec. (e). Pub. L. 107-299 added subsec. (e).

1998—Pub. L. 105-160 amended section catchline and text generally. Prior to amendment text consisted of subssecs. (a) to (c) relating to authorization of the Sec-

retary to designate sea grant college and sea grant regional consortia with certain prerequisites, requirement of regulations to prescribe qualifications and guidelines, and authorization of the Secretary to suspend or terminate any designation.

1987—Subsec. (a)(2)(A), (3)(A), (B). Pub. L. 100-220 substituted “ocean, coastal, and Great Lakes resources” for “ocean and coastal resources”.

§ 1127. Fellowships

(a) In general

To carry out the educational and training objectives of this subchapter, the Secretary shall support a program of fellowships for qualified individuals at the graduate and post-graduate level. The fellowships shall be related to ocean, coastal, and Great Lakes resources and awarded pursuant to guidelines established by the Secretary. The Secretary shall strive to ensure equal access for minority and economically disadvantaged students to the program carried out under this subsection.

(b) Dean John A. Knauss Marine Policy Fellowship

(1) In general

The Secretary shall award marine policy fellowships to support the placement of individuals at the graduate level of education in fields related to ocean, coastal and Great Lakes resources in positions with the executive and legislative branches of the United States Government.

(2) Placement priorities

(A) In general

In each year in which the Secretary awards a legislative fellowship under this subsection, when considering the placement of fellows, the Secretary shall prioritize placement of fellows in the following:

(i) Positions in offices of, or with Members on, committees of Congress that have jurisdiction over the National Oceanic and Atmospheric Administration.

(ii) Positions in offices of Members of Congress that have a demonstrated interest in ocean, coastal, or Great Lakes resources.

(B) Equitable distribution

In placing fellows in offices described in subparagraph (A), the Secretary shall ensure that placements are equitably distributed among the political parties.

(3) Duration

A fellowship awarded under this subsection shall be for a period of not more than 1 year.

(c) Restriction on use of funds

Amounts available for fellowships under this section, including amounts accepted under section 1123(c)(4)(F) of this title or appropriated under section 1131 of this title to implement this section, shall be used only for award of such fellowships and administrative costs of implementing this section.

(Pub. L. 89-454, title II, § 208, as added Pub. L. 94-461, § 2, Oct. 8, 1976, 90 Stat. 1966; amended Pub. L. 100-66, § 3, July 10, 1987, 101 Stat. 384; Pub. L. 100-220, title III, § 3107, Dec. 29, 1987, 101

Stat. 1472; Pub. L. 102-186, §4(b)(1)(C), (D), Dec. 4, 1991, 105 Stat. 1283; Pub. L. 105-160, §4(b)(2), Mar. 6, 1998, 112 Stat. 22; Pub. L. 107-299, §5, Nov. 26, 2002, 116 Stat. 2346; Pub. L. 110-394, §8, Oct. 13, 2008, 122 Stat. 4207; Pub. L. 113-188, title II, §201(c), Nov. 26, 2014, 128 Stat. 2018; Pub. L. 116-221, §3(a), (b), Dec. 18, 2020, 134 Stat. 1057.)

Editorial Notes

REFERENCES IN TEXT

This subchapter, referred to in subsec. (a), was in the original “this Act” and was translated as reading “this title” meaning title II of Pub. L. 89-454, which enacted this subchapter, to reflect the probable intent of Congress.

AMENDMENTS

2020—Subsec. (b). Pub. L. 116-221 designated first sentence as par. (1) and inserted heading, substituted “shall award” for “may award”, added par. (2), and designated second sentence as par. (3) and inserted heading.

2014—Subsec. (a). Pub. L. 113-188, which directed amendment of section 208(a) of the National Sea Grant Program Act by striking the fourth sentence, was executed to this section, which is section 208(a) of the National Sea Grant College Program Act, to reflect the probable intent of Congress. Prior to amendment, fourth sentence read as follows: “Every 2 years, the Secretary shall submit a report to the Congress describing the efforts by the Secretary to ensure equal access for minority and economically disadvantaged students to the program carried out under this subsection, and the results of such efforts.”

2008—Subsec. (a). Pub. L. 110-394, §8(1), substituted “Every 2 years,” for “Not later than 1 year after November 26, 2002, and every 2 years thereafter.”

Subsec. (c). Pub. L. 110-394, §8(2), added subsec. (c).

2002—Subsec. (a). Pub. L. 107-299, §5(a), inserted at end “The Secretary shall strive to ensure equal access for minority and economically disadvantaged students to the program carried out under this subsection. Not later than 1 year after November 26, 2002, and every 2 years thereafter, the Secretary shall submit a report to the Congress describing the efforts by the Secretary to ensure equal access for minority and economically disadvantaged students to the program carried out under this subsection, and the results of such efforts.”

