

109TH CONGRESS
2D SESSION

H. R. 5622

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

IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 2006

Mr. POMBO introduced the following bill; which was referred to the Committee on Resources

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 Legacy Act of 2006”.

6 **SEC. 2. EXPANSION OF CORAL REEF CONSERVATION**
7 **GRANTS PROGRAM.**

8 (a) PROJECT DIVERSITY.—Section 204(d) of the
9 Coral Reef Conservation Act of 2000 (16 U.S.C. 6403(d))

1 is amended by striking paragraph (3) and inserting the
2 following:

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

4 “(A) projects (with priority given to com-
5 munity-based local action strategies) that ad-
6 dress emerging priorities or threats, including
7 international and territorial priorities, or
8 threats identified by the Administrator in con-
9 sultation with the Coral Reef Task Force; and

10 “(B) other appropriate projects, as deter-
11 mined by the Administrator, including moni-
12 toring and assessment, research, pollution re-
13 duction, education, and technical support.”.

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

16 (1) by striking “or” after the semicolon in
17 paragraph (9);

18 (2) by redesignating paragraph (10) as para-
19 graph (12); and

20 (3) by inserting after paragraph (9) the fol-
21 lowing:

22 “(10) activities designed to minimize the likeli-
23 hood of damage to coral reefs, including the use of
24 devices to minimize human impacts on coral reefs;

1 “(11) promoting and assisting entities to work
 2 with local communities, and all appropriate govern-
 3 mental and nongovernmental organizations, to sup-
 4 port community-based planning and management
 5 initiatives for the protection of coral reef systems;
 6 or”.

7 **SEC. 3. EMERGENCY RESPONSE ACTIONS.**

8 Section 206 of the Coral Reef Conservation Act of
 9 2000 (16 U.S.C. 6404) is amended to read as follows:

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

11 “(a) IN GENERAL.—The Administrator and the Sec-
 12 retary of the Interior may each undertake or authorize ac-
 13 tion within areas under their administrative jurisdiction
 14 as necessary to prevent or minimize the destruction or loss
 15 of, or injury to, coral reefs or coral reef ecosystems from
 16 vessel impacts or other physical damage to coral reefs, in-
 17 cluding damage from unforeseen or disaster-related cir-
 18 cumstances.

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

22 “(c) PARTNERING WITH OTHER AGENCIES.—When
 23 possible, actions under this section should—

24 “(1) be conducted in partnership with other
 25 government agencies, including—

1 “(A) the Coast Guard, the Federal Emer-
2 gency Management Agency, and the Corps of
3 Engineers; and

4 “(B) agencies of States and territories of
5 the United States; and

6 “(2) leverage resources of such other agencies,
7 including funding or assistance authorized under
8 other Federal laws.”.

9 **SEC. 4. REPORT TO CONGRESS.**

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

13 **“SEC. 208. REPORTS TO CONGRESS.**

14 “(a) IMPLEMENTATION OF STRATEGY.—Not later
15 than October 1, 2007, and every 3 years thereafter, the
16 Administrator, in consultation with the United States
17 Coral Reef Task Force, shall submit to the Committee on
18 Commerce, Science, and Transportation of the Senate and
19 the Committee on Resources of the House of Representa-
20 tives a report describing all activities undertaken to imple-
21 ment the strategy, including—

22 “(1) a description of the funds obligated by
23 each participating Federal agency to advance coral
24 reef conservation during each of the 3 fiscal years

1 next preceding the fiscal year in which the report is
2 submitted;

3 “(2) a description of Federal interagency and
4 cooperative efforts with States and United States
5 territories to prevent or address overharvesting,
6 coastal runoff, or other anthropogenic impacts on
7 coral reefs, including projects undertaken with the
8 Department of the Interior, Department of Agri-
9 culture, the Environmental Protection Agency, and
10 the Army Corps of Engineers;

11 “(3) a description of Federal disaster response
12 actions taken pursuant to the National Response
13 Plan to address damage to coral reefs and coral reef
14 ecosystems; and

15 “(4) an assessment of accomplishments under
16 this Act and the effectiveness of management ac-
17 tions to address threats to coral reefs.

