

118TH CONGRESS
1ST SESSION

H. R. 3976

To amend the Coastal Zone Management Act of 1972 to authorize grants to Indian Tribes to further achievement of Tribal coastal zone objectives, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 9, 2023

Mr. KILMER introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To amend the Coastal Zone Management Act of 1972 to authorize grants to Indian Tribes to further achievement of Tribal coastal zone objectives, 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. GRANTS FOR TRIBAL COASTAL ZONE OBJEC-**
4 **TIVES.**

5 (a) GRANTS AUTHORIZED.—The Coastal Zone Man-
6 agement Act of 1972 (16 U.S.C. 1451 et seq.) is amended
7 by inserting after section 309 the following:

1 **“SEC. 309A. GRANTS FOR TRIBAL COASTAL ZONE OBJEC-**
2 **TIVES.**

3 “(a) GRANTS AUTHORIZED.—The Secretary may
4 award competitive grants to—

5 “(1) Tribal Governments to further achieve-
6 ment of the Tribal coastal zone objectives of such
7 governments; and

8 “(2) Native Hawaiian organizations, to further
9 achievement of the coastal zone objectives identified
10 in the corresponding approved management program
11 as specified in section 306(d).

12 “(b) COST SHARE.—The Federal share of the cost
13 of any activity carried out with a grant under this section
14 shall be 100 percent of such cost.

15 “(c) CONDITIONS.—The Secretary may not award a
16 grant under this section unless the Secretary determines
17 that—

18 “(1) the activities to be carried out with the
19 grant are compatible with this title; and

20 “(2) the potential grant recipient has consulted
21 with the affected coastal state regarding the objec-
22 tives and purposes of the grant.

23 “(d) AUTHORIZED OBJECTIVES AND PURPOSES.—
24 Amounts awarded through a grant under this section shall
25 be used for 1 or more of the objectives and purposes au-
26 thorized under subsections (b) and (c), respectively, of sec-

1 tion 306A, with respect to the grant recipient and the cor-
2 responding coastal zone. In applying section 306A(b)
3 under this subsection, a reference in that section to a pro-
4 vision shall be considered to be a corresponding provision
5 or policy for an Indian Tribe or Native Hawaiian organi-
6 zation, as the case may be.

7 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
8 is authorized to be appropriated to carry out this section
9 \$5,000,000 for each of fiscal years 2023 through 2028,
10 to remain available until expended.

11 “(f) DEFINITIONS.—In this section:

12 “(1) INDIAN LAND.—The term ‘Indian land’
13 has the meaning given such term in section 2601 of
14 the Energy Policy Act of 1992 (25 U.S.C. 3501).

15 “(2) NATIVE HAWAIIAN ORGANIZATION.—The
16 term ‘Native Hawaiian organization’ has the mean-
17 ing given such term in section 3 of the NATIVE Act
18 (25 U.S.C. 4352).

19 “(3) TRIBAL COASTAL ZONE.—The term ‘Tribal
20 coastal zone’ means any Indian land of a Tribal
21 Government that is within the coastal zone.

22 “(4) TRIBAL COASTAL ZONE OBJECTIVE.—The
23 term ‘Tribal coastal zone objective’ means, with re-
24 spect to a Tribal Government and its Tribal coastal
25 zone, any of the following objectives:

1 “(A) Protection, restoration, or preserva-
2 tion of areas in the Tribal coastal zone of such
3 Tribal Government that hold—

4 “(i) important ecological, cultural, or
5 sacred significance for such Tribal Govern-
6 ment; or

7 “(ii) traditional, historic, and esthetic
8 values essential to such Tribal Govern-
9 ment.

10 “(B) Preparing and implementing a special
11 area management plan and technical planning
12 for important coastal areas.

13 “(C) Taking any coastal or shoreline sta-
14 bilization measure, including any mitigation
15 measure, for the purpose of public safety, public
16 access, or cultural or historical preservation.”.

17 (b) GUIDANCE.—Not later than 180 days after the
18 date of enactment of this Act, the Secretary, acting
19 through the Under Secretary, shall issue guidance for the
20 program established under section 309A of the Coastal
21 Zone Management Act of 1972, as added by subsection
22 (a), including the criteria for awarding grants under such
23 program, which guidance shall be established in consulta-
24 tion with Tribal Governments (as defined in section 304

1 of that Act) and Native Hawaiian organizations (as de-
2 fined in section 309A(f) of that Act).

3 (c) USE OF STATE GRANTS TO FULFILL TRIBAL OB-
4 JECTIVES.—Section 306A(c)(2) of the Coastal Zone Man-
5 agement Act of 1972 (16 U.S.C. 1455a(c)(2)) is amend-
6 ed—

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

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

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

12 “(F) fulfilling any Tribal coastal zone ob-
13 jective (as that term is defined in section 309A)
14 or coastal zone objective described in section
15 309A(a)(2).”.

16 (d) OTHER PROGRAMS NOT AFFECTED.—Nothing in
17 this section, including the amendments made by this sec-
18 tion, may be construed to affect the ability of a Tribal
19 Government or Native Hawaiian government to apply for
20 or receive assistance under, or participate in any program
21 authorized by, the Coastal Zone Management Act of 1972
22 (16 U.S.C. 1451 et seq.) or other related Federal laws.

○