

108TH CONGRESS
2D SESSION

H. R. 4897

To protect deep sea corals and sponges, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 22, 2004

Mr. GREENWOOD (for himself, Mr. PALLONE, Mr. SAXTON, Mr. WELDON of Pennsylvania, Mr. SHAYS, Mr. FARR, Mr. SANDERS, Mrs. CAPPS, Mr. GEORGE MILLER of California, Mr. CASE, Mr. HONDA, Mr. DOGGETT, Mr. GRIJALVA, Mr. VAN HOLLEN, Mr. MORAN of Virginia, Mr. WEXLER, Mr. ENGEL, Ms. WOOLSEY, Ms. BORDALLO, Mr. FALEOMAVAEGA, Ms. LORETTA SANCHEZ of California, Mr. KUCINICH, and Mr. GERLACH) introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committee on Science, 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 protect deep sea corals and sponges, 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 “Deep Sea Coral Protec-
5 tion Act”.

1 **SEC. 2. FINDINGS.**

2 The Congress finds the following:

3 (1) Ecosystem-based management of our ma-
4 rine environment has been recommended by numer-
5 ous reports and advisory bodies, including the Pew
6 Oceans Commission and the United States Commis-
7 sion on Ocean Policy. On the subject of corals, in-
8 cluding deep sea corals, both commission reports
9 recommended both the continued study and protec-
10 tion of coral ecosystems.

11 (2) Complex seafloor habitats created by struc-
12 ture-forming organisms including deep sea corals
13 and sponges are essential to numerous fish species,
14 including commercially and recreationally targeted
15 species, which rely on such complex habitats for
16 spawning, food, and shelter from predation. For ex-
17 ample, more than 1,300 species live among lophelia
18 coral reefs in the Northeastern Atlantic Ocean.

19 (3) Deep sea corals typically exhibit slow
20 growth, extreme longevity, and highly patchy dis-
21 tribution predominately along continental margins,
22 seamounts, undersea canyons, and ridges.

23 (4) Living organisms, such as deep sea corals
24 and sponges, that create complex habitat have not
25 been adequately studied for the potential benefit to
26 society or for the ecological importance that such or-

1 organisms provide to fish species and other forms of
2 marine life.

3 (5) Some deep sea corals have a growth ring
4 structure that provides a living record of changes in
5 water temperature and other information that can
6 be used to track global climate change over time.

7 (6) Deep sea corals are a future source of new
8 biomedical compounds for the pharmaceutical and
9 biotechnical industries.

10 (7) The exceptional diversity, uniqueness, and
11 vulnerability of deep sea corals necessitates that the
12 mapping and conservation of such species be given
13 a high priority.

14 (8) There is national and international recogni-
15 tion of the importance of deep sea coral habitats.
16 The European Union, Australia, New Zealand, Can-
17 ada, and Norway have prohibited the use of fishing
18 gear that employs mobile bottom-tending fishing
19 gear in some areas where deep sea corals exist. Fur-
20 ther, several of the Councils have taken action to
21 protect the fragile habitat of deep sea corals.

22 (9) Deep sea coral habitats are subject to grow-
23 ing human pressures, particularly as a result of the
24 rapid spread of deep sea mobile bottom-tending fish-
25 eries into new regions and new grounds, aided by

1 the development of navigational, fish-finding, and
2 other technologies.

3 (10) The National Research Council found that
4 95 percent of the damage to deep sea corals is
5 caused by bottom trawls. In the National Research
6 Council 2002 report to the Congress on the effects
7 of trawling and dredging on seafloor habitats, the
8 National Research Council stated that we currently
9 have enough information about the destruction of
10 structured habitats caused by bottom trawling/
11 dredging and recommend for their immediate protec-
12 tion through the use of no bottom trawl/dredge
13 zones.

14 **SEC. 3. POLICY.**

15 It is the policy of the United States to employ pre-
16 ventative and precautionary strategies to protect deep sea
17 corals and sponges, including the protection of such orga-
18 nisms as are found in the continental margins, canyons,
19 seamounts, and ridges of the world's oceans, and the habi-
20 tats of such organisms from damage from gear and equip-
21 ment used in commercial fishing, particularly mobile bot-
22 tom-tending gear.

23 **SEC. 4. DEFINITIONS.**

24 In this Act:

1 (1) CORAL MANAGEMENT AREA.—The term
2 “Coral Management Area” means an area des-
3 ignated as a Coral Management Area under section
4 9.

