

115TH CONGRESS
2D SESSION

H. R. 5996

To reauthorize and amend the Coral Reef Conservation Act of 2000, and
for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 5, 2018

Ms. BORDALLO (for herself, Mr. SOTO, Ms. WASSERMAN SCHULTZ, Mr. HASTINGS, Mr. CRIST, Ms. CASTOR of Florida, Ms. HANABUSA, Ms. GABBARD, Mrs. RADEWAGEN, Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. RUTHERFORD, Mr. SABLAN, Ms. PLASKETT, and Mr. MAST) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To reauthorize and amend the Coral Reef Conservation Act
of 2000, 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. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Coral Reef Conservation Reauthorization Act of 2018”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—AMENDMENTS TO CORAL REEF CONSERVATION ACT OF 2000

- Sec. 101. Revisions to purposes of Coral Reef Conservation Act of 2000.
- Sec. 102. Revisions to National Coral Reef Action Strategy.
- Sec. 103. Revisions to Coral Reef Conservation Grant Program.
- Sec. 104. Coral reef public-private partnership.
- Sec. 105. Revisions to emergency assistance.
- Sec. 106. Revisions to National Program.
- Sec. 107. Revisions to effectiveness reports.
- Sec. 108. Establishment of United States Coral Reef Task Force.
- Sec. 109. Agreements.
- Sec. 110. Permits.
- Sec. 111. Regulations.
- Sec. 112. Use of recovered amounts.
- Sec. 113. Revisions to authorization of appropriations.
- Sec. 114. Revisions to definitions.
- Sec. 115. Conforming and clerical amendments.

TITLE II—DEPARTMENT OF THE INTERIOR CORAL REEF AUTHORITIES

- Sec. 201. Coral reef conservation and assistance.
- Sec. 202. National coral reef action strategy.
- Sec. 203. USGS Coral Reef Ecosystem Studies Program.
- Sec. 204. Use of recovered amounts.
- Sec. 205. Authorization of appropriations.
- Sec. 206. Definitions.

TITLE III—AMENDMENTS TO NATIONAL FISHING ENHANCEMENT ACT OF 1984

- Sec. 301. Revisions to National Fishing Enhancement Act of 1984.

TITLE IV—MISCELLANEOUS PROVISIONS

- Sec. 401. Stock assessments under Magnuson-Stevens Fishery Conservation and Management Act.
- Sec. 402. Measures to combat invasive lionfish.

1 **TITLE I—AMENDMENTS TO**
 2 **CORAL REEF CONSERVATION**
 3 **ACT OF 2000**

4 **SEC. 101. REVISIONS TO PURPOSES OF CORAL REEF CON-**
 5 **SERVATION ACT OF 2000.**

6 Section 202 of the Coral Reef Conservation Act of
 7 2000 (16 U.S.C. 6401) is amended—

1 (1) in paragraph (5), by striking “and” at the
2 end;

3 (2) in paragraph (6), by striking the period at
4 the end and inserting “; and”; and

5 (3) by adding at the end the following:

6 “(7) to ensure healthy and resilient coral reefs
7 for the benefit of island and coastal communities
8 and the United States.”.

9 **SEC. 102. REVISIONS TO NATIONAL CORAL REEF ACTION**
10 **STRATEGY.**

11 (a) IN GENERAL.—Section 203 of the Coral Reef
12 Conservation Act of 2000 (16 U.S.C. 6402) is amended—

13 (1) in subsection (a)—

14 (A) by inserting “Natural” before “Re-
15 sources”;

16 (B) by striking “this national strategy”
17 and inserting “the national coral reef action
18 strategy or any review or revision to such strat-
19 egy”;

20 (C) by striking “may consult” and insert-
21 ing “shall consult”; and

22 (D) by striking “Executive Order 13089
23 (June 11, 1998)” and inserting “section 209”;
24 and

25 (2) in subsection (b)—

1 (A) in the matter preceding paragraph (1),
2 by striking “goals and objectives as well as an
3 implementation plan” and inserting “goals, ob-
4 jectives, and an implementation plan”;

5 (B) in paragraph (7), by striking “and” at
6 the end;

7 (C) by amending paragraph (8) to read as
8 follows:

9 “(8) conservation, including how the use of ma-
10 rine protected areas to serve as replenishment zones
11 will be developed consistent with local practices and
12 traditions and in cooperation with, and with respect
13 for the scientific, technical, and management exper-
14 tise and responsibilities of, State fish and wildlife
15 management agencies;”.

16 (D) by adding at the end the following:

17 “(9) the condition of coral reefs located within
18 maritime areas and zones subject to the jurisdiction
19 or control of the United States;

20 “(10) emerging threats to coral health, includ-
21 ing changes in ocean temperature and chemistry and
22 such threats identified under section 204(d)(3);

23 “(11) adaptive management approaches with
24 clearly identifiable, measurable, and science-based
25 goals; and

1 “(12) restoration efforts, including improving
2 coral reef resiliency.”.

3 (b) DEADLINE.—Not later than 3 years after the
4 date of the enactment of this Act, the Secretary shall re-
5 view and revise the national coral reef action strategy de-
6 veloped under section 203 of the Coral Reef Conservation
7 Act of 2000 (16 U.S.C. 6402).

8 **SEC. 103. REVISIONS TO CORAL REEF CONSERVATION**
9 **GRANT PROGRAM.**

10 Section 204 of the Coral Reef Conservation Act of
11 2000 (16 U.S.C. 6403) is amended—

12 (1) in the heading, by inserting “**GRANT**” be-
13 fore “**PROGRAM**”;

14 (2) in subsection (d)—

15 (A) in the heading, by striking “GEO-
16 GRAPHIC AND BIOLOGICAL” and inserting
17 “DISTRIBUTION OF GRANTS”;

18 (B) in the language preceding paragraph
19 (1), by striking “subsection (b)” and inserting
20 “subsection (a)”; and

21 (C) by amending paragraph (3) to read as
22 follows:

23 “(3) Remaining funds shall be awarded for
24 projects that address priorities or emerging threats

1 identified by the Secretary in consultation with the
2 United States Coral Reef Task Force, including—

3 “(A) bleaching;

4 “(B) mortality events;

5 “(C) disease outbreaks;

6 “(D) harmful algal blooms;

7 “(E) invasive or nuisance species out-
8 breaks;

9 “(F) land-based sources of pollution;

10 “(G) overfishing;

11 “(H) ocean acidification;

12 “(I) coral reef restoration efforts; and

13 “(J) regional or international priorities or
14 threats.

15 “(4) To the extent practicable, the Secretary
16 shall prioritize grants to a natural resource manage-
17 ment authority of a State that is represented on the
18 United States Coral Reef Task Force.”;

19 (3) in subsection (f), by adding at the end the
20 following:

21 “(3) APPLICANTS SEEKING IMMEDIATE RE-
22 LEASE OF FUNDS.—Notwithstanding any other pro-
23 vision of this subsection, if an applicant for assist-
24 ance under this section seeks an immediate release

1 of such assistance to respond to an emergency, the
2 Secretary—

3 “(A) shall by not later than 15 days after
4 the date of receipt of the application for assist-
5 ance, conduct a preliminary review of the pro-
6 posed project and determine whether it qualifies
7 for such a release; and

8 “(B) if the project so qualifies, may—

9 “(i) immediately release up to 50 per-
10 cent of the total amount of assistance for
11 which the Secretary estimates the project
12 will qualify; and

13 “(ii) release the remainder of the total
14 amount for which the project qualifies
15 after providing written notification of ap-
16 proval of the project in accordance with
17 paragraph (2)(D).”;

18 (4) in subsection (g)—

19 (A) in paragraph (1), by inserting “and re-
20 silient coral reef ecosystems” after “coral
21 reefs”; and

22 (B) by amending paragraph (4) to read as
23 follows:

24 “(4) developing sound scientific information on
25 the condition of coral reef ecosystems, threats to

1 such ecosystems or the biodiversity of such eco-
2 systems, the impacts of such threats, and potential
3 interventions to address such threats;”.

