



AMENDMENT NO. _____

Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—116th Cong., 1st Sess.

S. 2166

To designate Regional Ocean Partnerships of the National Oceanic and Atmospheric Administration, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Mr. WICKER

Viz:

1 Strike all after the enacting clause and insert the fol-

2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Regional Ocean Part-

5 nership Act".

6 **SEC. 2. FINDINGS; SENSE OF CONGRESS; PURPOSES.**

7 (a) FINDINGS.—Congress makes the following find-

8 ings:

9 (1) The ocean and coastal waters of the United

10 States are foundational to the economy, security,

11 global competitiveness, and well-being of the United

1 States and continuously serve the people of the
2 United States and other countries as an important
3 source of food, energy, economic productivity, recre-
4 ation, beauty, and enjoyment.

5 (2) Over many years, the resource productivity
6 and water quality of the ocean and coastal areas of
7 the United States have been diminished by pollution,
8 increasing population demands, economic develop-
9 ment, and natural and man-made hazard events,
10 both acute and chronic.

11 (3) Ocean and coastal areas of the United
12 States are managed by State and Federal resource
13 agencies and regulated on an interstate and regional
14 scale by various overlapping Federal authorities,
15 thereby creating a significant need for interstate co-
16 ordination to enhance regional priorities, including
17 the ecological and economic health of those areas.

18 (b) SENSE OF CONGRESS.—It is the sense of Con-
19 gress that—

20 (1) the United States should seek to support
21 interstate coordination of shared regional priorities
22 relating to the management, conservation, resilience,
23 and restoration of ocean and coastal areas to maxi-
24 mize efficiencies through collaborative regional ef-
25 forts by Regional Ocean Partnerships, in consulta-

1 tion with Federal and State agencies, Tribal govern-
2 ments, and local authorities; and

3 (2) such efforts would enhance existing and ef-
4 fective State coastal management efforts based on
5 shared regional priorities.

6 (c) PURPOSES.—The purposes of this Act are as fol-
7 lows:

8 (1) To complement and expand cooperative vol-
9 untary efforts intended to manage and restore ocean
10 and coastal areas spanning across multiple State
11 boundaries.

12 (2) To expand Federal support for monitoring,
13 data management, and restoration activities in ocean
14 and coastal areas.

15 (3) To commit the United States to a com-
16 prehensive cooperative program to achieve improved
17 water quality in, and improvements in the produc-
18 tivity of living resources of, all coastal ecosystems.

19 (4) To authorize Regional Ocean Partnerships
20 as intergovernmental coordinators for shared inter-
21 state and regional priorities relating to the collabo-
22 rative management of the large marine ecosystems,
23 thereby reducing duplication of efforts and maxi-
24 mizing opportunities to leverage support in the
25 ocean and coastal regions.

1 (5) To enable Regional Ocean Partnerships, or
2 designated fiscal management entities of such part-
3 nerships, to receive Federal funding to conduct the
4 scientific research, conservation and restoration ac-
5 tivities, and priority coordination on shared regional
6 priorities necessary to achieve the purposes described
7 in paragraphs (1) through (4).

8 **SEC. 3. REGIONAL OCEAN PARTNERSHIPS.**

9 (a) **DEFINITIONS.**—In this section:

10 (1) **ADMINISTRATOR.**—The term “Adminis-
11 trator” means the Administrator of the National
12 Oceanic and Atmospheric Administration.

13 (2) **COASTAL STATE.**—The term “coastal state”
14 has the meaning given that term in section 304 of
15 the Coastal Zone Management Act of 1972 (16
16 U.S.C. 1453).

17 (3) **INDIAN TRIBE.**—The term “Indian Tribe”
18 means an Indian tribe, as defined in section 4 of the
19 Indian Self-Determination and Education Assistance
20 Act (25 U.S.C. 5304).

21 (b) **REGIONAL OCEAN PARTNERSHIPS.**—

22 (1) **IN GENERAL.**—A coastal state may partici-
23 pate in a Regional Ocean Partnership with one or
24 more other coastal states that share a common

1 ocean or coastal area with the coastal state, without
2 regard to whether the coastal states are contiguous.

3 (2) APPLICATION.—The Governor of a coastal
4 state or the Governors of a group of coastal states
5 may apply to the Secretary of Commerce, on behalf
6 of a partnership, for the partnership to receive des-
7 ignation as a Regional Ocean Partnership if the
8 partnership—

9 (A) meets the requirements under para-
10 graph (3); and

11 (B) submits an application for such des-
12 ignation in such manner, in such form, and
13 containing such information as the Secretary
14 may require.

