

114TH CONGRESS  
1ST SESSION

# S. 2328

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## AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “National Sea Grant  
3 College Program Amendments Act of 2015”.

4 **SEC. 2. REFERENCES TO THE NATIONAL SEA GRANT COL-**  
5 **LEGE PROGRAM ACT.**

6 Except as otherwise expressly provided, wherever in  
7 this Act an amendment or repeal is expressed in terms  
8 of an amendment to, or repeal of, a section or other provi-  
9 sion, the reference shall be considered to be made to a  
10 section or other provision of the National Sea Grant Col-  
11 lege Program Act (33 U.S.C. 1121 et seq.).

12 **SEC. 3. MODIFICATION OF DEAN JOHN A. KNAUSS MARINE**  
13 **POLICY FELLOWSHIP.**

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

17 (b) PLACEMENTS IN CONGRESS.—Such section is  
18 further amended—

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

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

22 (2) in paragraph (1), as designated by para-  
23 graph (1), in the second sentence, by striking “A fel-  
24 lowship” and inserting the following:

25 “(2) PLACEMENT PRIORITIES.—

1           “(A) IN GENERAL.—In each year in which  
2           the Secretary awards a legislative fellowship  
3           under this subsection, when considering the  
4           placement of fellows, the Secretary shall  
5           prioritize placement of fellows in the following:

6                   “(i) Positions in offices of, or with  
7                   members on, committees of Congress that  
8                   have jurisdiction over the National Oceanic  
9                   and Atmospheric Administration.

10                   “(ii) Positions in offices of members  
11                   of Congress that have a demonstrated in-  
12                   terest in ocean, coastal, or Great Lakes re-  
13                   sources.

14           “(B) EQUITABLE DISTRIBUTION.—In plac-  
15           ing fellows in offices described in subparagraph  
16           (A), the Secretary shall ensure, to the max-  
17           imum degree practicable, that placements are  
18           equitably distributed among the political par-  
19           ties.

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

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

24           (d) SENSE OF CONGRESS CONCERNING FEDERAL  
25           HIRING OF FORMER FELLOWS.—It is the sense of Con-

1 gress that in recognition of the competitive nature of the  
2 fellowship under section 208(b) of the National Sea Grant  
3 College Program Act (33 U.S.C. 1127(b)), and of the ex-  
4 ceptional qualifications of fellowship awardees, the Sec-  
5 retary of Commerce, acting through the Under Secretary  
6 of Commerce for Oceans and Atmosphere, should encour-  
7 age participating Federal agencies to consider opportuni-  
8 ties for fellowship awardees at the conclusion of their fel-  
9 lowship for workforce positions appropriate for their edu-  
10 cation and experience.

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

14 (a) IN GENERAL.—Section 204(c)(4)(E) (33 U.S.C.  
15 1123(c)(4)(E)) is amended to read as follows:

16 “(E) accept donations of money and, not-  
17 withstanding section 1342 of title 31, United  
18 States Code, of voluntary and uncompensated  
19 services;”.

20 (b) PRIORITIES.—The Secretary of Commerce, acting  
21 through the Under Secretary of Commerce for Oceans and  
22 Atmosphere, shall establish priorities for the use of dona-  
23 tions accepted under section 204(c)(4)(E) of the National  
24 Sea Grant College Program Act (33 U.S.C.  
25 1123(c)(4)(E)), and shall consider among those priorities

1 the possibility of expanding the Dean John A. Knauss Ma-  
2 rine Policy Fellowship's placement of additional fellows in  
3 relevant legislative offices under section 208(b) of that Act  
4 (33 U.S.C. 1127(b)), in accordance with the recommenda-  
5 tions under subsection (c) of this section.

6 (c) REPORT.—Not later than 180 days after the date  
7 of the enactment of this Act, the Director of the National  
8 Sea Grant College Program, in consultation with the Na-  
9 tional Sea Grant Advisory Board and the Sea Grant Asso-  
10 ciation, shall—

11 (1) develop recommendations for the optimal  
12 use of any donations accepted under section  
13 204(c)(4)(E) of the National Sea Grant College Pro-  
14 gram Act (33 U.S.C. 1123(c)(4)(E)); and

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

17 (d) CONSTRUCTION.—Nothing in this section shall be  
18 construed to limit or otherwise affect any other amounts  
19 available for marine policy fellowships under section  
20 208(b) of the National Sea Grant College Program Act  
21 (33 U.S.C. 1127(b)), including amounts—

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

24 (2) appropriated under section 212 of that Act  
25 (33 U.S.C. 1131).

1 **SEC. 5. REPEAL OF REQUIREMENT FOR REPORT ON CO-**  
2 **ORDINATION OF OCEANS AND COASTAL RE-**  
3 **SEARCH ACTIVITIES.**

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

6 **SEC. 6. REDUCTION IN FREQUENCY REQUIRED FOR NA-**  
7 **TIONAL SEA GRANT ADVISORY BOARD RE-**  
8 **PORT.**

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

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

13 (2) in the first sentence, by striking “The  
14 Board shall report to the Congress every two years”  
15 and inserting “Not less frequently than once every  
16 3 years, the Board shall submit to Congress a re-  
17 port”.