4 (C) in paragraph (5), by striking “to im-
5 plement” and inserting “the implementation
6 of”;

7 (D) in paragraph (6), by inserting “, in-
8 cluding how coral reefs function to protect is-
9 land and coastal communities” after “conserva-
10 tion”;

11 (E) by amending paragraph (7) to read as
12 follows:

13 “(7) mapping the location, distribution, and
14 biodiversity, including taxonomic classification and
15 related research, of coral reefs and coral reef eco-
16 systems;”;

17 (F) in paragraph (8), by inserting “and
18 coral reef ecosystems” after “reefs”;

19 (G) in paragraph (9), by striking “or”;

20 (H) by amending paragraph (10) to read
21 as follows:

22 “(10) preventing or minimizing the likelihood of
23 vessel impacts on coral reefs, particularly those
24 areas and any at-risk reefs identified under section

1 207(d), including by promoting ecologically sound
2 navigation and anchorages near coral reefs;” and

3 (I) by adding at the end the following:

4 “(11) responding to, or taking action to miti-
5 gate the effects of, coral bleaching, disease, harmful
6 algal blooms, ocean acidification, or other changes in
7 ocean temperature and chemistry;

8 “(12) developing and implementing innovative
9 ecological interventions to build or maintain coral
10 reef resistance and resilience to stressors;

11 “(13) developing and implementing innovative
12 invasive or nuisance species capture, collection, re-
13 moval, or trapping methods for use around coral
14 reefs;

15 “(14) developing and implementing cost-effec-
16 tive methods to restore degraded, native coral reef
17 ecosystems, with an emphasis on techniques to ad-
18 vance coral recovery, growth, or resiliency;

19 “(15) research on coral diseases, including the
20 prevention and treatment of such diseases;

21 “(16) understanding and cataloging coral ge-
22 netic diversity, including research into traits that
23 promote resilience and applying such research to
24 coral reef restoration efforts;

1 “(17) developing in situ native coral propaga-
2 tion sites for use in coral reef restoration projects;

3 “(18) developing networks of ex situ coral propa-
4 gation nurseries for conservation, including genetic
5 banking, captive breeding of rare species, and cap-
6 tive breeding of resilient coral populations for use in
7 coral reef restoration projects;

8 “(19) developing networks of improved, real-
9 time water quality monitoring along coral reefs, es-
10 pecially reefs impacted by land-based sources of pol-
11 lution including coastal runoff, sediment erosion and
12 turbidity, and harmful algal blooms;

13 “(20) implementing research and restoration
14 projects that help ensure the population viability of
15 listed coral species in United States waters as de-
16 tailed in the population-based recovery criteria in-
17 cluded in species-specific recovery plans consistent
18 with the Endangered Species Act of 1973 (1625
19 U.S.C. 1531 et seq.); or

20 “(21) supporting community-based planning
21 and management initiatives for the protection of
22 coral reef ecosystems identified by the community,
23 scientific experts, or the United States Coral Reef
24 Task Force as a high priority that—

1 “(A) support attainment of criteria de-
2 scribed in subsection (g);

3 “(B) utilize, where applicable, watershed-
4 based or ecosystem-based approaches;

5 “(C) provide for coordination with Federal
6 and State experts and managers;

7 “(D) build upon local approaches or mod-
8 els, including traditional or island-based re-
9 source management concepts; and

10 “(E) complement local action strategies or
11 regional plans for coral reef conservation ef-
12 forts, as applicable.”; and

13 (5) in subsection (j), by striking “this Act” and
14 inserting “the Coral Reef Conservation Reauthoriza-
15 tion Act of 2018”.

16 **SEC. 104. CORAL REEF PUBLIC-PRIVATE PARTNERSHIP.**

17 Section 205 of the Coral Reef Conservation Act of
18 2000 (16 U.S.C. 6404) is amended—

19 (1) in the heading, by striking “**CORAL REEF**
20 **CONSERVATION FUND**” and inserting “**CORAL**
21 **REEF PUBLIC-PRIVATE PARTNERSHIP**”;

22 (2) in subsection (a)—

23 (A) by striking “FUND” and inserting
24 “PUBLIC-PRIVATE PARTNERSHIP”;

1 (B) by striking “, hereafter referred to as
2 the Fund,”; and

3 (C) by striking “organization solely” and
4 all that follows and inserting “organization—

5 “(A) to support public-private partnerships
6 that further the purposes of this title and are
7 consistent with the national coral reef action
8 strategy under section 203;

9 “(B) to address emergency response ac-
10 tions undertaken or authorized under section
11 206; and

12 “(C) to support activities that prevent
13 damage to coral reefs, including any at-risk
14 reefs identified under section 207(d).”.

15 (3) in subsection (b)—

16 (A) by striking “Fund” and inserting
17 “separate interest bearing account”; and

18 (B) by adding at the end the following:
19 “The organization is encouraged to solicit dona-
20 tions, funding, and in-kind services from the
21 private sector, including nongovernmental orga-
22 nizations, for emergency response actions under
23 section 206 and for activities to prevent damage
24 to coral reefs, including any at-risk reefs identi-
25 fied under section 207(d).”.

1 **SEC. 105. REVISIONS TO EMERGENCY ASSISTANCE.**

2 Section 206 of the Coral Reef Conservation Act of
3 2000 (16 U.S.C. 6405) is amended to read as follows:

4 **“SEC. 206. EMERGENCY RESPONSE AND ASSISTANCE.**

5 “(a) **FEDERAL EMERGENCY ASSISTANCE.**—The Sec-
6 retary may provide assistance, including issuing emer-
7 gency grants and contracts, equipment, and technical as-
8 sistance, to support a request from any State or local gov-
9 ernment agency with jurisdiction over a coral reef, or any
10 entity contracted to act on behalf of a State or local gov-
11 ernment agency, to address an emergency pertaining to
12 the coral reef or coral reef ecosystem. The costs of such
13 assistance provided by the Secretary may be provided from
14 an appropriate account in the Damage Assessment Res-
15 toration Revolving Fund established by the Department
16 of Commerce Appropriations Act, 1991 (33 U.S.C. 2706
17 note).

18 “(b) **FEDERAL EMERGENCY ACTION.**—In coordina-
19 tion with other Federal, State, or local government agen-
20 cies as practicable, the appropriate Federal official may
21 undertake or authorize all actions necessary to—

22 “(1) prevent or minimize the imminent destruc-
23 tion, loss, or taking of, or injury to a coral reef,
24 from—

1 “(A) vessel impacts, including anchors, an-
2 chor chains, boat moorings, groundings, and
3 abandoned vessels;

4 “(B) derelict fishing gear or other marine
5 debris;

6 “(C) unforeseen or disaster-related cir-
7 cumstances pertaining to coral reef ecosystems,
8 including as a result of human activities;

9 “(D) harmful algal blooms, coral disease
10 outbreaks, or invasive or nuisance species out-
11 breaks; and

12 “(E) unexploded ordnance or similar un-
13 derwater munitions; and

14 “(2) respond rapidly to assess, stabilize, repair,
15 recover, or restore a coral reef that is destroyed or
16 injured, or that has lost an ecosystem function;

17 “(3) remove or stabilize a vessel grounded on or
18 in the vicinity of a coral reef; and

19 “(4) otherwise provide for rapid response to, as-
20 sessment of, or monitoring of an emergency per-
21 taining to a coral reef or coral reef ecosystem.

22 “(c) WRITTEN AGREEMENTS.—The Secretary may
23 enter into written agreements with any State in which a
24 coral reef is located regarding the manner in which the
25 activities authorized under this section shall be conducted

1 within the affected State’s waters. Nothing in this sub-
2 section shall be construed to limit Federal response and
3 restoration activity authority before any such agreement
4 is final.

5 “(d) COOPERATIVE ENFORCEMENT AGREEMENTS.—
6 All cooperative enforcement agreements in place between
7 the Secretary and a State affected by this title shall be
8 updated to include enforcement of this title where appro-
9 priate.

10 “(e) DAMAGE AND COST ASSESSMENT.—In carrying
11 out this section, the Secretary shall assess damages to
12 coral reefs and applicable response and restoration costs
13 in consultation with State officials regarding response and
14 damage assessment actions undertaken for coral reefs
15 within State waters. The Secretary shall make such as-
16 sessments, including any related data and information,
17 readily available to the public on a government Internet
18 website upon completion of such assessments.

