

## RESTORING RESILIENT REEFS ACT OF 2021

DECEMBER 14, 2022.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. GRIJALVA, from the Committee on Natural Resources,  
submitted the following

### R E P O R T

[To accompany H.R. 160]

The Committee on Natural Resources, to whom was referred the bill (H.R. 160) to reauthorize the Coral Reef Conservation Act of 2000 and to establish the United States Coral Reef Task Force, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Restoring Resilient Reefs Act of 2021”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

#### TITLE I—REAUTHORIZATION OF CORAL REEF CONSERVATION ACT OF 2000

Sec. 101. Reauthorization of Coral Reef Conservation Act of 2000.

Sec. 102. Modification to section 204 of the Coral Reef Conservation Act of 2000 (16 U.S.C. 6403).

#### TITLE II—UNITED STATES CORAL REEF TASK FORCE

Sec. 201. Establishment.

Sec. 202. Duties.

Sec. 203. Membership.

Sec. 204. Responsibilities of Federal agency members.

Sec. 205. Working groups.

Sec. 206. Definitions.

#### TITLE III—DEPARTMENT OF THE INTERIOR CORAL REEF AUTHORITIES

Sec. 301. Coral reef conservation and restoration assistance.

#### TITLE IV—SUSAN L. WILLIAMS NATIONAL CORAL REEF MANAGEMENT FELLOWSHIP

Sec. 401. Short title.

Sec. 402. Definitions.

Sec. 403. Establishment of fellowship program.

Sec. 404. Fellowship awards.

Sec. 405. Matching requirement.

## TITLE I—REAUTHORIZATION OF CORAL REEF CONSERVATION ACT OF 2000

### SEC. 101. REAUTHORIZATION OF CORAL REEF CONSERVATION ACT OF 2000.

(a) **PURPOSES; FEDERAL CORAL REEF MANAGEMENT AND RESTORATION ACTIVITIES.**—The Coral Reef Conservation Act of 2000 (16 U.S.C. 6401 et seq.) is amended by striking sections 202 and 203 and inserting the following:

#### “SEC. 202. PURPOSES.

“The purposes of this title are—

“(1) to conserve and restore the condition of United States coral reef ecosystems challenged by natural and human-accelerated changes, including increasing ocean temperatures, ocean acidification, coral bleaching, coral diseases, water quality degradation, invasive species, and illegal, unreported, and unregulated fishing;

“(2) to promote the science-based management and sustainable use of coral reef ecosystems to benefit local communities and the Nation, including through improved integration and cooperation among Federal, State, and locally managed jurisdictions with coral reef equities;

“(3) to develop sound scientific information on the condition of coral reef ecosystems, continuing and emerging threats to such ecosystems, and the efficacy of innovative tools, technologies, and strategies to mitigate stressors and restore such ecosystems, including evaluation criteria to determine the effectiveness of management interventions, and accurate mapping for coral reef restoration;

“(4) to assist in the preservation of coral reefs by supporting science-based, consensus-driven State, Tribal, Pacific Islander, and community-based coral reef management, including monitoring, conservation, and restoration projects that empower local communities, small businesses, and nongovernmental organizations;

“(5) to provide financial resources, technical assistance, and scientific expertise to supplement and strengthen State, Tribal, Indigenous, and community-based management programs and conservation and restoration projects;

“(6) to establish a formal mechanism for collecting and allocating monetary donations from the private sector to be used for coral reef conservation and restoration projects;

“(7) to support the rapid and effective, science-based assessment and response to emergencies that imminently threaten coral reefs, such as coral disease outbreaks, invasive species, hurricanes, marine heat waves, coral bleaching, and other natural disasters, vessel groundings or chemical spills, and other exigent circumstances; and

“(8) to serve as a model for advancing similar international efforts to monitor, conserve, and restore coral reef ecosystems in the jurisdictions of United States allies and trading partners.

### “SEC. 203. FEDERAL CORAL REEF MANAGEMENT AND RESTORATION ACTIVITIES.

“(a) **IN GENERAL.**—The Administrator or the Secretary of the Interior may conduct activities described in subsection (b) to conserve and restore coral reefs and coral reef ecosystems that are consistent with—

“(1) all applicable laws governing resource management in Federal and State waters, including this Act;

“(2) the national coral reef resilience strategy in effect under section 204A;

“(3) coral reef action plans in effect under section 205, as applicable; and

“(4) coral reef emergency plans in effect under section 209, as applicable.

“(b) **ACTIVITIES DESCRIBED.**—Activities described in this subsection are activities to conserve, research, monitor, assess, and restore coral reefs and coral reef ecosystems in waters managed under the jurisdiction of a Federal agency specified in subsection (c) or in coordination with a State in waters managed under the jurisdiction of such State, including—

“(1) developing, including through the collection of requisite data, high-quality and digitized maps reflecting—

“(A) current and historical live coral cover data;

“(B) coral reef habitat quality data;

“(C) priority areas for coral reef conservation to maintain biodiversity and ecosystem structure and function, including the reef matrix itself, that benefit coastal communities and living marine resources;

“(D) priority areas for coral reef restoration to enhance biodiversity and ecosystem structure and function, including the reef matrix itself, to benefit coastal communities and living marine resources; and

- “(E) areas of concern that may require enhanced monitoring of coral health and cover;
  - “(2) enhancing compliance with Federal laws that prohibit or regulate—
    - “(A) the taking of coral products or species associated with coral reefs; or
    - “(B) the use and management of coral reef ecosystems;
  - “(3) long-term ecological monitoring of coral reef ecosystems;
  - “(4) implementing species-specific recovery plans for listed coral species consistent with the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);
  - “(5) restoring degraded coral reef ecosystems;
  - “(6) promoting ecologically sound navigation and anchorages, including mooring buoy systems to promote enhanced recreational access, near coral reefs;
  - “(7) monitoring and responding to severe bleaching or mortality events, disease outbreaks, invasive species outbreaks, and significant maritime accidents, including chemical spill cleanup and the removal of grounded vessels;
  - “(8) conducting scientific research that contributes to the understanding, sustainable use, and long-term conservation of coral reefs;
  - “(9) enhancing public awareness, understanding, and appreciation of coral reefs and coral reef ecosystems;
  - “(10) preventing or minimizing the likelihood of vessel impacts or other physical damage to coral reefs through navigational aids and expansion of reef-safe anchorages; and
  - “(11) centrally archiving, managing, and distributing data sets and coral reef ecosystem assessments and publishing such information on publicly available internet websites of—
    - “(A) the Coral Reef Conservation Program of the National Oceanic and Atmospheric Administration; and
    - “(B) the Task Force.
- “(c) FEDERAL AGENCIES SPECIFIED.—A Federal agency specified in this subsection is one of the following:
- “(1) The National Oceanic and Atmospheric Administration.
  - “(2) The National Park Service.
  - “(3) The United States Fish and Wildlife Service.
  - “(4) The Office of Insular Affairs.”.
- (b) ADDITIONAL PROVISIONS.—The Coral Reef Conservation Act of 2000 (16 U.S.C. 6401 et seq.) is amended by striking sections 205 through 210 and inserting the following:
- “SEC. 204A. NATIONAL CORAL REEF RESILIENCE STRATEGY.**
- “(a) IN GENERAL.—The Administrator shall—
- “(1) develop a national coral reef resilience strategy; and
  - “(2) periodically, but not less frequently than every 15 years, review and revise the strategy.
- “(b) ELEMENTS.—The strategy required by subsection (a) shall include the following:
- “(1) A discussion addressing—
    - “(A) continuing and emerging threats to the resilience of United States coral reef ecosystems;
    - “(B) remaining gaps in coral reef ecosystem research, monitoring, and assessment;
    - “(C) the status of management cooperation and integration among Federal, State, Tribal, and locally managed jurisdictions with coral reef equities;
    - “(D) the status of efforts to manage and disseminate critical information, and enhance interjurisdictional data sharing, related to research, reports, datasets, and maps;
    - “(E) areas of special focus, which may include—
      - “(i) improving natural coral recruitment;
      - “(ii) preventing avoidable losses of corals and their habitat;
      - “(iii) enhancing the resilience of coral populations;
      - “(iv) supporting a resilience-based management approach;
      - “(v) developing, coordinating, and implementing watershed management plans;
      - “(vi) building and sustaining watershed management capacity at the local level;
      - “(vii) providing data essential for coral reef fisheries management;
      - “(viii) building capacity for coral reef fisheries management;
      - “(ix) increasing understanding of coral reef ecosystem services;
      - “(x) educating the public on the importance of coral reefs, threats and solutions; and

- “(xi) evaluating intervention efficacy;
  - “(F) the status of conservation efforts, including the use of marine protected areas to serve as replenishment zones developed consistent with local practices and traditions and in cooperation with, and with respect for the scientific, technical, and management expertise and responsibilities of, State fish and wildlife management agencies; and
  - “(G) science-based adaptive management and restoration efforts.
  - “(2) A statement of national goals and objectives designed to guide—
    - “(A) future Federal coral reef management and restoration activities authorized under section 203;
    - “(B) conservation and restoration priorities for grants awarded under section 213; and
    - “(C) research priorities for the cooperative institutes established under section 215(c).
  - “(3) General templates for use by covered reef managers to guide the development of—
    - “(A) coral reef action plans under section 205; and
    - “(B) coral reef emergency plans under section 209.
  - “(c) CONSULTATIONS.—In developing all elements of the strategy required by subsection (a), the Administrator shall—
    - “(1) consult with the Secretary of the Interior, the Task Force, covered States, and Tribal organizations;
    - “(2) engage stakeholders, including coral reef stewardship partnerships, coral reef institutes and research centers described in section 215(c), and coral reef conservation grant awardees; and
    - “(3) solicit public review and comment regarding scoping and the draft strategy.
  - “(d) SUBMISSION TO CONGRESS; PUBLICATION.—The Administrator shall—
    - “(1) submit the strategy required by subsection (a) and any revisions to the strategy to the appropriate congressional committees; and
    - “(2) publish the strategy and any such revisions on publicly available internet websites of—
      - “(A) the Coral Reef Conservation Program of the National Oceanic and Atmospheric Administration; and
      - “(B) the Task Force.
  - “(e) TRANSITION RULE.—On and after the date of the enactment of the Restoring Resilient Reefs Act of 2021, the 2018 Coral Reef Conservation Program Strategic Plan of the National Oceanic and Atmospheric Administration shall be considered to be the national coral reef resilience strategy in effect under this section until the earlier of—
    - “(1) September 30, 2033; or
    - “(2) the date on which the Administrator develops a national coral reef resilience strategy under this section.
- “SEC. 205. CORAL REEF ACTION PLANS.**
- “(a) CORAL REEF ACTION PLANS.—Except as provided in subsection (h), not later than 3 years after the date of the enactment of the Restoring Resilient Reefs Act of 2021, and not later than 2 years after the publication of a revised national coral reef resilience strategy under section 204A, each covered reef manager shall prepare and submit to the Task Force a coral reef action plan to guide management and restoration activities to be undertaken within the responsibilities and jurisdiction of the manager.
  - “(b) REQUIREMENTS.—A covered reef manager preparing a coral reef action plan under subsection (a) shall—
    - “(1) ensure that the plan is consistent with all elements of the national coral reef resilience strategy in effect; and
    - “(2) revise the plan not less frequently than once every 5 years.
  - “(c) PLAN ELEMENTS.—A coral reef action plan under subsection (a) shall include a discussion of the following elements:
    - “(1) Short- and mid-term coral reef conservation and restoration objectives within the applicable jurisdiction.
    - “(2) An updated adaptive management framework to inform research, monitoring, and assessment needs.
    - “(3) The status of any coral reef emergency plans in effect under section 209 covering coral reef ecosystems within the applicable jurisdiction.
    - “(4) Tools, strategies, and partnerships necessary to identify, monitor, and address the impacts of pollution, diminished water quality, temperature fluctuations, acidification, overfishing, disease, and other disturbances to coral reef ecosystems within the applicable jurisdiction.

“(5) The status of efforts to improve coral reef ecosystem management cooperation and integration among neighboring Federal, State, Tribal, or locally managed jurisdictions, including the identification of existing research and monitoring activities that can be leveraged for coral reef status and trends assessments within the applicable jurisdiction.

“(6) An accounting of annual expenditures on coral reef management and restoration activities within the applicable jurisdiction while the preceding action plan, if any, was in effect.

“(7) Estimated budgetary and resource considerations necessary to carry out the proposed action plan.

“(d) TECHNICAL ASSISTANCE.—The Administrator and the Task Force shall make all reasonable efforts to provide technical assistance upon request by a covered reef manager developing a coral reef action plan under subsection (a).

“(e) ADOPTION OF CORAL REEF ACTION PLANS.—A covered reef manager may adopt a coral reef action plan developed by another covered reef manager, in full or in part, as relevant to the adopting manager’s applicable jurisdiction.

“(f) PUBLIC REVIEW.—The development of a coral reef action plan by a covered reef manager under subsection (a), and the adoption of a plan under subsection (e), shall be subject to public review and comment.

“(g) PUBLICATION.—The Administrator shall publish each coral reef action plan prepared and submitted to the Task Force under this section on publicly available internet websites of—

“(1) the Coral Reef Conservation Program of the National Oceanic and Atmospheric Administration; and

“(2) the Task Force.

“(h) APPLICABILITY TO COVERED STATES AND CORAL REEF STEWARDSHIP PARTNERSHIPS.—A covered State or non-Federal coral reef stewardship partnership is not required to develop a coral reef action plan under subsection (a), but may do so in its own discretion. In developing a coral reef action plan, a covered State or non-Federal coral reef stewardship partnership is encouraged, but not mandated, to comply with the requirements of this section.

“(i) PLAN IN EFFECT.—A coral reef action plan shall be deemed to be in effect if the plan was submitted to the Task Force under this section during the preceding 6 years.

**“SEC. 206. CORAL REEF STEWARDSHIP PARTNERSHIPS.**

“(a) CORAL REEF STEWARDSHIP PARTNERSHIPS.—The Administrator shall establish standards for the identification of coral reefs and the formation of partnerships among government and community members for the stewardship of coral reefs (in this title referred to as ‘coral reef stewardship partnerships’) in accordance with this section, including guidance for preparation and submission of coral reef action plans under section 205 for review and approval by the Administrator.

“(b) IDENTIFICATION OF CORAL REEFS.—Each coral reef stewardship partnership shall identify with particularity the coral reef or ecologically significant component of a coral reef that will be the subject of its stewardship activities.

“(c) MEMBERSHIP FOR FEDERAL CORAL REEFS.—A coral reef stewardship partnership that has identified, as the subject of its stewardship activities, a coral reef or ecologically significant component of a coral reef that is fully or partially under the management jurisdiction of any Federal agency specified in section 203(c) shall, at a minimum, include the following:

“(1) That Federal agency, a representative of which shall serve as chair of the coral reef stewardship partnership.

“(2) A State, county, or Tribal organization’s resource management agency.

“(3) A coral reef research center described in section 215(c)(4) or another institution of higher education.

“(4) A nongovernmental organization.

“(5) Such other members as the partnership considers appropriate, such as interested stakeholder groups.

“(d) MEMBERSHIP FOR NON-FEDERAL CORAL REEFS.—

“(1) IN GENERAL.—A coral reef stewardship partnership that has identified, as the subject of its stewardship activities, a coral reef or ecologically significant component of a coral reef that is not under the management jurisdiction of any Federal agency specified in section 203(c) shall, at a minimum, include the following:

“(A) A State, county, or Tribal organization’s resource management agency, a representative of which shall serve as the chair of the coral reef stewardship partnership.

“(B) A coral reef research center described in section 215(c)(4) or another institution of higher education.

“(C) A nongovernmental organization.

“(D) Such other members as the partnership considers appropriate, such as interested stakeholder groups.

“(2) ADDITIONAL MEMBERS.—

“(A) IN GENERAL.—Subject to subparagraph (B), a coral reef stewardship partnership described in paragraph (1) may also include representatives of one or more Federal agencies that have management responsibility in the coral reef that is the subject of the partnership’s stewardship activities.

“(B) REQUESTS; APPROVAL.—A representative of a Federal agency described in subparagraph (A) may become a member of a coral reef stewardship partnership described in paragraph (1) if—

“(i) the representative submits a request to become a member to the chair of the partnership referred to in paragraph (1)(A); and

“(ii) the chair consents to the request.

“(e) NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to coral reef stewardship partnerships.

**SEC. 207. BLOCK GRANTS AND COOPERATIVE AGREEMENTS.**

“(a) IN GENERAL.—The Administrator shall provide block grants of financial assistance to covered States to support management and restoration activities and further the implementation of coral reef action plans in effect under section 205 by covered States and non-Federal coral reef stewardship partnerships.

“(b) ELIGIBILITY FOR ADDITIONAL AMOUNTS.—

“(1) IN GENERAL.—A covered State shall qualify for and receive additional grant amounts beyond the base award specified in subsection (c)(1) if there is at least one coral reef action plan in effect within the jurisdiction of the covered State developed by that covered State or a non-Federal coral reef stewardship partnership.

“(2) WAIVER.—In any fiscal year before fiscal year 2025, the Administrator shall waive the requirement to qualify for and receive additional grant amounts described in paragraph (1).

