

118TH CONGRESS
1ST SESSION

H. R. 676

To amend the Federal Ocean Acidification Research And Monitoring Act of 2009 to require the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, to collaborate with State and local governments and Indian Tribes on vulnerability assessments related to ocean acidification, research planning, and similar activities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 31, 2023

Ms. PINGREE (for herself, Mr. WALTZ, Mr. GOLDEN of Maine, Mrs. GONZÁLEZ-COLÓN, Mr. CARSON, Ms. BONAMICI, Ms. TOKUDA, Mr. HUFFMAN, Mr. KILMER, and Ms. SCANLON) introduced the following bill; which was referred to the Committee on Science, Space, and Technology

A BILL

To amend the Federal Ocean Acidification Research And Monitoring Act of 2009 to require the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, to collaborate with State and local governments and Indian Tribes on vulnerability assessments related to ocean acidification, research planning, and similar activities, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Coastal Communities
3 Ocean Acidification Act of 2023”.

4 **SEC. 2. DEFINITIONS.**

5 Section 12403 of the Federal Ocean Acidification Re-
6 search And Monitoring Act of 2009 (33 U.S.C. 3702) is
7 amended—

8 (1) by striking paragraph (4);

9 (2) by redesignating paragraphs (2) and (3) as
10 paragraphs (3) and (4), respectively;

11 (3) by inserting before paragraph (3), as so re-
12 designated, the following:

13 “(2) INDIAN TRIBE.—The term ‘Indian Tribe’
14 has the meaning given the term in section 4 of the
15 Indian Self-Determination and Education Assistance
16 Act (25 U.S.C. 5304).”;

17 (4) in paragraph (3), as redesignated by para-
18 graph (2), by inserting “an increase of” before “car-
19 bon dioxide”; and

20 (5) by adding at the end the following:

21 “(6) SUBCOMMITTEE.—The term ‘Sub-
22 committee’ means the National Science and Tech-
23 nology Council Subcommittee on Ocean Science and
24 Technology.

25 “(7) UNITED STATES.—The term ‘United
26 States’ means the States, collectively.”.

1 **SEC. 3. IMPROVEMENT OF COLLABORATION ON OCEAN**
2 **ACIDIFICATION.**

3 (a) ONGOING INPUT MECHANISM.—Section
4 12404(c)(2) of the Federal Ocean Acidification Research
5 And Monitoring Act of 2009 (33 U.S.C. 3703(c)(2)) is
6 amended—

7 (1) in subparagraph (B), by striking “; and”
8 and inserting a semicolon;

9 (2) in subparagraph (C), by striking the period
10 at the end and inserting “; and”; and

11 (3) by adding at the end the following:

12 “(D) maintain or establish an ongoing
13 mechanism (such as a liaison or other contact
14 of the National Oceanic and Atmospheric Ad-
15 ministration, standing meetings, or an online
16 platform) to engage affected industry members,
17 coastal stakeholders, community acidification
18 networks, fishery management councils and
19 commissions, indigenous knowledge groups,
20 non-Federal resource managers, and scientific
21 experts not employed by the Federal Govern-
22 ment to provide input on research, data, and
23 monitoring that is necessary to support on-the-
24 ground management, decision making, and ad-
25 aptation related to ocean acidification and

1 coastal acidification and the impacts of ocean
2 acidification and coastal acidification.”.

3 (b) ADVISORY BOARD MEMBERSHIP.—Section
4 12404(c)(3) of the Federal Ocean Acidification Research
5 And Monitoring Act of 2009 (33 U.S.C. 3703(c)(3)) is
6 amended—

7 (1) by redesignating subparagraphs (G)
8 through (Q) as subparagraphs (H) through (R), re-
9 spectively;

10 (2) by inserting after subparagraph (F) the fol-
11 lowing:

12 “(G) Two representatives from Indian
13 Tribes, Tribal organizations, and Tribal con-
14 sortia affected by ocean acidification and coast-
15 al acidification.”; and

16 (3) in subparagraph (H), as redesignated by
17 paragraph (1), by striking “Six” and inserting
18 “Four”.