19 “(f) DEFINITION OF APPROPRIATE FEDERAL OFFI-
20 CIAL.—In this section, the term ‘appropriate Federal offi-
21 cial’ means—

22 “(1) the Secretary of Commerce, acting through
23 the Administrator of the National Oceanic and At-
24 mospheric Administration, with respect to any coral
25 reef or component thereof in—

1 “(A) any unit of the National Marine
2 Sanctuary System;

3 “(B) any unit of the National Estuarine
4 Research Reserve System;

5 “(C) any marine national monument des-
6 igned by an Act of Congress or under section
7 320301 of title 54, United States Code (com-
8 monly known as the Antiquities Act of 1906)
9 under the jurisdiction of the Secretary of Com-
10 merce; or

11 “(D) any territorial waters under the ad-
12 ministrative jurisdiction of the Secretary of
13 Commerce; or

14 “(2) the Secretary of the Interior with respect
15 to any coral reef or component thereof in—

16 “(A) any unit of the National Park Sys-
17 tem;

18 “(B) any unit of the National Wildlife Ref-
19 uge System;

20 “(C) any national monument or marine na-
21 tional monument designated by an Act of Con-
22 gress or under section 320301 of title 54,
23 United States Code (commonly known as the
24 Antiquities Act of 1906) under the jurisdiction
25 of the Secretary of the Interior; or

1 “(D) any territorial waters under the ad-
2 ministrative jurisdiction of the Secretary of the
3 Interior.”.

4 **SEC. 106. REVISIONS TO NATIONAL PROGRAM.**

5 Section 207 of the Coral Reef Conservation Act of
6 2000 (16 U.S.C. 6406) is amended—

7 (1) in subsection (b)—

8 (A) by amending paragraph (2) to read as
9 follows:

10 “(2) enhancing public awareness, education, un-
11 derstanding, and appreciation of coral reefs and
12 coral reef ecosystems, including the benefits healthy
13 and resilient coral reefs provide to island and coastal
14 communities and to the United States;”;

15 (B) by amending paragraph (3) to read as
16 follows:

17 “(3) removing or otherwise addressing, and pro-
18 viding assistance to States in removing or otherwise
19 addressing, derelict fishing gear, marine debris, and
20 abandoned vessels from coral reef ecosystems to con-
21 serve living marine resources;”;

22 (C) by amending paragraph (4) to read as
23 follows:

24 “(4) cooperative conservation, research, restora-
25 tion, and management of coral reefs and coral reef

1 ecosystems with local, regional, or international pro-
2 grams and partners, including research institutions
3 located in a State;” and

4 (D) by adding at the end the following:

5 “(5) improving and promoting the resilience of
6 corals, coral reefs, and coral reef ecosystems;

7 “(6) activities designed to prevent or minimize
8 the likelihood of vessel impacts or other physical
9 damage to coral reefs, including any at-risk reefs
10 identified under section 207(d); and

11 “(7) centrally archiving, managing, and distrib-
12 uting data sets and coral reef ecosystem assessments
13 and making such information readily available on
14 public Internet websites, including, at the discretion
15 of the Administrator, on the public Internet websites
16 of local, regional, or international programs and
17 partners.”; and

18 (2) by adding at the end the following:

19 “(c) VESSEL GROUNDING INVENTORY.—The Sec-
20 retary, in coordination with other Federal agencies, may
21 establish and maintain an inventory of all vessel grounding
22 incidents involving coral reefs, including a description of—

23 “(1) the impacts to such coral reefs and related
24 natural resources;

25 “(2) vessel and ownership information;

1 “(3) an estimate of the costs for—

2 “(A) removal of the vessel; or

3 “(B) restoration of the impacted reef;

4 “(4) to the extent practicable, the actual costs,
5 including costs estimated under section 206(e), that
6 were incurred by each party that participated in
7 any—

8 “(A) removal of the vessel; or

9 “(B) restoration of the impacted reef;

10 “(5) the response action taken by the vessel
11 owner, the Secretary, the Commandant of the Coast
12 Guard, or other Federal or State agencies;

13 “(6) the status of the response action, including
14 the dates of vessel removal and coral reef restora-
15 tion, and any actions taken to prevent future
16 grounding incidents; and

17 “(7) any other pertinent information the Sec-
18 retary deems appropriate.

19 “(d) AT-RISK REEFS.—

20 “(1) INVENTORY.—The Secretary may establish
21 and maintain a nationwide inventory of at-risk reefs,
22 including proposed remediation to address threats or
23 damage to at-risk reefs identified under this sub-
24 section.

1 “(2) IDENTIFICATION.—The Secretary may use
2 data and information collected or compiled under
3 this title or any other available information source to
4 identify at-risk reefs to be included in the inventory
5 under paragraph (1).

6 “(3) REMEDIATION.—The Secretary may iden-
7 tify appropriate measures, including measures taken
8 by other agencies, to remediate at-risk reefs, includ-
9 ing—

10 “(A) recommendations to prevent, reduce
11 the likelihood, or otherwise address negative im-
12 pacts and incidents;

13 “(B) cooperative actions with other Fed-
14 eral, State, and local agencies and nongovern-
15 mental partners; and

16 “(C) a strategy and timetable to imple-
17 ment such measures and recommendations.

18 “(4) MEASURES TAKEN.—To the extent prac-
19 ticable, the Secretary may track any measures taken
20 to remediate at-risk reefs identified under paragraph
21 (2), including any measures identified and taken
22 under paragraph (3).

23 “(5) PUBLICATION.—The Secretary shall make
24 any inventory established and maintained under this
25 subsection, a description of the remediation meas-

1 ures identified under paragraph (3), and a descrip-
2 tion of any actions tracked under paragraph (4),
3 readily available to the public on a government
4 Internet website.

5 “(e) DATA STEWARDSHIP AND ACCESSIBILITY.—

6 “(1) IN GENERAL.—The Secretary, in coordina-
7 tion with similar efforts at other Departments and
8 agencies, shall provide for the long-term stewardship
9 and public accessibility of all environmental data and
10 information collected under this title.

11 “(2) ACTIVITIES.—The Secretary shall—

12 “(A) archive environmental data, research,
13 and similar information collected with the use
14 of Federal funds;

15 “(B) to the greatest extent practicable,
16 make such environmental data and information
17 readily available to the public on a government
18 Internet website;

19 “(C) develop standards, protocols, and pro-
20 cedures for sharing Federal data with non-Fed-
21 eral partner agencies and the private sector or
22 academia; and

23 “(D) develop metadata standards for coral
24 reef ecosystems in accordance with Federal Ge-
25 ographic Data Committee guidelines.”.

1 **SEC. 107. REVISIONS TO EFFECTIVENESS REPORTS.**

2 Section 208 of the of the Coral Reef Conservation
3 Act of 2000 (16 U.S.C. 6407) is amended to read as fol-
4 lows:

5 **“SEC. 208. EFFECTIVENESS REPORTS.**

6 “Not less than once every 5 years, the Secretary, in
7 cooperation with the United States Coral Reef Task
8 Force, shall submit to the Committee on Commerce,
9 Science, and Transportation of the Senate and the Com-
10 mittee on Natural Resources of the House of Representa-
11 tives a report, with respect to the 5 fiscal years preceding
12 the year in which the report is submitted, that—

13 “(1) describes the funds obligated by each Fed-
14 eral agency to implement the national coral reef ac-
15 tion strategy;

16 “(2) summarizes all actions taken by Federal
17 and non-Federal entities under the national coral
18 reef action strategy;

19 “(3) provides a State-by-State summary of Fed-
20 eral and non-Federal contributions toward the costs
21 of each project for which a grant was awarded under
22 the coral reef conservation grant program under sec-
23 tion 204;

24 “(4) provides an accounting of Federal funds
25 transferred to a nonprofit organization and non-Fed-
26 eral matching funds provided by such nonprofit or-

1 organization under the coral reef public-private part-
2 nership under section 205;

3 “(5) summarizes emergency response actions
4 undertaken or authorized under section 206;

5 “(6) summarizes the information contained in
6 any vessel grounding inventory under section 207(c)
7 and any additional authorization or funding needed
8 for response and removal of vessels listed in such in-
9 ventory;

10 “(7) provides a summary of any at-risk reefs
11 identified under section 207(d) and any remediation
12 actions recommended, underway, or taken under
13 such section;

14 “(8) assesses the conditions of coral reefs in the
15 United States, accomplishments under this title, and
16 the effectiveness of management actions to address
17 threats to coral reefs and coral reef ecosystems; and

18 “(9) any other pertinent information, as consid-
19 ered appropriate by the Secretary.”.

