

110TH CONGRESS
1ST SESSION

H. R. 1205

To reauthorize the Coral Reef Conservation Act of 2000, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 27, 2007

Mr. FALÉOMAVAEGA (for himself, Ms. BORDALLO, Mrs. CHRISTENSEN, and Mr. ABERCROMBIE) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To reauthorize the Coral Reef Conservation Act of 2000,
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 “Coral Reef Conserva-
5 tion Amendments Act of 2007”.

1 **SEC. 2. EXPANSION OF CORAL REEF CONSERVATION PRO-**
2 **GRAM.**

3 (a) **PROJECT DIVERSITY.**—Section 204(d) of the
4 Coral Reef Conservation Act of 2000 (16 U.S.C. 6403(d))
5 is amended—

6 (1) by striking “GEOGRAPHIC AND BIOLOGI-
7 CAL” in the heading and inserting “PROJECT”; and

8 (2) by striking paragraph (3) and inserting the
9 following:

10 “(3) Remaining funds shall be awarded for—

11 “(A) projects (with priority given to com-
12 munity-based local action strategies) that ad-
13 dress emerging priorities or threats, including
14 international and territorial priorities, or
15 threats identified by the Administrator in con-
16 sultation with the Coral Reef Task Force; and

17 “(B) other appropriate projects, as deter-
18 mined by the Administrator, including moni-
19 toring and assessment, research, pollution re-
20 duction, education, and technical support.”.

21 (b) **APPROVAL CRITERIA.**—Section 204(g) of that
22 Act (16 U.S.C. 6403(g)) is amended—

23 (1) by striking “or” after the semicolon in
24 paragraph (9);

25 (2) by striking paragraph (10); and

1 (3) by inserting after paragraph (9) the fol-
2 lowing:

3 “(10) promoting activities designed to minimize
4 the likelihood of vessel impacts on coral reefs, par-
5 ticularly those activities described in section 210(b),
6 including the promotion of ecologically sound naviga-
7 tion and anchorages near coral reefs; or

8 “(11) promoting and assisting entities to work
9 with local communities, and all appropriate govern-
10 mental and nongovernmental organizations, to sup-
11 port community-based planning and management
12 initiatives for the protection of coral reef systems.”.

13 **SEC. 3. EMERGENCY RESPONSE.**

14 Section 206 of the Coral Reef Conservation Act of
15 2000 (16 U.S.C. 6405) is amended to read as follows:

16 **“SEC. 206. EMERGENCY RESPONSE ACTIONS.**

17 “(a) IN GENERAL.—The Administrator may under-
18 take or authorize action necessary to prevent or minimize
19 the destruction or loss of, or injury to, coral reefs or coral
20 reef ecosystems from vessel impacts, derelict fishing gear,
21 vessel anchors and anchor chains, or damage from unfore-
22 seen or disaster-related circumstances.

23 “(b) ACTIONS AUTHORIZED.—Action authorized by
24 subsection (a) includes vessel removal and emergency re-
25 stabilization of the vessel and any impacted coral reef.

1 “(c) PARTNERING WITH OTHER FEDERAL AGEN-
2 CIES.—When possible, action by the Administrator under
3 this section should—

4 “(1) be conducted in partnership with other
5 Federal agencies, including the United States Coast
6 Guard, the Federal Emergency Management Agen-
7 cy, the U.S. Army Corps of Engineers, and the De-
8 partment of the Interior; and

9 “(2) leverage resources of other agencies.”.

10 **SEC. 4. NATIONAL PROGRAM.**

11 Section 207(b) of the Coral Reef Conservation Act
12 of 2000 (16 U.S.C. 6406) is amended—

13 (1) by striking “and” after the semicolon in
14 paragraph (3);

15 (2) by striking “partners.” in paragraph (4)
16 and inserting “partners; and”; and

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

18 “(5) activities designed to minimize the likeli-
19 hood of vessel impacts or other physical damage to
20 coral reefs, including those activities identified in
21 section 210(b).”.