19 (c) APPOINTMENT OF ADVISORY BOARD MEM-
20 BERS.—Section 12404(c)(4)(C) of the Federal Ocean
21 Acidification Research And Monitoring Act of 2009 (33
22 U.S.C. 3703(c)(4)(C)) is amended by striking “State and
23 local” and inserting “State, local, and Tribal”.

24 (d) ENGAGEMENT AND COORDINATION WITH INDIAN
25 TRIBES.—Paragraph (9) of section 12404(c) of the Fed-

1 eral Ocean Acidification Research And Monitoring Act of
2 2009 (33 U.S.C. 3703(c)) is amended to read as follows:

3 “(9) ENGAGEMENT AND COORDINATION WITH
4 INDIAN TRIBES.—

5 “(A) POLICY REQUIRED.—Not later than
6 one year after the date on which the Advisory
7 Board is established, the Advisory Board shall
8 develop and commence maintaining a policy for
9 engagement and coordination with Indian
10 Tribes affected by ocean acidification and coast-
11 al acidification.

12 “(B) CONSULTATION.—In developing the
13 policy under subparagraph (A), the Advisory
14 Board shall consult with Indian Tribes affected
15 by ocean acidification and coastal acidifica-
16 tion.”.

17 (e) COLLABORATION ON VULNERABILITY ASSESS-
18 MENTS, RESEARCH PLANNING, AND SIMILAR ACTIVI-
19 TIES.—Section 12404(e)(4)(A) of the Federal Ocean
20 Acidification Research And Monitoring Act of 2009 (33
21 U.S.C. 3703(e)(4)(A)) is amended—

22 (1) by redesignating clauses (ix) and (x) as
23 clauses (x) and (xi), respectively; and

24 (2) by inserting after clause (viii) the following:

1 “(ix) identifies the efforts of the Sec-
2 retary to collaborate with State and local
3 governments and Indian Tribes on commu-
4 nity vulnerability assessments, research
5 planning, and similar activities, pursuant
6 to section 12406(e);”.

7 (f) CONTENTS OF STRATEGIC RESEARCH PLAN.—
8 Section 12405(b) of the Federal Ocean Acidification Re-
9 search And Monitoring Act of 2009 (33 U.S.C. 3704(b))
10 is amended—

11 (1) in paragraph (10), by striking “section
12 12404(c)(4)” and inserting “section 12404(e)(4)”;
13 and

14 (2) in paragraph (11), by striking “potentially
15 affected industry members, coastal stakeholders,
16 fishery management councils and commissions, Trib-
17 al governments, non-Federal resource managers, and
18 scientific experts” and inserting “affected industry
19 members, coastal stakeholders, community acidifica-
20 tion networks, fishery management councils and
21 commissions, indigenous knowledge groups, non-
22 Federal resource managers, and scientific experts
23 not employed by the Federal Government”.

24 (g) IMPROVING COLLABORATION ON NOAA OCEAN
25 ACIDIFICATION ACTIVITIES.—Section 12406 of the Fed-

1 eral Ocean Acidification Research And Monitoring Act of
2 2009 (33 U.S.C. 3705) is amended—

3 (1) in subsection (a)—

4 (A) in paragraph (1)—

5 (i) in subparagraph (C), by striking
6 “maximize” and inserting “take into con-
7 sideration”;

8 (ii) in subparagraph (D), by adding a
9 semicolon at the end; and

10 (iii) in subparagraph (F), by striking
11 “Tribal governments” and inserting “In-
12 dian Tribes”; and

13 (B) in paragraph (4), by striking “industry
14 members, coastal stakeholders, fishery manage-
15 ment councils and commissions, non-Federal re-
16 source managers, community acidification net-
17 works, indigenous knowledge groups, and sci-
18 entific experts” and inserting “affected industry
19 members, coastal stakeholders, community
20 acidification networks, fishery management
21 councils and commissions, indigenous knowl-
22 edge groups, non-Federal resource managers,
23 and scientific experts not employed by the Fed-
24 eral Government”;

