

eligibility of the project for funding under this chapter.

(f) Project review and approval

(1) In general

The Administrator shall review each coral conservation project proposal to determine if it meets the criteria set forth in subsection (g) of this section.

(2) Review; approval or disapproval

Not later than 6 months after receiving a project proposal under this section, the Administrator shall—

(A) request and consider written comments on the proposal from each Federal agency, State government, or other government jurisdiction, including the relevant regional fishery management councils established under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), or any National Marine Sanctuary, with jurisdiction or management authority over coral reef ecosystems in the area where the project is to be conducted, including the extent to which the project is consistent with locally-established priorities;

(B) provide for the merit-based peer review of the proposal and require standardized documentation of that peer review;

(C) after considering any written comments and recommendations based on the reviews under subparagraphs (A) and (B), approve or disapprove the proposal; and

(D) provide written notification of that approval or disapproval to the person who submitted the proposal, and each of those States and other government jurisdictions that provided comments under subparagraph (A).

(g) Criteria for approval

The Administrator may not approve a project proposal under this section unless the project is consistent with the coral reef action strategy under section 6402 of this title and will enhance the conservation of coral reefs by—

(1) implementing coral conservation programs which promote sustainable development and ensure effective, long-term conservation of coral reefs;

(2) addressing the conflicts arising from the use of environments near coral reefs or from the use of corals, species associated with coral reefs, and coral products;

(3) enhancing compliance with laws that prohibit or regulate the taking of coral products or species associated with coral reefs or regulate the use and management of coral reef ecosystems;

(4) developing sound scientific information on the condition of coral reef ecosystems or the threats to such ecosystems, including factors that cause coral disease;

(5) promoting and assisting to implement cooperative coral reef conservation projects that involve affected local communities, non-governmental organizations, or others in the private sector;

(6) increasing public knowledge and awareness of coral reef ecosystems and issues regarding their long term conservation;

(7) mapping the location and distribution of coral reefs;

(8) developing and implementing techniques to monitor and assess the status and condition of coral reefs;

(9) developing and implementing cost-effective methods to restore degraded coral reef ecosystems; or

(10) promoting ecologically sound navigation and anchorages near coral reefs.

(h) Project reporting

Each grantee under this section shall provide periodic reports as required by the Administrator. Each report shall include all information required by the Administrator for evaluating the progress and success of the project.

(i) Coral Reef Task Force

The Administrator may consult with the Coral Reef Task Force to obtain guidance in establishing coral conservation project priorities under this section.

(j) Implementation guidelines

Within 180 days after December 23, 2000, the Administrator shall promulgate necessary guidelines for implementing this section. In developing those guidelines, the Administrator shall consult with State, regional, and local entities involved in setting priorities for conservation of coral reefs and provide for appropriate public notice and opportunity for comment.

(Pub. L. 106-562, title II, §204, Dec. 23, 2000, 114 Stat. 2801.)

REFERENCES IN TEXT

The Magnuson-Stevens Fishery Conservation and Management Act, referred to in subsec. (f)(2)(A), is Pub. L. 94-265, Apr. 13, 1976, 90 Stat. 331, as amended, which is classified principally to chapter 38 (§1801 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1801 of this title and Tables.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 6407, 6408 of this title.

§ 6404. Coral reef conservation Fund

(a) Fund

The Administrator may enter into an agreement with a nonprofit organization that promotes coral reef conservation authorizing such organization to receive, hold, and administer funds received pursuant to this section. The organization shall invest, reinvest, and otherwise administer the funds and maintain such funds and any interest or revenues earned in a separate interest bearing account, hereafter referred to as the Fund, established by such organization solely to support partnerships between the public and private sectors that further the purposes of this chapter and are consistent with the national coral reef action strategy under section 6402 of this title.

(b) Authorization to solicit donations

Pursuant to an agreement entered into under subsection (a) of this section, an organization may accept, receive, solicit, hold, administer, and use any gift to further the purposes of this

chapter. Any moneys received as a gift shall be deposited and maintained in the Fund established by the organization under subsection (a) of this section.

(c) Review of performance

The Administrator shall conduct a continuing review of the grant program administered by an organization under this section. Each review shall include a written assessment concerning the extent to which that organization has implemented the goals and requirements of this section and the national coral reef action strategy under section 6402 of this title.