22 **SEC. 5. REPORT TO CONGRESS.**

23 (a) IN GENERAL.—Section 208 of the Coral Reef
24 Conservation Act of 2000 (16 U.S.C. 6407) is amended
25 to read as follows:

1 **“SEC. 208. REPORT TO CONGRESS.**

2 “Not later than March 1, 2009, and every 3 years
3 thereafter, the Administrator shall submit to the Com-
4 mittee on Commerce, Science, and Transportation of the
5 Senate and the Committee on Natural Resources of the
6 House of Representatives a report describing all activities
7 undertaken to implement the strategy, including—

8 “(1) a description of the funds obligated by
9 each participating Federal agency to advance coral
10 reef conservation during each of the 3 fiscal years
11 next preceding the fiscal year in which the report is
12 submitted;

13 “(2) a description of Federal interagency and
14 cooperative efforts with States and United States
15 territories to prevent or address overharvesting,
16 coastal runoff, or other anthropogenic impacts on
17 coral reefs, including projects undertaken with the
18 Department of the Interior, the Department of Agri-
19 culture, the Environmental Protection Agency, and
20 the United States Army Corps of Engineers;

21 “(3) a summary of the information contained in
22 the vessel grounding inventory established under sec-
23 tion 210, including additional authorization or fund-
24 ing, needed for response and removal of such vessels;

25 “(4) a description of Federal disaster response
26 actions taken pursuant to the National Response

1 Plan to address damage to coral reefs and coral reef
2 ecosystems; and

3 “(5) an assessment of the condition of United
4 States coral reefs, accomplishments under this Act,
5 and the effectiveness of management actions to ad-
6 dress threats to coral reefs.”.

7 (b) CLERICAL AMENDMENT.—The table of contents
8 for the Coral Reef Conservation Act of 2000 (16 U.S.C.
9 6401 et seq.) is amended by striking the item relating to
10 section 208 and inserting the following:

“Sec. 208. Report to Congress.”.

11 **SEC. 6. FUND; GRANTS; GROUNDING INVENTORY; COORDI-**
12 **NATION.**

13 (a) IN GENERAL.—The Coral Reef Conservation Act
14 of 2000 (16 U.S.C. 6401 et seq.) is amended—

15 (1) by striking “organization solely” and all
16 that follows in section 205(a) (16 U.S.C. 6404(a))
17 and inserting “organization—

18 “(1) to support partnerships between the public
19 and private sectors that further the purposes of this
20 Act and are consistent with the national coral reef
21 strategy under section 203; and

22 “(2) to address emergency response actions
23 under section 206.”;

24 (2) by adding at the end of section 205(b) 16
25 U.S.C. 6404(b)) “The organization is encouraged to

1 solicit funding and in-kind services from the private
2 sector, including nongovernmental organizations, for
3 emergency response actions under section 206 and
4 for activities to prevent damage to coral reefs, in-
5 cluding activities described in section 210(b)(2).”;

6 (3) by striking “the grant program” in section
7 205(c) (16 U.S.C. 6404(c)) and inserting “any
8 grant program or emergency response action”;

9 (4) by redesignating sections 209 and 210 as
10 sections 213 and 214, respectively; and

11 (5) by inserting after section 208 the following:

12 **“SEC. 209. COMMUNITY-BASED PLANNING GRANTS.**

13 “(a) IN GENERAL.—The Administrator may make
14 grants to entities who have received grants under section
15 204(e) to provide additional funds to such entities to work
16 with local communities and through appropriate Federal
17 and State entities to prepare and implement plans for the
18 increased protection of coral reef areas identified by the
19 community and scientific experts as high priorities for fo-
20 cused attention. The plans shall—

21 “(1) support attainment of 1 or more of the cri-
22 teria described in section 204(g);

23 “(2) be developed at the community level;

24 “(3) utilize watershed-based approaches;

1 “(4) provide for coordination with Federal and
2 State experts and managers; and

3 “(5) build upon local approaches or models, in-
4 cluding traditional or island-based resource manage-
5 ment concepts.

6 “(b) TERMS AND CONDITIONS.—The provisions of
7 subsections (b), (d), (f), and (h) of section 204 apply to
8 grants under subsection (a), except that, for the purpose
9 of applying section 204(b)(1) to grants under this section,
10 ‘75 percent’ shall be substituted for ‘50 percent’.

