



## **H.R. 1205 – Coral Reef Conservation Amendments Act of 2007**

### **FLOOR SITUATION**

H.R. 1205 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Del. Eni Faleomavaega (D-AS) on February 27, 2007. The House Committee on Natural Resources approved the bill, as amended, by voice vote on June 28, 2007.

H.R. 1205 is expected to be considered on the floor on October 22, 2007.

### **BACKGROUND**

Congress passed and the President signed the Coral Reef Conservation Act (P.L. 106-562) in December 2000. The bill authorized funds for the Coral Reef Conservation Program, which is administered by the National Oceanic and Atmospheric Administration. The program functions to preserve, sustain, and restore coral reef ecosystems. The U.S. currently has jurisdiction over 17,000 square kilometers of coral reef ecosystems, most of which are found off in the western Pacific and off the coasts of Florida and Puerto Rico.

NOAA and the Interior Department serve as co-chairs of the U.S. Coral Reef Task Force, which was established by President Clinton in 1998 to lead, coordinate, and strengthen U.S. government coral reef preservation activities.

### **SUMMARY**

Emergency Response Actions: The bill expands current law to allow the NOAA Administrator to authorize action to minimize damage to coral reefs caused by vessels, derelict fishing gear, and unforeseen or disaster-related circumstances. This authority includes vessel removal and emergency restabilization of vessels and coral reefs.

The bill directs the NOAA to partner with other appropriate federal agencies in its emergency response efforts. The bill includes authority for the other federal agencies to utilize their operations funds to assist the NOAA as well as authority for the NOAA to reimburse agencies for assistance.

*Note: Under current law, the Administrator can make grants to State, local, and territorial governments to address unforeseen or disaster-related circumstances related to coral reefs or their ecosystems.*

Liability for Damages to Coral Reefs: The bill gives the Secretaries of Interior and Commerce the authority to recover costs for coral reef damages in U.S. waters.

National Program: H.R. 1205 increases the scope of the Coral Reef Conservation program to develop scientific information on the condition of coral reef ecosystems and the threat posed to them by climate change as well as to encourage federal action to ensure the continued availability of healthy coral reefs.

Authorized Activities to Conserve Coral Reefs and Coral Reef Ecosystems: The bill adds cooperative research and actions designed to minimize reef damage from vessels to the list of activities authorized for funding under the program. It also specifies that academic institutions play a role in coral reef conservation and research.

Reporting Requirements: The NOAA must submit a report to Congress every 3 years describing the funds used and activities undertaken to implement the coral reef conservation program as well as assess the condition of U.S. coral reefs.

Community-Based Planning Grants: The bill authorizes \$8 million for FY2008 through FY2012 for a grant program to support community-level development of models and strategies for coral reef conservation. Grants made under this section are exempted from the standard matching requirements of the coral reef conservation program (50 percent). Instead federal funds may not exceed 75 percent of the total cost of the project.

Vessel Grounding Inventory: H.R. 1205 allows the NOAA to maintain an inventory of all vessel grounding incidents involving coral reefs, including among other items 1) the impact to the reef; 2) vessel and ownership information; and 3) the estimated cost of removal, mitigation, and restoration.

U.S. Coral Reef Task Force: The bill codifies the task force created by President Clinton to lead, coordinate, and strengthen federal actions to better preserve and protect coral reef ecosystems.

Department of the Interior Program: The bill adds authorization for the Secretary of the Interior to participate in coral reef conservation activities by adding express authority and by expanding the definition of "wildlife" in two other fish and wildlife statutes to include "coral reef ecosystems". It also provides new authorization for the Department of the Interior (\$5 million per year) and allows the Secretary of the Interior to provide grants and other assistance.

Authorization of Appropriations: The bill authorizes the following amounts to the Secretary of Commerce (\$30 million in FY2008, \$32 million in FY2009, \$34 million in FY2010, and \$35 million in FY2011 and in FY2012) and to the Secretary of the Interior (\$5 million for each fiscal year 2008 through 2012) to carry out the activities of the coral reef conservation program.

*Note: The previous authorization provided \$16 million for each fiscal year 2001 through 2004.*

Funding for Marine Facilities, Coral Reef Research, and Coral Reef Institutes: The bill authorizes \$1 million for a coral reef research facility at American Samoa Community College

and \$1 million for coral reef research and protection at the University of Guam. It also authorizes NOAA to support coral reef conservation at universities, local academic institutions, or research centers.

**ADDITIONAL INFORMATION**

[NOAA: Coral Reef Conservation Program](#)

**COST**

The Congressional Budget Office estimates that the bill would cost \$25 million in FY2008 and \$181 million from 2008 through 2012 (assuming appropriation of the authorized amounts).

[CBO Estimate: H.R. 1205](#)

**STAFF CONTACT**

For questions or further information contact Shea Loper at (202) 226-2302.