5 (2) CORAL STUDY AREA.—The term “Coral
6 Study Area” means an area designated as a Coral
7 Study Area under section 8.

8 (3) COUNCIL.—The term “Council” means any
9 regional fishery management council established by
10 section 302 of the Magnuson-Stevens Fishery Con-
11 servation and Management Act (16 U.S.C. 1852).

12 (4) DEEP SEA CORAL AND SPONGE ECO-
13 SYSTEM.—The term “deep sea coral and sponge eco-
14 system” means a community of living deep sea coral
15 or sponge species, the benthic and non-benthic spe-
16 cies associated with them, and the living and non-
17 living physical and chemical components that con-
18 stitute habitat for corals and sponges.

19 (5) DEEP SEA CORALS.—The term “deep sea
20 corals” means all species of the phylum Cnidaria in
21 the orders Antipatharia (black corals), Scleractinia
22 (stony corals), Gorgonacea (horny corals),
23 Alcyonacea (soft corals), and Pennatulacea (sea
24 pens) of the class Anthozoa, and in the order
25 Hydrocorallina (hydrocorals) of the class Hydrozoa,

1 that occur at a depth of 50 meters or more and do
2 not contain symbiotic algae.

3 (6) DEEP SEA SPONGE.—The term “deep sea
4 sponge” means any species of the phylum Porifera
5 that occur at a depth of 50 meters or more.

6 (7) EXCLUSIVE ECONOMIC ZONE.—The term
7 “exclusive economic zone” has the meaning given
8 that term in section 3 of the Magnuson-Stevens
9 Fishery Conservation and Management Act (16
10 U.S.C. 1802).

11 (8) MOBILE BOTTOM-TENDING FISHING
12 GEAR.—The term “mobile bottom-tending fishing
13 gear” means any trawl or dredge fishing gear that
14 contacts the seafloor while in use, including pelagic
15 fishing gear that contacts the seafloor while in use,
16 otter trawls, and scallop dredges.

17 (9) SECRETARY.—The term “Secretary” means
18 the Secretary of Commerce.

19 **SEC. 5. MAPPING AND RESEARCH.**

20 (a) REQUIREMENT FOR MAPPING AND RESEARCH.—
21 The Secretary shall direct the Under Secretary of Com-
22 merce for Oceans and Atmosphere to carry out a com-
23 prehensive program to explore, research, identify, and map
24 deep sea corals and sponges, that—

1 (1) includes an annual research strategy that
2 compares areas open to mobile bottom-tending gear
3 with areas designated as Coral Management Areas;
4 and

5 (2) prioritizes Coral Study Areas for evaluation
6 to determine whether—

7 (A) their designation as such areas should
8 be terminated; and

9 (B) they should be designated as Coral
10 Management Areas.

11 (b) DESCRIPTION OF MAPPING AND RESEARCH.—

12 The comprehensive program carried out under subsection

13 (a) shall include—

14 (1) creating maps of the locations of deep sea
15 coral and sponge ecosystems; and

16 (2) conducting research related to deep sea corals
17 and sponges and the habitats of deep sea corals
18 and sponges, including—

19 (A) the natural history of such species;

20 (B) taxonomic classification of such spe-
21 cies;

22 (C) ecological role of such species; and

23 (D) the benefits of such species and habi-
24 tats.

1 **SEC. 6. DATA REVIEW AND RECOMMENDATIONS.**

2 (a) **REQUIREMENT FOR REVIEW.**—At least once
3 every 2 calendar years, the Secretary shall appoint an ad-
4 visory panel from a list of names recommended by the
5 Chair of the National Research Council to review all avail-
6 able data related to deep sea corals and deep sea sponges.

7 Such data shall include—

8 (1) data related to the analysis of bycatch car-
9 ried out under section 8(a);

10 (2) data related to the research carried out
11 under section 5; and

12 (3) data obtained from any Federal agency
13 under subsection (b).

14 (b) **DATA FROM FEDERAL ENTITIES.**—The head of
15 any Federal agency that holds information related to the
16 ocean floor, specifically including information related to
17 the habitat of deep sea corals and deep sea sponges, shall,
18 upon request, furnish such information to the Secretary
19 who shall make it available to the Advisory Panel.

