

106TH CONGRESS  
1ST SESSION

# H. R. 2903

To assist in the conservation of coral reefs.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 21, 1999

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

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## A BILL

To assist in the conservation of coral reefs.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Coral Reef Conserva-  
5       tion and Restoration Act of 1999”.

6       **SEC. 2. PURPOSES.**

7       The purposes of this Act are the following:

8               (1) To preserve, sustain, and restore the health  
9       of coral reef ecosystems.

10              (2) To assist in the conservation and protection  
11       of coral reefs by supporting conservation programs.

1           (3) To provide financial resources for those pro-  
2       grams.

3           (4) To establish a formal mechanism for col-  
4       lecting and allocating monetary donations from the  
5       private sector to be used for coral reef conservation  
6       projects.

7   **SEC. 3. DEFINITIONS.**

8       In this Act:

9           (1) CORAL.—The term “coral” means species  
10      of the phylum Cnidaria, including—

11           (A) all species of the orders Antipatharia  
12           (black corals), Scleractinia (stony corals),  
13           Gorgonacea (horny corals), Stolonifera  
14           (organpipe corals and others), and  
15           Coenothecalia (blue coral), of the class  
16           Anthozoa; and

17           (B) all species of the order Hydrocorallina  
18           (fire corals and hydrocorals), of the class  
19           Hydrozoa.

20           (2) CORAL REEF.—The term “coral reef”  
21      means any reef or shoal composed primarily of the  
22      skeletal material of species of the order Scleractinia  
23      (class Anthozoa).

24           (3) CORAL REEF ECOSYSTEM.—The term  
25      “coral reef ecosystem” means the complex of species

1 associated with coral reefs and their environment  
2 that—

3 (A) functions as an ecological unit in na-  
4 ture; and

5 (B) is necessary for that function to con-  
6 tinue.

7 (4) CORALS AND CORAL PRODUCTS.—The term  
8 “corals and coral products” means any living or  
9 dead specimens, parts, or derivatives, or any product  
10 containing specimens, parts, or derivatives, of any  
11 species referred to in paragraph (1).

12 (5) CONSERVATION.—The term “conservation”  
13 means the use of methods and procedures necessary  
14 to preserve or sustain corals and species associated  
15 with coral reefs as diverse, viable, and self-perpet-  
16 uating coral reef ecosystems, including all activities  
17 associated with resource management, such as con-  
18 servation, protection, restoration, and management  
19 of habitat; habitat monitoring; assistance in the de-  
20 velopment of management strategies for marine pro-  
21 tected areas and marine resources consistent with  
22 the National Marine Sanctuaries Act (16 U.S.C.  
23 1431 et seq.) and the Magnuson-Stevens Fishery  
24 Conservation and Management Act (16 U.S.C. 1801  
25 et seq.); law enforcement through community par-

1 participation; conflict resolution initiatives; and commu-  
2 nity outreach and education.

3 (6) SECRETARY.—The term “Secretary” means  
4 the Secretary of Commerce, acting through the Di-  
5 rector of the Office of Restoration and Response.

6 **SEC. 4. CORAL REEF CONSERVATION ASSISTANCE.**

7 (a) IN GENERAL.—The Secretary, subject to the  
8 availability of funds, shall provide grants of financial as-  
9 sistance for projects for the conservation of coral reefs for  
10 which final project proposals are approved by the Sec-  
11 retary in accordance with this section.

12 (b) PROJECT PROPOSAL.—Any relevant natural re-  
13 source management authority of a State or territory of  
14 the United States or other government jurisdiction with  
15 coral reefs whose activities directly or indirectly affect  
16 coral reefs, or any nongovernmental organization or indi-  
17 vidual with demonstrated expertise in the conservation or  
18 restoration of coral reefs, may submit to the Secretary a  
19 project proposal under this section. Each proposal shall  
20 include the following:

21 (1) The name of the individual responsible for  
22 conducting the project.

23 (2) A succinct statement of the purposes of the  
24 project.

1           (3) A description of the qualifications of the in-  
2       dividuals who will conduct the project.