15 (3) REQUIREMENTS.—A partnership is eligible
16 for designation as a Regional Ocean Partnership by
17 the Secretary under paragraph (2) if the partner-
18 ship—

19 (A) is established to coordinate the inter-
20 state management of coastal resources;

21 (B) focuses on the environmental issues af-
22 fecting the ocean and coastal areas of the mem-
23 bers participating in the partnership;

1 (C) complements existing State coastal and
2 ocean management efforts on an interstate
3 scale, focusing on shared regional priorities;

4 (D) does not have a regulatory function;
5 and

6 (E) is not duplicative of an existing Re-
7 gional Ocean Partnership designated under
8 paragraph (4), as determined by the Secretary.

9 (4) DESIGNATION OF CERTAIN ENTITIES AS RE-
10 GIONAL OCEAN PARTNERSHIPS.—Notwithstanding
11 paragraph (2) or (3), the following entities are des-
12 ignated as Regional Ocean Partnerships:

13 (A) The Gulf of Mexico Alliance, comprised
14 of the States of Alabama, Florida, Louisiana,
15 Mississippi, and Texas.

16 (B) The Northeast Regional Ocean Coun-
17 cil, comprised of the States of Maine, Vermont,
18 New Hampshire, Massachusetts, Connecticut,
19 and Rhode Island.

20 (C) The Mid-Atlantic Regional Council on
21 the Ocean, comprised of the States of New
22 York, New Jersey, Delaware, Maryland, and
23 Virginia.

24 (D) The West Coast Ocean Alliance, com-
25 prised of the States of California, Oregon, and

1 Washington and the coastal Indian Tribes
2 therein.

3 (c) GOVERNING BODIES OF REGIONAL OCEAN PART-
4 NERSHIPS.—

5 (1) IN GENERAL.—A Regional Ocean Partner-
6 ship designated under subsection (b) shall be gov-
7 erned by a governing body.

8 (2) MEMBERSHIP.—A governing body described
9 in paragraph (1)—

10 (A) shall be comprised, at a minimum, of
11 voting members from each coastal state partici-
12 pating in the Regional Ocean Partnership, des-
13 igned by the Governor of the coastal state;
14 and

15 (B) may include such other members as
16 the partnership considers appropriate.

17 (d) FUNCTIONS.—A Regional Ocean Partnership des-
18 igned under subsection (b) may perform the following
19 functions:

20 (1) Promote coordination of the actions of the
21 agencies of coastal states participating in the part-
22 nership with the actions of the appropriate officials
23 of Federal agencies and State and Tribal govern-
24 ments in developing strategies—

1 (A) to conserve living resources, increase
2 valuable habitats, enhance coastal resilience,
3 and address such other issues related to the
4 shared ocean or coastal area as are determined
5 to be a shared, regional priority by those states;
6 and

7 (B) to manage regional data portals and
8 develop associated data products for purposes
9 that support the priorities of the partnership.

10 (2) In cooperation with appropriate Federal and
11 State agencies, Tribal governments, and local au-
12 thorities, develop and implement specific action
13 plans to carry out coordination goals.

14 (3) Coordinate and implement priority plans
15 and projects, and facilitate science, research, mod-
16 eling, monitoring, data collection, and other activi-
17 ties that support the goals of the partnership
18 through the provision of grants and contracts under
19 subsection (e).

20 (4) Engage, coordinate, and collaborate with
21 relevant governmental entities and stakeholders to
22 address ocean and coastal related matters that re-
23 quire interagency or intergovernmental solutions.

24 (5) Implement outreach programs for public in-
25 formation, education, and participation to foster

1 stewardship of the resources of the ocean and coast-
2 al areas, as relevant.

3 (6) Develop and make available, through publi-
4 cations, technical assistance, and other appropriate
5 means, information pertaining to cross-jurisdictional
6 issues being addressed through the coordinated ac-
7 tivities of the partnership.

8 (7) Serve as a liaison with, and provide infor-
9 mation to, international counterparts, as appropriate
10 on priority issues for the partnership.

11 (e) GRANTS AND CONTRACTS.—

12 (1) IN GENERAL.—A Regional Ocean Partner-
13 ship designated under subsection (b) may, in coordi-
14 nation with existing Federal and State management
15 programs, from amounts made available to the part-
16 nership by the Administrator or the head of another
17 Federal agency—

18 (A) provide grants to eligible persons de-
19 scribed in paragraph (2) for the purposes de-
20 scribed in paragraph (3); and

21 (B) enter into contracts with such persons
22 for such purposes.