18 “(b) CONDITION OF CORAL REEFS.—Not later than
19 October 1, 2008, and every 3 years thereafter, the Admin-
20 istrator, in consultation with the United States Coral Reef
21 Task Force, shall submit to the Committees referred to
22 in subsection (a) an assessment of the condition of United
23 States coral reefs.”.

24 (b) CLERICAL AMENDMENT.—The table of contents
25 for the Coral Reef Conservation Act of 2000 (16 U.S.C.

1 6401 et seq.) is amended by striking the item relating to
2 section 208 and inserting the following:

“Sec. 208. Report to Congress.”.

3 **SEC. 5. FUND; GRANTS; COORDINATION; TASK FORCE.**

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

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

9 “(1) to support partnerships between the public
10 and private sectors that further the purposes of this
11 Act and are consistent with the national coral reef
12 strategy under section 203; and

13 “(2) to address emergency response actions
14 under section 206.”;

15 (2) by adding at the end of section 205(b) 16
16 U.S.C. 6404(b)) “The organization is encouraged to
17 solicit funding and in-kind services from the private
18 sector, including nongovernmental organizations, for
19 emergency response actions under section 206 and
20 for activities to prevent damage to coral reefs, in-
21 cluding activities described in section 210(b)(2).”;

22 (3) by striking “the grant program” in section
23 205(c) (16 U.S.C. 6404(c)) and inserting “any
24 grant program or emergency response action”;

1 (4) by redesignating sections 209 and 210 as
2 sections 212 and 213, respectively; and

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

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

5 “(a) IN GENERAL.—The Administrator may make a
6 grant to any person that may submit a coral conservation
7 proposal under section 204(e) to provide additional funds
8 to such person to work with local communities and
9 through appropriate Federal and State entities to prepare
10 and implement plans for the increased protection of coral
11 reef areas identified by the community and the best sci-
12 entific information available as high priorities for focused
13 attention. The plans shall—

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

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

17 “(3) utilize watershed-based approaches;

18 “(4) provide for coordination with Federal and
19 State experts and managers;

20 “(5) build upon local approaches or models, in-
21 cluding traditional or island-based resource manage-
22 ment concepts; and

23 “(6) compliment local action strategies or other
24 regional plans for coral reef conservation.

1 “(b) TERMS AND CONDITIONS.—The provisions of
2 subsections (b), (d), (f), and (h) of section 204 apply to
3 grants under subsection (a), except that, for the purpose
4 of applying section 204(b)(1) to grants under this section,
5 ‘75 percent’ shall be substituted for ‘50 percent’.

6 **“SEC. 210. REGIONAL COORDINATION.**

7 “(a) IN GENERAL.—The Administrator shall work in
8 coordination and collaboration with other Federal agen-
9 cies, States, and United States territorial governments to
10 implement the strategies developed under section 203, in-
11 cluding regional and local strategies, to address multiple
12 threats to coral reefs and coral reef ecosystems such as
13 coastal runoff, vessel impacts, and overharvesting.

14 “(b) MULTIYEAR COOPERATIVE AGREEMENTS.—The
15 Administrator may enter into multiyear cooperative agree-
16 ments with other Federal agencies, States and local gov-
17 ernments, academic institutions, and nongovernmental or-
18 ganizations to carry out the activities of the national coral
19 reef action strategy.

20 **“SEC. 211. UNITED STATES CORAL REEF TASK FORCE.**

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

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

1 “(c) DUTIES.—The duties of the Task Force shall
2 be—

3 “(1) to coordinate, in cooperation with State,
4 territory, commonwealth, and local government part-
5 ners, and nongovernmental partners if appropriate,
6 activities regarding the mapping, monitoring, re-
7 search, conservation, mitigation, restoration of coral
8 reefs and coral reef ecosystems;

9 “(2) work with the Secretary of State and the
10 Administrator of the Agency for International Devel-
11 opment, and in coordination with the other members
12 of the Task Force, to—

13 “(A) assess the United States role in inter-
14 national trade and protection of coral reef spe-
15 cies; and

16 “(B) implement appropriate strategies and
17 actions to promote conservation and sustainable
18 use of coral reef resources worldwide.