20 **SEC. 108. ESTABLISHMENT OF UNITED STATES CORAL**
21 **REEF TASK FORCE.**

22 (a) IN GENERAL.—The Coral Reef Conservation Act
23 of 2000 (16 U.S.C. 6401 et seq.) is amended—

24 (1) by redesignating sections 209 and 210 as
25 sections 214 and 215, respectively; and

1 (2) by inserting after section 208 the following:

2 **“SEC. 209. UNITED STATES CORAL REEF TASK FORCE.**

3 “(a) ESTABLISHMENT.—There is hereby established
4 the United States Coral Reef Task Force.

5 “(b) DUTIES.—The duties of the United States Coral
6 Reef Task Force shall be to coordinate and strengthen
7 Federal, State, international, and local actions to conserve
8 and restore coral reef ecosystems by—

9 “(1) supporting, in cooperation with non-Fed-
10 eral partners as appropriate, activities regarding the
11 mapping, monitoring, research, conservation, mitiga-
12 tion, and restoration of coral reefs and coral reef
13 ecosystems;

14 “(2) implementing the policy and Federal agen-
15 cy responsibilities set forth in Executive Order
16 13089 (63 Fed. Reg. 32701; relating to coral reef
17 protection) (as in effect on June 11, 1998), the na-
18 tional coral reef action strategy, and activities au-
19 thorized by this title;

20 “(3) analyzing the United States role in inter-
21 national trade and protection of coral species;

22 “(4) enhancing public awareness, education, un-
23 derstanding, and appreciation of coral reefs and
24 coral reef ecosystems, including the benefits healthy

1 and resilient coral reefs provide to island and coastal
2 communities and the United States;

3 “(5) supporting coral reef ecosystem research,
4 including on the ecological and economic benefits of
5 coral reefs, both extramurally and across govern-
6 ment agencies; and

7 “(6) encouraging implementation of strategies
8 and actions for the conservation and sustainable use
9 of coral reef resources worldwide.

10 “(c) LEADERSHIP.—The Secretary of Commerce,
11 represented ex officio by the Administrator of the National
12 Oceanic and Atmospheric Administration, and the Sec-
13 retary of the Interior shall lead the United States Coral
14 Reef Task Force as co-chairs.

15 “(d) VOTING MEMBERSHIP.—

16 “(1) IN GENERAL.—The voting members of the
17 United States Coral Reef Task Force shall be com-
18 prised of—

19 “(A) the co-chairs designated under sub-
20 section (c);

21 “(B) the Federal agency members specified
22 by Executive Order 13089 (63 Fed. Reg.
23 32701; relating to coral reef protection) (as in
24 effect on June 11, 1998);

1 “(C) the Secretary of the Army, rep-
2 resented ex officio by the Assistant Secretary of
3 the Army for Civil Works of the Corps of Engi-
4 neers;

5 “(D) the Secretary of Homeland Security;
6 and

7 “(E) the Governor, if such Governor elects
8 to participate in the United States Coral Reef
9 Task Force, of—

10 “(i) the State of Florida;

11 “(ii) the State of Hawaii;

12 “(iii) American Samoa;

13 “(iv) Guam;

14 “(v) the Commonwealth of the North-
15 ern Mariana Islands;

16 “(vi) Puerto Rico; and

17 “(vii) the Virgin Islands of the United
18 States.

19 “(e) NON-VOTING MEMBERSHIP.—

20 “(1) IN GENERAL.—The non-voting members of
21 the United States Coral Reef Task Force shall be
22 comprised of—

23 “(A) the President or a representative of
24 the President, if such President elects to par-

1 ticipate, of each of the Freely Associated States
2 of—

3 “(i) the Federated States of Micro-
4 nesia;

5 “(ii) the Republic of the Marshall Is-
6 lands; and

7 “(iii) the Republic of Palau.

8 “(B) Representatives of each of the rel-
9 evant fishery management councils, selected by
10 such councils, established under section 302 of
11 the Magnuson-Stevens Fishery Conservation
12 and Management Act (16 U.S.C. 1852) includ-
13 ing—

14 “(i) the Caribbean Fishery Manage-
15 ment Council;

16 “(ii) the Gulf of Mexico Fishery Man-
17 agement Council;

18 “(iii) the South Atlantic Fishery Man-
19 agement Council; and

20 “(iv) the Western Pacific Fishery
21 Management Council;

22 “(f) RESPONSIBILITIES OF FEDERAL AGENCY MEM-
23 BERS.—The Federal members of the United States Coral
24 Reef Task Force shall—

1 “(1) identify actions by their agencies that may
2 affect coral reef ecosystems;

3 “(2) utilize the authorities and programs of
4 their agencies to carry out the duties of the United
5 States Coral Reef Task Force as defined by sub-
6 section (b); and

7 “(3) implement the national coral reef action
8 strategy and any other coordinated efforts approved
9 by the United States Coral Reef Task Force.

10 “(g) WORKING GROUPS.—The co-chairs of the
11 United States Coral Reef Task Force may establish work-
12 ing groups as necessary to advance the purposes of this
13 title, including—

14 “(1) at the request of members of the United
15 States Coral Reef Task Force; and

16 “(2) working groups for which vested stake-
17 holders, including nongovernmental organizations
18 and research institutions, such as marine labora-
19 tories and coral reef institutes, are participants.

20 “(h) NONAPPLICATION OF FACCA.—The Federal Ad-
21 visory Committee Act (5 U.S.C. App.) shall not apply to
22 the United States Coral Reef Task Force or working
23 groups established by the United States Coral Reef Task
24 Force.”.

1 (b) CONFORMING AMENDMENT.—The Coral Reef
2 Conservation Act of 2000 (16 U.S.C. 6401 et seq.) is
3 amended by inserting “United States” before “Coral Reef
4 Task Force” each place it appears where “United States”
5 does not precede “Coral Reef Task Force”.

6 **SEC. 109. AGREEMENTS.**

7 (a) IN GENERAL.—The Coral Reef Conservation Act
8 of 2000 (16 U.S.C. 6401 et seq.) is further amended by
9 inserting after section 209, as added by this Act, the fol-
10 lowing:

11 **“SEC. 210. AGREEMENTS.**

12 “(a) IN GENERAL.—The Secretary may execute and
13 perform such contracts, leases, grants, cooperative agree-
14 ments, or other transactions as may be necessary to carry
15 out the purposes of this title.

16 “(b) FUNDING.—Under an agreement entered into
17 under subsection (a), the Secretary may fulfill the terms
18 of the agreement by reimbursing or providing appro-
19 priated funds to, and may receive funds or reimburse-
20 ments from—

21 “(1) Federal agencies, instrumentalities and
22 laboratories;

23 “(2) State and local governments;

24 “(3) Federally recognized Indian Tribes and In-
25 dian Tribal organizations;

1 “(4) international organizations;

2 “(5) foreign governments;

3 “(6) research institutions, including marine lab-
4 oratories and coral reef institutes;

5 “(7) nongovernmental organizations;

6 “(8) nonprofit organizations;

7 “(9) commercial organizations; and

8 “(10) other public and private persons or enti-
9 ties, as necessary for purposes identified in section
10 202 and actions taken under section 206.

11 “(c) COOPERATIVE INSTITUTE.—

12 “(1) ESTABLISHMENT.—The Secretary shall es-
13 tablish a cooperative institute or cooperative insti-
14 tutes for the purpose of advancing and sustaining
15 essential capability in coral reef research. Such insti-
16 tute or institutes shall include university-based coral
17 reef research centers, including marine laboratories
18 and coral reef institutes, located in States with coral
19 reefs.

20 “(2) FUNCTIONS.—The cooperative institute or
21 institutes established under this section shall—

22 “(A) conduct bona fide research, observa-
23 tion, and monitoring of coral reef ecosystems
24 aimed at building capacity for more effective re-

1 source management and coral reef restoration;
2 and

3 “(B) through agreements with centers re-
4 ferred to in paragraph (1)—

5 “(i) collaborate directly with govern-
6 mental resource management agencies,
7 nonprofit organizations, academic research
8 institutions, and other research organiza-
9 tions;

10 “(ii) build capacity within resource
11 management agencies to establish research
12 priorities, plan interdisciplinary research
13 projects, and make effective use of re-
14 search results; and

15 “(iii) conduct public education and
16 awareness programs for policymakers, re-
17 source managers, and the general public on
18 coral reef ecosystems, best practices for
19 coral reef and ecosystem management, con-
20 servation, and restoration, their value, and
21 threats to their sustainability.