18 **SEC. 7. MODIFICATION OF ELEMENTS OF NATIONAL SEA**  
19 **GRANT COLLEGE PROGRAM.**

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

1 **SEC. 8. DIRECT HIRE AUTHORITY; DEAN JOHN A. KNAUSS**  
2 **MARINE POLICY FELLOWSHIP.**

3 (a) IN GENERAL.—During fiscal year 2016 and  
4 thereafter, the head of any Federal agency may appoint,  
5 without regard to the provisions of subchapter I of chapter  
6 33 of title 5, United States Code, other than sections 3303  
7 and 3328 of that title, a qualified candidate described in  
8 subsection (b) directly to a position with the Federal agen-  
9 cy for which the candidate meets Office of Personnel Man-  
10 agement qualification standards.

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

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

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

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

1 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS FOR NA-**  
2 **TIONAL SEA GRANT COLLEGE PROGRAM.**

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

5 (1) in paragraph (1)—

6 (A) in subparagraph (E), by striking  
7 “and” at the end;

8 (B) in subparagraph (F), by striking the  
9 period at the end and inserting “;” and

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

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

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

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

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

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

16 “(L) \$91,900,000 for fiscal year 2020; and

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

18 (2) in the heading for paragraph (2), by insert-  
19 ing “FOR FISCAL YEARS 2009 THROUGH 2014” after  
20 “PRIORITY ACTIVITIES”; and

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

22 “(3) PRIORITY ACTIVITIES FOR FISCAL YEARS  
23 2015 THROUGH 2020.—In addition to the amounts  
24 authorized under paragraph (1), there is authorized  
25 to be appropriated \$6,000,000 for each of fiscal



1 years 2015 through 2020 for competitive grants for  
2 the following:

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

6 “(B) University research on oyster dis-  
7 eases, oyster restoration, and oyster-related  
8 human health risks.

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

12 “(D) University research, education, train-  
13 ing, and extension services and activities fo-  
14 cused on coastal resilience and U.S. working  
15 waterfronts and other regional or national pri-  
16 ority issues identified in the strategic plan  
17 under section 204(c)(1).

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

20 “(F) Fishery extension activities conducted  
21 by sea grant colleges or sea grant institutes to  
22 enhance, and not supplant, existing core pro-  
23 gram funding.”.

1 (b) MODIFICATION OF LIMITATIONS ON AMOUNTS  
2 FOR ADMINISTRATION.—Paragraph (1) of section 212(b)  
3 (33 U.S.C. 1131(b)) is amended to read as follows:

4 “(1) ADMINISTRATION.—

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

9 “(i) the amount authorized to be ap-  
10 propriated under this title for the fiscal  
11 year; or

12 “(ii) the amount appropriated under  
13 this title for the fiscal year.

14 “(B) CRITICAL STAFFING REQUIRE-  
15 MENTS.—

16 “(i) IN GENERAL.—The Director shall  
17 use the authority under subchapter VI of  
18 chapter 33 of title 5, United States Code,  
19 to meet any critical staffing requirement  
20 while carrying out the activities authorized  
21 in this title.

22 “(ii) EXCEPTION FROM CAP.—For  
23 purposes of subparagraph (A), any costs  
24 incurred as a result of an exercise of au-  
25 thority as described in clause (i) shall not

1           be considered an amount used for adminis-  
2           tration of programs under this title in a  
3           fiscal year.”.

4       (c) ALLOCATION OF FUNDING.—

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

7           (A) in the matter before subparagraph (A),  
8           by striking “With respect to sea grant colleges  
9           and sea grant institutes” and inserting “With  
10          respect to sea grant colleges, sea grant insti-  
11          tutes, sea grant programs, and sea grant  
12          projects”; and

13          (B) in subparagraph (B), in the matter be-  
14          fore clause (i), by striking “funding among sea  
15          grant colleges and sea grant institutes” and in-  
16          serting “funding among sea grant colleges, sea  
17          grant institutes, sea grant programs, and sea  
18          grant projects”.

19          (2) REPEAL OF REQUIREMENTS CONCERNING  
20       DISTRIBUTION OF EXCESS AMOUNTS.—Section 212  
21       (33 U.S.C. 1131) is amended—

22           (A) by striking subsection (c); and

23           (B) by redesignating subsections (d) and  
24           (e) as subsections (c) and (d), respectively.

1 **SEC. 10. TECHNICAL CORRECTIONS.**

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

4 (1) in section 204(d)(3)(B) (33 U.S.C.  
5 1123(d)(3)(B)), by moving clause (vi) two ems to  
6 the right; and

7 (2) in section 209(b)(2) (33 U.S.C.  
8 1128(b)(2)), as amended by section 6, in the third  
9 sentence, by striking “The Secretary shall” and in-  
10 sserting the following:

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

Passed the Senate November 19, 2015.

Attest:

*Secretary.*



114<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

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