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(Original Signature of Member)

118TH CONGRESS
2D SESSION

H. R. _____

To amend the National Oceans and Coastal Security Act to make improvements to that Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. BEYER introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the National Oceans and Coastal Security Act to make improvements to that Act, 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.**

4 This Act may be cited as the “National Oceans and
5 Coastal Security Improvements Act of 2024”.

6 **SEC. 2. IMPROVEMENTS TO NATIONAL OCEANS AND COAST-**
7 **AL SECURITY ACT.**

8 (a) REFERENCES.—Except as otherwise specifically
9 provided, whenever in this section an amendment or repeal

1 is expressed in terms of an amendment to or a repeal of
2 a provision, the reference shall be considered to be made
3 to a provision of the National Oceans and Coastal Security
4 Act (16 U.S.C. 7501 et seq.).

5 (b) DEFINITIONS.—Section 902 (16 U.S.C. 7501) is
6 amended to read as follows:

7 **“SEC. 902. DEFINITIONS.**

8 “In this title:

9 “(1) ADMINISTRATOR.—Except as otherwise
10 specifically provided, the term ‘Administrator’ means
11 the Under Secretary of Commerce for Oceans and
12 Atmosphere and Administrator of the National Oce-
13 anic and Atmospheric Administration.

14 “(2) BLUE CARBON BENEFITS.—The term ‘blue
15 carbon benefits’ means the carbon sequestered and
16 stored by coastal and marine ecosystems, including
17 salt marshes, mangroves, and seagrasses.

18 “(3) COASTAL COUNTY.—The term ‘coastal
19 county’ has the meaning given the term by the Na-
20 tional Oceanic and Atmospheric Administration in
21 the document entitled ‘NOAA’s List of Coastal
22 Counties for the Bureau of the Census’ (or similar
23 successor document).

24 “(4) COASTAL INDIAN TRIBE.—The term
25 ‘coastal Indian Tribe’ means an Indian Tribe with

1 respect to which the following is located, in whole or
2 in part, within a coastal State:

3 “(A) Land held by the Indian Tribe—

4 “(i) in fee; or

5 “(ii) subject to restriction against
6 alienation under the laws of the United
7 States.

8 “(B) Land held in trust by the United
9 States for the benefit of the Indian Tribe.

10 “(C) A reservation, pueblo, or rancharia or
11 the Indian Tribe.

12 “(5) COASTAL STATE.—The term ‘coastal
13 State’ has the meaning given the term ‘State’ in sec-
14 tion 103 of the Estuary Restoration Act (33 U.S.C.
15 2902).

16 “(6) FOUNDATION.—The term ‘Foundation’
17 means the National Fish and Wildlife Foundation
18 established by section 2(a) of the National Fish and
19 Wildlife Foundation Establishment Act (16 U.S.C.
20 3701(a)).

21 “(7) FUND.—The term ‘Fund’ means the Na-
22 tional Oceans and Coastal Security Fund established
23 under section 904(a).

24 “(8) INDIAN TRIBE.—The term ‘Indian Tribe’
25 has the meaning given the term in section 4 of the

1 Indian Self-Determination and Education Assistance
2 Act (25 U.S.C. 5304).

3 “(9) NATIVE HAWAIIAN ORGANIZATION.—The
4 term ‘Native Hawaiian organization’ has the mean-
5 ing given the term in section 3 of the NATIVE Act
6 (25 U.S.C. 4352).

7 “(10) TIDAL SHORELINE.—The term ‘tidal
8 shoreline’ means a ‘tidal shoreline’ or a ‘Great Lake
9 shoreline’ as such terms are used in section
10 923.110(e)(2)(i) of title 15, Code of Federal Regula-
11 tions, or a similar successor regulation.”.

12 (c) EXPENDITURES.—Section 904(d) (16 U.S.C.
13 7503(d)) is amended to read as follows:

14 “(d) EXPENDITURES.—Of the amounts deposited in,
15 or appropriated or otherwise made available to, the Fund
16 for each fiscal year—

17 “(1) not more than a total of 5 percent may be
18 used by the Administrator and the Foundation for
19 administrative expenses to carry out this title, which
20 such amount shall be divided between the Adminis-
21 trator and the Foundation pursuant to a docu-
22 mented agreement between the Administrator and
23 the Foundation; and

24 “(2) if the total of such amounts is—

1 “(A) \$50,000,000 or less, any remaining
2 amounts may only be used by the Foundation
3 to award grants under section 906(c); or

4 “(B) \$50,000,000 or more—

5 “(i) at least \$50,000,000 shall be
6 used by the Foundation to award grants
7 under section 906(c); and

8 “(ii) of any remaining amounts—

9 “(I) 80 percent of such amounts
10 may be used by the Administrator to
11 award grants under section 906(b);
12 and

13 “(II) 20 percent of such amounts
14 may be used by the Foundation to
15 award grants under section 906(c).”.

