

105TH CONGRESS
1ST SESSION

H. R. 2233

To assist in the conservation of coral reefs.

IN THE HOUSE OF REPRESENTATIVES

JULY 23, 1997

Mr. SAXTON (for himself and Mr. ABERCROMBIE) introduced the following bill; which was referred to the Committee on Resources

A BILL

To assist in the conservation of coral reefs.

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 “Coral Reef Conserva-
5 tion Act of 1997”.

6 **SEC. 2. PURPOSES.**

7 The purposes of this Act are the following:

8 (1) To preserve, sustain, and restore the health
9 of coral reef ecosystems.

10 (2) To assist in the conservation and protection
11 of coral reefs by supporting conservation programs.

1 (3) To provide financial resources for those pro-
2 grams.

3 (4) To establish a formal mechanism for collect-
4 ing and allocating monetary donations from the pri-
5 vate sector to be used for coral reef conservation
6 projects.

7 **SEC. 3. DEFINITIONS.**

8 In this Act:

9 (1) CORAL.—The term “coral” means species
10 of the phylum Cnidaria, including—

11 (A) all species of the orders Antipatharia
12 (black corals), Scleractinia (stony corals),
13 Gorgonacea (horny corals), Stolonifera
14 (organpipe corals and others), and
15 Coenothecalia (blue coral), of the class
16 Anthozoa; and

17 (B) all species of the order Hydrocorallina
18 (fire corals and hydrocorals), of the class
19 Hydrozoa.

20 (2) CORAL REEF.—The term “coral reef”
21 means any reef or shoal composed primarily of the
22 skeletal material of species of the order Scleractinia
23 (class Anthozoa).

24 (3) CORAL REEF ECOSYSTEM.—The term
25 “coral reef ecosystem” means the complex of species

1 associated with coral reefs and their environment
2 that—

3 (A) functions as an ecological unit in na-
4 ture; and

5 (B) is necessary for that function to con-
6 tinue.

7 (4) CORALS AND CORAL PRODUCTS.—The term
8 “corals and coral products” means any living or
9 dead specimens, parts, or derivatives, or any product
10 containing specimens, parts, or derivatives, of any
11 species referred to in paragraph (1).

12 (5) CONSERVATION.—The term “conservation”
13 means the use of methods and procedures necessary
14 to preserve or sustain corals and species associated
15 with coral reefs as diverse, viable, and self-perpet-
16 uating coral reef ecosystems, including all activities
17 associated with resource management, such as con-
18 servation, protection, restoration, and management
19 of habitat; habitat monitoring; assistance in the de-
20 velopment of management plans for marine pro-
21 tected areas and fishery resources; law enforcement
22 through community participation; conflict resolution
23 initiatives; and community outreach and education.

1 (6) FUND.—The term “Fund” means the Coral
2 Reef Conservation Fund established under section
3 5(a).

4 (7) SECRETARY.—The term “Secretary” means
5 the Secretary of Commerce.

6 **SEC. 4. CORAL REEF CONSERVATION ASSISTANCE.**

7 (a) IN GENERAL.—The Secretary, subject to the
8 availability of funds, shall use amounts in the Fund to
9 provide grants of financial assistance for projects for the
10 conservation of coral reefs for which final project propos-
11 als are approved by the Secretary in accordance with this
12 section.

13 (b) PROJECT PROPOSAL.—Any relevant natural re-
14 source management authority of a State or territory of
15 the United States or other government jurisdiction with
16 coral reefs whose activities directly or indirectly affect
17 coral reefs, or any nongovernmental organization or indi-
18 vidual with demonstrated expertise in the conservation of
19 coral reefs, may submit to the Secretary a project proposal
20 under this section. Each proposal shall include the follow-
21 ing:

22 (1) The name of the individual responsible for
23 conducting the project.

24 (2) A succinct statement of the purposes of the
25 project.

1 (3) A description of the qualifications of the in-
2 dividuals who will conduct the project.

3 (4) An estimate of the funds and time required
4 to complete the project.

5 (5) Evidence of support of the project by appro-
6 priate representatives of States or territories of the
7 United States or other government jurisdictions in
8 which the project will be conducted, if the Secretary
9 determines that the support is required for the suc-
10 cess of the project.