“(c) FUNDING FORMULA.—The amount of each block grant awarded to a covered State under this section shall be the sum of—

“(1) a base award of \$100,000; and

“(2) if the State is eligible under subsection (b)—

“(A) an amount that is equal to non-Federal expenditures of up to \$3,000,000 on coral reef management and restoration activities within the jurisdiction of the State during the previous fiscal year, and

“(B) an additional amount, from any funds appropriated for activities under this section that remain after distribution under subparagraph (A), paragraph (1), and subsection (g) based on the proportion of the State’s share of total non-Federal expenditures on coral reef management and restoration activities, as reported within the previous fiscal year, in excess of \$3,000,000, relative to other covered States.

“(d) EXCLUSIONS.—For the purposes of calculating block grant amounts under subsection (c), Federal funds provided to a covered State or non-Federal coral reef stewardship partnership shall not be considered as qualifying non-Federal expenditures, but non-Federal matching funds used to leverage Federal awards may be considered as qualifying non-Federal expenditures.

“(e) RESPONSIBILITIES OF THE ADMINISTRATOR.—The Administrator is responsible for—

“(1) providing guidance on qualifying non-Federal expenditures and the proper documentation of such expenditures;

“(2) issuing annual solicitations to covered States for additional awards under this section; and

“(3) determining the appropriate allocation of additional amounts among covered States in accordance with this section.

“(f) RESPONSIBILITIES OF COVERED STATES.—Each covered State is responsible for documenting non-Federal expenditures within the jurisdiction of the State and formally reporting those expenditures for review in response to annual solicitations by the Administrator under subsection (e).

“(g) COOPERATIVE AGREEMENTS.—The Administrator may enter into cooperative agreements with States to fund coral reef conservation and restoration activities in waters managed under the jurisdiction of such States that are consistent with the national coral reef resilience strategy in effect under section 204A.

“(h) UNEXPENDED AMOUNTS.—Any amounts available for activities under this section that are not expended shall be transferred to the Coral Reef Stewardship Fund under section 208(b).

**“SEC. 208. CORAL REEF STEWARDSHIP FUND.**

“(a) **AUTHORITY TO ENTER INTO AGREEMENTS.**—The Administrator may enter into an agreement with the National Fish and Wildlife Foundation (in this section referred to as the ‘Foundation’), authorizing the Foundation to receive, hold, and administer funds received under this section.

“(b) **FUND.**—The Foundation shall invest, reinvest, and otherwise administer the funds received under this section and maintain such funds and any interest or revenues earned in a separate interest-bearing account, to be known as the ‘Coral Reef Stewardship Fund’ (in this section referred to as the ‘Fund’, and known before the date of the enactment of the Restoring Resilient Reefs Act of 2021 as the Coral Reef Conservation Fund administered through a public-private partnership with the Foundation), established by the Foundation solely to support coral reef stewardship partnership activities that—

“(1) further the purposes of this title; and

“(2) are consistent with—

“(A) the national coral reef resilience strategy in effect under section 204A; and

“(B) coral reef action plans in effect, if any, under section 205 covering a coral reef or ecologically significant component of a coral reef to be impacted by such activities, if applicable.

“(c) **AUTHORIZATION TO SOLICIT DONATIONS.**—

“(1) **IN GENERAL.**—Pursuant to an agreement entered into under subsection (a), the Foundation may accept, receive, solicit, hold, administer, and use any gift (including, notwithstanding section 1342 of title 31, United States Code, donations of services) to further the purposes of this title.

“(2) **DEPOSITS IN FUND.**—Notwithstanding section 3302 of title 31, United States Code, any funds received as a gift shall be deposited and maintained in the Fund.

“(3) **NOTIFICATION REQUIRED.**—Not later than 30 days after funds are deposited in the Fund under paragraph (2), the Foundation shall notify the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives of the source and amount of such funds.

“(d) **REVIEW OF PERFORMANCE.**—The Administrator shall conduct a continuing review of all deposits into, and disbursements from, the Fund. Each review shall include a written assessment concerning the extent to which the Foundation has implemented the goals and requirements of—

“(1) this section; and

“(2) the national coral reef resilience strategy in effect under section 204A.

“(e) **ADMINISTRATION.**—Under an agreement entered into pursuant to subsection (a), the Administrator may transfer funds appropriated to carry out this title to the Foundation. Amounts received by the Foundation under this subsection may be used for matching, in whole or in part, contributions (whether in money, services, or property) made to the Foundation by private persons, State or local government agencies, or Tribal organizations.

**“SEC. 209. CORAL REEF EMERGENCY PLANS.**

“(a) **IN GENERAL.**—A covered reef manager may develop and periodically update a plan (in this title referred to as a ‘coral reef emergency plan’) consistent with the template described in section 204A(b)(3) to guide the rapid and effective response to circumstances that pose an urgent and immediate threat to the coral reef ecosystems within the manager’s responsibilities and jurisdictions, and consistent with any applicable coral reef action plan.

“(b) **CORAL REEF EMERGENCIES.**—The Administrator shall develop a list of, and criteria for, circumstances that pose an urgent and immediate threat to coral reefs (in this title referred to as ‘coral reef emergencies’), including—

“(1) new and ongoing outbreaks of disease;

“(2) new and ongoing outbreaks of invasive or nuisance species;

“(3) new and ongoing coral bleaching events;

“(4) natural disasters;

“(5) man-made disasters, including vessel groundings, hazardous spills, or coastal construction accidents; and

“(6) other exigent circumstances.

“(c) **BEST RESPONSE PRACTICES.**—The Administrator shall develop guidance on best practices to respond to coral reef emergencies that can be adopted within coral reef emergency plans. Such best practices shall be—

“(1) based on the best available science and integrated with evolving innovative technologies; and

“(2) revised not less frequently than once every 5 years.

“(d) PLAN ELEMENTS.—A coral reef emergency plan shall include the following elements:

“(1) A description of particular threats, and the proposed responses, consistent with the best practices developed under subsection (d).

“(2) A delineation of roles and responsibilities for executing the plan.

“(3) Evidence of engagement with interested stakeholder groups, as applicable, in the development of the plan.

“(4) Any other information the Administrator considers to be necessary for the plan.

“(e) TECHNICAL ASSISTANCE.—The Administrator and the Task Force shall make all reasonable efforts to provide technical assistance upon request by a covered reef manager developing a coral reef emergency plan under subsection (a).

“(f) ADOPTION OF CORAL REEF EMERGENCY PLANS.—A covered reef manager may adopt a coral reef emergency plan developed by another covered reef manager, in full or in part, as relevant to the adopting manager’s applicable jurisdiction.

“(g) PUBLIC REVIEW.—The development of a coral reef action plan by a covered reef manager under subsection (a), and the adoption of a plan under subsection (f), shall be subject to public review and comment.

“(h) PUBLICATION.—The Administrator shall publish each coral reef emergency plan prepared and submitted to the Task Force under this section on publicly available internet websites of—

“(1) the Coral Reef Conservation Program of the National Oceanic and Atmospheric Administration; and

“(2) the Task Force.

“(i) PLAN IN EFFECT.—A coral reef emergency plan shall be deemed to be in effect if the plan was submitted to the Task Force under this section during the preceding 6 years.

**“SEC. 210. CORAL REEF EMERGENCY FUND.**

“(a) ESTABLISHMENT OF FUND.—There is established in the Treasury an interest-bearing fund to be known as the ‘Coral Reef Emergency Fund’, which shall consist of amounts deposited into the Fund under subsection (c).

“(b) USES.—Amounts in the Fund—

“(1) shall be available only for use by the Administrator to compensate covered coral reef managers to implement a coral reef emergency plan in effect under sections 210 and 212; and

“(2) shall remain available until expended.

“(c) DEPOSITS INTO THE FUND.—There shall be deposited into the Fund—

“(1) amounts appropriated for the Fund; and

“(2) other amounts appropriated to the Administrator for use with respect to coral reef emergencies.

“(d) ACCEPTANCE OF DONATIONS.—

“(1) IN GENERAL.—For purposes of carrying out this title, the Administrator may accept, receive, solicit, hold, administer, and use any gift (including, notwithstanding section 1342 of title 31, United States Code, donations of services).

“(2) DEPOSITS IN FUND.—Notwithstanding section 3302 of title 31, United States Code, any funds received as a gift shall be deposited and maintained in the Fund.

**“SEC. 211. EMERGENCY ASSISTANCE.**

“(a) CORAL REEF EMERGENCY DECLARATIONS.—

“(1) SUA SPONTE DECLARATION.—

“(A) IN GENERAL.—The Administrator may determine and declare a coral reef emergency, including at the recommendation of the Secretary of the Interior.

“(B) REQUIREMENTS.—In declaring a coral reef emergency under subparagraph (A), the Administrator shall—

“(i) certify that an emergency has occurred that is ecologically significant and harmful to coral reefs; and

“(ii) submit to the appropriate congressional committees findings and analysis to justify the declaration.

“(2) PETITIONS.—If a covered State or non-Federal coral reef stewardship partnership believes that a coral reef emergency has occurred, and is impacting coral reefs or ecologically significant components of coral reefs subject to the responsibilities or jurisdiction of the State or partnership, the State or partnership may petition the Administrator for a declaration of a coral reef emergency.

“(3) EVALUATION AND ACTION.—

“(A) IN GENERAL.—Not later than 30 days after receiving a petition under paragraph (2) (except as provided in subparagraph (B)), the Administrator shall—



“(i) evaluate the petition to determine whether a coral reef emergency has occurred; and

“(ii) declare a coral reef emergency or deny the petition.

“(B) EXTENSION.—The Administrator may extend the deadline provided for under subparagraph (A) by not more than 15 days.

“(4) APPEAL.—If the Administrator denies a petition for an emergency declaration submitted under paragraph (2), the State or partnership that submitted the petition may, not later than 15 days after receiving notice of the denial, appeal the denial to the Administrator. Not later than 15 days after receiving an appeal under this paragraph, the Administrator shall grant or deny the appeal.

“(5) REVOCATION.—The Administrator may revoke any declaration of a coral reef emergency in whole or in part after determining that circumstances no longer require an emergency response.

“(6) RECOVERY OF EMERGENCY FUNDING.—The Administrator may seek compensation from negligent parties to recover emergency funds expended in excess of \$500,000 under this section as a result of an emergency declaration arising from direct impacts to coral reefs from man-made disasters or accidents.

“(b) FINANCIAL ASSISTANCE AUTHORITY.—

“(1) IN GENERAL.—Upon the declaration of a coral reef emergency under subsection (a), the Administrator shall provide grants to carry out proposals that meet the requirements of paragraph (2) to implement coral reef emergency plans in effect under section 209.

“(2) REQUIREMENTS.—A proposal for a grant under this subsection to implement a coral reef emergency plan in effect under section 209 shall include—

“(A) the name of the entity submitting the proposal;

“(B) a copy of the coral reef emergency plan;

“(C) a description of the qualifications of the individuals and entities who will implement the plan;

“(D) an estimate of the funds and time required to complete the implementation of the plan; and

“(E) any other information the Administrator considers to be necessary for evaluating the eligibility of the proposal for a grant under this subsection.

“(3) REVIEW.—Not later than 30 days after receiving a proposal for a grant under this subsection, the Administrator shall review the proposal and determine if the proposal meets the requirements of paragraph (2).

“(4) CONCURRENT REVIEW.—An entity seeking a grant under this subsection may submit a proposal under paragraph (2) to the Administrator at any time following the submission of a petition for an emergency declaration under subsection (a)(2) that is applicable to coral reefs or ecologically significant components of coral reefs subject to the responsibilities or jurisdiction of the entity.

“SEC. 212. VESSEL GROUNDING INVENTORY.

“The Administrator, in coordination with the heads of other Federal agencies, shall establish and maintain an inventory of all vessel grounding incidents involving United States coral reefs, including a description of—

“(1) the impacts of each such incident to coral reefs and related natural resources;

“(2) vessel and ownership information relating to each such incident, if available;

“(3) the estimated cost of removal of the vessel, remediation, or restoration relating to each such incident;

“(4) the response actions taken by the owner of the vessel, the Administrator, the Commandant of the Coast Guard, or representatives of other Federal or State agencies;

“(5) the status of the response actions, including the dates of—

“(A) vessel removal;

“(B) remediation or restoration activities, including whether a coral reef emergency plan was implemented; and

“(C) any actions taken to prevent future grounding incidents; and

“(6) recommendations for additional navigational aids or other mechanisms for preventing future grounding incidents.

“SEC. 213. RUTH D. GATES CORAL REEF CONSERVATION GRANT PROGRAM.

“(a) GRANTS.—The Administrator shall establish a program (to be known as the ‘Ruth D. Gates Coral Reef Conservation Grant Program’) to provide grants for projects for the conservation and restoration of coral reef ecosystems (in this section referred to as ‘coral reef projects’) pursuant to proposals approved by the Administrator in accordance with this section.

“(b) ELIGIBILITY.—

“(1) IN GENERAL.—An entity described in paragraph (2) may submit to the Administrator a proposal for a coral reef project.

“(2) ENTITIES DESCRIBED.—An entity described in this paragraph is—

“(A) a natural resource management authority of a State or local government or Tribal organization—

“(i) with responsibility for coral reef management; or

“(ii) the activities of which directly or indirectly affect coral reefs or coral reef ecosystems;

“(B) a regional fishery management council established under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.);

“(C) a coral reef stewardship partnership seeking to implement a coral reef action plan in effect under section 205;

“(D) a coral reef research center designated under section 215(c)(4); or

“(E) another nongovernmental organization or research institution with demonstrated expertise in the conservation or restoration of coral reefs in practice or through significant contributions to the body of existing scientific research on coral reefs.

“(c) PROJECT PROPOSALS.—Each proposal for a grant under this section for a coral reef project shall include the following:

“(1) The name of the individual or entity responsible for conducting the project.

“(2) A description of the qualifications of the individual or entity.

“(3) A succinct statement of the purposes of the project.

“(4) An estimate of the funds and time required to complete the project.

“(5) Evidence of support for the project by appropriate representatives of States or other government jurisdictions in which the project will be conducted.

“(6) Information regarding the source and amount of matching funding available to the applicant.

“(7) A description of how the project meets one or more of the criteria under subsection (e)(2).

“(8) In the case of a proposal submitted by a coral reef stewardship partnership, a description of how the project aligns with the applicable coral reef action plan in effect under section 205.

“(9) Any other information the Administrator considers to be necessary for evaluating the eligibility of the project for a grant under this subsection.

“(d) PROJECT REVIEW AND APPROVAL.—

“(1) IN GENERAL.—The Administrator shall review each coral reef project proposal submitted under this section to determine if the project meets the criteria set forth in subsection (e).

“(2) PRIORITIZATION OF CONSERVATION PROJECTS.—The Administrator shall prioritize the awarding of grants for projects that meet the criteria for approval under subparagraphs (A) through (G) of subsection (e)(2) that are proposed to be conducted within priority areas identified for coral reef conservation by the Administrator and consistent with the national coral reef resilience strategy in effect under section 204A.

“(3) PRIORITIZATION OF RESTORATION PROJECTS.—The Administrator shall prioritize the awarding of grants for projects that meet the criteria for approval under subparagraphs (E) through (L) of subsection (e)(2) that are proposed to be conducted within priority areas identified for coral reef restoration by the Administrator and consistent with the national coral reef resilience strategy in effect under section 204A.

“(4) REVIEW; APPROVAL OR DISAPPROVAL.—Not later than 180 days after receiving a proposal for a coral reef project under this section, the Administrator shall—

“(A) request and consider written comments on the proposal from each Federal agency, State government, Tribal organization, or other government jurisdiction, including the relevant regional fishery management councils established under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), or any National Marine Sanctuary or Marine National Monument, with jurisdiction or management authority over coral reef ecosystems in the area where the project is to be conducted, including the extent to which the project is consistent with locally established priorities, unless such entities were directly involved in the development of the project proposal;

“(B) provide for the merit-based peer review of the proposal and require standardized documentation of that peer review;

“(C) after considering any written comments and recommendations based on the reviews under subparagraphs (A) and (B), approve or disapprove the proposal; and

“(D) provide written notification of that approval or disapproval, with summaries of all written comments, recommendations, and peer-reviews, to the entity that submitted the proposal, and each of those States, Tribal organizations, and other government jurisdictions that provided comments under subparagraph (A).