16 (d) ELIGIBLE USES.—Section 905 (16 U.S.C. 7504)
17 is amended to read as follows:

18 **“SEC. 905. ELIGIBLE USES.**

19 “(a) IN GENERAL.—Amounts in the Fund may be
20 used by the Administrator and the Foundation to award
21 grants under subsection (b) or (c) of section 906, respec-
22 tively, to support programs and activities intended to pro-
23 tect, conserve, restore, and better understand and use
24 ocean and coastal resources and coastal infrastructure.

1 “(b) PROGRAMS AND ACTIVITIES.—The programs
2 and activities described in subsection (a) including the fol-
3 lowing:

4 “(1) Ocean, coastal, and Great Lakes restora-
5 tion and protection, including efforts to address po-
6 tential impacts of sea level change, sedimentation,
7 erosion, changes in ocean chemistry, hurricanes and
8 other extreme weather, flooding, tsunamis, and
9 changes in ocean temperature on natural resources,
10 communities, and coastal economies.

11 “(2) Restoration, protection, or maintenance of
12 living ocean, coastal, and Great Lakes resources and
13 their habitats, including habitats and ecosystems
14 that provide blue carbon benefits.

15 “(3) Monitoring, spatial planning, data-sharing,
16 and other efforts that contribute to the under-
17 standing of ecological, economic, and societal threats
18 driven by changes to the oceans, coasts, and Great
19 Lakes.

20 “(4) Projects to assist water-dependent com-
21 mercial activities including commercial fishing, rec-
22 reational fishing businesses, aquaculture, boat build-
23 ing, or other marine-based recreational businesses
24 and tourism, minimize or avoid coastal hazards and

1 adapt to changes to the oceans, coasts, and Great
2 Lakes.

3 “(5) Planning, design, and implementation of
4 climate-resilient natural and nature-based infra-
5 structure projects, including projects to deploy nat-
6 ural or nature-based features to enhance the resil-
7 iency of public infrastructure.

8 “(6) Projects to protect, modify, reposition, or
9 relocate critical coastal transportation, emergency
10 response, drinking water, electrical, and other public
11 infrastructure that are subject to or face increased
12 future risks from coastal hazards.

13 “(7) Planning for and managing coastal devel-
14 opment to enhance ecosystem and community resil-
15 ience and to minimize or avoid the impacts from
16 coastal hazards, including sea level change, hurri-
17 canes and other extreme weather, flooding, and
18 coastal erosion.

19 “(8) Projects to address management, planning,
20 or resiliency and readiness issues that are regional
21 or interstate in scope, including regional ocean part-
22 nerships or similar entities.

23 “(9) Development and regular updates of com-
24 prehensive resilience, adaptation, and mitigation
25 plans, including updating 5-year plans under sub-

1 section (b)(3)(C), which involve robust engagement
2 with community stakeholders.

3 “(10) Community-led strategic relocation ef-
4 forts.

5 “(11) Acquisition of property or an interest in
6 property if—

7 “(A) the property is located within a coast-
8 al county;

9 “(B) such property or interest in property
10 is acquired through purchase, exchange, or do-
11 nation from a willing party;

12 “(C) the head of an agency designated as
13 a lead agency by the coastal State, coastal In-
14 dian Tribe, or Native Hawaiian organization in
15 which the property or interest in property is ac-
16 quired approves of the acquisition; and

17 “(D) such property or interest in property
18 is acquired in a manner that ensures such prop-
19 erty or interest in property will be administered
20 to support the purposes of this title.

21 “(e) PROHIBITION ON USE OF FUNDS FOR LITIGA-
22 TION AND LOBBYING.—No funds made available under
23 this title may be used to fund—

24 “(1) any activity related to litigation; or

1 “(2) any activity the purpose of which is to in-
2 fluence legislation pending before Congress.”.