23 (2) ELIGIBLE PERSONS.—The eligible persons
24 described in this paragraph are the following:

25 (A) Indian Tribes.

1 (B) State and local governments.

2 (C) Nongovernmental organizations.

3 (D) Institutions of higher education.

4 (E) Individuals.

5 (F) Private entities.

6 (3) PURPOSES.—The purposes described in this
7 paragraph include any of the following:

8 (A) Monitoring the water quality and living
9 resources of multi-State ocean and coastal eco-
10 systems and to coastal communities.

11 (B) Researching and addressing the effects
12 of natural and human-induced environmental
13 changes to—

14 (i) ocean and coastal ecosystems; and

15 (ii) coastal communities.

16 (C) Developing and executing cooperative
17 strategies that—

18 (i) address regional data issues identi-
19 fied by the partnership; and

20 (ii) will result in more effective man-
21 agement of common ocean and coastal
22 areas.

23 (f) REPORTS AND ASSESSMENTS.—

24 (1) IN GENERAL.—Not later than 5 years after
25 the date of the enactment of this Act, and every 5

1 years thereafter until 2040, the Administrator, in
2 coordination with the Regional Ocean Partnerships
3 designated under subsection (b), shall—

4 (A) assess the effectiveness of the partner-
5 ships in supporting regional priorities relating
6 to the management of common ocean and coast-
7 al areas; and

8 (B) submit to Congress a report on that
9 assessment.

10 (2) REPORT REQUIREMENTS.—The report re-
11 quired under paragraph (1)(B) shall include the fol-
12 lowing:

13 (A) An assessment of the overall status of
14 the work of the Regional Ocean Partnerships
15 designated under subsection (b).

16 (B) An assessment of the effectiveness of
17 the strategies that the Regional Ocean Partner-
18 ships are supporting or implementing and the
19 extent to which the priority needs of the regions
20 covered by such partnerships are being met
21 through such strategies.

22 (C) Such recommendations as the Admin-
23 istrator may have for the improvement of ef-
24 forts of the Regional Ocean Partnerships to
25 support the purposes of this Act.

1 (D) An assessment of how the efforts of
2 the Regional Ocean Partnerships support or en-
3 hance Federal and State efforts in line with the
4 purposes of this Act.

5 (E) Recommendations for improvements to
6 the collective strategies that support the pur-
7 poses of this Act in coordination and consulta-
8 tion with all relevant Federal, State, and Tribal
9 entities.

10 (g) AVAILABILITY OF FEDERAL FUNDS.—In addition
11 to amounts made available to Regional Ocean Partner-
12 ships designated under subsection (b) by the Adminis-
13 trator under this section, the head of any other Federal
14 agency may provide grants to, enter into contracts with,
15 or otherwise provide funding to such partnerships.

16 (h) AUTHORITIES.—Nothing in this section estab-
17 lishes any new legal or regulatory authority of the Na-
18 tional Oceanic and Atmospheric Administration or of the
19 Regional Ocean Partnerships designated under subsection
20 (b), other than—

21 (1) the authority of the Administrator to pro-
22 vide amounts to the partnerships; and

23 (2) the authority of the partnerships to provide
24 grants and enter into contracts under subsection (e).

25 (i) FUNDING.—

1 (1) IN GENERAL.—Of amounts authorized to be
2 appropriated to the National Oceanic and Atmos-
3 pheric Administration, the Administrator may make
4 the following amounts available to Regional Ocean
5 Partnerships designated under subsection (b) or des-
6 ignated fiscal management entities of such partner-
7 ships to carry out activities of the partnerships
8 under this Act:

9 (A) \$10,000,000 for fiscal year 2020.

10 (B) \$10,100,000 for fiscal year 2021.

11 (C) \$10,202,000 for fiscal year 2022.

12 (D) \$10,306,040 for fiscal year 2023.

13 (E) \$10,412,160 for fiscal year 2024.

14 (F) \$10,520,404 for fiscal year 2025.

15 (2) DISTRIBUTION OF AMOUNTS.—Amounts
16 made available under paragraph (1) shall be divided
17 evenly among the Regional Ocean Partnerships des-
18 ignated under subsection (b).

19 (3) AVAILABILITY OF AMOUNTS.—Amounts
20 made available under paragraph (1) shall remain
21 available until expended.