“(e) CRITERIA FOR APPROVAL.—The Administrator may not approve a proposal for a coral reef project under this section unless the project—

“(1) is consistent with—

“(A) the national coral reef resilience strategy in effect under section 204A; and

“(B) any Federal or non-Federal coral reef action plans in effect under section 205 covering a coral reef or ecologically significant component of a coral reef to be affected by the project; and

“(2) will enhance the conservation and restoration of coral reefs by—

“(A) addressing conflicts arising from the use of environments near coral reefs or from the use of corals, species associated with coral reefs, and coral products, including supporting consensus-driven, community-based planning and management initiatives for the protection of coral reef ecosystems;

“(B) improving compliance with laws that prohibit or regulate the taking of coral products or species associated with coral reefs or regulate the use and management of coral reef ecosystems;

“(C) designing and implementing networks of real-time water quality monitoring along coral reefs, including data collection related to turbidity, nutrient availability, harmful algal blooms, and plankton assemblages, with an emphasis on coral reefs impacted by agriculture and urban development;

“(D) promoting ecologically sound navigation and anchorages, including mooring buoy systems to promote enhanced recreational access, near coral reefs;

“(E) furthering the goals and objectives of coral reef action plans in effect under section 205 and coral reef emergency plans in effect under section 209;

“(F) mapping the location and distribution of coral reefs and potential coral reef habitat;

“(G) stimulating innovation to advance the ability of the United States to understand, research, or monitor coral reef ecosystems, or to develop management or adaptation options to preserve, sustain, and restore coral reef ecosystems;

“(H) implementing research to ensure the population viability of listed coral species in United States waters as detailed in the population-based recovery criteria included in species-specific recovery plans consistent with the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

“(I) developing and implementing cost-effective methods to restore degraded coral reef ecosystems or to create geographically appropriate coral reef ecosystems in suitable waters, including by improving habitat or promoting success of keystone species, with an emphasis on novel restoration strategies and techniques to advance coral reef recovery and growth near population centers threatened by rising sea levels and storm surge;

“(J) translating and applying coral genetics research to coral reef ecosystem restoration, including research related to traits that promote resilience to increasing ocean temperatures, ocean acidification, coral bleaching, coral diseases, and invasive species;

“(K) developing and maintaining in situ native coral propagation sites;

“(L) developing and maintaining ex situ coral propagation nurseries and land-based coral gene banks to—

“(i) conserve or augment genetic diversity of native coral populations;

“(ii) support captive breeding of rare coral species; or

“(iii) enhance resilience of native coral populations to increasing ocean temperatures, ocean acidification, coral bleaching, and coral diseases through selective breeding, conditioning, or other approaches that target genes, gene expression, phenotypic traits, or phenotypic plasticity; or

“(M) maintaining the structure and function of coral reefs, including the reef matrix itself.

“(f) FUNDING REQUIREMENTS.—To the extent practicable based upon proposals for coral reef projects submitted to the Administrator, the Administrator shall ensure

that funding for grants awarded under this section during a fiscal year is distributed as follows:

“(1) Not less than 40 percent of funds available shall be awarded for projects in the Pacific Ocean within the maritime areas and zones subject to the jurisdiction or control of the United States.

“(2) Not less than 40 percent of the funds available shall be awarded for projects in the Atlantic Ocean, the Gulf of Mexico, or the Caribbean Sea within the maritime areas and zones subject to the jurisdiction or control of the United States.

“(g) PROJECT REPORTING.—Each entity receiving a grant under this section shall submit to the Administrator such reports at such times and containing such information for evaluating project performance as the Administrator may require.

“(h) TASK FORCE.—The Administrator may consult with the Secretary of the Interior and the Task Force to obtain guidance in establishing priorities and evaluating proposals for coral reef projects under this section.

“(i) UNEXPENDED AMOUNTS.—Any amounts available for grants under this section that are not expended shall be transferred to the Coral Reef Stewardship Fund under section 208(b).

**“SEC. 214. REPORTS ON ADMINISTRATION.**

“(a) IN GENERAL.—Not later than 2 years after the date of the enactment of the Restoring Resilient Reefs Act of 2021, and every 2 years thereafter, the Administrator shall submit to the committees specified in subsection (b) a report on the administration of this title during the 2-year period preceding submission of the report, including—

“(1) a description of all activities undertaken to implement the most recent national coral reef resilience strategy under section 204A;

“(2) a statement of all funds obligated under the authorities of this title; and

“(3) a summary, disaggregated by State, of Federal and non-Federal contributions toward the costs of each project or activity funded, in full or in part, under the authorities of this title.

“(b) COMMITTEES SPECIFIED.—The committees specified in this subsection are—

“(1) the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate; and

“(2) the Committee on Natural Resources and the Committee on Appropriations of the House of Representatives.

**“SEC. 215. AUTHORITY TO ENTER INTO AGREEMENTS.**

“(a) IN GENERAL.—The Administrator may enter into and perform such contracts, leases, grants, or cooperative agreements as may be necessary to carry out the purposes of this title.

“(b) FUNDING.—

“(1) IN GENERAL.—Under an agreement entered into under subsection (a), the Administrator may reimburse or provide funds authorized to be appropriated by section 216 to, and may receive funds or reimbursements from, individuals and entities described in paragraph (2) to carry out activities authorized by this title.

“(2) INDIVIDUALS AND ENTITIES DESCRIBED.—Individuals and entities described in this paragraph are the following:

“(A) Federal agencies, instrumentalities, and laboratories.

“(B) State and local governments.

“(C) Indian Tribes and Tribal organizations.

“(D) International organizations.

“(E) Foreign governments not subject to economic sanctions imposed by the United States.

“(F) Institutions of higher education, research centers, and other educational institutions.

“(G) Nonprofit organizations.

“(H) Commercial organizations.

“(I) Other public or private individuals or entities.

“(c) COOPERATIVE INSTITUTES.—

“(1) DESIGNATION.—The Administrator shall designate two cooperative institutes for the purpose of advancing and sustaining essential capabilities in coral reef research, to be known as the ‘Atlantic Coral Reef Institute’ and the ‘Pacific Coral Reef Institute’.

“(2) MEMBERSHIP.—Each institute established under paragraph (1) shall be housed within a single coral reef research center designated by the Administrator under paragraph (4) in the Atlantic and Pacific basins, respectively, and may contract with other coral reef research centers within the same basin to support each institute’s capacity and reach.

“(3) FUNCTIONS.—The institutes established under paragraph (1) shall—

“(A) conduct federally directed research to fill national and regional coral reef ecosystem research gaps and improve understanding of, and responses to, continuing and emerging threats to the resilience of United States coral reef ecosystems consistent with the national coral reef resilience strategy in effect under section 204A;

“(B) support ecological research and monitoring to study the effects of conservation and restoration activities funded by this title on promoting more effective coral reef management and restoration; and

“(C) through agreements—

“(i) collaborate directly with governmental resource management agencies, coral reef stewardship partnerships, nonprofit organizations, and other coral reef research centers designated under paragraph (4);

“(ii) assist in the development and implementation of—

“(I) the national coral reef resilience strategy under section 204A;

“(II) coral reef action plans under section 205; and

“(III) coral reef emergency plans under section 209;

“(iii) build capacity within governmental resource management agencies to establish research priorities and translate and apply research findings to management and restoration practices; and

“(iv) conduct public education and awareness programs for policymakers, resource managers, and the general public on—

“(I) coral reefs and coral reef ecosystems;

“(II) best practices for coral reef ecosystem management and restoration;

“(III) the value of coral reefs; and

“(IV) the threats to the sustainability of coral reef ecosystems.

“(4) CORAL REEF RESEARCH CENTERS.—

“(A) IN GENERAL.—The Administrator shall periodically solicit applications and designate all qualifying institutions in a covered State as coral reef research centers.

“(B) CRITERIA.—An institution qualifies for designation as a coral reef research center under subparagraph (A) if the Administrator determines that the institution—

“(i) is operated by an institution of higher education;

“(ii) has established management-driven national or regional coral reef research or restoration programs;

“(iii) has demonstrated abilities to coordinate closely with appropriate Federal and State agencies, as well as other academic and nonprofit organizations; and

“(iv) maintains significant local community engagement and outreach programs related to coral reef ecosystems.

“(d) USE OF RESOURCES OF OTHER AGENCIES.—The Administrator may use, with consent and with or without reimbursement, the land, services, equipment, personnel, and facilities of any agency or instrumentality of—

“(1) the United States;

“(2) any State or local government;

“(3) any Indian Tribe; or

“(4) any foreign government not subject to economic sanctions imposed by the United States.

“SEC. 216. CORAL REEF PRIZE COMPETITIONS.

“(a) IN GENERAL.—The head of any Federal agency with a representative serving on the U.S. Coral Reef Task Force established by Executive Order 13089 (16 U.S.C. 6401 note; relating to coral reef protection), may, individually or in cooperation with one or more agencies, carry out a program to award prizes competitively under section 24 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719).

“(b) PURPOSES.—Any program carried out under this section shall be for the purpose of stimulating innovation to advance the ability of the United States to understand, research, or monitor coral reef ecosystems, or to develop management or adaptation options to preserve, sustain, and restore coral reef ecosystems.

“(c) PRIORITY PROGRAMS.—Priority shall be given to establishing programs under this section that address communities, environments, or industries that are in distress as a result of the decline or degradation of coral reef ecosystems, including—

“(1) scientific research and monitoring that furthers the understanding of causes behind coral reef decline and degradation and the generally slow recovery following disturbances;

“(2) the development of monitoring or management options for communities or industries that are experiencing significant financial hardship;

“(3) the development of adaptation options to alleviate economic harm and job loss caused by damage to coral reef ecosystems;

“(4) the development of measures to help vulnerable communities or industries, with an emphasis on rural communities and businesses; and

“(5) the development of adaptation and management options for impacted tourism industries.

**“SEC. 217. AUTHORIZATION OF APPROPRIATIONS.**

“(a) IN GENERAL.—There is authorized to be appropriated to the Administrator \$38,000,000 for each of fiscal years 2022 through 2026 to carry out this title, which shall remain available until expended.

“(b) ADMINISTRATION.—Of the amounts appropriated pursuant to the authorization of appropriations under subsection (a), not more than the lesser of \$1,500,000 or 10 percent may be used for program administration or for overhead costs incurred by the National Oceanic and Atmospheric Administration or the Department of Commerce and assessed as an administrative charge.

“(c) FEDERALLY DIRECTED RESEARCH AND CORAL REEF CONSERVATION PROGRAM GRANTS.—From the amounts authorized to be appropriated under subsection (a), there shall be made available to the Administrator not less than \$8,000,000 for each of fiscal years 2022 through 2026 to support purposes consistent with this title, of which—

“(1) not less than \$3,500,000 shall be made available for each such fiscal year for authorized activities under section 213; and

“(2) not less than \$4,500,000 shall be made available for each such fiscal year through cooperative agreements with the cooperative institutes designated under section 215(c).

“(d) BLOCK GRANTS AND COOPERATIVE AGREEMENTS.—There is authorized to be appropriated to the Administrator, \$15,000,000 for each of fiscal years 2022 through 2026, which shall remain available until expended, to carry out section 207.

**“SEC. 218. DEFINITIONS.**

“In this title:

“(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the National Oceanic and Atmospheric Administration.

“(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives.

“(3) CONSERVATION.—The term ‘conservation’ means the use of methods and procedures necessary to preserve or sustain geographically appropriate corals and associated species as diverse, viable, and self-perpetuating coral reef ecosystems with minimal impacts from invasive species, including—

“(A) all activities associated with resource management, such as monitoring, assessment, protection, restoration, sustainable use, management of habitat, and maintenance or augmentation of genetic diversity;

“(B) mapping;

“(C) scientific expertise and technical assistance in the development and implementation of management strategies for marine protected areas and marine resources consistent with the National Marine Sanctuaries Act (16 U.S.C. 1431 et seq.) and the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.);

“(D) law enforcement;

“(E) conflict resolution initiatives;

“(F) community outreach and education; and

“(G) promotion of safe and ecologically sound navigation and anchoring.

“(4) CORAL.—The term ‘coral’ means species of the phylum Cnidaria, including—

“(A) all species of the orders Scleractinia (black corals), Scleractinia (stony corals), Alcyonacea (soft corals, organ pipe corals, gorgonians), and Helioporacea (blue coral), of the class Anthozoa; and

“(B) all species of the order Anthoathecata (fire corals and other hydrocorals) of the class Hydrozoa.

“(5) CORAL PRODUCTS.—The term ‘coral products’ means any living or dead specimens, parts, or derivatives, or any product containing specimens, parts, or derivatives, of any species referred to in paragraph (4).

“(6) CORAL REEF.—The term ‘coral reef’ means calcium carbonate structures in the form of a reef or shoal, composed in whole or in part by living coral, skel-

etal remains of coral, crustose coralline algae, and other associated sessile marine plants and animals.

“(7) CORAL REEF ECOSYSTEM.—The term ‘coral reef ecosystem’ means—

“(A) corals and other geographically and ecologically associated marine communities of other reef organisms (including reef plants and animals) associated with coral reef habitat; and

“(B) the biotic and abiotic factors and processes that affect coral physiology, coral-algal symbiosis, and biodiversity in such habitat.

“(8) CORAL REEF ECOSYSTEM SERVICES.—The term ‘coral reef ecosystem services’ means the attributes and benefits provided by coral reef ecosystems including—

“(A) protection of coastal beaches, structures, and infrastructure;

“(B) habitat for organisms of economic, ecological, biomedical, medicinal, and cultural value;

“(C) serving as centers for the promulgation, performance, and training of cultural practices representative of traditional ecological knowledge; and

“(D) aesthetic value.

“(9) COVERED REEF MANAGER.—

“(A) IN GENERAL.—The term ‘covered reef manager’ means a management unit of a Federal agency specified in subparagraph (B) with jurisdiction over a coral reef ecosystem, covered State, or coral reef stewardship partnership.

“(B) FEDERAL AGENCIES SPECIFIED.—A Federal agency specified in this subparagraph is one of the following:

“(i) The National Oceanic and Atmospheric Administration.

“(ii) The National Park Service.

“(iii) The United States Fish and Wildlife Service.

“(iv) The Office of Insular Affairs.

“(10) COVERED STATE.—The term ‘covered State’ means Florida, Hawaii, and the territories of American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, and the United States Virgin Islands.

“(11) INDIAN TRIBE.—The term ‘Indian Tribe’ has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

“(12) INSTITUTION OF HIGHER EDUCATION.—The term ‘institution of higher education’ has the meaning given that term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

“(13) INTERESTED STAKEHOLDER GROUPS.—The term ‘interested stakeholder groups’ includes community members such as businesses, commercial and recreational fishermen, other recreationalists, Federal, State, Tribal, and local government units with related jurisdiction, institutions of higher education, and nongovernmental organizations.

“(14) NONPROFIT ORGANIZATION.—The term ‘nonprofit organization’ means an organization that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

“(15) RESTORATION.—The term ‘restoration’ means the use of methods and procedures necessary to enhance, rehabilitate, recreate, or create a functioning coral reef or coral reef ecosystem, in whole or in part, within suitable waters of the historical geographic range of such ecosystems, to provide ecological, economic, cultural, or coastal resiliency services associated with healthy coral reefs and benefit native populations of coral reef organisms.

“(16) RESILIENCE.—The term ‘resilience’ means the capacity for corals within their native range, coral reefs, or coral reef ecosystems to resist and recover from natural and human disturbances, and maintain structure and function to provide coral reef ecosystem services as determined by clearly identifiable, measurable, and science-based standards.

“(17) STATE.—The term ‘State’ means—

“(A) any State of the United States that contains a coral reef ecosystem within its seaward boundaries;

“(B) American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, or the United States Virgin Islands; or

“(C) any other territory or possession of the United States or separate sovereign in free association with the United States that contains a coral reef ecosystem within its seaward boundaries.

“(18) STEWARDSHIP.—The term ‘stewardship’, with respect to a coral reef, includes conservation, restoration, and public outreach and education.

“(19) TASK FORCE.—The term ‘Task Force’ means the United States Coral Reef Task Force established under section 201 of the Restoring Resilient Reefs Act of 2021.

“(20) TRIBAL ORGANIZATION.—The term ‘Tribal organization’ has the meaning given the term ‘tribal organization’ in section 3765 of title 38, United States Code.”.

(c) CONFORMING AMENDMENT TO NATIONAL OCEANS AND COASTAL SECURITY ACT.—Section 905(a) of the National Oceans and Coastal Security Act (16 U.S.C. 7504(a)) is amended by striking “and coastal infrastructure” and inserting “, coastal infrastructure, and ecosystem services provided by natural systems such as coral reefs”.

**SEC. 102. MODIFICATION TO SECTION 204 OF THE CORAL REEF CONSERVATION ACT OF 2000 (16 U.S.C. 6403).**

Section 204 of the Coral Reef Conservation Act of 2000 (16 U.S.C. 6403) is amended—

- (1) in subsection (a), by striking “this section” and inserting “section 213”; and
- (2) by striking subsections (c) through (j).

## **TITLE II—UNITED STATES CORAL REEF TASK FORCE**

**SEC. 201. ESTABLISHMENT.**

There is established a task force to lead, coordinate, and strengthen Federal Government actions to better preserve, conserve, and restore coral reef ecosystems, to be known as the “United States Coral Reef Task Force” (in this title referred to as the “Task Force”).

**SEC. 202. DUTIES.**

The duties of the Task Force shall be—

- (1) to coordinate, in cooperation with State, Tribal, and local government partners, coral reef research centers designated under section 215(c) of the Coral Reef Conservation Act of 2000 (as amended by section 101), and other non-governmental and academic partners as appropriate, activities regarding the mapping, monitoring, research, conservation, mitigation, and restoration of coral reefs and coral reef ecosystems;
- (2) to monitor and advise regarding implementation of the policy and Federal agency responsibilities set forth in—
  - (A) Executive Order 13089 (63 Fed. Reg. 32701; relating to coral reef protection); and
  - (B) the national coral reef resilience strategy developed under section 204A of the Coral Reef Conservation Act of 2000, as amended by section 101;
- (3) to work with the Secretary of State and the Administrator of the United States Agency for International Development, and in coordination with the other members of the Task Force—
  - (A) to assess the United States role in international trade and protection of coral species;
  - (B) to encourage implementation of appropriate strategies and actions to promote conservation and sustainable use of coral reef resources worldwide; and
  - (C) to collaborate with international communities successful in managing coral reefs;
- (4) to provide technical assistance for the development and implementation, as appropriate, of—
  - (A) the national coral reef resilience strategy under section 204A of the Coral Reef Conservation Act of 2000, as amended by section 101;
  - (B) coral reef action plans under section 205 of that Act; and
  - (C) coral reef emergency plans under section 209 of that Act; and
- (5) to produce a report each year, for submission to the appropriate congressional committees and publication on a publicly available internet website of the Task Force, highlighting the status of the coral reef equities of a covered State on a rotating basis, including—
  - (A) a summary of recent coral reef management and restoration activities undertaken in that State; and
  - (B) updated estimates of the direct and indirect economic activity supported by, and other benefits associated with, those coral reef equities.