11 **“SEC. 210. VESSEL GROUNDING INVENTORY.**

12 “(a) IN GENERAL.—The Administrator may main-
13 tain an inventory of all vessel grounding incidents involv-
14 ing coral reef resources, including a description of—

15 “(1) the impacts to such resources;

16 “(2) vessel and ownership information, if avail-
17 able;

18 “(3) the estimated cost of removal, mitigation,
19 or restoration;

20 “(4) the response action taken by the owner,
21 the Administrator, the Commandant of the Coast
22 Guard, or other Federal or State agency representa-
23 tives;

24 “(5) the status of the response action, including
25 the dates of vessel removal and mitigation or res-

1 toration and any actions taken to prevent future
2 grounding incidents; and

3 “(6) recommendations for additional naviga-
4 tional aids or other mechanisms for preventing fu-
5 ture grounding incidents.

6 “(b) IDENTIFICATION OF AT-RISK REEFS.—The Ad-
7 ministrators may—

8 “(1) use information from any inventory main-
9 tained under subsection (a) or any other available
10 information source to identify coral reef areas out-
11 side designated National Marine Sanctuaries that
12 have a high incidence of vessel impacts, including
13 groundings and anchor damage; and

14 “(2) identify appropriate measures, including
15 action by other agencies, to reduce the likelihood of
16 such impacts.

17 **“SEC. 211. REGIONAL COORDINATION.**

18 “(a) IN GENERAL.—The Administrator shall work in
19 coordination and collaboration with other Federal agen-
20 cies, States, and United States territorial governments to
21 implement the national coral reef action strategy devel-
22 oped under section 203, including regional and local strat-
23 egies, to address multiple threats to coral reefs and coral
24 reef ecosystems such as coastal runoff, vessel impacts, and
25 overharvesting.

1 “(b) MULTIYEAR COOPERATIVE AGREEMENTS.—The
2 Administrator may enter into multiyear cooperative agree-
3 ments with other Federal agencies, States and local gov-
4 ernments, academic institutions, and nongovernmental or-
5 ganizations to carry out the activities of the national coral
6 reef action strategy.

7 **“SEC. 212. UNITED STATES CORAL REEF TASK FORCE.**

8 “(a) ESTABLISHMENT.—There is hereby established
9 the United States Coral Reef Task Force.

10 “(b) GOAL.—The goal of the Task Force shall be to
11 lead, coordinate, and strengthen Federal Government ac-
12 tions to better preserve and protect coral reef ecosystems.

13 “(c) DUTIES.—The duties of the Task Force shall
14 be—

15 “(1) to coordinate, in cooperation with State,
16 territory, commonwealth, and local government part-
17 ners, and nongovernmental partners if appropriate,
18 activities regarding the mapping, monitoring, re-
19 search, conservation, mitigation, restoration of coral
20 reefs and coral reef ecosystems;

21 “(2) work with the Secretary of State and the
22 Administrator of the Agency for International Devel-
23 opment, and in coordination with the other members
24 of the Task Force, to—

1 “(A) assess the United States role in inter-
2 national trade and protection of coral reef spe-
3 cies; and

4 “(B) implement appropriate strategies and
5 actions to promote conservation and sustainable
6 use of coral reef resources worldwide.

7 “(d) MEMBERSHIP, GENERALLY.—The Task Force
8 shall be comprised of—

9 “(1) the Secretary of Commerce, acting through
10 the Administrator of the National Oceanic and At-
11 mospheric Administration, and the Secretary of the
12 Interior, who shall be co-chairs of the Task Force;

13 “(2) the Administrator of the Agency of Inter-
14 national Development;

15 “(3) the Secretary of Agriculture;

16 “(4) the Secretary of Defense;

17 “(5) the Secretary of the Army, acting through
18 the Corps of Engineers;

19 “(6) the Secretary of Homeland Security;

20 “(7) the Attorney General;

21 “(8) the Secretary of State;

22 “(9) the Secretary of Transportation;

23 “(10) the Administrator of the Environmental
24 Protection Agency;

1 “(11) the Administrator of the National Aero-
2 nautics and Space Administration;

3 “(12) the Director of the National Science
4 Foundation;

5 “(13) the Governor, or a representative of the
6 Governor, of the Commonwealth of the Northern
7 Mariana Islands;

8 “(14) the Governor, or a representative of the
9 Governor, of the Commonwealth of Puerto Rico;

10 “(15) the Governor, or a representative of the
11 Governor, of the State of Florida;

12 “(16) the Governor, or a representative of the
13 Governor, of the State of Hawaii;

14 “(17) the Governor, or a representative of the
15 Governor, of the Territory of Guam;

16 “(18) the Governor, or a representative of the
17 Governor, of the Territory of American Samoa; and

18 “(19) the Governor, or a representative of the
19 Governor, of the Virgin Islands.