22 “(d) MULTIYEAR COOPERATIVE AGREEMENTS.—The
23 Secretary may enter into, extend, or renegotiate multiyear
24 cooperative agreements with the heads of other Federal,
25 State, and local government agencies and other vested

1 stakeholders, including nongovernmental organizations
2 and research institutions, such as marine laboratories and
3 coral reef institutes, to further the purposes of this title
4 consistent with the national coral reef action strategy de-
5 veloped under section 203.

6 “(e) OTHER USE OF AGENCIES’ RESOURCES.—For
7 purposes related to the conservation, preservation, protec-
8 tion, restoration, or replacement of coral reefs or coral reef
9 ecosystems and the enforcement of this title, the Secretary
10 is authorized to use, with their consent and with or with-
11 out reimbursement, the land, services, equipment, per-
12 sonnel, and facilities of any Department, agency, or in-
13 strumentality of the United States, or of any State, local
14 government, or Indian tribal government, or of any polit-
15 ical subdivision thereof, or of any foreign government or
16 international organization.”.

17 **SEC. 110. PERMITS.**

18 The Coral Reef Conservation Act of 2000 (16 U.S.C.
19 6401 et seq.) is further amended by inserting after section
20 210, as added by this Act, the following:

21 **“SEC. 211. PERMITS.**

22 “(a) IN GENERAL.—The Secretary may, in accord-
23 ance with this section and regulations promulgated under
24 this title, issue a permit authorizing the conduct of bona

1 fide research or other activities compatible with one or
2 more of the purposes in section 202 of this title.

3 “(b) TERMS AND CONDITIONS.—The Secretary may
4 place any terms and conditions on a permit issued under
5 this section that the Secretary deems reasonable.

6 “(c) FEES.—

7 “(1) ASSESSMENT AND COLLECTION.—Subject
8 to regulations promulgated under this title, the Sec-
9 retary may assess and collect fees as specified in this
10 subsection.

11 “(2) AMOUNT.—Any fee assessed shall be equal
12 to the sum of—

13 “(A) all costs incurred, or expected to be
14 incurred, by the Secretary in processing the
15 permit application, including indirect costs; and

16 “(B) if the permit is approved, all costs in-
17 curred, or expected to be incurred, by the Sec-
18 retary as a direct result of the conduct of the
19 activity for which the permit is issued.

20 “(3) USE OF FEES.—Amounts collected by the
21 Secretary in the form of fees under this section may
22 be used by the Secretary for issuing and admin-
23 istering permits under this section.

1 “(4) WAIVER OR REDUCTION OF FEES.—For
2 any fee assessed under paragraph (2) of this sub-
3 section, the Secretary may—

4 “(A) accept in-kind contributions in lieu of
5 a fee; or

6 “(B) waive or reduce the fee.

7 “(d) FISHING.—Nothing in this section shall be con-
8 sidered to require a person to obtain a permit under this
9 section for the conduct of any fishing activities not prohib-
10 ited by this title or regulations promulgated thereunder.”.

11 **SEC. 111. REGULATIONS.**

12 The Coral Reef Conservation Act of 2000 (16 U.S.C.
13 6401 et seq.) is further amended by inserting after section
14 211, as added by this Act, the following:

15 **“SEC. 212. REGULATIONS.**

16 “The Secretary may issue such regulations as are
17 necessary and appropriate to carry out the purposes of
18 this title. This title and any regulations promulgated
19 thereunder shall be applied in accordance with inter-
20 national law. No restrictions shall apply to or be enforced
21 against a person who is not a citizen, national, or resident
22 alien of the United States (including foreign-flag vessels)
23 unless in accordance with international law.”.

1 **SEC. 112. USE OF RECOVERED AMOUNTS.**

2 The Coral Reef Conservation Act of 2000 (16 U.S.C.
3 6401 et seq.) is further amended by inserting after section
4 212, as added by this Act, the following:

5 **“SEC. 213. USE OF RECOVERED AMOUNTS.**

6 “Any amounts available to the Secretary of Com-
7 merce that are attributable to fines, penalties, or forfeit-
8 ures of property (including proceeds from the sale of such
9 forfeited property) imposed for violations of any marine
10 resource law enforced by such Secretary, or regulations
11 implementing such law, for damages to corals, coral reefs,
12 or coral reef ecosystems shall be used by such Secretary—

13 “(1) for the benefit of the coral reef ecosystem
14 impacted by the applicable violation, to the extent
15 practicable;

16 “(2) to carry out emergency response activities
17 authorized under section 206, including to reimburse
18 any Federal, State or local government agency for
19 response costs incurred; or

20 “(3) to carry out the purposes of this title, in-
21 cluding grants of financial assistance for coral reef
22 conservation projects.”.

23 **SEC. 113. REVISIONS TO AUTHORIZATION OF APPROPRIA-**
24 **TIONS.**

25 Section 214 of the of the Coral Reef Conservation
26 Act of 2000, as redesignated by this Act, is amended—

1 (1) by amending subsection (a) to read as fol-
2 lows:

3 “(a) IN GENERAL.—There are authorized to be ap-
4 propriated to the Secretary of Commerce to carry out this
5 title \$27,100,000 for each of fiscal years 2018 through
6 2022, which may remain available until expended.”;

7 (2) in subsection (b), by striking “\$1,000,000”
8 and inserting “\$2,000,000”;

9 (3) by amending subsection (c) to read as fol-
10 lows:

11 “(c) CORAL REEF CONSERVATION GRANT PRO-
12 GRAM.—From the amounts appropriated under subsection
13 (a) for a fiscal year, there shall be made available to the
14 Secretary of Commerce not less than \$9,000,000 for the
15 coral reef conservation grant program under section
16 204.”; and

17 (4) by amending subsection (d) to read as fol-
18 lows:

19 “(d) NATIONAL PROGRAM.—From the amounts ap-
20 propriated under subsection (a) for a fiscal year, there
21 shall be made available to the Secretary of Commerce not
22 less than \$16,000,000 for activities conducted under sec-
23 tion 207.”.

1 **SEC. 114. REVISIONS TO DEFINITIONS.**

2 Section 215 of the of the Coral Reef Conservation
3 Act of 2000, as redesignated by this Act, is amended—

4 (1) in paragraph (1), by inserting “, unless oth-
5 erwise specified” after “National Oceanic and At-
6 mospheric Administration”;

7 (2) by inserting after paragraph (1) the fol-
8 lowing:

9 “(2) **AT-RISK REEF.**—The term ‘at-risk reef’
10 means a coral reef that has a high exposure to vessel
11 impacts, marine debris, harmful algal blooms, over-
12 fishing, land-based or marine-based pollution, coast-
13 al development, and changes in ocean temperature
14 and chemistry.

15 “(3) **BONA FIDE RESEARCH.**—The term ‘bona
16 fide research’ means scientific research on corals or
17 coral reefs, the results of which are likely—

18 “(A) to be eligible for publication in a
19 peer-reviewed scientific journal;

20 “(B) to contribute to the basic knowledge
21 of coral biology or coral reef ecology;

22 “(C) to improve management of coral reefs
23 and coral reef ecosystems; or

24 “(D) to identify, evaluate, or resolve con-
25 servation issues or decisions.”;

1 (3) by redesignating the original paragraph (2)
2 as paragraph (4) and amending it to read as follows:

3 “(4) CONSERVATION.—The term ‘conservation’
4 means the use of any methods and procedures nec-
5 essary to preserve, restore, or sustain corals, coral
6 reefs, and associated marine species as resilient, di-
7 verse, viable, and self-perpetuating coral reef eco-
8 systems, including—

9 “(A) all activities associated with resource
10 management, such as assessment, research,
11 protection, restoration, sustainable use, and
12 management of habitat;

13 “(B) mapping, observation, or monitoring
14 of coral reef ecosystems;