**SEC. 203. MEMBERSHIP.**

(a) VOTING MEMBERSHIP.—The Task Force shall have the following voting members:



(1) The Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, and the Secretary of the Interior, who shall be co-chairs of the Task Force.

(2) The Administrator of the United States Agency for International Development.

(3) The Secretary of Agriculture.

(4) The Secretary of Defense.

(5) The Secretary of the Army, acting through the Assistant Secretary of the Army for Civil Works.

(6) The Secretary of Homeland Security, acting through the Administrator of the Federal Emergency Management Agency.

(7) The Commandant of the Coast Guard.

(8) The Attorney General.

(9) The Secretary of State.

(10) The Secretary of Transportation.

(11) The Administrator of the Environmental Protection Agency.

(12) The Administrator of the National Aeronautics and Space Administration.

(13) The Director of the National Science Foundation.

(14) The Governor, or a representative of the Governor, of each covered State.

(b) NONVOTING MEMBERS.—The Task Force shall have the following nonvoting members:

(1) A member appointed by the President of the Federated States of Micronesia.

(2) A member appointed by the President of the Republic of the Marshall Islands.

(3) A member appointed by the President of the Republic of Palau.

**SEC. 204. RESPONSIBILITIES OF FEDERAL AGENCY MEMBERS.**

(a) IN GENERAL.—A member of the Task Force specified in paragraphs (1) through (14) of section 203(a) shall—

(1) identify the actions of the agency that member represents that may affect coral reef ecosystems;

(2) utilize the programs and authorities of that agency to protect and enhance the conditions of such ecosystems, including through the promotion of basic and applied scientific research;

(3) collaborate with the Task Force to appropriately reflect budgetary needs for coral reef conservation and restoration activities in all agency budget planning and justification documents and processes; and

(4) engage in any other coordinated efforts approved by the Task Force.

(b) CO-CHAIRS.—In addition to their responsibilities under subsection (a), the co-chairs of the Task Force shall administer performance of the functions of the Task Force and facilitate the coordination of the members of the Task Force specified in paragraphs (1) through (14) of section 203(a).

**SEC. 205. WORKING GROUPS.**

(a) IN GENERAL.—The co-chairs of the Task Force may establish working groups as necessary to meet the goals and carry out the duties of the Task Force.

(b) REQUESTS FROM MEMBERS.—The members of the Task Force may request that the co-chairs establish a working group under subsection (a).

(c) PARTICIPATION BY NONGOVERNMENTAL ORGANIZATIONS.—The co-chairs may allow nongovernmental organizations as appropriate, including academic institutions, conservation groups, and commercial and recreational fishing associations, to participate in a working group established under subsection (a).

(d) NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to working groups established under this section.

**SEC. 206. DEFINITIONS.**

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives.

(2) CONSERVATION, CORAL, CORAL REEF, ETC.—The terms “conservation”, “coral”, “coral reef”, “coral reef ecosystem”, “covered State”, “restoration”, “resilience”, and “State” have the meaning given those terms in section 218 of the Coral Reef Conservation Act of 2000, as amended by section 101.

## **TITLE III—DEPARTMENT OF THE INTERIOR CORAL REEF AUTHORITIES**

### **SEC. 301. CORAL REEF CONSERVATION AND RESTORATION ASSISTANCE.**

(a) **IN GENERAL.**—The Secretary of the Interior, in addition to activities authorized under section 203 of the Coral Reef Conservation Act of 2000, as amended by section 101, may provide scientific expertise, technical assistance, and financial assistance for the conservation and restoration of coral reefs consistent with all applicable laws governing resource management in Federal, State, and Tribal waters, including—

(1) the national coral reef resilience strategy in effect under section 204A of the Coral Reef Conservation Act of 2000, as amended by section 101;

(2) coral reef action plans in effect under section 205 of that Act, as applicable; and

(3) coral reef emergency plans in effect under section 209 of that Act, as applicable.

(b) **OFFICE OF INSULAR AFFAIRS CORAL REEF INITIATIVE.**—The Secretary may establish within the Office of Insular Affairs a Coral Reef Initiative Program—

(1) to provide grant funding to support local management, conservation, and protection of coral reef ecosystems in—

(A) insular areas of covered States; and

(B) Freely Associated States;

(2) to complement the other conservation and assistance activities conducted under this Act; and

(3) to provide other technical, scientific, and financial assistance and conduct conservation activities that advance the purpose of this Act.

(c) **CONSULTATION WITH THE DEPARTMENT OF COMMERCE.**—The Secretary of the Interior may consult with the Secretary of Commerce regarding the conduct of any activities to conserve and restore coral reefs and coral reef ecosystems in waters managed under the jurisdiction of the Federal agencies specified in paragraphs (2) and (3) of section 203(c) of the Coral Reef Conservation Act of 2000, as amended by section 101.

(d) **COOPERATIVE AGREEMENTS.**—The Secretary of the Interior may enter into cooperative agreements with covered reef managers to fund coral reef conservation and restoration activities in waters managed under the jurisdiction of such managers that—

(1) are consistent with the national coral reef resilience strategy in effect under section 204A of the Coral Reef Conservation Act of 2000, as amended by section 101; and

(2) support and enhance the success of—

(A) coral reef action plans in effect under section 205 of that Act; and

(B) coral reef emergency plans in effect under section 209 of that Act.

(e) **DEFINITIONS.**—In this section, the terms “conservation”, “coral reef”, “covered reef manager”, “covered State”, “restoration”, and “State” have the meaning given those terms in section 218 of the Coral Reef Conservation Act of 2000, as amended by section 101.

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary to carry out this title for each of fiscal years 2022 to 2026, \$4,000,000.

## **TITLE IV—SUSAN L. WILLIAMS NATIONAL CORAL REEF MANAGEMENT FELLOWSHIP**

### **SEC. 401. SHORT TITLE.**

This title may be cited as the “Susan L. Williams National Coral Reef Management Fellowship Act of 2021”.

### **SEC. 402. DEFINITIONS.**

In this title:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the National Oceanic and Atmospheric Administration.

(2) **FELLOW.**—The term “fellow” means a National Coral Reef Management Fellow.

(3) **FELLOWSHIP.**—The term “fellowship” means the National Coral Reef Management Fellowship established in section 403.

(4) INDIAN TRIBE; TRIBAL ORGANIZATION.—The terms “Indian Tribe” and “Tribal organization” have the meanings given those terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

**SEC. 403. ESTABLISHMENT OF FELLOWSHIP PROGRAM.**

(a) IN GENERAL.—There is established a National Coral Reef Management Fellowship Program.

(b) PURPOSES.—The purposes of the fellowship are—

(1) to encourage future leaders of the United States to develop additional coral reef management capacity in States and local communities with coral reefs;

(2) to provide management agencies of States, Tribal organizations, and Freely Associated States with highly qualified candidates whose education and work experience meet the specific needs of each State, Indian Tribe, and Freely Associated State; and

(3) to provide fellows with professional experience in management of coastal and coral reef resources.

**SEC. 404. FELLOWSHIP AWARDS.**

(a) IN GENERAL.—The Administrator, in coordination with the Secretary of the Interior, shall award the fellowship in accordance with this section.

(b) TERM OF FELLOWSHIP.—A fellowship awarded under this section shall be for a term of not more than 24 months.

(c) QUALIFICATIONS.—The Administrator, in coordination with the Secretary of the Interior, shall award the fellowship to individuals who have demonstrated—

(1) an intent to pursue a career in marine services and outstanding potential for such a career;

(2) leadership potential, actual leadership experience, or both;

(3) a college or graduate degree in biological science, experience that correlates with aptitude and interest for marine management, or both;

(4) proficient writing and speaking skills; and

(5) such other attributes as the Administrator, in coordination with the Secretary of the Interior, consider appropriate.

**SEC. 405. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated to the Administrator to carry out this title for each of fiscal years 2022-2026, \$1,500,000, to remain available until expended.

## PURPOSE OF THE BILL

The purpose of H.R. 160 is to reauthorize the Coral Reef Conservation Act of 2000 and to establish the United States Coral Reef Task Force.

## BACKGROUND AND NEED FOR LEGISLATION

Although coral reef ecosystems occupy less than one-quarter of one percent of the ocean, they are one of the most productive ecosystems on Earth, supporting about 25 percent of all marine life. Many communities depend heavily on the goods and services they provide, including coastal protection, recreational opportunities, tourism, medicine, and habitat that supports fisheries, nurseries for fish and sharks, and biodiversity hot spots.<sup>1</sup> Worldwide, coral reefs generate at least \$9.9 trillion worth of resources each year.<sup>2</sup>

The global climate crisis threatens coral reefs as ocean acidification and coral bleaching events worsen. Coral bleaching is a phenomenon in which corals whiten in response to rapid and severe environmental changes (such as increased temperature) that force coral to release algae that otherwise live within their tissues, provide their food, and protect them from UV damage. Ocean acidifica-

<sup>1</sup> Molberg and Folke. 1999. Ecological goods and services of coral reef ecosystems. *Ecological Economics*. 29: 215–233. [https://doi.org/10.1016/S0921-8009\(99\)00009-9](https://doi.org/10.1016/S0921-8009(99)00009-9).

<sup>2</sup> Constanza et al. 2014. Changes in the Global Value of Ecosystem Services. *Global Environmental Change*. 26:152–158 <https://doi.org/10.1016/j.gloenvcha.2014.04.002>.

tion weakens the framework and integrity of coral reefs, having domino effects on the ecosystems at large, which are supported in part by their complexity and structure.

Coral reefs are also vulnerable to local human activities,<sup>3</sup> such as development, land-based pollution, resource exploitation, physical damage, and disease.<sup>4</sup> These multiple stressors rapidly degrade coral reefs, making it more challenging for corals to resist and recover after major disturbances and disease outbreaks.

Coral reef ecosystems provide substantial economic, societal, ecological, and cultural value to the United States, Territories, Commonwealths, and the Freely Associated States.<sup>5</sup> They provide \$1.8 billion worth of coastal protection annually.<sup>6</sup> Three million Americans directly depend on the resources provided by coral reefs. In 2013, the total economic value of U.S.-managed shallow coral reefs was estimated to be \$3.4 billion.<sup>7</sup>

U.S. coral reefs, covering more than four million acres, are found primarily in the waters around Hawai'i, Florida, American Samoa, Guam, Puerto Rico, the U.S. Virgin Islands, and the Commonwealth of the North Mariana Islands.<sup>8</sup>

The third-largest reef in the world is off the coast of Florida, extending over 300 miles from St. Lucie, Florida, to the Dry Tortugas. Unfortunately, since 2014, it has been experiencing a severe stony coral tissue disease outbreak. Although historical coral cover on the Florida Reef Tract was between 25 to 40 percent, it is now less than four to ten percent. Since first emerging in Florida, the coral disease has spread to affect over 20 species distributed throughout the Florida Reef Tract and the broader Caribbean, including the U.S. Virgin Islands and Puerto Rico.

In the Pacific, the coral reefs near Hawai'i have experienced three wide-spread bleaching events.<sup>9</sup> Currently, 20 coral species managed within U.S. coral reefs are listed as threatened under the Endangered Species Act.<sup>10</sup>

To address the growing threats facing coral ecosystems, Congress passed the Coral Reef Conservation Act of 2000 (CRCA) to protect, conserve, and restore the nation's coral reefs.<sup>11</sup> The authorization of CRCA expired in 2005.<sup>12</sup>

H.R. 160 would reauthorize the Coral Reef Conservation Act of 2000 and amend it to better address issues of climate change, ecosystem loss, and disease outbreaks. It establishes new programs and funding opportunities for states and territories to build on the

<sup>3</sup>Environmental Protection Agency. Threats to Coral Reefs. <https://www.epa.gov/coral-reefs/threats-coral-reefs> August 10, 2020.

<sup>4</sup>NOAA Florida's Coral Reef Disease Outbreak <https://floridakeys.noaa.gov/coral-disease/>. Aug 27, 2020.

<sup>5</sup><https://pubs.usgs.gov/fs/2002/fs025-02/>.

<sup>6</sup>Storlazzi, C.D., et al. 2019, Rigorously valuing the role of U.S. coral reefs in coastal hazard risk reduction: U.S. Geological Survey Open-File Report. <https://doi.org/10.3133/ofr20191027>.

<sup>7</sup>Edwards, P. E. T. (ed.). (2013). Summary Report: The Economic Value of U.S. Coral Reefs. NOAA Coral Reef Conservation Program, Silver Spring, MD.

<sup>8</sup><https://pubs.usgs.gov/fs/2002/fs025-02/>.

<sup>9</sup>NOAA Pacific Islands Fisheries Science Center. Surveys to Assess the 2019 Hawaii Coral Bleaching Event <https://www.fisheries.noaa.gov/feature-story/surveys-assess-2019-hawaii-coral-bleaching-event> October 1, 2019.

<sup>10</sup>NOAA Listing of 20 Reef-Building Coral Species Under the ESA. Office of Protected Resources. <https://www.fisheries.noaa.gov/action/listing-20-reef-building-coral-species-under-esa> May 29, 2019.

<sup>11</sup>NOAA Coral Reef Conservation Program Strategic Plan Handout. [https://repository.library.noaa.gov/view/noaa/19419/noaa\\_19419\\_DS1.pdf](https://repository.library.noaa.gov/view/noaa/19419/noaa_19419_DS1.pdf).

<sup>12</sup>16 USC Ch. 83; Coral Reef Conservation. <https://uscode.house.gov/view.xhtml?path=/prelim@title16/chapter83&edition=prelim>.

work that has been done and the local investments in coral research, protection, and restoration. It also provides NOAA with the flexibility to provide funding to states and territories through block grants and carry out cooperative agreements if territories need assistance. This legislation provides an essential framework and funds for supporting partnerships among federal agencies, jurisdictional governments, researchers, managers, policymakers, and stakeholders to address and reverse the downward trajectory of our precious coral reefs and the benefits they provide.

As of the filing of this report, the substance of H.R. 160 is largely included in the version of H.R. 7776, the National Defense Authorization Act (NDAA) for Fiscal Year 2023, that passed the House on December 8, 2022.

#### COMMITTEE ACTION

H.R. 160 was introduced on January 4, 2021, by Representative Darren Soto (D–FL). The bill was referred solely to the Committee on Natural Resources, and within the Committee to the Subcommittee on Water, Oceans, and Wildlife. On May 4, 2021, the Subcommittee held a hearing on the bill. On October 13, 2021, the Natural Resources Committee met to consider the bill. The Subcommittee was discharged by unanimous consent. Chair Raúl M. Grijalva (D–AZ) offered an amendment in the nature of a substitute. Rep. Jenniffer González-Colón (R–PR) offered an amendment designated González-Colón #1 to the amendment in the nature of a substitute. The amendment was agreed to by voice vote. The Grijalva amendment in the nature of a substitute, as amended, was agreed to by unanimous consent. The bill, as amended, was adopted and ordered favorably reported to the House of Representatives by voice vote.

#### HEARINGS

For the purposes of clause 3(c)(6) of House rule XIII, the following hearing was used to develop or consider this measure: hearing by the Subcommittee on Water, Oceans, and Wildlife held on May 4, 2021.

#### SECTION-BY-SECTION ANALYSIS

##### *Title I—Reauthorization of Coral Reef Conservation Act of 2000*

Section 101. Reauthorization of Coral Reef Conservation Act of 2000. This section strikes sections 202 and 203 of the Coral Reef Conservation Act of 2000 and inserts new sections 202 through 218:re

Section 202. Purposes. This section updates the purposes of the CRCA.

Section 203. Federal Coral Reef Management and Restoration Activities. This section authorizes federal agencies to conduct conservation, mapping, monitoring, and restoration activities in federally managed coral reef units.

Section 204A. National Coral Reef Resilience Strategy. In consultation with the Coral Reef Task Force, DOI, covered states, and tribal organizations, this section requires NOAA to draft and publish a national coral reef resilience strategy at least once every 20

years. This section allows the current plan, written in 2018 under the Coral Reef Conservation Act of 2000, to fulfill the requirements of this section until September 30, 2033, or until the Administrator develops a national coral reef resilience strategy.

Section 205. Coral Reef Action Plans. This section establishes guidelines for developing unit-specific action plans for coral reef restoration and conservation and sets requirements for the contents of those plans, which include: goals and objectives for the unit consistent with the national strategy; a review of past efforts and successes in restoring and managing the unit including the status of the unit, adaptive management strategies, emergency plans, addressing pollution arising from within the unit, and the status of cooperative efforts with federal, state, tribal, and local jurisdictions. These plans are subject to public review and must be updated every five years.

Section 206. Coral Reef Stewardship Partnerships. This section directs NOAA to establish standards for identifying coral reefs and the formation of federal and non-federal coral reef stewardship partnerships focused on conserving and restoring local reefs.