(d) Administration

Under an agreement entered into pursuant to subsection (a) of this section, the Administrator may transfer funds appropriated to carry out this chapter to an organization. Amounts received by an organization under this subsection may be used for matching, in whole or in part, contributions (whether in money, services, or property) made to the organization by private persons and State and local government agencies.

(Pub. L. 106-562, title II, §205, Dec. 23, 2000, 114 Stat. 2803.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (a), was in the original “this Act” which was translated as reading “this title”, meaning title II of Pub. L. 106-562, to reflect the probable intent of Congress.

§ 6405. Emergency assistance

The Administrator may make grants to any State, local, or territorial government agency with jurisdiction over coral reefs for emergencies to address unforeseen or disaster-related circumstance¹ pertaining to coral reefs or coral reef ecosystems.

(Pub. L. 106-562, title II, §206, Dec. 23, 2000, 114 Stat. 2804.)

§ 6406. National program

(a) In general

Subject to the availability of appropriations, the Secretary may conduct activities to conserve coral reefs and coral reef ecosystems, that are consistent with this chapter, the National Marine Sanctuaries Act [16 U.S.C. 1431 et seq.], the Coastal Zone Management Act of 1972 [16 U.S.C. 1451 et seq.], the Magnuson-Stevens Fishery Conservation and Management Act [16 U.S.C. 1801 et seq.], the Endangered Species Act of 1973 [16 U.S.C. 1531 et seq.], and the Marine Mammal Protection Act of 1972 [16 U.S.C. 1361 et seq.].

(b) Authorized activities

Activities authorized under subsection (a) of this section include—

- (1) mapping, monitoring, assessment, restoration, and scientific research that benefit the understanding, sustainable use, and long-term conservation of coral reefs and coral reef ecosystems;

- (2) enhancing public awareness, education, understanding, and appreciation of coral reefs and coral reef ecosystems;

- (3) providing assistance to States in removing abandoned fishing gear, marine debris, and abandoned vessels from coral reefs to conserve living marine resources; and

- (4) cooperative conservation and management of coral reefs and coral reef ecosystems with local, regional, or international programs and partners.

(Pub. L. 106-562, title II, §207, Dec. 23, 2000, 114 Stat. 2804.)

REFERENCES IN TEXT

The National Marine Sanctuaries Act, referred to in subsec. (a), is title III of Pub. L. 92-532, Oct. 23, 1972, 86 Stat. 1061, as amended, which is classified generally to chapter 32 (§1431 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1431 of this title and Tables.

The Coastal Zone Management Act of 1972, referred to in subsec. (a), is title III of Pub. L. 89-454, as added by Pub. L. 92-583, Oct. 27, 1972, 86 Stat. 1280, as amended, which is classified generally to chapter 33 (§1451 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1451 of this title and Tables.

The Magnuson-Stevens Fishery Conservation and Management Act, referred to in subsec. (a), is Pub. L. 94-265, Apr. 13, 1976, 90 Stat. 331, as amended, which is classified principally to chapter 38 (§1801 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1801 of this title and Tables.

The Endangered Species Act of 1973, referred to in subsec. (a), is Pub. L. 93-205, Dec. 28, 1973, 87 Stat. 884, as amended, which is classified principally to chapter 35 (§1531 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1531 of this title and Tables.

The Marine Mammal Protection Act of 1972, referred to in subsec. (a), is Pub. L. 92-522, Oct. 21, 1972, 86 Stat. 1027, as amended, which is classified generally to chapter 31 (§1361 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1361 of this title and Tables.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 6408 of this title.

§ 6407. Effectiveness reports

(a) Grant program

Not later than 3 years after December 23, 2000, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Resources of the House of Representatives a report that documents the effectiveness of the grant program under section 6403 of this title in meeting the purposes of this chapter. The report shall include a State-by-State summary of Federal and non-Federal contributions toward the costs of each project.

(b) National program

Not later than 2 years after the date on which the Administrator publishes the national coral reef strategy under section 6402 of this title and every 2 years thereafter, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Resources of the House of Representatives a report describing all activi-

¹ So in original.