15 “(C) scientific expertise and technical as-
16 sistance in the development and implementation
17 of management strategies for marine protected
18 areas and marine resources consistent with the
19 National Marine Sanctuaries Act (16 U.S.C.
20 1431 et seq.) and the Magnuson-Stevens Fish-
21 ery Conservation and Management Act (16
22 U.S.C. 1801 et seq.), and with respect for the
23 scientific, technical, and management expertise
24 and responsibilities of State fish and wildlife
25 management agencies;

1 “(D) law enforcement;
2 “(E) conflict resolution initiatives;
3 “(F) community outreach and education;
4 and
5 “(G) activities that promote safe and eco-
6 logically sound navigation.”;

7 (4) by redesignating the original paragraph (3)
8 as paragraph (5) and by amending subparagraph
9 (B) of such paragraph to read as follows:

10 “(B) all species of the families Milleporidae
11 (fire corals) and Stylasteridae (stylasterid
12 hydrocorals), of the class Hydrozoa.”;

13 (5) by redesignating the original paragraph (4)
14 as paragraph (6) and amending it to read as follows:

15 “(6) CORAL REEF.—The term ‘coral reef’
16 means limestone structures in the form of a reef or
17 shoal, comprised in whole or in part by living coral,
18 skeletal remains of coral, and other associated sessile
19 invertebrates and marine plants.”;

20 (6) by inserting after paragraph (6), as so re-
21 designated, the following:

22 “(7) CORAL REEF COMPONENT.—The term
23 ‘coral reef component’ means any part of a coral
24 reef, including individual living coral, skeletal re-

1 mains of coral, and other associated sessile inverte-
2 brates or marine plants.”;

3 (7) by redesignating the original paragraph (5)
4 as paragraph (8) and amending it to read as follows:

5 “(8) CORAL REEF ECOSYSTEM.—The term
6 ‘coral reef ecosystem’ means the system of coral and
7 other geographically and ecologically associated ma-
8 rine species, habitats, and environment and the
9 processes that control its dynamics.”;

10 (8) by redesignating the original paragraph (6)
11 as paragraph (9);

12 (9) by inserting after paragraph (9), as so re-
13 designated, the following:

14 “(10) DAMAGES.—The term ‘damages’ in-
15 cludes—

16 “(A) compensation for—

17 “(i)(I) the cost of replacement, res-
18 toration, remediation, or acquisition of the
19 equivalent of a coral or coral reef resource;
20 and

21 “(II) the value of the lost use or serv-
22 ices of a coral or coral reef resource pend-
23 ing the replacement, restoration, remedi-
24 ation, or acquisition of the equivalent coral
25 or coral reef resource; or

1 “(ii) the value of a coral or coral reef
2 resource if the coral or coral reef resource
3 cannot be replaced, restored, or remediated
4 or if the equivalent of such resource cannot
5 be acquired; and

6 “(B) the reasonable cost of monitoring ap-
7 propriate to the injured, replaced, restored, or
8 remediated coral or coral reef resource.

9 “(11) NATIONAL CORAL REEF ACTION STRAT-
10 EGY.—The term ‘national coral reef action strategy’
11 means the strategy developed under section 203.

12 “(12) RESILIENCE.—The term ‘resilience’
13 means the capacity for corals, coral reefs, or coral
14 reef ecosystems to resist and recover from natural
15 and human disturbance and maintain structure and
16 function to allow the continued provision of eco-
17 system goods and services, as determined by clearly
18 identifiable, measurable, and science-based stand-
19 ards.

20 “(13) RESPONSE COSTS.—The term ‘response
21 costs’ means the costs of actions that would be nec-
22 essary to—

23 “(A) minimize destruction, loss, or taking
24 of, or injury to a coral reef or component there-
25 of;

1 “(B) prevent or minimize the imminent
2 risks of such destruction, loss, or taking of, or
3 injury to;

4 “(C) assess the reasonable costs of damage
5 as determined under section 206(e); and

6 “(D) respond to or otherwise address an
7 emergency pertaining a coral reef or coral reef
8 ecosystem.

9 “(14) RESTORATION.—The term ‘restoration’
10 means the use of methods and procedures necessary
11 to enhance, rehabilitate, recreate, or create, a native,
12 functioning coral reef or coral reef ecosystem, in
13 part or in full, within suitable waters of the histor-
14 ical geographic range of such ecosystems.”;

15 (10) by redesignating the original paragraph
16 (7) as paragraph (15);

17 (11) by redesignating the original paragraph
18 (8) as paragraph (16) and in such paragraph by
19 striking “U.S.” each place it appears and inserting
20 “United States”; and

21 (12) by adding at the end the following:

22 “(17) UNITED STATES CORAL REEF TASK
23 FORCE.—The term ‘United States Coral Reef Task
24 Force’ means the task force established under sec-
25 tion 209.”.

1 **SEC. 115. CONFORMING AND CLERICAL AMENDMENTS.**

2 (a) CONFORMING AMENDMENTS.—The Coral Reef
3 Conservation Act of 2000 (16 U.S.C. 6401 et seq.) is
4 amended by striking “Administrator” each place it ap-
5 pears and inserting “Secretary” in the following sub-
6 sections—

7 (1) subsection (a) of section 203 (16 U.S.C.
8 6402);

9 (2) subsections (a), (b), (c), (d), (e), (f), (g),
10 (h), (i), and (j) of section 204 (16 U.S.C. 6403);

11 (3) subsections (a), (c), and (d) of section 205
12 (16 U.S.C. 6404); and

13 (4) subsection (a) of section 206 (16 U.S.C.
14 6405).

15 (b) CLERICAL AMENDMENT.—Section 201 of the
16 Coral Reef Conservation Act of 2000 (16 U.S.C. 6401 et
17 seq.) is amended to read as follows:

18 **“SEC. 201. SHORT TITLE; TABLE OF CONTENTS.**

19 “(a) SHORT TITLE.—This title may be cited as the
20 ‘Coral Reef Conservation Act of 2000’.

21 “(b) TABLE OF CONTENTS.—The table of contents
22 for this title is as follows:

“Sec. 201. Short Title.

“Sec. 202. Purposes.

“Sec. 203. National Coral Reef Action Strategy.

“Sec. 204. Coral Reef Conservation Grant Program.

“Sec. 205. Coral Reef Public-Private Partnership.

“Sec. 206. Emergency Response and Assistance.

“Sec. 207. National Program.

“Sec. 208. Effectiveness Reports.

“Sec. 209. United States Coral Reef Task Force.

“Sec. 210. Agreements.

“Sec. 211. Permits.

“Sec. 212. Regulations.

“Sec. 213. Use of Recovered Amounts.

“Sec. 214. Authorization of Appropriations.

“Sec. 215. Definitions.”.

1 **TITLE II—DEPARTMENT OF THE**
2 **INTERIOR CORAL REEF AU-**
3 **THORITIES**

4 **SEC. 201. CORAL REEF CONSERVATION AND ASSISTANCE.**

5 (a) IN GENERAL.—The Secretary of the Interior may
6 conduct activities to conserve coral reefs and coral reef
7 ecosystems within—

8 (1) any unit of the National Park System;

9 (2) any unit of the National Wildlife Refuge
10 System;

11 (3) any National Monument or Marine National
12 Monument designated by an Act of Congress or
13 under section 320301 of title 54, United States
14 Code (commonly known as the Antiquities Act of
15 1906) under the administrative jurisdiction of the
16 Secretary; or

17 (4) any other Federal land unit or any terri-
18 torial waters under the administration of the Sec-
19 retary.

20 (b) ASSISTANCE.—The Secretary may provide tech-
21 nical assistance, scientific expertise, and, subject to the
22 availability of appropriations, financial assistance grants

1 for the conservation of coral reefs in proximity to the Fed-
2 eral land and waters described in paragraph (a) to—

3 (1) entities eligible to receive a grant under sec-
4 tion 204 of the Coral Reef Conservation Act of 2000
5 (16 U.S.C. 6403);

6 (2) territories of the United States; and

7 (3) Federally recognized Indian Tribes.

8 (c) REQUIREMENT.—The Secretary shall ensure that
9 any action taken by the Secretary under this title is con-
10 sistent with the Coral Reef Conservation Act of 2000 (16
11 U.S.C. 6401), as amended by this Act, including the na-
12 tional coral reef action strategy developed under section
13 203 of such Act (16 U.S.C. 6402).