Section 207. Block Grants and Cooperative Agreements. This section authorizes NOAA to distribute block grants to states to implement state plans and strategies developed under Section 205. The block grants include a base award of \$100,000 and match state and territory investments in coral conservation on a 1:1 basis up to \$3,000,000. It also authorizes cooperative agreements between federal agencies and states and territories.

Section 208. Coral Reef Stewardship Fund. This section establishes a fund through the National Fish and Wildlife Foundation to support Coral Reef Stewardship Partnership activities.

Section 209. Coral Reef Emergency Plans. This section directs the development of Coral Reef Emergency Plans by individual management units of applicable federal agencies, covered states, and certified Coral Reef Stewardship Partnerships to support a rapid response to circumstances presenting urgent and immediate threats to coral reef ecosystems, such as outbreaks of disease, invasive species, coral bleaching events, natural disasters, vessel groundings or chemical spills, coastal construction accidents, and other exigent circumstances.

Section 210. Coral Reef Emergency Fund. This section establishes an emergency fund through the Treasury to support emergency response activities.

Section 211. Emergency Assistance. This section authorizes grants for implementing coral reef emergency plans under Section 209 if the Administrator declares a coral reef emergency.

Section 212. Vessel Grounding Inventory. This section authorizes NOAA to track vessel grounding incidents to inform future responses and improve aids to navigation as necessary.

Section 213. Ruth D. Gates Coral Reef Conservation Grant Program. This section establishes a grant program to fund coral reef ecosystem conservation and restoration projects.

Section 214. Reports on Administration. This section requires a bi-annual report on the implementation of this title to the relevant committees of Congress.

Section 215. Authority to Enter into Agreements. This section authorizes NOAA to enter and perform such contracts, leases, grants,

or cooperative agreements as may be necessary to carry out the purposes of this title. It designates an Atlantic Coral Reef Institute and a Pacific Coral Reef Institute to conduct ecological research and assist in the development and implementation of required strategies, action plans, and emergency plans, and building capacity within governmental resource management agencies.

Section 216. Coral Reef Prize Competitions. This section authorizes the head of any federal agency serving on the U.S. Coral Reef Task Force to carry out a program to award prizes competitively under section 24 of the Stevenson-Wydler Technology Innovation Act of 1980.

Section 217. Authorization of Appropriations. This section authorizes \$38 million for each fiscal year 2022 through 2026 for the general coral reef programs authorized by the Coral Reef Conservation Act, and an additional \$15 million each year for block grants and cooperative agreements.

Section 218. Definitions. This section updates definitions in the Coral Reef Conservation Act and establishes a new definition for Coral Reef Ecosystem Services.

Section 102. Modification to Section 204 of the Coral Reef Conservation Act of 2000. This section amends section 204 of the Coral Reef Conservation Act of 2000 to ensure equity for American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, and the United States Virgin Islands, allowing for cost-share waivers for the territories for Section 213 conservation grants.

#### *Title II—United States Coral Reef Task Force*

Section 201. Establishment. This section establishes a U.S. Coral Reef Task Force.

Section 202. Duties. This section defines the duties of the Task Force to include coordination, cooperation, monitoring, assessment, and technical assistance in the implementation and performance of coral reef management and restoration activities under Title I.

Section 203. Membership. This section defines the membership of the Task Force to include representatives from a number of federal agencies as well as non-voting members appointed by the President of the Federated States of Micronesia, the President of the Republic of the Marshall Islands, and the President of the Republic of Palau.

Section 204. Responsibilities of Federal Agency Members. This section establishes the responsibilities of federal members, including examining the impacts of agency action on coral reefs.

Section 205. Working Groups. This section directs the establishment of working groups to carry out the work of the Task Force.

Section 206. Definitions.

#### *Title III—Department of the Interior Coral Reef Authorities*

Section 301. Coral Reef Conservation and Restoration Assistance. This section authorizes the Secretary of the Interior, in addition to activities authorized under Sec. 203 as amended by section 101, to provide scientific expertise, technical assistance, and financial assistance for management and restoration activities consistent with Title I. This section also authorizes the Secretary to establish a Coral Reef Initiative Program within the Office of Insular Affairs

and provide financial, technical, or scientific assistance for U.S. territories and freely associated states.

*Title IV—Susan L. Williams National Coral Reef Management Fellowship*

Section 401. Short Title.

Section 402. Definitions.

Section 403. Establishment of Fellowship Program. This section establishes a fellowship program for early-career scientists and ecosystem managers to develop a coral management and restoration workforce.

Section 404. Fellowship Awards. This section establishes the terms and qualifications for fellowship awards under this title.

Section 405. Authorization of Appropriations. This section authorizes \$1,500,000 for each fiscal year 2022–2026 to remain available until expended.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources' oversight findings and recommendations are reflected in the body of this report.

COMPLIANCE WITH HOUSE RULE XIII AND CONGRESSIONAL BUDGET ACT

1. *Cost of Legislation and the Congressional Budget Act.* With respect to the requirements of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974 and with respect to requirements of clause (3)(c)(3) and clause 3(d) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has requested but not received a cost estimate for this bill from the Director of Congressional Budget Office. The Committee adopts as its own cost estimate the forthcoming cost estimate of the Director of the Congressional Budget Office, should such cost estimate be made available before House passage of the bill.

The Committee has requested but not received from the Director of the Congressional Budget Office a statement as to whether this bill contains any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

2. *General Performance Goals and Objectives.* As required by clause 3(c)(4) of rule XIII, the general performance goals and objectives of this bill are to reauthorize the Coral Reef Conservation Act of 2000 and to establish the United States Coral Reef Task Force.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.



## UNFUNDED MANDATES REFORM ACT STATEMENT

An estimate of federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act was not made available to the Committee in time for the filing of this report. The Chair of the Committee shall cause such estimate to be printed in the Congressional Record upon its receipt by the Committee, if such estimate is not publicly available on the Congressional Budget Office website.

## EXISTING PROGRAMS

This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139. The Coral Reef Conservation Program (CFDA No.11.482) reauthorized by this bill is related and complementary to, but not duplicative of, the following programs identified in the most recent Catalog of Federal Domestic Assistance published pursuant to 31 U.S.C. §6104: Coastal Zone Management Administration Awards (CFDA No. 11.419), Financial Assistance for National Centers for Coastal Ocean Science (11.426), Regional Fishery Management Councils (11.441), and Habitat Conservation (11.463). New programs established by the bill are related and complementary to, but not duplicative of, the Coral Reef Conservation Program (CFDA No.11.482).

## APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

## PREEMPTION OF STATE, LOCAL, OR TRIBAL LAW

Any preemptive effect of this bill over state, local, or tribal law is intended to be consistent with the bill's purposes and text and the Supremacy Clause of Article VI of the U.S. Constitution.

## CHANGES IN EXISTING LAW

## CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, and existing law in which no change is proposed is shown in roman):

**CORAL REEF CONSERVATION ACT OF 2000****TITLE II—CORAL REEF CONSERVATION**

\* \* \* \* \*

**[SEC. 202. PURPOSES.**

**[**The purposes of this title are—

**[**(1) to preserve, sustain, and restore the condition of coral reef ecosystems;

**[**(2) to promote the wise management and sustainable use of coral reef ecosystems to benefit local communities and the Nation;

**[**(3) to develop sound scientific information on the condition of coral reef ecosystems and the threats to such ecosystems;

**[**(4) to assist in the preservation of coral reefs by supporting conservation programs, including projects that involve affected local communities and nongovernmental organizations;

**[**(5) to provide financial resources for those programs and projects; and

**[**(6) to establish a formal mechanism for collecting and allocating monetary donations from the private sector to be used for coral reef conservation projects.

**[SEC. 203. NATIONAL CORAL REEF ACTION STRATEGY.**

**[**(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and to the Committee on Resources of the House of Representatives and publish in the Federal Register a national coral reef action strategy, consistent with the purposes of this title. The Administrator shall periodically review and revise the strategy as necessary. In developing this national strategy, the Secretary may consult with the Coral Reef Task Force established under Executive Order 13089 (June 11, 1998).

**[**(b) **GOALS AND OBJECTIVES.**—The action strategy shall include a statement of goals and objectives as well as an implementation plan, including a description of the funds obligated each fiscal year to advance coral reef conservation. The action strategy and implementation plan shall include discussion of—

**[**(1) coastal uses and management;

**[**(2) water and air quality;

**[**(3) mapping and information management;

**[**(4) research, monitoring, and assessment;

**[**(5) international and regional issues;

**[**(6) outreach and education;

**[**(7) local strategies developed by the States or Federal agencies, including regional fishery management councils; and

**[**(8) conservation, including how the use of marine protected areas to serve as replenishment zones will be developed consistent with local practices and traditions.]

**SEC. 202. PURPOSES.**

*The purposes of this title are—*

*(1) to conserve and restore the condition of United States coral reef ecosystems challenged by natural and human-accelerated changes, including increasing ocean temperatures, ocean acidification, coral bleaching, coral diseases, water quality degradation, invasive species, and illegal, unreported, and unregulated fishing;*

*(2) to promote the science-based management and sustainable use of coral reef ecosystems to benefit local communities and the*

*Nation, including through improved integration and cooperation among Federal, State, and locally managed jurisdictions with coral reef equities;*

*(3) to develop sound scientific information on the condition of coral reef ecosystems, continuing and emerging threats to such ecosystems, and the efficacy of innovative tools, technologies, and strategies to mitigate stressors and restore such ecosystems, including evaluation criteria to determine the effectiveness of management interventions, and accurate mapping for coral reef restoration;*

*(4) to assist in the preservation of coral reefs by supporting science-based, consensus-driven State, Tribal, Pacific Islander, and community-based coral reef management, including monitoring, conservation, and restoration projects that empower local communities, small businesses, and nongovernmental organizations;*

*(5) to provide financial resources, technical assistance, and scientific expertise to supplement and strengthen State, Tribal, Indigenous, and community-based management programs and conservation and restoration projects;*

*(6) to establish a formal mechanism for collecting and allocating monetary donations from the private sector to be used for coral reef conservation and restoration projects;*

*(7) to support the rapid and effective, science-based assessment and response to emergencies that imminently threaten coral reefs, such as coral disease outbreaks, invasive species, hurricanes, marine heat waves, coral bleaching, and other natural disasters, vessel groundings or chemical spills, and other exigent circumstances; and*

*(8) to serve as a model for advancing similar international efforts to monitor, conserve, and restore coral reef ecosystems in the jurisdictions of United States allies and trading partners.*

**SEC. 203. FEDERAL CORAL REEF MANAGEMENT AND RESTORATION ACTIVITIES.**

*(a) IN GENERAL.—The Administrator or the Secretary of the Interior may conduct activities described in subsection (b) to conserve and restore coral reefs and coral reef ecosystems that are consistent with—*

*(1) all applicable laws governing resource management in Federal and State waters, including this Act;*

*(2) the national coral reef resilience strategy in effect under section 204A;*

*(3) coral reef action plans in effect under section 205, as applicable; and*

*(4) coral reef emergency plans in effect under section 209, as applicable.*

*(b) ACTIVITIES DESCRIBED.—Activities described in this subsection are activities to conserve, research, monitor, assess, and restore coral reefs and coral reef ecosystems in waters managed under the jurisdiction of a Federal agency specified in subsection (c) or in coordination with a State in waters managed under the jurisdiction of such State, including—*

*(1) developing, including through the collection of requisite data, high-quality and digitized maps reflecting—*

*(A) current and historical live coral cover data;*

- (B) coral reef habitat quality data;
  - (C) priority areas for coral reef conservation to maintain biodiversity and ecosystem structure and function, including the reef matrix itself, that benefit coastal communities and living marine resources;
  - (D) priority areas for coral reef restoration to enhance biodiversity and ecosystem structure and function, including the reef matrix itself, to benefit coastal communities and living marine resources; and
  - (E) areas of concern that may require enhanced monitoring of coral health and cover;
- (2) enhancing compliance with Federal laws that prohibit or regulate—
- (A) the taking of coral products or species associated with coral reefs; or
  - (B) the use and management of coral reef ecosystems;
  - (3) long-term ecological monitoring of coral reef ecosystems;
  - (4) implementing species-specific recovery plans for listed coral species consistent with the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);
  - (5) restoring degraded coral reef ecosystems;
  - (6) promoting ecologically sound navigation and anchorages, including mooring buoy systems to promote enhanced recreational access, near coral reefs;
  - (7) monitoring and responding to severe bleaching or mortality events, disease outbreaks, invasive species outbreaks, and significant maritime accidents, including chemical spill cleanup and the removal of grounded vessels;
  - (8) conducting scientific research that contributes to the understanding, sustainable use, and long-term conservation of coral reefs;
  - (9) enhancing public awareness, understanding, and appreciation of coral reefs and coral reef ecosystems;
  - (10) preventing or minimizing the likelihood of vessel impacts or other physical damage to coral reefs through navigational aids and expansion of reef-safe anchorages; and
  - (11) centrally archiving, managing, and distributing data sets and coral reef ecosystem assessments and publishing such information on publicly available internet websites of—
    - (A) the Coral Reef Conservation Program of the National Oceanic and Atmospheric Administration; and
    - (B) the Task Force.
- (c) **FEDERAL AGENCIES SPECIFIED.**—A Federal agency specified in this subsection is one of the following:
- (1) The National Oceanic and Atmospheric Administration.
  - (2) The National Park Service.
  - (3) The United States Fish and Wildlife Service.
  - (4) The Office of Insular Affairs.

**SEC. 204. CORAL REEF CONSERVATION PROGRAM.**

(a) **GRANTS.**—The Secretary, through the Administrator and subject to the availability of funds, shall provide grants of financial assistance for projects for the conservation of coral reefs (hereafter in this title referred to as “coral conservation projects”), for proposals approved by the Administrator in accordance with **[this section]** section 213.

## (b) MATCHING REQUIREMENTS.—

(1) FIFTY PERCENT.—Except as provided in paragraph (2), Federal funds for any coral conservation project under this section may not exceed 50 percent of the total cost of such project. For purposes of this paragraph, the non-Federal share of project costs may be provided by in-kind contributions and other noncash support.

(2) WAIVER.—The Administrator may waive all or part of the matching requirement under paragraph (1) if the Administrator determines that no reasonable means are available through which applicants can meet the matching requirement and the probable benefit of such project outweighs the public interest in such matching requirement.

[(c) ELIGIBILITY.—Any natural resource management authority of a State or other government authority with jurisdiction over coral reefs or whose activities directly or indirectly affect coral reefs, or coral reef ecosystems, or educational or nongovernmental institutions with demonstrated expertise in the conservation of coral reefs, may submit to the Administrator a coral conservation proposal under subsection (e).

[(d) GEOGRAPHIC AND BIOLOGICAL DIVERSITY.—The Administrator shall ensure that funding for grants awarded under subsection (b) during a fiscal year are distributed in the following manner:

[(1) No less than 40 percent of funds available shall be awarded for coral conservation projects in the Pacific Ocean within the maritime areas and zones subject to the jurisdiction or control of the United States.

[(2) No less than 40 percent of the funds available shall be awarded for coral conservation projects in the Atlantic Ocean, the Gulf of Mexico, and the Caribbean Sea within the maritime areas and zones subject to the jurisdiction or control of the United States.

[(3) Remaining funds shall be awarded for projects that address emerging priorities or threats, including international priorities or threats, identified by the Administrator. When identifying emerging threats or priorities, the Administrator may consult with the Coral Reef Task Force.

[(e) PROJECT PROPOSALS.—Each proposal for a grant under this section shall include the following:

[(1) The name of the individual or entity responsible for conducting the project.

[(2) A description of the qualifications of the individuals who will conduct the project.

[(3) A succinct statement of the purposes of the project.

[(4) An estimate of the funds and time required to complete the project.

[(5) Evidence of support for the project by appropriate representatives of States or other government jurisdictions in which the project will be conducted.

[(6) Information regarding the source and amount of matching funding available to the applicant.

[(7) A description of how the project meets one or more of the criteria in subsection (g).

[(8) Any other information the Administrator considers to be necessary for evaluating the eligibility of the project for funding under this title.

[(f) PROJECT REVIEW AND APPROVAL.—

[(1) IN GENERAL.—The Administrator shall review each coral conservation project proposal to determine if it meets the criteria set forth in subsection (g).

[(2) REVIEW; APPROVAL OR DISAPPROVAL.—Not later than 6 months after receiving a project proposal under this section, the Administrator shall—

[(A) request and consider written comments on the proposal from each Federal agency, State government, or other government jurisdiction, including the relevant regional fishery management councils established under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), or any National Marine Sanctuary, with jurisdiction or management authority over coral reef ecosystems in the area where the project is to be conducted, including the extent to which the project is consistent with locally-established priorities;

[(B) provide for the merit-based peer review of the proposal and require standardized documentation of that peer review;

[(C) after considering any written comments and recommendations based on the reviews under subparagraphs (A) and (B), approve or disapprove the proposal; and

[(D) provide written notification of that approval or disapproval to the person who submitted the proposal, and each of those States and other government jurisdictions that provided comments under subparagraph (A).