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

21 “(1) the Secretary of Commerce, acting through
22 the Administrator of the National Oceanic and At-
23 mospheric Administration, and the Secretary of the
24 Interior, who shall be co-chairs of the Task Force;

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

3 “(3) the Secretary of Agriculture;

4 “(4) the Secretary of Defense;

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

7 “(6) the Secretary of Homeland Security;

8 “(7) the Attorney General;

9 “(8) the Secretary of State;

10 “(9) the Secretary of Transportation;

11 “(10) the Administrator of the Environmental
12 Protection Agency;

13 “(11) the Administrator of the National Aero-
14 nautics and Space Administration;

15 “(12) the Director of the National Science
16 Foundation;

17 “(13) the Governor, or a representative of the
18 Governor, of the Commonwealth of the Northern
19 Mariana Islands;

20 “(14) the Governor, or a representative of the
21 Governor, of the Commonwealth of Puerto Rico;

22 “(15) the Governor, or a representative of the
23 Governor, of the State of Florida;

24 “(16) the Governor, or a representative of the
25 Governor, of the State of Hawaii;

1 “(17) the Governor, or a representative of the
2 Governor, of the Territory of Guam;

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

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

7 “(e) NON-VOTING MEMBERS.—The President, or a
8 representative of the President, of each of the Freely Asso-
9 ciated States of the Federated States of Micronesia, the
10 Republic of the Marshall Islands, and the Republic of
11 Palau may appoint a non-voting member of the Task
12 Force.

13 “(f) WORKING GROUPS.—

14 “(1) IN GENERAL.—The co-chairs of the Task
15 Force may establish working groups as necessary to
16 meet the goals and duties of this Act. The Task
17 Force may request the co-chairs to establish such a
18 working group.

19 “(2) PARTICIPATION BY NONGOVERNMENTAL
20 ORGANIZATIONS.—The co-chairs may allow a non-
21 governmental organization to participate in such a
22 working group.

23 “(g) FACA.—The Federal Advisory Committee Act
24 (5 U.S.C. App.) shall not apply to the Task Force.”.

1 (b) CLERICAL AMENDMENT.—The table of contents
 2 for the Coral Reef Conservation Act of 2000 (16 U.S.C.
 3 6401 et seq.) is amended—

4 (1) by redesignating the items relating to sec-
 5 tions 208 through 211 as relating to sections 211
 6 through 214; and

7 (b) by inserting the following after the item re-
 8 lating to section 207:

“Sec. 209. Community-based planning grants.

“Sec. 210. Regional coordination.

“Sec. 211. United States Coral Reef Task Force.”.

9 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

10 Section 212 of the Coral Reef Conservation Act of
 11 2000 (formerly 16 U.S.C. 6408), as redesignated by sec-
 12 tion 6, is amended—

13 (1) by amending subsection (a) to read as fol-
 14 lows:

15 “(a) IN GENERAL.—

16 “(1) AUTHORIZATION.—There are authorized to
 17 be appropriated to carry out this title—

18 “(A) to the Secretary of Commerce,
 19 \$30,000,000 for fiscal year 2008, \$32,000,000
 20 for fiscal year 2009, and \$34,000,000 for fiscal
 21 year 2010; and

22 “(B) to the Secretary of the Interior,
 23 \$10,000,000 for each of fiscal years 2008
 24 through 2010.

1 “(2) ALLOCATION.—Of the amount authorized
 2 by this subsection for each of fiscal years 2008
 3 through 2010—

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

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

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

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

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

16 (3) by striking subsection (c) and inserting the
 17 following:

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

19 There is authorized to be appropriated to the Adminis-
 20 trator to carry out section 209 the sum of \$8,000,000 for
 21 fiscal years 2008 through 2010, such sum to remain avail-
 22 able until expended.”; and

23 (4) by striking subsection (d).

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