20 (c) **RECOMMENDATIONS.**—

21 (1) **IN GENERAL.**—Not later than 30 days after
22 completing the annual review required by subsection
23 (a), the advisory panel shall submit to the Secretary
24 a recommendation that—

1 (A) each area identified as a deep sea coral
2 and sponge ecosystem in such annual review be
3 designated as a Coral Management Area; and

4 (B) any area containing a potential or ac-
5 tual deep sea coral and sponge ecosystem for
6 which additional research is needed be des-
7 ignated as a Coral Study Area.

8 (2) PUBLICATION.—The Secretary shall publish
9 in the Federal Register a notice of availability of
10 each recommendation submitted to the Secretary
11 under paragraph (1).

12 **SEC. 7. PROHIBITION ON USE OF MOBILE BOTTOM-TEND-**
13 **ING FISHING GEAR IN CORAL STUDY AREAS**
14 **AND CORAL MANAGEMENT AREAS.**

15 (a) CLOSURE UPON DESIGNATION.—The use of all
16 mobile bottom-tending fishing gears is prohibited in any
17 area designated as a Coral Study Area or a Coral Manage-
18 ment Area.

19 (b) OTHER MEASURES NOT RESTRICTED.—Nothing
20 in this Act shall restrict the ability of the Secretary of
21 Commerce, acting on his or her own or with the advice
22 of the appropriate Council, to promulgate stronger fishery
23 or habitat protection measures, as authorized under other
24 laws, within a Coral Study Area or Coral Management
25 Area.

1 (c) SAVINGS CLAUSE.—All rules and regulations
2 issued by the Secretary under the Magnuson-Stevens
3 Fishery Management and Conservation Act pertaining to
4 coral conservation, management, or protection shall con-
5 tinue to apply after the date of enactment of this Act until
6 modified or rescinded by the Secretary pursuant to the
7 requirements of this Act.

8 **SEC. 8. CORAL STUDY AREAS.**

9 (a) STUDY AREAS IDENTIFIED THROUGH FISHING
10 RECORDS.—The Secretary shall designate as a Coral
11 Study Area any area that is located within the exclusive
12 economic zone for which—

13 (1) records of commercial fishing trips main-
14 tained by the National Marine Fisheries Service
15 demonstrate that the area has not been fished using
16 mobile bottom-tending gear during the 3-year period
17 ending prior to the enactment of this Act and for
18 which records are available; or

19 (2) there are no reliable records maintained by
20 the National Marine Fisheries Service regarding
21 such fishing, and that the Secretary determines is
22 beyond the reasonable depth limits of mobile bottom-
23 tending fishing gear currently in use.

24 (b) STUDY AREAS IDENTIFIED THROUGH BYCATCH
25 RECORDS, RESEARCH, OR MAPPING.—The Secretary shall

1 review on a continuing basis bycatch records, research,
2 mapping, and survey data obtained from areas of the Ex-
3 clusive Economic Zone open to fishing with commercial
4 mobile bottom-tending gear to determine if these data in-
5 dicate the actual or potential presence of a deep sea coral
6 and sponge ecosystem. If the Secretary determines that
7 the data indicate the actual or potential presence of a deep
8 sea coral and sponge ecosystem, the Secretary shall des-
9 ignate the area as a Coral Study Area. The designation
10 shall expire upon decision by the Secretary to terminate
11 the designation pursuant to subsection (d) of this section.

12 (c) STUDY AREAS RECOMMENDED BY THE ADVISORY
13 PANEL.—

14 (1) PROPOSED RULE.—Not later than 30 days
15 after receiving a recommendation pursuant to sec-
16 tion 6(c)(1)(B), the Secretary shall publish in the
17 Federal Register a proposed rule to designate any
18 recommended area as a Coral Study Area.

19 (2) COMMENT PERIOD.—The Secretary shall
20 accept comments on any proposed rule published
21 under paragraph (1) for 60 days after the date of
22 the publication of such proposed rule.

23 (3) FINAL DETERMINATION.—Not later than
24 120 days after the publication of such proposed rule,
25 the Secretary shall designate the area recommended

1 under section 6(c)(1)(B) as a Coral Study Area un-
 2 less the Secretary finds no rational basis for the rec-
 3 ommendation.