[(g) CRITERIA FOR APPROVAL.—The Administrator may not approve a project proposal under this section unless the project is consistent with the coral reef action strategy under section 203 and will enhance the conservation of coral reefs by—

[(1) implementing coral conservation programs which promote sustainable development and ensure effective, long-term conservation of coral reefs;

[(2) addressing the conflicts arising from the use of environments near coral reefs or from the use of corals, species associated with coral reefs, and coral products;

[(3) enhancing compliance with laws that prohibit or regulate the taking of coral products or species associated with coral reefs or regulate the use and management of coral reef ecosystems;

[(4) developing sound scientific information on the condition of coral reef ecosystems or the threats to such ecosystems, including factors that cause coral disease;

[(5) promoting and assisting to implement cooperative coral reef conservation projects that involve affected local communities, nongovernmental organizations, or others in the private sector;

[(6) increasing public knowledge and awareness of coral reef ecosystems and issues regarding their long term conservation;

[(7) mapping the location and distribution of coral reefs;

[(8) developing and implementing techniques to monitor and assess the status and condition of coral reefs;

[(9) developing and implementing cost-effective methods to restore degraded coral reef ecosystems; or

[(10) promoting ecologically sound navigation and anchorages near coral reefs.

[(h) PROJECT REPORTING.—Each grantee under this section shall provide periodic reports as required by the Administrator. Each report shall include all information required by the Administrator for evaluating the progress and success of the project.

[(i) CORAL REEF TASK FORCE.—The Administrator may consult with the Coral Reef Task Force to obtain guidance in establishing coral conservation project priorities under this section.

[(j) IMPLEMENTATION GUIDELINES.—Within 180 days after the date of the enactment of this Act, the Administrator shall promulgate necessary guidelines for implementing this section. In developing those guidelines, the Administrator shall consult with State, regional, and local entities involved in setting priorities for conservation of coral reefs and provide for appropriate public notice and opportunity for comment.]

**[SEC. 205. CORAL REEF CONSERVATION FUND.**

[(a) FUND.—The Administrator may enter into an agreement with a nonprofit organization that promotes coral reef conservation authorizing such organization to receive, hold, and administer funds received pursuant to this section. The organization shall invest, reinvest, and otherwise administer the funds and maintain such funds and any interest or revenues earned in a separate interest bearing account, hereafter referred to as the Fund, established by such organization solely to support partnerships between the public and private sectors that further the purposes of this Act and are consistent with the national coral reef action strategy under section 203.

[(b) AUTHORIZATION TO SOLICIT DONATIONS.—Pursuant to an agreement entered into under subsection (a) of this section, an organization may accept, receive, solicit, hold, administer, and use any gift to further the purposes of this title. Any moneys received as a gift shall be deposited and maintained in the Fund established by the organization under subsection (a).

[(c) REVIEW OF PERFORMANCE.—The Administrator shall conduct a continuing review of the grant program administered by an organization under this section. Each review shall include a written assessment concerning the extent to which that organization has implemented the goals and requirements of this section and the national coral reef action strategy under section 203.

[(d) ADMINISTRATION.—Under an agreement entered into pursuant to subsection (a), the Administrator may transfer funds appropriated to carry out this title to an organization. Amounts received by an organization under this subsection may be used for matching, in whole or in part, contributions (whether in money, services, or property) made to the organization by private persons and State and local government agencies.

**[SEC. 206. EMERGENCY ASSISTANCE.**

[The Administrator may make grants to any State, local, or territorial government agency with jurisdiction over coral reefs for

emergencies to address unforeseen or disaster-related circumstance pertaining to coral reefs or coral reef ecosystems.

**[SEC. 207. NATIONAL PROGRAM.**

[(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary may conduct activities to conserve coral reefs and coral reef ecosystems, that are consistent with this title, the National Marine Sanctuaries Act, the Coastal Zone Management Act of 1972, the Magnuson-Stevens Fishery Conservation and Management Act, the Endangered Species Act of 1973, and the Marine Mammal Protection Act of 1972.

[(b) AUTHORIZED ACTIVITIES.—Activities authorized under subsection (a) include—

[(1) mapping, monitoring, assessment, restoration, and scientific research that benefit the understanding, sustainable use, and long-term conservation of coral reefs and coral reef ecosystems;

[(2) enhancing public awareness, education, understanding, and appreciation of coral reefs and coral reef ecosystems;

[(3) providing assistance to States in removing abandoned fishing gear, marine debris, and abandoned vessels from coral reefs to conserve living marine resources; and

[(4) cooperative conservation and management of coral reefs and coral reef ecosystems with local, regional, or international programs and partners.

**[SEC. 208. EFFECTIVENESS REPORTS.**

[(a) GRANT PROGRAM.—Not later than 3 years after the date of the enactment of this Act, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Resources of the House of Representatives a report that documents the effectiveness of the grant program under section 204 in meeting the purposes of this title. The report shall include a State-by-State summary of Federal and non-Federal contributions toward the costs of each project.

[(b) NATIONAL PROGRAM.—Not later than 2 years after the date on which the Administrator publishes the national coral reef strategy under section 203 and every 2 years thereafter, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Resources of the House of Representatives a report describing all activities undertaken to implement that strategy, under section 203, including a description of the funds obligated each fiscal year to advance coral reef conservation.

**[SEC. 209. AUTHORIZATION OF APPROPRIATIONS.**

[(a) IN GENERAL.—There are authorized to be appropriated to the Secretary to carry out this title \$16,000,000 for each of fiscal years 2001, 2002, 2003, and 2004, which may remain available until expended.

[(b) ADMINISTRATION.—Of the amounts appropriated under subsection (a), not more than the lesser of \$1,000,000 or 10 percent of the amounts appropriated, may be used for program administration or for overhead costs incurred by the National Oceanic and Atmospheric Administration or the Department of Commerce and assessed as an administrative charge.



[(c) CORAL REEF CONSERVATION PROGRAM.—From the amounts appropriated under subsection (a), there shall be made available to the Secretary \$8,000,000 for each of fiscal years 2001, 2002, 2003, and 2004 for coral reef conservation activities under section 204.

[(d) NATIONAL CORAL REEF ACTIVITIES.—From the amounts appropriated under subsection (a), there shall be made available to the Secretary \$8,000,000 for each of fiscal years 2001, 2002, 2003, and 2004 for activities under section 207.

**[SEC. 210. DEFINITIONS.**

**[In this title:**

[(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the National Oceanic and Atmospheric Administration.

[(2) CONSERVATION.—The term “conservation” means the use of methods and procedures necessary to preserve or sustain corals and associated species as diverse, viable, and self-perpetuating coral reef ecosystems, including all activities associated with resource management, such as assessment, conservation, protection, restoration, sustainable use, and management of habitat; mapping; habitat monitoring; assistance in the development of management strategies for marine protected areas and marine resources consistent with the National Marine Sanctuaries Act (16 U.S.C. 1431 et seq.) and the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.); law enforcement; conflict resolution initiatives; community outreach and education; and that promote safe and ecologically sound navigation.

[(3) CORAL.—The term “coral” means species of the phylum Cnidaria, including—

[(A) all species of the orders Antipatharia (black corals), Scleractinia (stony corals), Gorgonacea (horny corals), Stolonifera (organpipe corals and others), Alcyonacea (soft corals), and Coenothecalia (blue coral), of the class Anthozoa; and

[(B) all species of the order Hydrocorallina (fire corals and hydrocorals) of the class Hydrozoa.

[(4) CORAL REEF.—The term “coral reef” means any reefs or shoals composed primarily of corals.

[(5) CORAL REEF ECOSYSTEM.—The term “coral reef ecosystem” means coral and other species of reef organisms (including reef plants) associated with coral reefs, and the non-living environmental factors that directly affect coral reefs, that together function as an ecological unit in nature.

[(6) CORAL PRODUCTS.—The term “coral products” means any living or dead specimens, parts, or derivatives, or any product containing specimens, parts, or derivatives, of any species referred to in paragraph (3).

[(7) SECRETARY.—The term “Secretary” means the Secretary of Commerce.

[(8) STATE.—The term “State” means any State of the United States that contains a coral reef ecosystem within its seaward boundaries, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the Virgin Islands, and any other territory or possession of the United States, or separate

sovereign in free association with the United States, that contains a coral reef ecosystem within its seaward boundaries.】

**SEC. 204A. NATIONAL CORAL REEF RESILIENCE STRATEGY.**

(a) *IN GENERAL.*—*The Administrator shall—*

(1) *develop a national coral reef resilience strategy; and*

(2) *periodically, but not less frequently than every 15 years, review and revise the strategy.*

(b) *ELEMENTS.*—*The strategy required by subsection (a) shall include the following:*

(1) *A discussion addressing—*

(A) *continuing and emerging threats to the resilience of United States coral reef ecosystems;*

(B) *remaining gaps in coral reef ecosystem research, monitoring, and assessment;*

(C) *the status of management cooperation and integration among Federal, State, Tribal, and locally managed jurisdictions with coral reef equities;*

(D) *the status of efforts to manage and disseminate critical information, and enhance interjurisdictional data sharing, related to research, reports, datasets, and maps;*

(E) *areas of special focus, which may include—*

(i) *improving natural coral recruitment;*

(ii) *preventing avoidable losses of corals and their habitat;*

(iii) *enhancing the resilience of coral populations;*

(iv) *supporting a resilience-based management approach;*

(v) *developing, coordinating, and implementing watershed management plans;*

(vi) *building and sustaining watershed management capacity at the local level;*

(vii) *providing data essential for coral reef fisheries management;*

(viii) *building capacity for coral reef fisheries management;*

(ix) *increasing understanding of coral reef ecosystem services;*

(x) *educating the public on the importance of coral reefs, threats and solutions; and*

(xi) *evaluating intervention efficacy;*

(F) *the status of conservation efforts, including the use of marine protected areas to serve as replenishment zones developed consistent with local practices and traditions and in cooperation with, and with respect for the scientific, technical, and management expertise and responsibilities of, State fish and wildlife management agencies; and*

(G) *science-based adaptive management and restoration efforts.*

(2) *A statement of national goals and objectives designed to guide—*

(A) *future Federal coral reef management and restoration activities authorized under section 203;*

(B) *conservation and restoration priorities for grants awarded under section 213; and*

- (C) research priorities for the cooperative institutes established under section 215(c).
- (3) General templates for use by covered reef managers to guide the development of—
- (A) coral reef action plans under section 205; and
  - (B) coral reef emergency plans under section 209.
- (c) CONSULTATIONS.—In developing all elements of the strategy required by subsection (a), the Administrator shall—
- (1) consult with the Secretary of the Interior, the Task Force, covered States, and Tribal organizations;
  - (2) engage stakeholders, including coral reef stewardship partnerships, coral reef institutes and research centers described in section 215(c), and coral reef conservation grant awardees; and
  - (3) solicit public review and comment regarding scoping and the draft strategy.
- (d) SUBMISSION TO CONGRESS; PUBLICATION.—The Administrator shall—
- (1) submit the strategy required by subsection (a) and any revisions to the strategy to the appropriate congressional committees; and
  - (2) publish the strategy and any such revisions on publicly available internet websites of—
    - (A) the Coral Reef Conservation Program of the National Oceanic and Atmospheric Administration; and
    - (B) the Task Force.
- (e) TRANSITION RULE.—On and after the date of the enactment of the Restoring Resilient Reefs Act of 2021, the 2018 Coral Reef Conservation Program Strategic Plan of the National Oceanic and Atmospheric Administration shall be considered to be the national coral reef resilience strategy in effect under this section until the earlier of—
- (1) September 30, 2033; or
  - (2) the date on which the Administrator develops a national coral reef resilience strategy under this section.

**SEC. 205. CORAL REEF ACTION PLANS.**

- (a) CORAL REEF ACTION PLANS.—Except as provided in subsection (h), not later than 3 years after the date of the enactment of the Restoring Resilient Reefs Act of 2021, and not later than 2 years after the publication of a revised national coral reef resilience strategy under section 204A, each covered reef manager shall prepare and submit to the Task Force a coral reef action plan to guide management and restoration activities to be undertaken within the responsibilities and jurisdiction of the manager.
- (b) REQUIREMENTS.—A covered reef manager preparing a coral reef action plan under subsection (a) shall—
- (1) ensure that the plan is consistent with all elements of the national coral reef resilience strategy in effect; and
  - (2) revise the plan not less frequently than once every 5 years.
- (c) PLAN ELEMENTS.—A coral reef action plan under subsection (a) shall include a discussion of the following elements:
- (1) Short- and mid-term coral reef conservation and restoration objectives within the applicable jurisdiction.
  - (2) An updated adaptive management framework to inform research, monitoring, and assessment needs.

(3) *The status of any coral reef emergency plans in effect under section 209 covering coral reef ecosystems within the applicable jurisdiction.*

(4) *Tools, strategies, and partnerships necessary to identify, monitor, and redress the impacts of pollution, diminished water quality, temperature fluctuations, acidification, overfishing, disease, and other disturbances to coral reef ecosystems within the applicable jurisdiction.*

(5) *The status of efforts to improve coral reef ecosystem management cooperation and integration among neighboring Federal, State, Tribal, or locally managed jurisdictions, including the identification of existing research and monitoring activities that can be leveraged for coral reef status and trends assessments within the applicable jurisdiction.*

(6) *An accounting of annual expenditures on coral reef management and restoration activities within the applicable jurisdiction while the preceding action plan, if any, was in effect.*

(7) *Estimated budgetary and resource considerations necessary to carry out the proposed action plan.*

(d) **TECHNICAL ASSISTANCE.**—*The Administrator and the Task Force shall make all reasonable efforts to provide technical assistance upon request by a covered reef manager developing a coral reef action plan under subsection (a).*

(e) **ADOPTION OF CORAL REEF ACTION PLANS.**—*A covered reef manager may adopt a coral reef action plan developed by another covered reef manager, in full or in part, as relevant to the adopting manager's applicable jurisdiction.*

(f) **PUBLIC REVIEW.**—*The development of a coral reef action plan by a covered reef manager under subsection (a), and the adoption of a plan under subsection (e), shall be subject to public review and comment.*

(g) **PUBLICATION.**—*The Administrator shall publish each coral reef action plan prepared and submitted to the Task Force under this section on publicly available internet websites of—*

(1) *the Coral Reef Conservation Program of the National Oceanic and Atmospheric Administration; and*

(2) *the Task Force.*

(h) **APPLICABILITY TO COVERED STATES AND CORAL REEF STEWARDSHIP PARTNERSHIPS.**—*A covered State or non-Federal coral reef stewardship partnership is not required to develop a coral reef action plan under subsection (a), but may do so in its own discretion. In developing a coral reef action plan, a covered State or non-Federal coral reef stewardship partnership is encouraged, but not mandated, to comply with the requirements of this section.*

(i) **PLAN IN EFFECT.**—*A coral reef action plan shall be deemed to be in effect if the plan was submitted to the Task Force under this section during the preceding 6 years.*

**SEC. 206. CORAL REEF STEWARDSHIP PARTNERSHIPS.**

(a) **CORAL REEF STEWARDSHIP PARTNERSHIPS.**—*The Administrator shall establish standards for the identification of coral reefs and the formation of partnerships among government and community members for the stewardship of coral reefs (in this title referred to as "coral reef stewardship partnerships") in accordance with this section, including guidance for preparation and submission of coral*

reef action plans under section 205 for review and approval by the Administrator.

(b) *IDENTIFICATION OF CORAL REEFS.*—Each coral reef stewardship partnership shall identify with particularity the coral reef or ecologically significant component of a coral reef that will be the subject of its stewardship activities.

(c) *MEMBERSHIP FOR FEDERAL CORAL REEFS.*—A coral reef stewardship partnership that has identified, as the subject of its stewardship activities, a coral reef or ecologically significant component of a coral reef that is fully or partially under the management jurisdiction of any Federal agency specified in section 203(c) shall, at a minimum, include the following:

(1) That Federal agency, a representative of which shall serve as chair of the coral reef stewardship partnership.

(2) A State, county, or Tribal organization's resource management agency.

(3) A coral reef research center described in section 215(c)(4) or another institution of higher education.

(4) A nongovernmental organization.

(5) Such other members as the partnership considers appropriate, such as interested stakeholder groups.

(d) *MEMBERSHIP FOR NON-FEDERAL CORAL REEFS.*—

(1) *IN GENERAL.*—A coral reef stewardship partnership that has identified, as the subject of its stewardship activities, a coral reef or ecologically significant component of a coral reef that is not under the management jurisdiction of any Federal agency specified in section 203(c) shall, at a minimum, include the following:

(A) A State, county, or Tribal organization's resource management agency, a representative of which shall serve as the chair of the coral reef stewardship partnership.

(B) A coral reef research center described in section 215(c)(4) or another institution of higher education.

(C) A nongovernmental organization.

(D) Such other members as the partnership considers appropriate, such as interested stakeholder groups.

(2) *ADDITIONAL MEMBERS.*—

(A) *IN GENERAL.*—Subject to subparagraph (B), a coral reef stewardship partnership described in paragraph (1) may also include representatives of one or more Federal agencies that have management responsibility in the coral reef that is the subject of the partnership's stewardship activities.

(B) *REQUESTS; APPROVAL.*—A representative of a Federal agency described in subparagraph (A) may become a member of a coral reef stewardship partnership described in paragraph (1) if—

(i) the representative submits a request to become a member to the chair of the partnership referred to in paragraph (1)(A); and

(ii) the chair consents to the request.

(e) *NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.*—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to coral reef stewardship partnerships.