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

5           (5) Evidence of support of the project by appro-  
6       priate representatives of States or territories of the  
7       United States or other government jurisdictions in  
8       which the project will be conducted, if the Secretary  
9       determines that the support is required for the suc-  
10      cess of the project.

11          (6) Information regarding the source and  
12      amount of matching funding available to the appli-  
13      cant.

14          (7) Any other information the Secretary con-  
15      siders to be necessary for evaluating the eligibility of  
16      the project for funding under this Act.

17      (c) PROJECT REVIEW AND APPROVAL.—

18          (1) IN GENERAL.—The Secretary shall review  
19      each final project proposal to determine if it meets  
20      the criteria set forth in subsection (d).

21          (2) CONSULTATION; APPROVAL OR DIS-  
22      APPROVAL.—Not later than 6 months after receiving  
23      a final project proposal, and subject to the avail-  
24      ability of funds, the Secretary shall—

1 (A) request written comments on the pro-  
2 posal from each State or territory of the United  
3 States or other government jurisdiction, includ-  
4 ing the relevant regional fishery management  
5 councils established under the Magnuson-Ste-  
6 vens Fishery Conservation and Management  
7 Act (16 U.S.C. 1801 et seq.), within which the  
8 project is to be conducted;

9 (B) provide for the merit-based peer review  
10 of the proposal and require standardized docu-  
11 mentation of that peer review;

12 (C) after reviewing any written comments  
13 and recommendations based on merit review,  
14 approve or disapprove the proposal; and

15 (D) provide written notification of that ap-  
16 proval or disapproval to the person who sub-  
17 mitted the proposal, and each of those States,  
18 territories, and other government jurisdictions.

19 (d) CRITERIA FOR APPROVAL.—The Secretary may  
20 approve a final project proposal under this section if the  
21 project will enhance programs for conservation or restora-  
22 tion of coral reefs by assisting efforts to—

23 (1) implement conservation or restoration pro-  
24 grams;

1           (2) address the conflicts arising from the use of  
2           environments near coral reefs or from the use of cor-  
3           als, species associated with coral reefs, and coral  
4           products;

5           (3) enhance compliance with laws that prohibit  
6           or regulate the taking of corals, species associated  
7           with coral reefs, and coral products or regulate the  
8           use and management of coral reef ecosystems;

9           (4) develop sound scientific information on the  
10          condition of coral reef ecosystems or the threats to  
11          such ecosystems; or

12          (5) promote cooperative projects on coral reef  
13          conservation or restoration that involve affected local  
14          communities, nongovernmental organizations, or oth-  
15          ers in the private sector.

16          (e) PROJECT SUSTAINABILITY.—In determining  
17          whether to approve project proposals under this section,  
18          the Secretary shall give priority to projects which promote  
19          sustainable development and ensure effective, long-term  
20          conservation or restoration of coral reefs.

21          (f) PROJECT REPORTING.—Each grantee under this  
22          section shall provide periodic reports, as the Secretary  
23          considers necessary, to the Secretary. Each report shall  
24          include all information required by the Secretary for evalu-  
25          ating the progress and success of the project.

1       (g) MATCHING FUNDS.—The Secretary may not ap-  
2 prove a project proposal under this section unless the Sec-  
3 retary determines that there are non-Federal matching  
4 funds available to pay at least 50 percent of the total cost  
5 of the project.

6 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

7       (a) IN GENERAL.—There are authorized to be appro-  
8 priated to the Secretary to carry out this Act \$10,000,000  
9 for each of fiscal years 2000, 2001, 2002, 2003, and 2004  
10 which may remain available until expended.

11       (b) LIMITATION ON USE FOR ADMINISTRATION AND  
12 OVERHEAD.—No more than 10 percent of the amounts  
13 appropriated under the authority provided in subsection  
14 (a) may be used to pay for program administration or for  
15 overhead costs incurred by the National Oceanic and At-  
16 mospheric Administration or the Department of Com-  
17 merce and assessed as an administrative charge.

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