4 (d) TERMINATION OF STUDY AREA DESIGNATION.—

5 The Secretary, sua sponte or upon recommendation of the
 6 Council having advisory duties for the fisheries of the
 7 area, may determine that an area or part of an area that
 8 is designated as a Coral Study Area pursuant to sub-
 9 sections (a), (b), or (c) shall no longer be designated as
 10 a Coral Study Area, if the area is—

11 (1) designated as a Coral Management Area
 12 pursuant to section 9; or

13 (2) does not warrant designation as a Coral
 14 Management Area pursuant to the criteria in sub-
 15 section 9(b) and is reopened to mobile bottom-tend-
 16 ing fishing gears, unless the use of mobile bottom-
 17 tending fishing gear in such area is prohibited by
 18 any other provision of law.

19 **SEC. 9. CORAL MANAGEMENT AREAS.**

20 (a) INITIAL DESIGNATIONS.—Each area bounded by
 21 the following coordinates is designated as a Coral Manage-
 22 ment Area:

23 (1) ALASKA DEEP SEA CORAL GARDENS.—

24 (A) Adak Canyon 51°38'59" N. x
 25 177°03'00" W., 51°38'59" N. x 177°00'00"

1 W., 51°30'00" N. x 177°00'00" W., 51°30'00"
2 N. x 177°03'00" W.

3 (B) Bobrof Island 51°57'36" N. x
4 177°29'24" W., 51°57'36" N. x 177°19'48"
5 W., 51°51'35" N. x 177°19'48" W., 51°51'35"
6 N. x 177°29'24" W.

7 (C) Cape Moffet 51°55'47" N. x
8 176°52'47" W., 51°55'47" N. x 176°48'36"
9 W., 51°58'11" N. x 176°46'48" W., 52°00'00"
10 N. x 176°46'48" W., 52°00'00" N. x
11 176°52'47" W.

12 (D) Great Sitkin 52°09'35" N. x
13 176°12'36" W., 52°09'35" N. x 176°05'59"
14 W., 52°06'35" N. x 176°05'59" W., 52°04'47"
15 N. x 176°12'36" W.

16 (E) Semisopochnoi Island 51°53'24" N. x
17 179°53'23" W., 51°53'24" N. x 179°46'48"
18 W., 51°48'36" N. x 179°46'48" W., 51°48'36"
19 N. x 179°53'23" W.

20 (F) Ulak Island 51°22'11" N. x
21 178°58'47" W., 51°25'47" N. x 179°05'59"
22 W., 51°22'11" N. x 179°05'59" W., 51°25'47"
23 N. x 178°58'47" W.

1 (2) OCEANOGRAPHER CANYON.— $40^{\circ}30'$ N. x
2 $68^{\circ}11'$ W., $40^{\circ}10'$ N. x $68^{\circ}10'$ W., and $40^{\circ}10'$ N.
3 x $68^{\circ}00'$ W.

4 (3) LYDONIA CANYON.— $40^{\circ}36'$ N. x $67^{\circ}45'$ W.,
5 $40^{\circ}15'$ N. x $67^{\circ}45'$ W., and $40^{\circ}15'$ N. x $67^{\circ}35'$ W.

6 (4) OCULINA REEFS.—

7 (A) $27^{\circ}30'$ N. x 80° W., $28^{\circ}30'$ N. x 80°
8 W., and the 183-meter contour.

9 (B) $28^{\circ}30'$ N. x 80° W., $28^{\circ}30'$ N. x
10 $80^{\circ}03'$ W., $28^{\circ}29'$ N. x 80° W., and $28^{\circ}29'$ N.
11 x $80^{\circ}03'$ W.

12 (C) $28^{\circ}17'$ N. x 80° W., $28^{\circ}16'$ N. x 80°
13 W., $28^{\circ}17'$ N. x $80^{\circ}03'$ W., and $28^{\circ}16'$ N. x
14 $80^{\circ}03'$ W.

15 (5) LOPHELIA/ENALLOPSAMMIA HABITAT.—

16 (A) Northern Lophelia Banks $34^{\circ}23'30''$
17 N. x $75^{\circ}45'$ W., $34^{\circ}13'30''$ N. x $75^{\circ}57'$ W.,
18 $34^{\circ}19'30''$ N. x $75^{\circ}41'30''$ W., $34^{\circ}9'$ N. x
19 $75^{\circ}53'$ W.

20 (B) Southern Lophelia Banks $33^{\circ}40'$ N. x
21 $76^{\circ}29'$ W., $33^{\circ}36'$ N. x $76^{\circ}34'$ W., $33^{\circ}34'$ N.
22 x $76^{\circ}23'$ W., $33^{\circ}29'$ N. x $76^{\circ}28'$ W.