**SEC. 207. BLOCK GRANTS AND COOPERATIVE AGREEMENTS.**

(a) *IN GENERAL.*—The Administrator shall provide block grants of financial assistance to covered States to support management and restoration activities and further the implementation of coral reef action plans in effect under section 205 by covered States and non-Federal coral reef stewardship partnerships.

(b) *ELIGIBILITY FOR ADDITIONAL AMOUNTS.*—

(1) *IN GENERAL.*—A covered State shall qualify for and receive additional grant amounts beyond the base award specified in subsection (c)(1) if there is at least one coral reef action plan in effect within the jurisdiction of the covered State developed by that covered State or a non-Federal coral reef stewardship partnership.

(2) *WAIVER.*—In any fiscal year before fiscal year 2025, the Administrator shall waive the requirement to qualify for and receive additional grant amounts described in paragraph (1).

(c) *FUNDING FORMULA.*—The amount of each block grant awarded to a covered State under this section shall be the sum of—

(1) a base award of \$100,000; and

(2) if the State is eligible under subsection (b)—

(A) an amount that is equal to non-Federal expenditures of up to \$3,000,000 on coral reef management and restoration activities within the jurisdiction of the State during the previous fiscal year, and

(B) an additional amount, from any funds appropriated for activities under this section that remain after distribution under subparagraph (A), paragraph (1), and subsection (g) based on the proportion of the State's share of total non-Federal expenditures on coral reef management and restoration activities, as reported within the previous fiscal year, in excess of \$3,000,000, relative to other covered States.

(d) *EXCLUSIONS.*—For the purposes of calculating block grant amounts under subsection (c), Federal funds provided to a covered State or non-Federal coral reef stewardship partnership shall not be considered as qualifying non-Federal expenditures, but non-Federal matching funds used to leverage Federal awards may be considered as qualifying non-Federal expenditures.

(e) *RESPONSIBILITIES OF THE ADMINISTRATOR.*—The Administrator is responsible for—

(1) providing guidance on qualifying non-Federal expenditures and the proper documentation of such expenditures;

(2) issuing annual solicitations to covered States for additional awards under this section; and

(3) determining the appropriate allocation of additional amounts among covered States in accordance with this section.

(f) *RESPONSIBILITIES OF COVERED STATES.*—Each covered State is responsible for documenting non-Federal expenditures within the jurisdiction of the State and formally reporting those expenditures for review in response to annual solicitations by the Administrator under subsection (e).

(g) *COOPERATIVE AGREEMENTS.*—The Administrator may enter into cooperative agreements with States to fund coral reef conservation and restoration activities in waters managed under the juris-

diction of such States that are consistent with the national coral reef resilience strategy in effect under section 204A.

(h) *UNEXPENDED AMOUNTS.*—Any amounts available for activities under this section that are not expended shall be transferred to the Coral Reef Stewardship Fund under section 208(b).

**SEC. 208. CORAL REEF STEWARDSHIP FUND.**

(a) *AUTHORITY TO ENTER INTO AGREEMENTS.*—The Administrator may enter into an agreement with the National Fish and Wildlife Foundation (in this section referred to as the “Foundation”), authorizing the Foundation to receive, hold, and administer funds received under this section.

(b) *FUND.*—The Foundation shall invest, reinvest, and otherwise administer the funds received under this section and maintain such funds and any interest or revenues earned in a separate interest-bearing account, to be known as the “Coral Reef Stewardship Fund” (in this section referred to as the “Fund”, and known before the date of the enactment of the Restoring Resilient Reefs Act of 2021 as the Coral Reef Conservation Fund administered through a public-private partnership with the Foundation), established by the Foundation solely to support coral reef stewardship partnership activities that—

(1) further the purposes of this title; and

(2) are consistent with—

(A) the national coral reef resilience strategy in effect under section 204A; and

(B) coral reef action plans in effect, if any, under section 205 covering a coral reef or ecologically significant component of a coral reef to be impacted by such activities, if applicable.

(c) *AUTHORIZATION TO SOLICIT DONATIONS.*—

(1) *IN GENERAL.*—Pursuant to an agreement entered into under subsection (a), the Foundation may accept, receive, solicit, hold, administer, and use any gift (including, notwithstanding section 1342 of title 31, United States Code, donations of services) to further the purposes of this title.

(2) *DEPOSITS IN FUND.*—Notwithstanding section 3302 of title 31, United States Code, any funds received as a gift shall be deposited and maintained in the Fund.

(3) *NOTIFICATION REQUIRED.*—Not later than 30 days after funds are deposited in the Fund under paragraph (2), the Foundation shall notify the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives of the source and amount of such funds.

(d) *REVIEW OF PERFORMANCE.*—The Administrator shall conduct a continuing review of all deposits into, and disbursements from, the Fund. Each review shall include a written assessment concerning the extent to which the Foundation has implemented the goals and requirements of—

(1) this section; and

(2) the national coral reef resilience strategy in effect under section 204A.

(e) *ADMINISTRATION.*—Under an agreement entered into pursuant to subsection (a), the Administrator may transfer funds appropriated to carry out this title to the Foundation. Amounts received by the Foundation under this subsection may be used for matching,

*in whole or in part, contributions (whether in money, services, or property) made to the Foundation by private persons, State or local government agencies, or Tribal organizations.*

**SEC. 209. CORAL REEF EMERGENCY PLANS.**

(a) *IN GENERAL.*—A covered reef manager may develop and periodically update a plan (in this title referred to as a “coral reef emergency plan”) consistent with the template described in section 204A(b)(3) to guide the rapid and effective response to circumstances that pose an urgent and immediate threat to the coral reef ecosystems within the manager’s responsibilities and jurisdictions, and consistent with any applicable coral reef action plan.

(b) *CORAL REEF EMERGENCIES.*—The Administrator shall develop a list of, and criteria for, circumstances that pose an urgent and immediate threat to coral reefs (in this title referred to as “coral reef emergencies”), including—

- (1) *new and ongoing outbreaks of disease;*
- (2) *new and ongoing outbreaks of invasive or nuisance species;*
- (3) *new and ongoing coral bleaching events;*
- (4) *natural disasters;*
- (5) *man-made disasters, including vessel groundings, hazardous spills, or coastal construction accidents; and*
- (6) *other exigent circumstances.*

(c) *BEST RESPONSE PRACTICES.*—The Administrator shall develop guidance on best practices to respond to coral reef emergencies that can be adopted within coral reef emergency plans. Such best practices shall be—

- (1) *based on the best available science and integrated with evolving innovative technologies; and*
- (2) *revised not less frequently than once every 5 years.*

(d) *PLAN ELEMENTS.*—A coral reef emergency plan shall include the following elements:

- (1) *A description of particular threats, and the proposed responses, consistent with the best practices developed under subsection (d).*
- (2) *A delineation of roles and responsibilities for executing the plan.*
- (3) *Evidence of engagement with interested stakeholder groups, as applicable, in the development of the plan.*
- (4) *Any other information the Administrator considers to be necessary for the plan.*

(e) *TECHNICAL ASSISTANCE.*—The Administrator and the Task Force shall make all reasonable efforts to provide technical assistance upon request by a covered reef manager developing a coral reef emergency plan under subsection (a).

(f) *ADOPTION OF CORAL REEF EMERGENCY PLANS.*—A covered reef manager may adopt a coral reef emergency plan developed by another covered reef manager, in full or in part, as relevant to the adopting manager’s applicable jurisdiction.

(g) *PUBLIC REVIEW.*—The development of a coral reef action plan by a covered reef manager under subsection (a), and the adoption of a plan under subsection (f), shall be subject to public review and comment.



(h) *PUBLICATION.*—The Administrator shall publish each coral reef emergency plan prepared and submitted to the Task Force under this section on publicly available internet websites of—

- (1) the Coral Reef Conservation Program of the National Oceanic and Atmospheric Administration; and
- (2) the Task Force.

(i) *PLAN IN EFFECT.*—A coral reef emergency plan shall be deemed to be in effect if the plan was submitted to the Task Force under this section during the preceding 6 years.

**SEC. 210. CORAL REEF EMERGENCY FUND.**

(a) *ESTABLISHMENT OF FUND.*—There is established in the Treasury an interest-bearing fund to be known as the “Coral Reef Emergency Fund”, which shall consist of amounts deposited into the Fund under subsection (c).

(b) *USES.*—Amounts in the Fund—

- (1) shall be available only for use by the Administrator to compensate covered coral reef managers to implement a coral reef emergency plan in effect under sections 210 and 212; and
- (2) shall remain available until expended.

(c) *DEPOSITS INTO THE FUND.*—There shall be deposited into the Fund—

- (1) amounts appropriated for the Fund; and
- (2) other amounts appropriated to the Administrator for use with respect to coral reef emergencies.

(d) *ACCEPTANCE OF DONATIONS.*—

(1) *IN GENERAL.*—For purposes of carrying out this title, the Administrator may accept, receive, solicit, hold, administer, and use any gift (including, notwithstanding section 1342 of title 31, United States Code, donations of services).

(2) *DEPOSITS IN FUND.*—Notwithstanding section 3302 of title 31, United States Code, any funds received as a gift shall be deposited and maintained in the Fund.

**SEC. 211. EMERGENCY ASSISTANCE.**

(a) *CORAL REEF EMERGENCY DECLARATIONS.*—

(1) *SUA SPONTE DECLARATION.*—

(A) *IN GENERAL.*—The Administrator may determine and declare a coral reef emergency, including at the recommendation of the Secretary of the Interior.

(B) *REQUIREMENTS.*—In declaring a coral reef emergency under subparagraph (A), the Administrator shall—

- (i) certify that an emergency has occurred that is ecologically significant and harmful to coral reefs; and
- (ii) submit to the appropriate congressional committees findings and analysis to justify the declaration.

(2) *PETITIONS.*—If a covered State or non-Federal coral reef stewardship partnership believes that a coral reef emergency has occurred, and is impacting coral reefs or ecologically significant components of coral reefs subject to the responsibilities or jurisdiction of the State or partnership, the State or partnership may petition the Administrator for a declaration of a coral reef emergency.

(3) *EVALUATION AND ACTION.*—

(A) *IN GENERAL.*—Not later than 30 days after receiving a petition under paragraph (2) (except as provided in subparagraph (B)), the Administrator shall—

(i) evaluate the petition to determine whether a coral reef emergency has occurred; and

(ii) declare a coral reef emergency or deny the petition.

(B) *EXTENSION.*—The Administrator may extend the deadline provided for under subparagraph (A) by not more than 15 days.

(4) *APPEAL.*—If the Administrator denies a petition for an emergency declaration submitted under paragraph (2), the State or partnership that submitted the petition may, not later than 15 days after receiving notice of the denial, appeal the denial to the Administrator. Not later than 15 days after receiving an appeal under this paragraph, the Administrator shall grant or deny the appeal.

(5) *REVOCATION.*—The Administrator may revoke any declaration of a coral reef emergency in whole or in part after determining that circumstances no longer require an emergency response.

(6) *RECOVERY OF EMERGENCY FUNDING.*—The Administrator may seek compensation from negligent parties to recover emergency funds expended in excess of \$500,000 under this section as a result of an emergency declaration arising from direct impacts to coral reefs from man-made disasters or accidents.

(b) *FINANCIAL ASSISTANCE AUTHORITY.*—

(1) *IN GENERAL.*—Upon the declaration of a coral reef emergency under subsection (a), the Administrator shall provide grants to carry out proposals that meet the requirements of paragraph (2) to implement coral reef emergency plans in effect under section 209.

(2) *REQUIREMENTS.*—A proposal for a grant under this subsection to implement a coral reef emergency plan in effect under section 209 shall include—

(A) the name of the entity submitting the proposal;

(B) a copy of the coral reef emergency plan;

(C) a description of the qualifications of the individuals and entities who will implement the plan;

(D) an estimate of the funds and time required to complete the implementation of the plan; and

(E) any other information the Administrator considers to be necessary for evaluating the eligibility of the proposal for a grant under this subsection.

(3) *REVIEW.*—Not later than 30 days after receiving a proposal for a grant under this subsection, the Administrator shall review the proposal and determine if the proposal meets the requirements of paragraph (2).

(4) *CONCURRENT REVIEW.*—An entity seeking a grant under this subsection may submit a proposal under paragraph (2) to the Administrator at any time following the submission of a petition for an emergency declaration under subsection (a)(2) that is applicable to coral reefs or ecologically significant components of coral reefs subject to the responsibilities or jurisdiction of the entity.

**SEC. 212. VESSEL GROUNDING INVENTORY.**

*The Administrator, in coordination with the heads of other Federal agencies, shall establish and maintain an inventory of all vessel grounding incidents involving United States coral reefs, including a description of—*

- (1) the impacts of each such incident to coral reefs and related natural resources;*
- (2) vessel and ownership information relating to each such incident, if available;*
- (3) the estimated cost of removal of the vessel, remediation, or restoration relating to each such incident;*
- (4) the response actions taken by the owner of the vessel, the Administrator, the Commandant of the Coast Guard, or representatives of other Federal or State agencies;*
- (5) the status of the response actions, including the dates of—*
  - (A) vessel removal;*
  - (B) remediation or restoration activities, including whether a coral reef emergency plan was implemented; and*
  - (C) any actions taken to prevent future grounding incidents; and*
- (6) recommendations for additional navigational aids or other mechanisms for preventing future grounding incidents.*

**SEC. 213. RUTH D. GATES CORAL REEF CONSERVATION GRANT PROGRAM.**

*(a) GRANTS.—The Administrator shall establish a program (to be known as the “Ruth D. Gates Coral Reef Conservation Grant Program”) to provide grants for projects for the conservation and restoration of coral reef ecosystems (in this section referred to as “coral reef projects”) pursuant to proposals approved by the Administrator in accordance with this section.*

*(b) ELIGIBILITY.—*

- (1) IN GENERAL.—An entity described in paragraph (2) may submit to the Administrator a proposal for a coral reef project.*
- (2) ENTITIES DESCRIBED.—An entity described in this paragraph is—*

*(A) a natural resource management authority of a State or local government or Tribal organization—*

- (i) with responsibility for coral reef management; or*
- (ii) the activities of which directly or indirectly affect coral reefs or coral reef ecosystems;*

*(B) a regional fishery management council established under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.);*

*(C) a coral reef stewardship partnership seeking to implement a coral reef action plan in effect under section 205;*

*(D) a coral reef research center designated under section 215(c)(4); or*

*(E) another nongovernmental organization or research institution with demonstrated expertise in the conservation or restoration of coral reefs in practice or through significant contributions to the body of existing scientific research on coral reefs.*

*(c) PROJECT PROPOSALS.—Each proposal for a grant under this section for a coral reef project shall include the following:*

(1) *The name of the individual or entity responsible for conducting the project.*

(2) *A description of the qualifications of the individual or entity.*

(3) *A succinct statement of the purposes of the project.*

(4) *An estimate of the funds and time required to complete the project.*

(5) *Evidence of support for the project by appropriate representatives of States or other government jurisdictions in which the project will be conducted.*

(6) *Information regarding the source and amount of matching funding available to the applicant.*

(7) *A description of how the project meets one or more of the criteria under subsection (e)(2).*

(8) *In the case of a proposal submitted by a coral reef stewardship partnership, a description of how the project aligns with the applicable coral reef action plan in effect under section 205.*

(9) *Any other information the Administrator considers to be necessary for evaluating the eligibility of the project for a grant under this subsection.*

**(d) PROJECT REVIEW AND APPROVAL.—**

(1) **IN GENERAL.**—*The Administrator shall review each coral reef project proposal submitted under this section to determine if the project meets the criteria set forth in subsection (e).*

(2) **PRIORITIZATION OF CONSERVATION PROJECTS.**—*The Administrator shall prioritize the awarding of grants for projects that meet the criteria for approval under subparagraphs (A) through (G) of subsection (e)(2) that are proposed to be conducted within priority areas identified for coral reef conservation by the Administrator and consistent with the national coral reef resilience strategy in effect under section 204A.*

(3) **PRIORITIZATION OF RESTORATION PROJECTS.**—*The Administrator shall prioritize the awarding of grants for projects that meet the criteria for approval under subparagraphs (E) through (L) of subsection (e)(2) that are proposed to be conducted within priority areas identified for coral reef restoration by the Administrator and consistent with the national coral reef resilience strategy in effect under section 204A.*

(4) **REVIEW; APPROVAL OR DISAPPROVAL.**—*Not later than 180 days after receiving a proposal for a coral reef project under this section, the Administrator shall—*

*(A) request and consider written comments on the proposal from each Federal agency, State government, Tribal organization, or other government jurisdiction, including the relevant regional fishery management councils established under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), or any National Marine Sanctuary or Marine National Monument, with jurisdiction or management authority over coral reef ecosystems in the area where the project is to be conducted, including the extent to which the project is consistent with locally established priorities, unless such entities were directly involved in the development of the project proposal;*

(B) provide for the merit-based peer review of the proposal and require standardized documentation of that peer review;

(C) after considering any written comments and recommendations based on the reviews under subparagraphs (A) and (B), approve or disapprove the proposal; and

(D) provide written notification of that approval or disapproval, with summaries of all written comments, recommendations, and peer-reviews, to the entity that submitted the proposal, and each of those States, Tribal organizations, and other government jurisdictions that provided comments under subparagraph (A).

