

118TH CONGRESS
2D SESSION

H. R. 9705

To direct the Secretary of Commerce to establish the Oyster Reef Restoration and Conservation Program.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 19, 2024

Ms. OCASIO-CORTEZ (for herself and Mrs. KIGGANS of Virginia) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To direct the Secretary of Commerce to establish the Oyster Reef Restoration and Conservation Program.

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 “Oyster Reef Recovery
5 Act”.

6 **SEC. 2. OYSTER REEF RESTORATION AND CONSERVATION**
7 **PROGRAM.**

8 (a) OYSTER REEF RESTORATION AND CONSERVA-
9 TION PROGRAM.—

1 (1) IN GENERAL.—The Administrator shall es-
2 tablish a program for the conservation of oyster
3 reefs, to be known as the “Oyster Reef Restoration
4 and Conservation Program”.

5 (2) PROGRAM DUTIES.—In carrying out the
6 Program, the Administrator shall provide technical
7 and financial assistance to covered entities to—

8 (A) identify priorities for oyster reef res-
9 toration, including existing oyster reef sites and
10 locations of historically significant oyster reefs
11 with the potential for restoration;

12 (B) evaluate the health of and threats to
13 oyster reefs, including through mapping and
14 water quality monitoring, and identify conserva-
15 tion actions to address such threats;

16 (C) conduct voluntary planning, construc-
17 tion, assessment, protection, monitoring, res-
18 toration, and enhancement projects with respect
19 to oyster reefs;

20 (D) work to ensure the health and resil-
21 ience of existing and restored oyster reefs
22 through adaptive management procedures based
23 on the best available science;

1 (E) build partnerships and capacity to
2 carry out environmental conservation and stew-
3 ardship measures with respect to oyster reefs;

4 (F) develop and implement monitoring pro-
5 tocols to ensure the success of conservation,
6 restoration, and enhancement measures with re-
7 spect to oyster reefs;

8 (G) collaborate and share information with
9 other covered entities and the public with re-
10 spect to best management practices for the con-
11 servation, restoration, and enhancement of oys-
12 ter reefs; and

13 (H) support workforce training focused on
14 coastal resilience and restoration concepts, prin-
15 ciples, techniques, and implementation, espe-
16 cially to benefit underserved communities.

17 (3) GRANT PROGRAM.—

18 (A) IN GENERAL.—The Administrator
19 shall establish a competitive grant program to
20 award amounts to persons that submit an appli-
21 cation under subparagraph (B) for the purposes
22 of conducting research, planning, construction,
23 assessments, management, building capacity,
24 monitoring, collaborating and sharing informa-
25 tion, or workforce training with respect to the

1 conservation, restoration, enhancement, or man-
2 agement of oyster reefs.

3 (B) APPLICATIONS.—To be eligible for a
4 grant under this paragraph, a person shall sub-
5 mit to the Administrator an application in such
6 form, at such time, and containing such infor-
7 mation, including a sufficient demonstration
8 that the project will not reasonably interfere
9 with commercial or recreational fishing or other
10 water-related uses of the relevant area, as the
11 Administrator determines appropriate.

12 (b) RULE OF CONSTRUCTION.—Nothing in this sec-
13 tion may be construed to preempt or limit the authority
14 of a State or an Indian Tribe to manage oyster reefs or
15 species of oysters.

16 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
17 authorized to be appropriated to the Administrator to
18 carry out this section \$15,000,000 for each of fiscal years
19 2025 through 2029.

20 (d) DEFINITIONS.—In this section:

21 (1) ADMINISTRATOR.—The term “Adminis-
22 trator” means the Secretary of Commerce, acting
23 through the Administrator of the National Oceanic
24 and Atmospheric Administration.

1 (2) COVERED ENTITY.—The term “covered en-
2 tity” means—

3 (A) a unit of the Federal or a State, local,
4 or Tribal government;

5 (B) a nongovernmental institution;

6 (C) a nonprofit organization;

7 (D) an institution of higher education;

8 (E) the shellfish industry; and

9 (F) a private individual or entity.

10 (3) NONPROFIT ORGANIZATION.—The term
11 “nonprofit organization” means an organization—

12 (A) described in section 501(c)(3) of the
13 Internal Revenue Code of 1986; and

14 (B) exempt from tax under section 501(a)
15 of such Code.

16 (4) PROGRAM.—The term “Program” means
17 the Oyster Reef Restoration and Conservation Pro-
18 gram established under subsection (a)(1).

19 (5) SHELLFISH INDUSTRY.—The term “shell-
20 fish industry” means shellfish growers and shellfish
21 harvesters.

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