23 (C) Stetson Area $32^{\circ}8'$ N. x $77^{\circ}42'30''$
24 W., $31^{\circ}42'30''$ N. x $77^{\circ}42'30''$ W., $32^{\circ}8'$ N. x
25 $77^{\circ}17'$ W., $31^{\circ}42'30''$ N. x $77^{\circ}17'$ W.

1 (D) 30°53' N. x 79°41'30" W., 30°48'30"
 2 N. x 79°32' W., 30°16'45" N. x 79°18'20" W.,
 3 30°10'30" N. x 79°46'15" W., 30°22' N. x
 4 79°56'30" W.

5 (E) 29°55' N. x 79°39' W., 30°5' N. x
 6 78°40' W., 29°8' N. x 79°45' W., 28°50' N. x
 7 79°38' W., 28°55' N. x 79°2' W.

8 (F) 28°50' N. x 79°38' W., 28°9' N. x
 9 79°6' W., 27°27' N. x 79°29'50" W.,
 10 27°57'30" N. x 79°32'30" W., 27°57'30" N. x
 11 79°45' W., 28°7'30" N. x 79°45' W., 28°7'30"
 12 N. x 79°40' W.

13 (G) 27°19' N. x 79°31' W., 27° N. x
 14 79°32' W., 27° N. x 79°22' W.

15 (6) BEAR SEAMOUNT.—39°52' N. x 67°30' W.,
 16 39°58' N. x 67°30' W., 39°58' N. x 67°50' W., and
 17 39°52' N. x 67°50' W.

18 (b) AREAS IDENTIFIED FROM RESEARCH ON CORAL
 19 STUDY AREAS.—The Secretary shall designate as a Coral
 20 Management Area all or any part of a Coral Study Area
 21 if—

22 (1) the area has been surveyed for the presence
 23 of deep sea corals and deep sea sponges;

24 (2) there is a deep sea coral and sponge eco-
 25 system present in the area; and

1 (3) the Secretary determines that the use of
2 mobile bottom-tending fishing gear in such area
3 would cause more than minimal and temporary dam-
4 age to deep sea corals or deep sea sponges located
5 in such area.

6 (c) AREAS RECOMMENDED BY THE ADVISORY
7 PANEL.—

8 (1) PROPOSED RULE.—Not later than 30 days
9 after receiving a recommendation pursuant to sec-
10 tion 6(c)(1)(A), the Secretary shall publish in the
11 Federal Register a proposed rule to designate any
12 recommended area as a Coral Management Area.

13 (2) COMMENT PERIOD.—The Secretary shall
14 accept comments on any proposed rule published
15 under paragraph (1) for 60 days after the date of
16 the publication of such proposed rule.

17 (3) FINAL DETERMINATION.—Not later than
18 120 days after the publication of such proposed rule,
19 the Secretary shall designate the area recommended
20 under section 6(c)(1)(A) as a Coral Management
21 Area unless the Secretary finds no rational basis for
22 the recommendation.

23 **SEC. 10. PENALTIES AND ENFORCEMENT.**

24 (a) CIVIL PENALTIES.—The civil penalties set forth
25 in section 308 of the Magnuson-Stevens Fishery Conserva-

1 tion and Management Act (16 U.S.C. 1858) shall apply
2 to a person who is found by the Secretary, after notice
3 and an opportunity for a hearing in accordance with sec-
4 tion 554 of title 5, United States Code, to have violated
5 the prohibitions in section 7.

6 (b) CRIMINAL OFFENSES.—

7 (1) PROHIBITED ACTS.—It is unlawful for any
8 person—

9 (A) to refuse to permit any officer author-
10 ized to enforce the provisions of this Act (as
11 provided for in subsection (d)) to board a fish-
12 ing vessel subject to such person's control for
13 purposes of conducting any search or inspection
14 in connection with the enforcement of this Act
15 or any regulation issued pursuant to this Act;

16 (B) to forcibly assault, resist, oppose, im-
17 pede, intimidate, or interfere with any such au-
18 thorized officer in the conduct of any search or
19 inspection described in subparagraph (A);

20 (C) to resist a lawful arrest for any act
21 prohibited by this Act;

22 (D) to interfere with, delay, or prevent, by
23 any means, the apprehension or arrest of an-
24 other person, knowing that such other person
25 has committed any act prohibited by this Act;

1 (E) to knowingly and willfully submit to a
2 Council, the Secretary, or the Advisory Panel
3 false information regarding any matter that the
4 Council, Secretary, or Advisory Panel is consid-
5 ering in the course of carrying out this Act; or

6 (F) to forcibly assault, resist, oppose, im-
7 pede, intimidate, sexually harass, bribe, or
8 interfere with any observer on a vessel under
9 this Act, or any data collector employed by the
10 National Marine Fisheries Service or under
11 contract to any person to carry out responsibil-
12 ities under this Act.