(e) *CRITERIA FOR APPROVAL.*—The Administrator may not approve a proposal for a coral reef project under this section unless the project—

(1) is consistent with—

(A) the national coral reef resilience strategy in effect under section 204A; and

(B) any Federal or non-Federal coral reef action plans in effect under section 205 covering a coral reef or ecologically significant component of a coral reef to be affected by the project; and

(2) will enhance the conservation and restoration of coral reefs by—

(A) addressing conflicts arising from the use of environments near coral reefs or from the use of corals, species associated with coral reefs, and coral products, including supporting consensus-driven, community-based planning and management initiatives for the protection of coral reef ecosystems;

(B) improving compliance with laws that prohibit or regulate the taking of coral products or species associated with coral reefs or regulate the use and management of coral reef ecosystems;

(C) designing and implementing networks of real-time water quality monitoring along coral reefs, including data collection related to turbidity, nutrient availability, harmful algal blooms, and plankton assemblages, with an emphasis on coral reefs impacted by agriculture and urban development;

(D) promoting ecologically sound navigation and anchorages, including mooring buoy systems to promote enhanced recreational access, near coral reefs;

(E) furthering the goals and objectives of coral reef action plans in effect under section 205 and coral reef emergency plans in effect under section 209;

(F) mapping the location and distribution of coral reefs and potential coral reef habitat;

(G) stimulating innovation to advance the ability of the United States to understand, research, or monitor coral reef ecosystems, or to develop management or adaptation options to preserve, sustain, and restore coral reef ecosystems;

(H) implementing research to ensure the population viability of listed coral species in United States waters as detailed in the population-based recovery criteria included in

*species-specific recovery plans consistent with the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);*

*(I) developing and implementing cost-effective methods to restore degraded coral reef ecosystems or to create geographically appropriate coral reef ecosystems in suitable waters, including by improving habitat or promoting success of keystone species, with an emphasis on novel restoration strategies and techniques to advance coral reef recovery and growth near population centers threatened by rising sea levels and storm surge;*

*(J) translating and applying coral genetics research to coral reef ecosystem restoration, including research related to traits that promote resilience to increasing ocean temperatures, ocean acidification, coral bleaching, coral diseases, and invasive species;*

*(K) developing and maintaining in situ native coral propagation sites;*

*(L) developing and maintaining ex situ coral propagation nurseries and land-based coral gene banks to—*

*(i) conserve or augment genetic diversity of native coral populations;*

*(ii) support captive breeding of rare coral species; or*

*(iii) enhance resilience of native coral populations to increasing ocean temperatures, ocean acidification, coral bleaching, and coral diseases through selective breeding, conditioning, or other approaches that target genes, gene expression, phenotypic traits, or phenotypic plasticity; or*

*(M) maintaining the structure and function of coral reefs, including the reef matrix itself.*

*(f) FUNDING REQUIREMENTS.—To the extent practicable based upon proposals for coral reef projects submitted to the Administrator, the Administrator shall ensure that funding for grants awarded under this section during a fiscal year is distributed as follows:*

*(1) Not less than 40 percent of funds available shall be awarded for projects in the Pacific Ocean within the maritime areas and zones subject to the jurisdiction or control of the United States.*

*(2) Not less than 40 percent of the funds available shall be awarded for projects in the Atlantic Ocean, the Gulf of Mexico, or the Caribbean Sea within the maritime areas and zones subject to the jurisdiction or control of the United States.*

*(g) PROJECT REPORTING.—Each entity receiving a grant under this section shall submit to the Administrator such reports at such times and containing such information for evaluating project performance as the Administrator may require.*

*(h) TASK FORCE.—The Administrator may consult with the Secretary of the Interior and the Task Force to obtain guidance in establishing priorities and evaluating proposals for coral reef projects under this section.*

*(i) UNEXPENDED AMOUNTS.—Any amounts available for grants under this section that are not expended shall be transferred to the Coral Reef Stewardship Fund under section 208(b).*

**SEC. 214. REPORTS ON ADMINISTRATION.**

(a) *IN GENERAL.*—Not later than 2 years after the date of the enactment of the Restoring Resilient Reefs Act of 2021, and every 2 years thereafter, the Administrator shall submit to the committees specified in subsection (b) a report on the administration of this title during the 2-year period preceding submission of the report, including—

(1) a description of all activities undertaken to implement the most recent national coral reef resilience strategy under section 204A;

(2) a statement of all funds obligated under the authorities of this title; and

(3) a summary, disaggregated by State, of Federal and non-Federal contributions toward the costs of each project or activity funded, in full or in part, under the authorities of this title.

(b) *COMMITTEES SPECIFIED.*—The committees specified in this subsection are—

(1) the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate; and

(2) the Committee on Natural Resources and the Committee on Appropriations of the House of Representatives.

**SEC. 215. AUTHORITY TO ENTER INTO AGREEMENTS.**

(a) *IN GENERAL.*—The Administrator may enter into and perform such contracts, leases, grants, or cooperative agreements as may be necessary to carry out the purposes of this title.

(b) *FUNDING.*—

(1) *IN GENERAL.*—Under an agreement entered into under subsection (a), the Administrator may reimburse or provide funds authorized to be appropriated by section 216 to, and may receive funds or reimbursements from, individuals and entities described in paragraph (2) to carry out activities authorized by this title.

(2) *INDIVIDUALS AND ENTITIES DESCRIBED.*—Individuals and entities described in this paragraph are the following:

(A) Federal agencies, instrumentalities, and laboratories.

(B) State and local governments.

(C) Indian Tribes and Tribal organizations.

(D) International organizations.

(E) Foreign governments not subject to economic sanctions imposed by the United States.

(F) Institutions of higher education, research centers, and other educational institutions.

(G) Nonprofit organizations.

(H) Commercial organizations.

(I) Other public or private individuals or entities.

(c) *COOPERATIVE INSTITUTES.*—

(1) *DESIGNATION.*—The Administrator shall designate two cooperative institutes for the purpose of advancing and sustaining essential capabilities in coral reef research, to be known as the “Atlantic Coral Reef Institute” and the “Pacific Coral Reef Institute”.

(2) *MEMBERSHIP.*—Each institute established under paragraph (1) shall be housed within a single coral reef research center designated by the Administrator under paragraph (4) in the Atlantic and Pacific basins, respectively, and may contract

*with other coral reef research centers within the same basin to support each institute's capacity and reach.*

*(3) FUNCTIONS.—The institutes established under paragraph (1) shall—*

*(A) conduct federally directed research to fill national and regional coral reef ecosystem research gaps and improve understanding of, and responses to, continuing and emerging threats to the resilience of United States coral reef ecosystems consistent with the national coral reef resilience strategy in effect under section 204A;*

*(B) support ecological research and monitoring to study the effects of conservation and restoration activities funded by this title on promoting more effective coral reef management and restoration; and*

*(C) through agreements—*

*(i) collaborate directly with governmental resource management agencies, coral reef stewardship partnerships, nonprofit organizations, and other coral reef research centers designated under paragraph (4);*

*(ii) assist in the development and implementation of—*

*(I) the national coral reef resilience strategy under section 204A;*

*(II) coral reef action plans under section 205; and*

*(III) coral reef emergency plans under section 209;*

*(iii) build capacity within governmental resource management agencies to establish research priorities and translate and apply research findings to management and restoration practices; and*

*(iv) conduct public education and awareness programs for policymakers, resource managers, and the general public on—*

*(I) coral reefs and coral reef ecosystems;*

*(II) best practices for coral reef ecosystem management and restoration;*

*(III) the value of coral reefs; and*

*(IV) the threats to the sustainability of coral reef ecosystems.*

*(4) CORAL REEF RESEARCH CENTERS.—*

*(A) IN GENERAL.—The Administrator shall periodically solicit applications and designate all qualifying institutions in a covered State as coral reef research centers.*

*(B) CRITERIA.—An institution qualifies for designation as a coral reef research center under subparagraph (A) if the Administrator determines that the institution—*

*(i) is operated by an institution of higher education;*

*(ii) has established management-driven national or regional coral reef research or restoration programs;*

*(iii) has demonstrated abilities to coordinate closely with appropriate Federal and State agencies, as well as other academic and nonprofit organizations; and*



(iv) maintains significant local community engagement and outreach programs related to coral reef ecosystems.

(d) *USE OF RESOURCES OF OTHER AGENCIES.*—The Administrator may use, with consent and with or without reimbursement, the land, services, equipment, personnel, and facilities of any agency or instrumentality of—

- (1) the United States;
- (2) any State or local government;
- (3) any Indian Tribe; or
- (4) any foreign government not subject to economic sanctions imposed by the United States.

**SEC. 216. CORAL REEF PRIZE COMPETITIONS.**

(a) *IN GENERAL.*—The head of any Federal agency with a representative serving on the U.S. Coral Reef Task Force established by Executive Order 13089 (16 U.S.C. 6401 note; relating to coral reef protection), may, individually or in cooperation with one or more agencies, carry out a program to award prizes competitively under section 24 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719).

(b) *PURPOSES.*—Any program carried out under this section shall be for the purpose of stimulating innovation to advance the ability of the United States to understand, research, or monitor coral reef ecosystems, or to develop management or adaptation options to preserve, sustain, and restore coral reef ecosystems.

(c) *PRIORITY PROGRAMS.*—Priority shall be given to establishing programs under this section that address communities, environments, or industries that are in distress as a result of the decline or degradation of coral reef ecosystems, including—

- (1) scientific research and monitoring that furthers the understanding of causes behind coral reef decline and degradation and the generally slow recovery following disturbances;
- (2) the development of monitoring or management options for communities or industries that are experiencing significant financial hardship;
- (3) the development of adaptation options to alleviate economic harm and job loss caused by damage to coral reef ecosystems;
- (4) the development of measures to help vulnerable communities or industries, with an emphasis on rural communities and businesses; and
- (5) the development of adaptation and management options for impacted tourism industries.

**SEC. 217. AUTHORIZATION OF APPROPRIATIONS.**

(a) *IN GENERAL.*—There is authorized to be appropriated to the Administrator \$38,000,000 for each of fiscal years 2022 through 2026 to carry out this title, which shall remain available until expended.

(b) *ADMINISTRATION.*—Of the amounts appropriated pursuant to the authorization of appropriations under subsection (a), not more than the lesser of \$1,500,000 or 10 percent may be used for program administration or for overhead costs incurred by the National Oceanic and Atmospheric Administration or the Department of Commerce and assessed as an administrative charge.

(c) *FEDERALLY DIRECTED RESEARCH AND CORAL REEF CONSERVATION PROGRAM GRANTS.*—From the amounts authorized to be appropriated under subsection (a), there shall be made available to the Administrator not less than \$8,000,000 for each of fiscal years 2022 through 2026 to support purposes consistent with this title, of which—

(1) not less than \$3,500,000 shall be made available for each such fiscal year for authorized activities under section 213; and

(2) not less than \$4,500,000 shall be made available for each such fiscal year through cooperative agreements with the cooperative institutes designated under section 215(c).

(d) *BLOCK GRANTS AND COOPERATIVE AGREEMENTS.*—There is authorized to be appropriated to the Administrator, \$15,000,000 for each of fiscal years 2022 through 2026, which shall remain available until expended, to carry out section 207.

**SEC. 218. DEFINITIONS.**

In this title:

(1) *ADMINISTRATOR.*—The term “Administrator” means the Administrator of the National Oceanic and Atmospheric Administration.

(2) *APPROPRIATE CONGRESSIONAL COMMITTEES.*—The term “appropriate congressional committees” means the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives.

(3) *CONSERVATION.*—The term “conservation” means the use of methods and procedures necessary to preserve or sustain geographically appropriate corals and associated species as diverse, viable, and self-perpetuating coral reef ecosystems with minimal impacts from invasive species, including—

(A) all activities associated with resource management, such as monitoring, assessment, protection, restoration, sustainable use, management of habitat, and maintenance or augmentation of genetic diversity;

(B) mapping;

(C) scientific expertise and technical assistance in the development and implementation of management strategies for marine protected areas and marine resources consistent with the National Marine Sanctuaries Act (16 U.S.C. 1431 et seq.) and the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.);

(D) law enforcement;

(E) conflict resolution initiatives;

(F) community outreach and education; and

(G) promotion of safe and ecologically sound navigation and anchoring.

(4) *CORAL.*—The term “coral” means species of the phylum Cnidaria, including—

(A) all species of the orders Antipatharia (black corals), Scleractinia (stony corals), Alcyonacea (soft corals, organ pipe corals, gorgonians), and Helioporacea (blue coral), of the class Anthozoa; and

(B) all species of the order Anthoathecata (fire corals and other hydrocorals) of the class Hydrozoa.

(5) *CORAL PRODUCTS.*—The term “coral products” means any living or dead specimens, parts, or derivatives, or any product containing specimens, parts, or derivatives, of any species referred to in paragraph (4).

(6) *CORAL REEF.*—The term “coral reef” means calcium carbonate structures in the form of a reef or shoal, composed in whole or in part by living coral, skeletal remains of coral, crustose coralline algae, and other associated sessile marine plants and animals.

(7) *CORAL REEF ECOSYSTEM.*—The term “coral reef ecosystem” means—

(A) corals and other geographically and ecologically associated marine communities of other reef organisms (including reef plants and animals) associated with coral reef habitat; and

(B) the biotic and abiotic factors and processes that affect coral physiology, coral-algal symbiosis, and biodiversity in such habitat.

(8) *CORAL REEF ECOSYSTEM SERVICES.*—The term “coral reef ecosystem services” means the attributes and benefits provided by coral reef ecosystems including—

(A) protection of coastal beaches, structures, and infrastructure;

(B) habitat for organisms of economic, ecological, biomedical, medicinal, and cultural value;

(C) serving as centers for the promulgation, performance, and training of cultural practices representative of traditional ecological knowledge; and

(D) aesthetic value.

(9) *COVERED REEF MANAGER.*—

(A) *IN GENERAL.*—The term “covered reef manager” means a management unit of a Federal agency specified in subparagraph (B) with jurisdiction over a coral reef ecosystem, covered State, or coral reef stewardship partnership.

(B) *FEDERAL AGENCIES SPECIFIED.*—A Federal agency specified in this subparagraph is one of the following:

(i) The National Oceanic and Atmospheric Administration.

(ii) The National Park Service.

(iii) The United States Fish and Wildlife Service.

(iv) The Office of Insular Affairs.

(10) *COVERED STATE.*—The term “covered State” means Florida, Hawaii, and the territories of American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, and the United States Virgin Islands.

(11) *INDIAN TRIBE.*—The term “Indian Tribe” has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(12) *INSTITUTION OF HIGHER EDUCATION.*—The term “institution of higher education” has the meaning given that term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(13) *INTERESTED STAKEHOLDER GROUPS.*—The term “interested stakeholder groups” includes community members such as

*businesses, commercial and recreational fishermen, other recreationalists, Federal, State, Tribal, and local government units with related jurisdiction, institutions of higher education, and nongovernmental organizations.*

(14) *NONPROFIT ORGANIZATION.*—The term “nonprofit organization” means an organization that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(15) *RESTORATION.*—The term “restoration” means the use of methods and procedures necessary to enhance, rehabilitate, recreate, or create a functioning coral reef or coral reef ecosystem, in whole or in part, within suitable waters of the historical geographic range of such ecosystems, to provide ecological, economic, cultural, or coastal resiliency services associated with healthy coral reefs and benefit native populations of coral reef organisms.

(16) *RESILIENCE.*—The term “resilience” means the capacity for corals within their native range, coral reefs, or coral reef ecosystems to resist and recover from natural and human disturbances, and maintain structure and function to provide coral reef ecosystem services as determined by clearly identifiable, measurable, and science-based standards.

(17) *STATE.*—The term “State” means—

(A) *any State of the United States that contains a coral reef ecosystem within its seaward boundaries;*

(B) *American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, or the United States Virgin Islands; or*

(C) *any other territory or possession of the United States or separate sovereign in free association with the United States that contains a coral reef ecosystem within its seaward boundaries.*

(18) *STEWARDSHIP.*—The term “stewardship”, with respect to a coral reef, includes conservation, restoration, and public outreach and education.

(19) *TASK FORCE.*—The term “Task Force” means the United States Coral Reef Task Force established under section 201 of the Restoring Resilient Reefs Act of 2021.

(20) *TRIBAL ORGANIZATION.*—The term “Tribal organization” has the meaning given the term “tribal organization” in section 3765 of title 38, United States Code.

**NATIONAL OCEANS AND COASTAL SECURITY ACT**

**DIVISION O—OTHER MATTERS**

\* \* \* \* \*

**TITLE IX**

**NATIONAL OCEANS AND COASTAL SECURITY**

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**SEC. 905. ELIGIBLE USES.**

(a) **IN GENERAL.**—Amounts in the Fund may be allocated by the Foundation to support programs and activities intended to better

understand and utilize ocean and coastal resources [and coastal infrastructure], *coastal infrastructure, and ecosystem services provided by natural systems such as coral reefs*, including baseline scientific research, ocean observing, and other programs and activities carried out in coordination with Federal and State departments or agencies.

(b) PROHIBITION ON USE OF FUNDS FOR LITIGATION OR OTHER PURPOSES.—No funds made available under this title may be used to—

- (1) fund litigation against the Federal Government; or
- (2) fund the creation of national marine monuments and marine protected areas, marine spatial planning, or the National Ocean Policy.

\* \* \* \* \*

SUPPLEMENTAL, MINORITY, ADDITIONAL, OR DISSENTING VIEWS

None.