14 (d) OIA CORAL REEF INITIATIVE.—The Secretary
15 shall establish within the Office of Insular Affairs a Coral
16 Reef Initiative Program to—

17 (1) provide grant funding to support local man-
18 agement, conservation, and protection of coral reef
19 ecosystems in—

20 (A) insular areas; and

21 (B) freely associated states;

22 (2) complement the other conservation and as-
23 sistance activities conducted under this title; and

24 (3) provide other technical, scientific, and fi-
25 nancial assistance and conduct conservation activi-

1 ties that advance the purposes of this title, as con-
2 sidered appropriate by the Secretary.

3 **SEC. 202. NATIONAL CORAL REEF ACTION STRATEGY.**

4 Section 203(a) of the Coral Reef Conservation Act
5 of 2000 (16 U.S.C. 6402(a)), as amended by this Act, is
6 further amended by inserting “, in consultation with the
7 Secretary of the Interior,” before “shall periodically review
8 and revise”.

9 **SEC. 203. USGS CORAL REEF ECOSYSTEM STUDIES PRO-**
10 **GRAM.**

11 The Secretary shall establish within the United
12 States Geological Survey a program to be known at the
13 Coral Reef Ecosystem Studies Program to—

14 (1) research, monitor, and map coral reef eco-
15 systems to understand coral reef processes and as-
16 sess coral reef health, including the effects of
17 changes in ocean temperature and chemistry, ocean
18 acidification, land-based sources of pollution includ-
19 ing coastal runoff, sediment erosion and turbidity,
20 and harmful algal blooms;

21 (2) develop science and tools to assess and help
22 address the consequences of changing coral reef
23 structure on tourism, recreation, community vulner-
24 ability and resilience to storms, erosion, and inunda-

1 tion, and to inform the management of coral reefs
2 and coral reef ecosystems;

3 (3) complement the other conservation and as-
4 sistance activities conducted under this title;

5 (4) provide technical assistance, subject to the
6 availability of appropriations, for research on coral
7 reefs and coral reef ecosystems to—

8 (A) entities eligible to receive a grant
9 under section 204 of the Coral Reef Conserva-
10 tion Act of 2000 (16 U.S.C. 6403); and

11 (B) territories of the United States; and

12 (5) carry out other scientific and conservation
13 activities that advance the purposes of this title, as
14 considered appropriate by the Secretary.

15 **SEC. 204. USE OF RECOVERED AMOUNTS.**

16 All amounts available to the Secretary of the Interior
17 that are attributable to fines, penalties, and forfeitures of
18 property (or proceeds from the sale of such forfeited prop-
19 erty) imposed for violations of any natural resource law
20 enforced by the Secretary of the Interior, including the
21 Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.)
22 and the Lacey Act Amendments of 1981 (16 U.S.C. 3371
23 et seq.), and regulations implementing such law, for dam-
24 ages to corals, coral reefs, or coral reef ecosystems, shall
25 be used by the Secretary of the Interior—

1 (1) for the benefit of the coral reef ecosystem
2 impacted by the applicable violation, to the extent
3 practicable;

4 (2) to carry out emergency response activities
5 authorized under section 206 of the Coral Reef Con-
6 servation Act of 2000 (16 U.S.C. 6405), including
7 to reimburse any Federal, State or local government
8 agency for response costs incurred; or

9 (3) to carry out the purposes of this title, in-
10 cluding grants of financial assistance for coral reef
11 conservation projects.

12 **SEC. 205. AUTHORIZATION OF APPROPRIATIONS.**

13 (a) **IN GENERAL.**—There is authorized to be appro-
14 priated to the Secretary of the Interior to carry out this
15 title \$11,200,000 for each of fiscal years 2018 through
16 2022, which may remain available until expended.

17 (b) **OIA CORAL REEF INITIATIVE PROGRAM.**—From
18 the amounts appropriated under subsection (a) for a fiscal
19 year, there shall be made available to the Secretary of the
20 Interior, acting through the Assistant Secretary of the In-
21 terior for Insular Areas, not less than \$2,200,000 for the
22 grant program under section 201(d).

23 (c) **USGS CORAL REEF ECOSYSTEM STUDIES PRO-**
24 **GRAM.**—From the amounts appropriated under subsection
25 (a) for a fiscal year, there shall be made available to the

1 Secretary of the Interior, acting through the Director of
2 the United States Geological Survey, not less than
3 \$4,000,000 for the Coral Reef Ecosystem Studies Pro-
4 gram under section 203.

5 **SEC. 206. DEFINITIONS.**

6 In this title:

7 (1) CONSERVATION.—The term “conservation”
8 has the same meaning given such term under section
9 215 of the Coral Reef Conservation Act of 2000, as
10 redesignated by this Act.

11 (2) CORAL REEF.—The term “coral reef” has
12 the same meaning given such term under section
13 215 of the Coral Reef Conservation Act of 2000, as
14 redesignated by this Act.

15 (3) CORAL REEF ECOSYSTEM.—The term
16 “coral reef ecosystem” has the same meaning given
17 such term under section 215 of the Coral Reef Con-
18 servation Act of 2000 (16 U.S.C. 6409), as redesignig-
19 nated by this Act.

20 (4) FREELY ASSOCIATED STATE.—The term
21 “Freely Associated State” means each of the Repub-
22 lic of the Marshall Islands, the Federated States of
23 Micronesia, or the Republic of Palau in an applica-
24 ble Compact of Free Association with the United
25 States.

1 (5) INSULAR AREA.—The term “Insular Area”
2 means each of American Samoa, Guam, the Com-
3 monwealth of the Northern Mariana Islands, and
4 the Virgin Islands of the United States.

5 (6) RESILIENCE.—The term “resilience” has
6 the same meaning given such term under section
7 215 of the Coral Reef Conservation Act of 2000, as
8 redesignated by this Act.

9 **TITLE III—AMENDMENTS TO NA-**
10 **TIONAL FISHING ENHANCE-**
11 **MENT ACT OF 1984**

12 **SEC. 301. REVISIONS TO NATIONAL FISHING ENHANCE-**
13 **MENT ACT OF 1984.**

14 The National Fishing Enhancement Act of 1984 (33
15 U.S.C. 2101 et seq.) is amended—

16 (1) in section 203 (33 U.S.C. 2102)—

17 (A) by amending the heading to read as
18 follows: “**STANDARDS FOR ARTIFICIAL**
19 **REEFS**”;

20 (B) by striking “Based on the best sci-
21 entific information available,” and inserting the
22 following:

23 “(a) IN GENERAL.—Based on the best scientific in-
24 formation available,”;

1 (C) by redesignating paragraphs 2 through
2 5 as paragraphs 3 through 6, respectively, and
3 inserting after paragraph (1) the following:

4 “(2) not have significant adverse effects on es-
5 sential fish habitat and fishery resources (as those
6 terms are defined in section 3 of the Magnuson-Ste-
7 vens Fishery Conservation and Management Act (16
8 U.S.C. 1802));”;

9 (D) in paragraph (5), as so redesignated,
10 by striking “and” at the end;

11 (E) in paragraph (6), by striking the pe-
12 riod at the end and inserting a semicolon; and

13 (F) by adding at the end the following:

14 “(7) be consistent with the national coral reef
15 action strategy developed under section 203 of the
16 Coral Reef Conservation Act of 2000 (16 U.S.C.
17 6402);

18 “(8) not have significant adverse effects on nat-
19 ural coral reefs, including coral reefs that have un-
20 dergone restoration and in situ coral nurseries; and

21 “(9) enhance recreational diving opportunities,
22 to the extent practicable.

23 “(b) DECOMMISSION AND PREPARATION FOR USE.—
24 Before a man-made structure may be used for an artificial
25 reef under this title, the Assistant Secretary of the Army

1 for Civil Works of the Corps of Engineers, the Secretary
2 of Commerce, or the Secretary of the Interior, as applica-
3 ble, shall ensure that such structure is properly decommis-
4 sioned and prepared for use as an artificial reef in accord-
5 ance with—

6 “(1) applicable environmental laws;

7 “(2) the requirements of this title, including the
8 national guidelines developed under subsection (c)
9 and the national artificial reef plan developed under
10 section 204;

11 “(3) the national coral reef action strategy de-
12 veloped under section 203 of the Coral Reef Con-
13 servation Act of 2000 (16 U.S.C. 6402); and

14 “(4) such additional terms and conditions as
15 the Secretaries, as applicable, consider appropriate.

