

116TH CONGRESS
1ST SESSION

H. R. 5366

To require the Secretary of the Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, to provide grants supporting research on the conservation, restoration, or management of oysters in the Chesapeake Bay.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 9, 2019

Mr. BROWN of Maryland (for himself, Mr. SARBANES, and Mr. SCOTT of Virginia) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To require the Secretary of the Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, to provide grants supporting research on the conservation, restoration, or management of oysters in the Chesapeake Bay.

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 “Chesapeake Bay Oys-
5 ter Research Act”.

1 **SEC. 2. SENSE OF CONGRESS.**

2 It is the sense of Congress that the Chesapeake Bay
3 Office of the National Oceanic and Atmospheric Adminis-
4 tration shall be the primary representative of the Adminis-
5 tration in the Chesapeake Bay.

6 **SEC. 3. GRANTS FOR RESEARCHING OYSTERS IN THE**
7 **CHESAPEAKE BAY.**

8 (a) ESTABLISHMENT.—The Secretary of the Com-
9 merce, acting through the Administrator of the National
10 Oceanic and Atmospheric Administration, shall establish
11 a grant program (in this section referred to as the “Pro-
12 gram”) under which the Secretary shall award grants to
13 eligible entities for the purpose of conducting research on
14 the conservation, restoration, or management of oysters
15 in the Chesapeake Bay.

16 (b) APPLICATION.—To be eligible to receive a grant
17 under this section, an eligible entity shall submit to the
18 Secretary an application at such time, in such manner,
19 and containing such information as the Secretary may re-
20 quire.

21 (c) ALLOCATION OF GRANT FUNDS.—

22 (1) IN GENERAL.—The Secretary shall award a
23 grant under the Program to eligible entities that
24 submit an application under subsection (b).

25 (2) MATCHING REQUIREMENT.—

1 (A) IN GENERAL.—Except as provided in
2 subparagraph (B), the total amount of Federal
3 funding received under the Program by an eligi-
4 ble entity may not exceed 85 percent of the
5 total cost of the research project for which the
6 funding was awarded. For the purposes of this
7 subparagraph, the non-Federal share of project
8 costs may be provided by in-kind contributions
9 and other noncash support.

10 (B) WAIVER.—The Secretary may waive
11 all or part of the requirement in subparagraph
12 (A) if the Secretary determines that no reason-
13 able means are available through which an eligi-
14 ble entity applying for a grant under this sec-
15 tion can meet such requirement and the prob-
16 able benefit of such research project outweighs
17 the public interest in such requirement.

18 (d) DEFINITIONS.—In this Act, the following defini-
19 tions apply:

20 (1) ACADEMIC COMMUNITY.—The term “aca-
21 demic community” means faculty, researchers, pro-
22 fessors, and representatives of State-accredited col-
23 leges and universities.

24 (2) ELIGIBLE ENTITY.—The term “eligible enti-
25 ty” means a member of the academic community,

1 the seafood industry, a relevant nonprofit organiza-
2 tion, or a relevant State agency, that is proposing or
3 conducting a research project on the conservation,
4 restoration, or management of oysters in the Chesapeake Bay developed through consultation with a
5 member of the academic community, a member of
6 the seafood industry, a relevant nonprofit organiza-
7 tion, or a relevant State agency.

9 (3) NONPROFIT ORGANIZATION.—The term
10 “nonprofit organization” means an organization de-
11 scribed in section 501(c)(3) of the Internal Revenue
12 Code of 1986 and exempt from tax under section
13 501(a) of such Code.

14 (4) SEAFOOD INDUSTRY.—The term “seafood
15 industry” means shellfish growers, shellfish har-
16 vesters, commercial fishermen, and recreational fish-
17 ermen.

18 (5) SECRETARY.—The term “Secretary” means
19 the Secretary of the Commerce, acting through the
20 Administrator of the National Oceanic and Atmos-
21 pheric Administration.

22 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
23 authorized to be appropriated to the Secretary \$2,000,000

- 1 for each of the fiscal years 2020 through 2025 to carry
- 2 out this section.