11 (6) Information regarding the source and
12 amount of matching funding available to the appli-
13 cant.

14 (7) Any other information the Secretary consid-
15 ers to be necessary for evaluating the eligibility of
16 the project for funding under this Act.

17 (c) PROJECT REVIEW AND APPROVAL.—

18 (1) IN GENERAL.—The Secretary shall review
19 each final project proposal to determine if it meets
20 the criteria set forth in subsection (d).

21 (2) CONSULTATION; APPROVAL OR DIS-
22 APPROVAL.—Not later than 6 months after receiving
23 a final project proposal, and subject to the availabil-
24 ity of funds, the Secretary shall—

1 (A) request written comments on the pro-
2 posal from each State or territory of the United
3 States or other government jurisdiction within
4 which the project is to be conducted;

5 (B) provide for the merit-based peer review
6 of the proposal and require standardized docu-
7 mentation of that peer review;

8 (C) after reviewing any written comments
9 and recommendations based on merit review,
10 approve or disapprove the proposal; and

11 (D) provide written notification of that ap-
12 proval or disapproval to the person who submit-
13 ted the proposal, and each of those States, ter-
14 ritories, and other government jurisdictions.

15 (d) CRITERIA FOR APPROVAL.—The Secretary may
16 approve a final project proposal under this section if the
17 project will enhance programs for conservation of coral
18 reefs by assisting efforts to—

19 (1) implement conservation programs;

20 (2) address the conflicts arising from the use of
21 environments near coral reefs or from the use of cor-
22 als, species associated with coral reefs, and coral
23 products;

24 (3) enhance compliance with laws that prohibit
25 or regulate the taking of corals, species associated

1 with coral reefs, and coral products or regulate the
2 use and management of coral reef ecosystems;

3 (4) develop sound scientific information on the
4 condition of coral reef ecosystems or the threats to
5 such ecosystems; or

6 (5) promote cooperative projects on coral reef
7 conservation that involve foreign governments, af-
8 fected local communities, nongovernmental organiza-
9 tions, or others in the private sector.

10 (e) PROJECT SUSTAINABILITY.—In determining
11 whether to approve project proposals under this section,
12 the Secretary shall give priority to projects which promote
13 sustainable development and ensure effective, long-term
14 conservation of coral reefs.

15 (f) PROJECT REPORTING.—Each grantee under this
16 section shall provide periodic reports, as the Secretary
17 considers necessary, to the Secretary. Each report shall
18 include all information required by the Secretary for evalu-
19 ating the progress and success of the project.

20 (g) MATCHING FUNDS.—In determining whether to
21 approve project proposals under this section, the Secretary
22 shall give priority to projects for which there exist match-
23 ing funds in the amount of at least 50 percent of the total
24 cost of each project.

1 **SEC. 5. CORAL REEF CONSERVATION FUND.**

2 (a) ESTABLISHMENT.—There is established in the
3 general fund of the Treasury a separate account, to be
4 known as the “Coral Reef Conservation Fund”, which
5 shall consist of amounts deposited into the Fund by the
6 Secretary of the Treasury under subsection (b).

7 (b) DEPOSITS INTO THE FUND.—The Secretary of
8 the Treasury shall deposit into the Fund—

9 (1) all amounts received by the Secretary in the
10 form of monetary donations under subsection (d);
11 and

12 (2) other amounts appropriated to the Fund.

13 (c) USE.—

14 (1) IN GENERAL.—Subject to paragraph (2),
15 the Secretary may use amounts in the Fund without
16 further appropriation to provide assistance under
17 section 4.

18 (2) ADMINISTRATION.—Of amounts in the
19 Fund available for each fiscal year, the Secretary
20 may use not more than 3 percent to administer the
21 Fund.

22 (d) ACCEPTANCE AND USE OF MONETARY DONA-
23 TIONS.—The Secretary may accept and use monetary do-
24 nations to provide assistance under section 4. Amounts re-
25 ceived by the Secretary in the form of donations shall be

1 transferred to the Secretary of the Treasury for deposit
2 into the Fund.

3 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

4 There are authorized to be appropriated to the Fund
5 \$1,000,000 for each of fiscal years 1998, 1999, 2000,
6 2001, and 2002 to carry out this Act, which may remain
7 available until expended.

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