16 “(c) NATIONAL GUIDELINES.—The Secretary of
17 Commerce, in consultation with the United States Coral
18 Reef Task Force, shall develop national guidelines for
19 man-made structures suitable as artificial reef habitat for
20 coral and other associated marine species, which shall—

21 “(1) provide for durable, environmentally re-
22 sponsible artificial reefs;

23 “(2) be consistent with the standards outlined
24 in paragraph (a) and be in accordance with sub-
25 section (b);

1 “(3) be consistent with the best management
2 practices developed jointly by the Administrator of
3 the Environmental Protection Agency and the Mari-
4 time Administrator under section 3516 of the Na-
5 tional Defense Authorization Act for Fiscal Year
6 2004 (Public Law 108–136); and

7 “(4) satisfy other criteria, as determined by the
8 Secretary.

9 “(d) PUBLIC NOTICE AND COMMENT.—The guide-
10 lines developed under subsection (c) shall be—

11 “(1) published in the Federal Register;

12 “(2) developed after opportunity for public com-
13 ment of not less than 90 days;

14 “(3) finalized within 90 days after the end of
15 such public comment period; and

16 “(4) and, after finalized, made readily available
17 to the public on a government Internet website.

18 “(e) UPDATES TO NATIONAL GUIDELINES.—The
19 Secretary, in consultation with the United States Coral
20 Reef Task Force, shall review and revise the national
21 guidelines under subsection (c), as appropriate, following
22 public notice and comment.

23 “(f) INCORPORATION INTO NATIONAL ARTIFICIAL
24 REEF PLAN.—The periodic review and revision required
25 under subsection (e) may be satisfied by incorporating

1 such review and revision into the national artificial reef
2 plan developed under section 204 and updates to such
3 plan.”;

4 (2) in section 204 (33 U.S.C. 2103)—

5 (A) by striking “Not later than” and in-
6 serting the following:

7 “(a) IN GENERAL.—Not later than”;

8 (B) by striking “Managment” and insert-
9 ing “Management”; and

10 (C) by adding at the end the following:

11 “(b) PERIODIC REVIEW AND REVISION.—The Sec-
12 retary, in consultation with the United States Coral Reef
13 Task Force established under section 209 of the Coral
14 Reef Conservation Act of 2000 and the other Federal and
15 non-Federal parties listed in subsection (a), shall periodi-
16 cally review and revise the plan as necessary.

17 “(c) PUBLIC NOTICE AND COMMENT.—The Sec-
18 retary shall provide for appropriate public notice and op-
19 portunity for public comment on any revised plan and
20 make any finalized plan readily available to the public on
21 a government Internet website.

22 “(d) INCORPORATION INTO NATIONAL CORAL REEF
23 ACTION STRATEGY.—The periodic review and revision re-
24 quired under this subsection may be satisfied by incor-
25 porating such review and revision into the national coral

1 reef action strategy developed under section 203 of the
2 Coral Reef Conservation Act of 2000 (16 U.S.C. 6402)
3 and updates of such strategy.”;

4 (3) by redesignating sections 206, 207, and 208
5 (33 U.S.C. 2105, 33 U.S.C. 2206, and 33 U.S.C.
6 2107) as sections 207, 208, and 209, respectively;
7 and

8 (4) by inserting after section 205 the following:

9 **“SEC. 206. TRANSFER OF MAN-MADE STRUCTURES.**

10 “(a) IN GENERAL.—The Secretary of Commerce and
11 the Secretary of the Interior may each accept transfers,
12 by gift or otherwise, of any vessels, aircraft, offshore rigs,
13 or similar man-made structures suitable for use as an arti-
14 ficial reef and habitat for coral and other associated ma-
15 rine species.

16 “(b) AGREEMENT.—An agreement for the transfer of
17 an artificial reef structure under this section shall require
18 that the Secretary of Commerce or the Secretary of the
19 Interior, as applicable, use, site, construct, monitor, and
20 manage the transferred structure only as an artificial reef
21 in accordance with—

22 “(1) this title;

23 “(2) the national coral reef action strategy de-
24 veloped under section 203 of the Coral Reef Con-
25 servation Act of 2000 (16 U.S.C. 6402);

1 “(3) any applicable environmental laws; and

2 “(4) such additional terms and conditions as
3 the Secretary of Commerce or the Secretary of the
4 Interior, as applicable, considers appropriate.

5 “(c) NO FEDERAL COST.—The Secretary of Com-
6 merce or the Secretary of the Interior, respectively, shall
7 ensure that no Federal costs are incurred for the decom-
8 missioning, preparation for use, or transfer of an artificial
9 reef structure under this section.”; and

10 (5) in section 207 (33 U.S.C. 2105), as so re-
11 designated—

12 (A) by amending paragraph (1) to read as
13 follows:

14 “(1) The term ‘artificial reef’ means a structure
15 which is constructed or placed in waters covered
16 under this title for the purpose of enhancing fishery
17 resources, commercial and recreational fishing op-
18 portunities, or recreational diving opportunities.”;

19 (B) by amending paragraph (2) to read as
20 follows:

21 “(2) The term ‘State’ means each State of the
22 United States, American Samoa, Guam, the North-
23 ern Mariana Islands, Puerto Rico, the Virgin Islands
24 of the United States, and any other territory or pos-
25 session of the United States.”; and

1 (C) by adding after paragraph (3) the fol-
2 lowing:

3 “(4) The terms ‘coral’ and ‘coral reef’ have the
4 meanings given such terms in section 215 of the
5 Coral Reef Conservation Act of 2000 (16 U.S.C.
6 6409).”.

7 **TITLE IV—MISCELLANEOUS** 8 **PROVISIONS**

9 **SEC. 401. STOCK ASSESSMENTS UNDER MAGNUSON-STE-** 10 **VENS FISHERY CONSERVATION AND MAN-** 11 **AGEMENT ACT.**

12 (a) IN GENERAL.—Title IV of the Magnuson-Stevens
13 Fishery Conservation and Management Act (16 U.S.C.
14 1881 et seq.) is amended by adding at the end the fol-
15 lowing:

16 **“SEC. 409. STOCK ASSESSMENTS FOR FISHERIES ASSOCI-** 17 **ATED WITH CORAL REEFS.**

18 “In preparing stock assessments under this Act, the
19 Secretary shall, to the extent practicable, place emphasis
20 on such assessments for economically important fisheries
21 associated with coral reefs.”.

22 (b) CLERICAL AMENDMENT.—The table of contents
23 in the first section of the Magnuson-Stevens Fishery Con-
24 servation and Management Act (16 U.S.C. 1881 et seq.)

1 is amended by adding at the end of the items relating to
2 title IV the following:

“Sec. 408. Deep sea coral research and technology program.

“Sec. 409. Stock assessments for fisheries associated with coral reefs.”.

3 **SEC. 402. MEASURES TO COMBAT INVASIVE LIONFISH.**

4 (a) ADDITION OF SPECIES OF LIONFISH TO THE
5 LIST OF INJURIOUS SPECIES THAT ARE PROHIBITED
6 FROM BEING IMPORTED OR SHIPPED.—Section 42(a)(1)
7 of title 18, United States Code, is amended by inserting
8 after “*Dreissena polymorpha*,” the following: “of the red
9 lionfish of the species *Pterois volitans*; of the devil lionfish
10 of the species *Pterois miles*; of the Hawaiian turkeyfish
11 of the species *Pterois sphex*; of the soldier lionfish of the
12 species *Pterois russelii*; of the clearfin lionfish of the spe-
13 cies *Pterois radiata*; of the species *Pterois paucispinula*;
14 of the frillfin turkeyfish of the species *Pterois mombasae*;
15 of the luna lionfish of the species *Pterois lunalata*; of the
16 mandritsa of the species *Pterois brevipectoralis*; of the
17 spotfin lionfish of the species *Pterois antennata*; of the
18 scorpionfish of the species *Pterois andover*.”.

19 (b) EXEMPTION FROM PERMITTING FOR MOVEMENT
20 IN COMMERCE.—For purposes of section 14.21 of title 50,
21 Code of Federal Regulations, deceased lionfish and
22 lionfish products shall not be treated as wildlife requiring
23 a permit pursuant to part 17 or 23 of such title.

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