3 (e) GRANTS.—

4 (1) ADMINISTRATION.—Section 906(a)(1) (16
5 U.S.C. 7505(a)(1)) is amended—

6 (A) by amending subparagraph (B) to read
7 as follows:

8 “(B) Selection procedures and criteria for
9 the awarding of grants under this section that
10 require consultation with the Administrator and
11 the Secretary of the Interior.”;

12 (B) in subparagraph (C)—

13 (i) in clause (i), by inserting “, coastal
14 Indian Tribes, and Native Hawaiian orga-
15 nizations” after “coastal States”; and

16 (ii) by amending clause (ii) to read as
17 follows:

18 “(ii) under subsection (c), as appro-
19 priate, to entities including States, local
20 governments, Indian Tribes, regional and
21 interstate collaboratives, associations, non-
22 profit and for-profit private entities, pub-
23 lic-private partnerships, academic institu-
24 tions, Indigenous communities, and Native
25 Hawaiian organizations.”;

1 (C) in subparagraph (F), by striking “year
2 if grants have been awarded in that year” and
3 inserting “5 years”; and

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

5 “(I) Procedures and accounting method-
6 ology to quantify blue carbon benefits for the
7 purposes of the annual report required under
8 section 907.”.

9 (2) COASTAL GRANTS.—Section 906(b) (16
10 U.S.C. 7505(b)) is amended to read as follows:

11 “(b) COASTAL GRANTS.—

12 “(1) IN GENERAL.—The Administrator, in con-
13 sultation with the Foundation, shall award grants to
14 each eligible coastal State, coastal Indian Tribe, and
15 Native Hawaiian organization from the amount
16 made available under section 904(d) in accordance
17 with the following:

18 “(A) 35 percent of such amount shall be
19 allocated equally among coastal States.

20 “(B) 30 percent of such amount shall be
21 allocated to coastal States on the basis of the
22 ratio of the tidal shoreline miles of a coastal
23 State to the tidal shoreline miles of all coastal
24 States.

1 “(C) 20 percent of such amount shall be
2 allocated to coastal States on the basis of the
3 ratio of the population of the coastal counties of
4 a coastal State to the total population of the
5 coastal counties of all coastal States, based on
6 the most recent data available from the United
7 States Census Bureau.

8 “(D) 15 percent of such amount shall be
9 allocated equally among coastal Indian Tribes
10 and Native Hawaiian organizations.

11 “(2) MAXIMUM ALLOCATION TO COASTAL
12 STATES.—

13 “(A) IN GENERAL.—Notwithstanding sub-
14 paragraphs (A) through (C) of paragraph (1),
15 not more than 5 percent of the total amount
16 awarded under this subsection may be allocated
17 to any one coastal State.

18 “(B) REDISTRIBUTION.—The Adminis-
19 trator shall develop guidelines regarding the re-
20 distribution of any amount greater than the
21 maximum allocation described in subparagraph
22 (A).

23 “(3) APPLICATION.—

24 “(A) IN GENERAL.—To be eligible for a
25 grant under this subsection, a coastal State,

1 coastal Indian Tribe, or Native Hawaiian orga-
2 nization shall submit to the Administrator an
3 application in such form, at such time, and con-
4 taining such information as the Administrator
5 determines appropriate.

6 “(B) ELIGIBILITY.—To be eligible for a
7 grant under this subsection, a coastal State,
8 coastal Indian Tribe, or Native Hawaiian orga-
9 nization shall have 1 of the following:

10 “(i) A Coastal Zone Management Pro-
11 gram approved under section 306 of the
12 Coastal Zone Management Act of 1972 (16
13 U.S.C. 1455).

14 “(ii) A 5-year plan approved under
15 paragraph (4).

16 “(C) UPDATES.—As a condition of being
17 awarded a grant under this subsection, a coast-
18 al State, coastal Indian Tribe, or Native Hawai-
19 ian organization that is eligible for a grant
20 under this subsection pursuant to subparagraph
21 (B)(ii) shall submit to the Administrator not
22 less frequently than once every 5 years an up-
23 date to the 5-year plan submitted by such
24 coastal State, coastal Indian Tribe, or Native
25 Hawaiian organization for the 5-year period im-

1 mediately following the most recent submission
2 under this paragraph.

3 “(D) CONTINUED ELIGIBILITY.—If the
4 Administrator, in consultation with the Founda-
5 tion, approves the application of a coastal
6 State, coastal Indian Tribe, or Native Hawaiian
7 organization submitted under this paragraph,
8 such coastal State, coastal Indian Tribe, or Na-
9 tive Hawaiian organization shall remain eligible
10 for a grant under this subsection if such coastal
11 State, coastal Indian Tribe, or Native Hawaiian
12 organization complies with subparagraphs (B)
13 and (C).

