

Code, see Short Title note set out under section 1801 of this title and Tables.

#### § 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).

##### (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), 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.)

#### Editorial Notes

##### 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 circumstance<sup>1</sup> pertaining to coral reefs or coral reef ecosystems.

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

<sup>1</sup> So in original.

#### § 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) 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.)

#### Editorial Notes

##### 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.

**§ 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 activities undertaken to implement that strategy, under section 6402 of this title, including a description of the funds obligated each fiscal year to advance coral reef conservation.

(Pub. L. 106-562, title II, §208, Dec. 23, 2000, 114 Stat. 2804.)

**Statutory Notes and Related Subsidiaries****CHANGE OF NAME**

Committee on Resources of House of Representatives changed to Committee on Natural Resources of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

**§ 6408. Authorization of appropriations****(a) In general**

There are authorized to be appropriated to the Secretary to carry out this chapter \$16,000,000 for each of fiscal years 2001, 2002, 2003, and 2004, which may remain available until expended.

**(b) Administration**

Of the amounts appropriated under subsection (a), not more than the lesser of \$1,000,000 or 10 percent of the amounts appropriated, may be used for program administration or for overhead costs incurred by the National Oceanic and Atmospheric Administration or the Department of Commerce and assessed as an administrative charge.

**(c) Coral reef conservation program**

From the amounts appropriated under subsection (a), there shall be made available to the Secretary \$8,000,000 for each of fiscal years 2001, 2002, 2003, and 2004 for coral reef conservation activities under section 6403 of this title.

**(d) National coral reef activities**

From the amounts appropriated under subsection (a), there shall be made available to the Secretary \$8,000,000 for each of fiscal years 2001, 2002, 2003, and 2004 for activities under section 6406 of this title.

(Pub. L. 106-562, title II, §209, Dec. 23, 2000, 114 Stat. 2805.)

**§ 6409. Definitions**

In this chapter:

**(1) Administrator**

The term “Administrator” means the Administrator of the National Oceanic and Atmospheric Administration.

**(2) Conservation**

The term “conservation” means the use of methods and procedures necessary to preserve or sustain corals and associated species as diverse, viable, and self-perpetuating coral reef ecosystems, including all activities associated with resource management, such as assessment, conservation, protection, restoration, sustainable use, and management of habitat; mapping; habitat monitoring; assistance in the development of management strategies for marine protected areas and marine resources consistent with the National Marine Sanctuaries Act (16 U.S.C. 1431 et seq.) and the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.); law enforcement; conflict resolution initiatives; community outreach and education; and that promote safe and ecologically sound navigation.

**(3) Coral**

The term “coral” means species of the phylum Cnidaria, including—

(A) all species of the orders Antipatharia (black corals), Scleractinia (stony corals), Gorgonacea (horny corals), Stolonifera (organpipe corals and others), Alcyonacea (soft corals), and Coenothecalia (blue coral), of the class Anthozoa; and

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

**(4) Coral reef**

The term “coral reef” means any reefs or shoals composed primarily of corals.

**(5) Coral reef ecosystem**

The term “coral reef ecosystem” means coral and other species of reef organisms (including reef plants) associated with coral reefs, and the nonliving environmental factors that directly affect coral reefs, that together function as an ecological unit in nature.

**(6) Coral products**

The term “coral products” means any living or dead specimens, parts, or derivatives, or any product containing specimens, parts, or derivatives, of any species referred to in paragraph (3).

**(7) Secretary**

The term “Secretary” means the Secretary of Commerce.

**(8) State**

The term “State” means any State of the United States that contains a coral reef ecosystem within its seaward boundaries, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the Virgin Islands, and any other territory or possession of the United States, or separate sovereign in free associa-