

cant component of a coral reef to be impacted by such activities, if applicable.

(4) Investment of amounts

(A) Investment of amounts

The Foundation shall invest such portion of the Fund as is not required to meet current withdrawals in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

(B) Interest and proceeds

The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to and form a part of the Fund.

(5) 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—

(A) this section; and

(B) the National Coral Reef Resilience Strategy.

(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, donations of services) to further the purposes of this chapter.

(2) Deposits in Fund

Notwithstanding section 3302 of title 31, any funds received as a gift shall be deposited and maintained in the Fund.

(d) Administration

Under an agreement entered into pursuant to subsection (a), and subject to the availability of appropriations, the Administrator may transfer funds appropriated for such purposes to carry out this chapter 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 covered Native entities.

(Pub. L. 106-562, title II, § 208, as added Pub. L. 117-263, div. J, title C, § 10001(a), Dec. 23, 2022, 136 Stat. 3939.)

Editorial Notes

PRIOR PROVISIONS

A prior section 6407, Pub. L. 106-562, title II, § 208, Dec. 23, 2000, 114 Stat. 2804, required submission of reports documenting the effectiveness of the coral reef conservation grant program and describing activities undertaken to implement the national coral reef strategy, prior to repeal by Pub. L. 117-263, div. J, title C, § 10001(a), Dec. 23, 2022, 136 Stat. 3931.

§ 6408. Emergency assistance

(a) In general

Notwithstanding any other provision of law, from funds appropriated pursuant to the author-

ization of appropriations under section 6414 of this title, the Administrator may provide emergency assistance to any covered State or coral reef stewardship partnership to respond to immediate harm to coral reefs or coral reef ecosystems arising from any of the exigent circumstances described in subsection (b).

(b) Coral reef exigent circumstances

The Administrator shall develop a list of, and criteria for, circumstances that pose an exigent threat to coral reefs, 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) industrial or mechanical incidents, such as vessel groundings, hazardous spills, or coastal construction accidents; and

(6) such other circumstances as the Administrator determines appropriate.

(c) Annual report on exigent circumstances

On February 1 of each year, the Administrator shall submit to the appropriate congressional committees, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives a report that—

(1) describes locations with exigent circumstances described in subsection (b) that were considered but declined for emergency assistance, and the rationale for the decision; and

(2) with respect to each instance in which emergency assistance under this section was provided—

(A) the location and a description of the exigent circumstances that prompted the emergency assistance, the entity that received the assistance, and the current and expected outcomes from the assistance;

(B) a description of activities of the National Oceanic and Atmospheric Administration that were curtailed as a result of providing the emergency assistance; and

(C) an assessment of whether further action is needed to restore the affected coral reef, recommendations for such restoration, and a cost estimate to implement such recommendations.

(Pub. L. 106-562, title II, § 209, as added Pub. L. 117-263, div. J, title C, § 10001(a), Dec. 23, 2022, 136 Stat. 3940.)

Editorial Notes

PRIOR PROVISIONS

A prior section 6408, Pub. L. 106-562, title II, § 209, Dec. 23, 2000, 114 Stat. 2805, authorized appropriations, prior to repeal by Pub. L. 117-263, div. J, title C, § 10001(a), Dec. 23, 2022, 136 Stat. 3931.

§ 6409. Coral Reef Disaster Fund

(a) Agreements

The Administrator shall seek to 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**(1) In general**

The Foundation shall establish an account, to be known as the “Coral Reef Disaster Fund” (in this section referred to as the “Fund”).

(2) Deposits

The Foundation shall deposit funds received under this section into the Fund.

(3) Purposes

The Fund shall be available solely to support the long-term recovery of coral reefs from exigent circumstances described in section 6408(b) of this title—

(A) in partnership with non-Federal stakeholders; and

(B) in a manner that is consistent with—

(i) the National Coral Reef Resilience Strategy; and

(ii) coral reef action plans in effect, if any, under section 6404 of this title.

(4) Investment of amounts**(A) Investment of amounts**

The Foundation shall invest such portion of the Fund as is not required to meet current withdrawals in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

(B) Interest and proceeds

The interest on, and the proceeds from, the sale or redemption of, any obligations held in the Fund shall be credited to and form a part of the Fund.

(5) Review of performance

The Administrator shall conduct continuing reviews of all deposits into, and disbursements from, the Fund. Each such review shall include a written assessment concerning the extent to which the Foundation has implemented the goals and requirements of this section.

(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, donations of services) to further the purposes of this chapter.

(2) Deposits in Fund

Notwithstanding section 3302 of title 31, any funds received as a gift shall be deposited and maintained in the Fund.

(Pub. L. 106–562, title II, § 210, as added Pub. L. 117–263, div. J, title C, § 10001(a), Dec. 23, 2022, 136 Stat. 3941.)

Editorial Notes**PRIOR PROVISIONS**

A prior section 6409, Pub. L. 106–562, title II, § 210, Dec. 23, 2000, 114 Stat. 2805, provided definitions for the chapter, prior to repeal by Pub. L. 117–263, div. J, title C, § 10001(a), Dec. 23, 2022, 136 Stat. 3931.

§ 6410. Ruth D. Gates Coral Reef Conservation Grant Program**(a) In general**

Subject to the availability of appropriations, 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) Matching requirements for grants**(1) In general**

Except as provided in paragraph (3), Federal funds for any coral reef project for which a grant is provided under subsection (a) may not exceed 50 percent of the total cost of the project.

(2) Non-Federal share

The non-Federal share of the cost of a coral reef project may be provided by in-kind contributions and other noncash support.

(3) 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 an applicant can meet the matching requirement with respect to a coral reef project and the probable benefit of the project outweighs the public interest in the matching requirement.

(c) 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 covered reef manager or a covered Native entity;

(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 6404 of this title;

(D) a coral reef research center designated under section 6411(b) of this title; or

(E) a 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.

(d) 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.