13 (2) PUNISHMENT.—A person is guilty of an of-
14 fense if such person commits any act prohibited by
15 paragraph (1). Such offense is punishable by the
16 punishments set forth in section 309(b) of the Mag-
17 nuson-Stevens Fishery Conservation and Manage-
18 ment Act (16 U.S.C. 1859(b)).

19 (c) CIVIL FORFEITURES.—Any fishing vessel (includ-
20 ing its fishing gear, furniture, appurtenances, stores, and
21 cargo) used, and fish (or the fair market value thereof)
22 taken or retained, in any manner, in connection with or
23 as a result of the commission of a violation of the prohibi-
24 tions in section 7 (other than such a violation for which
25 the issuance of a citation is sufficient sanction) shall be

1 subject to the civil forfeiture provisions set out in section
2 310 of the Magnuson-Stevens Fishery Conservation and
3 Management Act (16 U.S.C. 1860).

4 (d) ENFORCEMENT.—The provisions of this Act shall
5 be enforced by the officers responsible for the enforcement
6 of the Magnuson-Stevens Fishery Conservation and Man-
7 agement Act as provided for in subsection (a) of section
8 311 of the Magnuson-Stevens Fishery Conservation and
9 Management Act (16 U.S.C. 1861). Such officers shall
10 have the powers and authorities to enforce this Act as are
11 provided in such section.

12 **SEC. 11. INTERNATIONAL PROTECTIONS FOR DEEP SEA**
13 **CORALS AND SPONGES.**

14 The President is encouraged to work with appro-
15 priate foreign entities to develop the data necessary to
16 identify areas located within international waters that
17 would benefit from additional protection for deep sea cor-
18 als and sponges.

19 **SEC. 12. REPORTS.**

20 (a) REPORT TO CONGRESS.—

21 (1) REPORT REQUIREMENT.—On the date that
22 is 3 years after the date of enactment of this Act,
23 and every 3 years thereafter, the Secretary shall
24 submit to the Congress a report on the activities un-
25 dertaken to carry out this Act.

1 (2) CONTENT.—Each report required by this
2 subsection shall include a description of—

3 (A) the activities carried out to protect and
4 monitor deep sea corals and deep sea sponges;

5 (B) any area designated as either a Coral
6 Study Area pursuant to section 8 or a Coral
7 Management Area pursuant to section 9;

8 (C) any area the designation of which as a
9 Coral Study Area is terminated and that is
10 opened to mobile bottom-tending fishing pursu-
11 ant to subsection 8(d);

12 (D) a summary of any bycatch or other
13 data that indicates the actual or potential pres-
14 ence of a deep sea coral and sponge ecosystem;
15 and

16 (E) a summary of the research strategy
17 created pursuant to section 5.

18 (b) PUBLISHED REPORT.—

19 (1) REPORT REQUIREMENT.—At least every 2
20 years the Secretary shall prepare and publish a re-
21 port that—

22 (A) provides a description of any area that
23 the Secretary—

24 (i) has designated as a Coral Study
25 Area under section 8;

1 (ii) has designated as a Coral Man-
2 agement Area under section 9; or

3 (iii) has determined shall no longer be
4 designated as a Coral Study Area under
5 section 8(e);

6 (B) summarizes any bycatch data that in-
7 dicated the presence of a deep sea coral and
8 sponge ecosystem; and

9 (C) summarizes the research strategy cre-
10 ated pursuant to section 5.

11 (2) NOTICE.—The Secretary shall publish in
12 the Federal Register a notice of availability of each
13 report required by this subsection.

14 **SEC. 13. AUTHORIZATION OF APPROPRIATIONS.**

15 There is authorized to be appropriated to the Sec-
16 retary to carry out this Act \$50,000,000 for each of fiscal
17 years 2005 through 2009.

○