

Union Calendar No. 405

117TH CONGRESS
2^D SESSION

H. R. 1415

[Report No. 117-564]

To amend the Coastal Zone Management Act of 1972 to authorize grants to Indian Tribes to further achievement of Tribal coastal zone objectives, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 26, 2021

Mr. KILMER (for himself, Mr. YOUNG, Mr. LARSEN of Washington, Ms. DELBENE, Mr. HUFFMAN, Ms. STRICKLAND, Ms. SCHRIER, Ms. PINGREE, and Ms. MOORE of Wisconsin) introduced the following bill; which was referred to the Committee on Natural Resources

NOVEMBER 16, 2022

Additional sponsors: Mr. GRIJALVA and Mr. GALLEGO

NOVEMBER 16, 2022

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on February 26, 2021]

A BILL

To amend the Coastal Zone Management Act of 1972 to authorize grants to Indian Tribes to further achievement of Tribal coastal zone objectives, 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. GRANTS TO FURTHER ACHIEVEMENT OF TRIB-**
 4 **AL COASTAL ZONE OBJECTIVES.**

5 *(a) GRANTS AUTHORIZED.—The Coastal Zone Man-*
 6 *agement Act of 1972 (16 U.S.C. 1451 et seq.) is amended*
 7 *by adding at the end the following:*

8 **“SEC. 320. GRANTS TO FURTHER ACHIEVEMENT OF TRIBAL**
 9 **COASTAL ZONE OBJECTIVES.**

10 *“(a) GRANTS AUTHORIZED.—The Secretary may*
 11 *award competitive grants to Indian Tribes to further*
 12 *achievement of the objectives of such a Tribe for such Tribe’s*
 13 *Tribal coastal zone.*

14 *“(b) COST SHARE.—*

15 *“(1) IN GENERAL.—The Federal share of the cost*
 16 *of any activity carried out with a grant of \$200,000*
 17 *or more under this section shall not exceed 95 percent*
 18 *of such cost, except as provided in paragraph (2).*

19 *“(2) WAIVER.—The Secretary may waive the ap-*
 20 *plication of paragraph (1) with respect to a grant to*
 21 *an Indian Tribe, or otherwise reduce the portion of*
 22 *the share of the cost of an activity required to be paid*
 23 *by an Indian Tribe under such paragraph.*

24 *“(c) COMPATIBILITY.—The Secretary may not award*
 25 *a grant under this section unless the Secretary determines*

1 *that the activities to be carried out with the grant are com-*
 2 *patible with this title.*

3 “(d) *AUTHORIZED OBJECTIVES AND PURPOSES.—*
 4 *Amounts awarded as a grant under this section shall be*
 5 *used for 1 or more of the objectives and purposes authorized*
 6 *under subsections (b) and (c), respectively, of section 306A.*

7 “(e) *FUNDING.—There is authorized to be appro-*
 8 *priated to the Secretary \$5,000,000 to carry out this section*
 9 *for each of fiscal years 2022 through 2026, of which up to*
 10 *5 percent may be retained by NOAA to administer this sec-*
 11 *tion.*

12 “(f) *DEFINITIONS.—In this section, the following defi-*
 13 *nitions apply:*

14 “(1) *INDIAN LAND.—The term ‘Indian land’ has*
 15 *the meaning given such term in section 2601 of the*
 16 *Energy Policy Act of 1992 (25 U.S.C. 3501) and the*
 17 *Indian Tribe is within a coastal state, as that term*
 18 *is defined in section 304(4) (16 U.S.C. 1453(4)).*

19 “(2) *INDIAN TRIBE.—The term ‘Indian Tribe’*
 20 *has the meaning given such term in section 4 of the*
 21 *Indian Self-Determination and Education Assistance*
 22 *Act (25 U.S.C. 5304).*

23 “(3) *TRIBAL COASTAL ZONE.—The term ‘Tribal*
 24 *coastal zone’ means any Indian land that is within*

1 *the coastal zone, as that term is defined in section*
2 *304(1) (16 U.S.C. 1453(1)).*

3 “(4) *TRIBAL COASTAL ZONE OBJECTIVE.*—*The*
4 *term ‘Tribal coastal zone objective’ means, with re-*
5 *spect to an Indian Tribe, any of the following objec-*
6 *tives:*

7 “(A) *Protection, restoration, or preservation*
8 *of areas in the Tribal coastal zone of such Tribe*
9 *that hold—*

10 “(i) *important ecological, cultural, or*
11 *sacred significance for such Tribe; or*

12 “(ii) *traditional, historic, and aesthetic*
13 *values essential to such Tribe.*

14 “(B) *Preparing and implementing a special*
15 *area management plan and technical planning*
16 *for important coastal areas.*

17 “(C) *Any coastal or shoreline stabilization*
18 *measure, including any mitigation measure, for*
19 *the purpose of public safety, public access, or cul-*
20 *tural or historical preservation.”.*

21 (b) *GUIDANCE.*—*Not later than 180 days after the date*
22 *of the enactment of this Act, the Administrator shall issue*
23 *guidance for the program established under the amendment*
24 *made by subsection (a), including the criteria for awarding*

1 *grants under such program based on consultation with In-*
2 *dian Tribes.*

3 *(c) USE OF STATE GRANTS TO FULFILL TRIBAL OB-*
4 *JECTIVES.—Section 306A(c)(2) of the Coastal Zone Man-*
5 *agement Act of 1972 (16 U.S.C. 1455a(c)(2)) is amended*
6 *by striking “and” after the semicolon at the end of subpara-*
7 *graph (D), by striking the period at the end of subpara-*
8 *graph (E) and inserting “; and”, and by adding at the end*
9 *the following:*

10 *“(F) fulfilling any Tribal coastal zone objective*
11 *(as that term is defined in section 320).”.*

12 *(d) OTHER PROGRAMS NOT AFFECTED.—Nothing in*
13 *this section and the amendments made by this section may*
14 *be construed to limit the ability of an Indian Tribe to apply*
15 *for, receive assistance under, or participate in any program*
16 *authorized by any section of the Coastal Zone Management*
17 *Act of 1972 (16 U.S.C. 1451 et seq.) other than section 320*
18 *of such Act or other related Federal laws.*

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