25 (2) in subsection (c)—

1 (A) in paragraph (1), by striking “State,
2 local, and Tribal governments” and inserting
3 “State and local governments, Indian Tribes,”;
4 and

5 (B) in paragraph (2)—

6 (i) in subparagraph (A), by striking “;
7 or” and inserting a semicolon;

8 (ii) by redesignating subparagraph
9 (B) as subparagraph (C);

10 (iii) by inserting after subparagraph
11 (A) the following:

12 “(B) on ocean acidification and coastal
13 acidification research, data, and monitoring
14 from affected industry members, coastal stake-
15 holders, community acidification networks, fish-
16 ery management councils and commissions, in-
17 digenous knowledge groups, non-Federal re-
18 source managers, and scientific experts not em-
19 ployed by the Federal Government; or”; and

20 (iv) in subparagraph (C), as redesign-
21 nated by clause (ii), by striking “State
22 governments, local governments, Tribal
23 governments” and inserting “State and
24 local governments, Indian Tribes”;

1 (3) in subsection (d)(1)(C), by striking “Tribes
2 or Tribal governments” and inserting “Indian
3 Tribes, Tribal organizations, and Tribal consortia”;
4 and

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

6 “(e) BETTER COLLABORATION ON VULNERABILITY
7 ASSESSMENTS, RESEARCH PLANNING, AND SIMILAR AC-
8 TIVITIES.—

9 “(1) IN GENERAL.—In carrying out the pro-
10 gram under subsection (a), and in support of vulner-
11 ability assessments transmitted under section
12 12404(e)(4) and recommendations included in the
13 strategic research plan described in section
14 12405(b)(10), the Secretary shall build upon exist-
15 ing activities and collaborate with State and local
16 governments and Indian Tribes that are conducting
17 or have completed vulnerability assessments, re-
18 search planning, climate action plans, or other simi-
19 lar activities related to ocean acidification and coast-
20 al acidification and the impacts of ocean acidifica-
21 tion and coastal acidification on coastal commu-
22 nities, for the purpose of—

23 “(A) supporting collaborative interagency
24 relationships and information sharing at the
25 State, local, and Tribal levels; and

1 “(B) assisting State and local governments
2 and Indian Tribes in—

3 “(i) improving existing systems and
4 programs to better address ocean acidifica-
5 tion and coastal acidification; and

6 “(ii) identifying whether such activi-
7 ties can be used as a model for other com-
8 munities.

9 “(2) PRIORITY.—In carrying out paragraph (1),
10 the Secretary shall prioritize underserved popu-
11 lations and entities in the use of resources of the
12 National Oceanic and Atmospheric Administration.”.

13 **SEC. 4. TECHNICAL CORRECTIONS.**

14 The Federal Ocean Acidification Research And Moni-
15 toring Act of 2009 (33 U.S.C. 3701 et seq.) is amended—

16 (1) in section 12402(1) (33 U.S.C. 3701(1)), by
17 striking “development coordination and implementa-
18 tion” and inserting “development, coordination, and
19 implementation”;

20 (2) in section 12404 (33 U.S.C. 3703)—

21 (A) in subsection (b)(5), by striking “;
22 and” and inserting a period;

23 (B) in subsection (c)(2)(A)—

1 (i) in clause (i), by striking “sub-
2 section (d)(2)” and inserting “subsection
3 (e)(2)”; and

4 (ii) in clause (ii), by striking “sub-
5 section (d)(3)” and inserting “subsection
6 (e)(3)”;

7 (C) in subsection (d)(3), by striking “this
8 section” and inserting “this subsection”; and

9 (D) in subsection (e)—

10 (i) in paragraph (2)(B), by striking
11 “interagency” and inserting “the”; and

12 (ii) in paragraph (3), by striking
13 “years until 2031 thereafter” and inserting
14 “years thereafter until 2031”; and

15 (3) in section 12406(d)(2) (33 U.S.C.
16 3705(d)(2)), by striking “The Secretary to,” and in-
17 serting “The Secretary, to”.

○