Subsec. (c). Pub. L. 107-299, §5(b), struck out heading and text of subsec. (c). Text read as follows: “The Secretary shall establish and administer a program of postdoctoral fellowships to accelerate research in critical subject areas. The fellowship awards—

“(1) shall be for 2 years;

“(2) may be renewed once for not more than 2 years;

“(3) shall be awarded on a nationally competitive basis;

“(4) may be used at any institution of post-secondary education involved in the national sea grant college program;

“(5) shall be for up to 100 percent of the total cost of the fellowship; and

“(6) may be made to recipients of terminal professional degrees, as well as doctoral degree recipients.”

1998—Pub. L. 105-160 substituted “Secretary” for “Under Secretary” in subsec. (a) in two places and in subsecs. (b) and (c).

1991—Subsec. (c)(5) to (7). Pub. L. 102-186 inserted “and” after semicolon at end of par. (5), redesignated par. (7) as (6), and struck out former par. (6) which read as follows: “may be made for any of the priority areas of research identified in the sea grant strategic research plan in effect under section 1125 of this title; and”.

1987—Subsec. (a). Pub. L. 100-220 amended subsec. (a) generally. Prior to amendment, subsec. (a) read as follows: “The Secretary shall support a sea grant fellow-

ship program to provide educational and training assistance to qualified individuals at the undergraduate and graduate levels of education in fields related to ocean and coastal resources. Such fellowships shall be awarded pursuant to guidelines established by the Secretary. Except as provided in subsection (b) of this section, sea grant fellowships may only be awarded by sea grant colleges, sea grant regional consortia, institutions of higher education, and professional associations and institutes.”

Pub. L. 100-66, §3(1), substituted “Except as provided in subsection (b) of this section, sea” for “Sea”.

Subsec. (b). Pub. L. 100-220 amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows:

“(1) As part of the sea grant fellowship program, the Secretary may award sea grant fellowships to support the placement of qualified individuals in positions with the executive and legislative branches of the United States Government. No fellowship may be awarded under this paragraph for a period exceeding one year.

“(2) For purposes of this subsection, the term ‘qualified individual’ means an individual at the graduate level of education in fields related to ocean and coastal resources.”

Pub. L. 100-66, §3(2), (3), added subsec. (b) and redesignated former subsec. (b) as (c).

Subsec. (c). Pub. L. 100-220 amended subsec. (c) generally. Prior to amendment, subsec. (c) read as follows: “The total amount which may be provided for grants under the sea grant fellowship program during any fiscal year shall not exceed an amount equal to 5 percent of the total funds appropriated for such year pursuant to section 1131 of this title.”

Pub. L. 100-66, §3(2), redesignated former subsec. (b) as (c).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2020 AMENDMENT

Pub. L. 116-221, §3(c), Dec. 18, 2020, 134 Stat. 1058, provided that: “The amendments made by this section [amending this section] shall apply with respect to the first calendar year beginning after the date of the enactment of this Act [Dec. 18, 2020].”

EFFECTIVE DATE OF 1987 AMENDMENT

Pub. L. 100-66, §4, July 10, 1987, 101 Stat. 385, provided that: “The amendment made by section 3 [amending this section] shall take effect January 1, 1978.”

DIRECT HIRE AUTHORITY; DEAN JOHN A. KNAUSS MARINE POLICY FELLOWSHIP

Pub. L. 116-221, §8, Dec. 18, 2020, 134 Stat. 1059, provided that:

“(a) IN GENERAL.—During fiscal year 2021 and any fiscal year thereafter, the head of any Federal agency may appoint, without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code, other than sections 3303 and 3328 of that title, a qualified candidate described in subsection (b) directly to a position with the Federal agency for which the candidate meets Office of Personnel Management qualification standards.

“(b) DEAN JOHN A. KNAUSS MARINE POLICY FELLOWSHIP.—Subsection (a) applies with respect to a former recipient of a Dean John A. Knauss Marine Policy Fellowship under section 208(b) of the National Sea Grant College Program Act (33 U.S.C. 1127(b)) who—

“(1) earned a graduate or post-graduate degree in a field related to ocean, coastal, and Great Lakes resources or policy from an accredited institution of higher education; and

“(2) successfully fulfilled the requirements of the fellowship within the executive or legislative branch of the United States Government.

“(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).”

§ 1128. National Sea Grant Advisory Board

(a) Establishment

There shall be an independent committee to be known as the National Sea Grant Advisory Board.