20 “(e) NONVOTING MEMBERS.—The President, or a
21 representative of the President, of each of the Freely Asso-
22 ciated States of the Federated States of Micronesia, the
23 Republic of the Marshall Islands, and the Republic of
24 Palau may appoint a nonvoting member of the Task
25 Force.

1 “(f) WORKING GROUPS.—

2 “(1) IN GENERAL.—The co-chairs of the Task
3 Force may establish working groups as necessary to
4 meet the goals and duties of this Act. The Task
5 Force may request the co-chairs to establish such a
6 working group.

7 “(2) PARTICIPATION BY NONGOVERNMENTAL
8 ORGANIZATIONS.—The co-chairs may allow a non-
9 governmental organization to participate in such a
10 working group.

11 “(g) FACA.—The Federal Advisory Committee Act
12 (5 U.S.C. App.) shall not apply to the Task Force.”.

13 (b) CLERICAL AMENDMENT.—The table of contents
14 for the Coral Reef Conservation Act of 2000 (16 U.S.C.
15 6401 et seq.) is amended—

16 (1) by redesignating the items relating to sec-
17 tions 209 through 211 as relating to sections 213
18 through 215; and

19 (2) by inserting the following after the item re-
20 lating to section 207:

“Sec. 209. Community-based planning grants.

“Sec. 210. Vessel grounding inventory.

“Sec. 211. Regional coordination.

“Sec. 212. United States Coral Reef Task Force.”.

1 **SEC. 7. FUNDING FOR MARINE SCIENCE FACILITY, CORAL**
2 **REEF RESEARCH, AND COASTAL ECOLOGY**
3 **AND DEVELOPMENT.**

4 (a) AMERICAN SAMOA COMMUNITY COLLEGE.—
5 There is authorized to be appropriated \$1,000,000 to the
6 Secretary of Commerce, acting through the National Oce-
7 anic and Atmospheric Administration, to provide funds to
8 the University of Hawaii Sea Grant College program to
9 administer a marine science facility for coral reef research
10 and protection, and coastal ecology and development, at
11 the American Samoa Community College.

12 (b) UNIVERSITY OF GUAM.—There is authorized to
13 be appropriated \$1,000,000 to the Secretary of Com-
14 merce, acting through the National Oceanic and Atmos-
15 pheric Administration, to provide funds to the University
16 of Guam for coral reef research and protection.

17 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

18 Section 213 of the Coral Reef Conservation Act of
19 2000 (formerly 16 U.S.C. 6408), as redesignated by sec-
20 tion 4, is amended—

21 (1) by amending subsection (a) to read as fol-
22 lows:

23 “(a) IN GENERAL.—

24 “(1) AUTHORIZATION.—There are authorized to
25 be appropriated to the Secretary of Commerce to
26 carry out this title \$30,000,000 for fiscal year 2008,

1 \$32,000,000 for fiscal year 2009, \$34,000,000 for
2 fiscal year 2010 and \$35,000,000 for fiscal years
3 2011 and 2012.

4 “(2) ALLOCATION.—Of the amount authorized
5 by this subsection for each of fiscal years 2008
6 through 2012—

7 “(A) no less than 30 percent shall be used
8 for the grant program under section 204;

9 “(B) up to 10 percent shall be used for the
10 Fund established under section 205;

11 “(C) \$500,000 may be used by the Sec-
12 retary of the Interior to support operations of
13 the United States Coral Reef Task Force; and

14 “(D) \$250,000 may be used by the Sec-
15 retary of Commerce to support such oper-
16 ations.”;

17 (2) in subsection (b) by striking “\$1,000,000”
18 and inserting “\$2,000,000”;

19 (3) by striking subsection (c) and inserting the
20 following:

21 “(c) COMMUNITY-BASED PLANNING GRANTS.—

22 There is authorized to be appropriated—

23 “(1) to the Administrator to carry out section
24 209, \$8,000,000 for fiscal years 2008 through 2012,
25 to remain available until expended; and

1 “(2) to the Secretary of the Interior, acting
2 through the Office of Insular Affairs, for the grant
3 program under section 209, \$4,000,000 for each of
4 fiscal years 2008 through 2012.”; and
5 (4) by striking subsection (d).

○