14 “(4) 5-YEAR PLAN.—A coastal State, coastal
15 Indian Tribe, or Native Hawaiian organization may
16 submit to the Administrator for approval under this
17 paragraph a 5-year plan, which shall include the fol-
18 lowing:

19 “(A) A description of stakeholder involve-
20 ment and public engagement with the develop-
21 ment of such 5-year plan.

22 “(B) A description of the process the
23 coastal State, coastal Indian Tribe, or Native
24 Hawaiian organization will use to allocate
25 amounts awarded to the coastal State, coastal

1 Indian Tribe, or Native Hawaiian organization
2 under paragraph (1), which shall include an af-
3 firmation that such process is consistent with
4 the application and review procedures estab-
5 lished by the Administrator and Foundation
6 under subsection (a)(1).

7 “(C) Criteria to determine which entities
8 are eligible to participate in the process of the
9 coastal State, coastal Indian Tribe, or Native
10 Hawaiian organization described in subpara-
11 graph (B).

12 “(D) A process to certify that each project
13 or program funded under this subsection with
14 respect to the coastal State, coastal Indian
15 Tribe, or Native Hawaiian organization and
16 each contract awarded pursuant to each such
17 project or program is consistent with the stand-
18 ard procurement rules and regulations gov-
19 erning a comparable project or program of the
20 coastal State, coastal Indian Tribe, or Native
21 Hawaiian organization, including all applicable
22 competitive bidding and audit requirements.

23 “(E) Procedures to make publicly available
24 on the internet a list of each project or program
25 funded under this subsection with respect to the

1 coastal State, coastal Indian Tribe, or Native
2 Hawaiian organization, including, at a min-
3 imum, the recipient, amount, project descrip-
4 tion, and project status.

5 “(5) DEADLINE.—

6 “(A) IN GENERAL.—Not later than 60
7 days after the date on which the Administrator
8 receives an application for a grant under this
9 subsection, the Administrator, in consultation
10 with the Foundation, shall approve or deny
11 such application.

12 “(B) DENIAL.—If the Administrator de-
13 nies an application for a grant under this sub-
14 section, the Administrator, in consultation with
15 the Foundation, shall provide to the relevant
16 coastal State, coastal Indian Tribe, or Native
17 Hawaiian organization feedback regarding such
18 denial.

19 “(6) NONPARTICIPATION.—In any fiscal year, if
20 an eligible coastal State, coastal Indian Tribe, or
21 Native Hawaiian organization declines a grant
22 award under this subsection, the amount that would
23 have been allocated to the coastal State, coastal In-
24 dian Tribe, or Native Hawaiian organization shall be
25 reallocated to award grants under subsection (c).”.

1 (3) NATIONAL GRANTS FOR OCEANS, COASTS,
2 AND GREAT LAKES.—Section 906(c) (16 U.S.C.
3 7505(c)) is amended—

4 (A) in paragraph (1), by striking “The Ad-
5 ministrator and the Foundation” and inserting
6 “‘The Foundation, in consultation with the Ad-
7 ministrator,’”; and

8 (B) in paragraph (2)—

9 (i) in subparagraph (B)—

10 (I) in clause (ii), by striking
11 “and” at the end;

12 (II) by redesignating clause (iii)
13 as clause (v); and

14 (III) by inserting after clause (ii)
15 the following:

16 “(iii) nonprofit organizations;

17 “(iv) Indian Tribes, Indigenous com-
18 munities, and Native Hawaiian organiza-
19 tions; and”;

20 (ii) by adding at the end the fol-
21 lowing:

22 “(C) CAP ON FUNDING.—The amount of a
23 grant awarded under this subsection shall not
24 count toward the cap on funding to coastal
25 States, coastal Indian Tribes, or Native Hawai-

1 ian organizations through grants awarded
2 under subsection (b).”.

3 (f) ANNUAL REPORT.—Section 907 (16 U.S.C. 7506)
4 is amended—

5 (1) in subsection (a), by striking “Subject to
6 subsection (c), beginning” and inserting “Begin-
7 ning”; and

8 (2) in subsection (b)—

9 (A) in paragraph (2), by striking “and” at
10 the end;

11 (B) in paragraph (3), by striking the pe-
12 riod at the end and inserting “; and”; and

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

14 “(4) an estimate of blue carbon benefits.”.

15 (g) FUNDING.—Section 908 (16 U.S.C. 7507) is
16 amended by striking “such sums as are necessary for fis-
17 cal years 2017, 2018, and 2019 for this title” and insert-
18 ing “\$200,000,000 to carry out this title for each of fiscal
19 years 2025 through 2029”.