

116TH CONGRESS
2D SESSION

H. R. 8627

To express the sense of Congress that the Chesapeake Bay Office of the National Oceanic and Atmospheric Administration shall be the primary representative of the National Oceanic and Atmospheric Administration in the Chesapeake Bay, 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 estuarine ecosystems, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 20, 2020

Mr. BROWN of Maryland introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To express the sense of Congress that the Chesapeake Bay Office of the National Oceanic and Atmospheric Administration shall be the primary representative of the National Oceanic and Atmospheric Administration in the Chesapeake Bay, 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 estuarine ecosystems, and for other purposes.

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

3 **SECTION 1. SENSE OF CONGRESS.**

4 It is the sense of Congress that the Chesapeake Bay
5 Office of the National Oceanic and Atmospheric Adminis-
6 tration shall be the primary representative of the National
7 Oceanic and Atmospheric Administration in the Chesa-
8 peake Bay.

9 **SEC. 2. GRANTS FOR RECOVERING OYSTERS.**

10 (a) ESTABLISHMENT.—The Administrator shall es-
11 tablish a grant program (in this section referred to as the
12 “Program”) under which the Administrator shall award
13 grants to eligible entities for the purpose of conducting
14 research on the conservation, restoration, or management
15 of oysters in estuarine ecosystems.

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

21 (c) ALLOCATION OF GRANT FUNDS.—

22 (1) IN GENERAL.—The Administrator shall
23 award a grant under the Program to eligible entities
24 that 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 Administrator may
11 waive all or part of the requirement in subpara-
12 graph (A) if the Administrator determines that
13 no reasonable means are available through
14 which an eligible entity applying for a grant
15 under this section can meet such requirement
16 and the probable benefit of such research
17 project outweighs the public interest in such re-
18 quirement.

19 (3) EQUITABLE DISTRIBUTION.—The Adminis-
20 trator shall ensure, to the maximum extent prac-
21 ticable, that grant funding under this section is ap-
22 portioned according to the historic baseline oyster
23 population of each estuary of the United States.

24 (d) DEFINITIONS.—In this section, the following defi-
25 nitions apply:

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

5 (2) ADMINISTRATOR.—The term “Adminis-
6 trator” means the Secretary of Commerce acting
7 through the Administrator of the National Oceanic
8 and Atmospheric Administration.

9 (3) ELIGIBLE ENTITY.—The term “eligible enti-
10 ty” means a member of the academic community,
11 the seafood industry, a relevant nonprofit organiza-
12 tion, or a relevant State agency, that is proposing or
13 conducting a research project on the conservation,
14 restoration, or management of oysters in an estua-
15 rine ecosystem developed through consultation with
16 a member of the academic community, a member of
17 the seafood industry, a relevant nonprofit organiza-
18 tion, or a relevant State agency.

19 (4) HISTORIC BASELINE.—The term “historic
20 baseline” means the estimated population of oysters
21 in an estuary in 1850.

22 (5) NONPROFIT ORGANIZATION.—The term
23 “nonprofit organization” means an organization de-
24 scribed in section 501(c)(3) of the Internal Revenue

1 Code of 1986 and exempt from tax under section
2 501(a) of such Code.

3 (6) SEAFOOD INDUSTRY.—The term “seafood
4 industry” means shellfish growers, shellfish har-
5 vesters, commercial fishermen, and recreational fish-
6 ermen.

7 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
8 authorized to be appropriated to the Administrator
9 \$6,000,000 for each of the fiscal years 2021 through 2025
10 to carry out this section.

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