(b) Duties

(1) In general

The Board shall advise the Secretary and the Director concerning—

(A) strategies for utilizing the sea grant college program to address the Nation's highest priorities regarding the understanding, assessment, development, management, utilization, and conservation of ocean, coastal, and Great Lakes resources;

(B) the designation of sea grant colleges and sea grant institutes; and

(C) such other matters as the Secretary refers to the Board for review and advice.

(2) Periodic report

The Board shall report to Congress at least once every four years on the state of the national sea grant college program and shall notify Congress of any significant changes to the state of the program not later than two years after the submission of such a report. The Board shall indicate in each such report the progress made toward meeting the priorities identified in the strategic plan in effect under section 1123(c) of this title and provide a summary of research conducted under the program.

(3) Availability of resources of Department of Commerce

The Secretary shall make available to the Board such information, personnel, and administrative services and assistance as it may reasonably require to carry out its duties under this subchapter.

(c) Membership, terms, and powers

(1) The Board shall consist of 15 voting members who shall be appointed by the Secretary. The Director and a director of a sea grant program who is elected by the various directors of sea grant programs shall serve as nonvoting members of the Board. Not less than 8 of the voting members of the Board shall be individuals who, by reason of knowledge, experience, or training, are especially qualified in one or more of the disciplines and fields included in marine science. The other voting members shall be individuals who, by reason of knowledge, experience, or training, are especially qualified in, or representative of, education, marine affairs and resource management, coastal management, extension services, State government, industry, economics, planning, or any other activity which is appropriate to, and important for, any effort to enhance the understanding, assessment, development, management, utilization, or conservation of ocean, coastal, and Great Lakes resources. No individual is eligible to be a voting member of the Board if the individual is (A) the director of a sea grant college or sea grant institute; (B) an applicant for, or beneficiary (as determined by the Secretary) of, any grant or contract under section 1124 of this title; or (C) a

full-time officer or employee of the United States.

(2) The term of office of a voting member of the Board shall be 3 years for a member appointed before November 26, 2002, and 4 years for a member appointed or reappointed after November 26, 2002. The Director may extend the term of office of a voting member of the Board appointed before November 26, 2002, by up to 1 year. At least once each year, the Secretary shall publish a notice in the Federal Register soliciting nominations for membership on the Board.

(3) Any individual appointed to a partial or full term may be reappointed for one additional full term. The Director may extend the term of office of a voting member of the Board once by up to 1 year.

(4) The Board shall select one voting member to serve as the Chairman and another voting member to serve as the Vice Chairman. The Vice Chairman shall act as Chairman in the absence or incapacity of the Chairman.

(5) Voting members of the Board shall—

(A) receive compensation at a rate established by the Secretary, not to exceed the maximum daily rate payable under section 5376 of title 5, when actually engaged in the performance of duties for such Board; and

(B) be reimbursed for actual and reasonable expenses incurred in the performance of such duties.

(6) The Board shall meet on a biannual basis and, at any other time, at the call of the Chairman or upon the request of a majority of the voting members or of the Director.

(7) The Board may exercise such powers as are reasonably necessary in order to carry out its duties under subsection (b).

(8) The Board may establish such subcommittees as are reasonably necessary to carry out its duties under subsection (b). Such subcommittees may include individuals who are not Board members.

(Pub. L. 89-454, title II, §209, as added Pub. L. 94-461, §2, Oct. 8, 1976, 90 Stat. 1967; amended Pub. L. 96-289, §1(5), June 28, 1980, 94 Stat. 605; Pub. L. 100-220, title III, §§3104(b)(1)(F), 3108, Dec. 29, 1987, 101 Stat. 1471, 1473; Pub. L. 102-186, §§4(b)(1)(E), (F), 5(b)(2), Dec. 4, 1991, 105 Stat. 1283, 1284; Pub. L. 105-160, §§4(b)(1), 8, Mar. 6, 1998, 112 Stat. 22, 25; Pub. L. 107-299, §6, Nov. 26, 2002, 116 Stat. 2346; Pub. L. 110-394, §9(a)(4)(A), (C)(iii)-(e), Oct. 13, 2008, 122 Stat. 4208; Pub. L. 116-221, §§5, 11(2), Dec. 18, 2020, 134 Stat. 1058, 1061.)

Editorial Notes

AMENDMENTS

2020—Subsec. (b)(2). Pub. L. 116-221, §5, substituted “Periodic” for “Biennial” in heading, substituted “The Board shall report to Congress at least once every four years on the state of the national sea grant college program and shall notify Congress of any significant changes to the state of the program not later than two years after the submission of such a report.” for “The Board shall report to the Congress every two years on the state of the national sea grant college program.” in first sentence, and inserted “and provide a summary of research conducted under the program” after “section