

[DISCUSSION DRAFT]

118TH CONGRESS  
2D SESSION

H. R. \_\_\_\_\_

To provide for the disposition of certain offshore renewable energy leasing revenue, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. HUFFMAN introduced the following bill; which was referred to the Committee on \_\_\_\_\_

A BILL

To provide for the disposition of certain offshore renewable energy leasing revenue, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Resilience, Equity, and Sustainability Through Offshore  
6 Renewable Energy Act of 2024” or the “RESTORE Act  
7 of 2024”.

8 (b) TABLE OF CONTENTS.—The table of contents for  
9 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Disposition of qualified offshore renewable energy leasing revenue.
- Sec. 4. Updates to National Oceans and Coastal Security Act.
- Sec. 5. Mitigation and Economic Development for Eligible Tribes.
- Sec. 6. Report to Congress.
- Sec. 7. Fisheries Conservation and Management Fund.
- Sec. 8. Definitions.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) offshore renewable energy development pre-  
4 sents significant opportunities to advance clean en-  
5 ergy goals, combat climate change, and provide eco-  
6 nomic benefits to coastal and Tribal communities;

7 (2) Indian Tribes hold sovereign authority over  
8 their lands and waters, including areas historically  
9 and culturally significant to their people, and it is  
10 essential to respect their rights in the planning and  
11 implementation of renewable energy projects;

12 (3) developers of offshore renewable energy  
13 projects, local and State governments, the Federal  
14 Government, and other interested parties should  
15 meaningfully engage with Indian Tribes to ensure  
16 their participation in the decision-making processes  
17 and honor their traditional ecological knowledge;

18 (4) offshore renewable energy projects can have  
19 significant impacts on Tribal cultural landscapes,  
20 ecosystems, and subsistence resources, warranting  
21 oversight of potential impacts of such projects on sa-

1 cred lands, cultural viewsheds, and critical marine  
2 resources;

3 (5) it is in the national interest to ensure that  
4 Indian Tribes not only engage in, but also benefit  
5 from, the development of offshore renewable energy  
6 projects, including—

7 (A) funding for Tribal research, education,  
8 and workforce development in the renewable en-  
9 ergy sector;

10 (B) establishing consultation processes for  
11 co-management and co-stewardship with Indian  
12 Tribes over renewable energy projects on their  
13 lands and waters; and

14 (C) promoting the inclusion of cultural  
15 preservation and environmental stewardship  
16 provisions in agreements between Indian Tribes  
17 and renewable energy developers; and

18 (6) the United States has a trust responsibility  
19 to Indian Tribes, including supporting their mean-  
20 ingful engagement in the clean energy transition and  
21 ensuring that renewable energy projects provide di-  
22 rect benefits to Tribal communities, protect Tribal  
23 resources, and uphold Tribal sovereignty.

1 **SEC. 3. DISPOSITION OF QUALIFIED OFFSHORE RENEW-**  
2 **ABLE ENERGY LEASING REVENUE.**

3 (a) IN GENERAL.—Notwithstanding section 9 of the  
4 Outer Continental Shelf Lands Act (43 U.S.C. 1338),  
5 each fiscal year—

6 (1) the Secretary of the Treasury shall de-  
7 posit—

8 (A) 50 percent of qualified offshore renew-  
9 able energy leasing revenue in the general fund  
10 of the Treasury;

11 (B)  $8\frac{1}{3}$  percent of qualified offshore re-  
12 newable energy leasing revenue in the National  
13 Oceans and Coastal Security Fund established  
14 under section 904(a) of the National Oceans  
15 and Coastal Security Act (16 U.S.C. 7503(a));

16 (C)  $16\frac{2}{3}$  percent of qualified offshore re-  
17 newable energy leasing revenue in the Coastal  
18 Conservation and Community Resilience Fund  
19 established under section 904A(a) of the Na-  
20 tional Oceans and Coastal Security Act, as  
21 added by section 4(c) of this Act;

22 (D) 5 percent of qualified offshore renew-  
23 able energy leasing revenue in the Land and  
24 Water Conservation Fund established under  
25 section 200302 of title 54, United States Code,  
26 which shall be considered income to the Land

1 and Water Conservation Fund for purposes of  
2 section 200302 of that title; and

3 (E) 15 percent of qualified offshore renew-  
4 able energy leasing revenue in a special account  
5 in the Treasury, which the Secretary of the In-  
6 terior shall allocate to eligible Indian Tribes  
7 pursuant to the formula developed under sec-  
8 tion 5, of which not more than 3 percent may  
9 be used for administrative expenses of carrying  
10 out such section; and

11 (2) 5 percent of qualified offshore renewable en-  
12 ergy leasing revenue shall be made available by the  
13 Secretary of Commerce, acting through the Adminis-  
14 trator of the National Oceanic and Atmospheric Ad-  
15 ministration, in the form of grants to State and local  
16 governments, Indian Tribes, nonprofit organizations,  
17 and academic institutions to carry out surveys, data  
18 collection, and research to address changes to con-  
19 servation and management of fisheries, federally  
20 protected species, and the habitats and ecosystem  
21 management of such species because of offshore re-  
22 newable energy projects.

23 (b) ADMINISTRATION.—Amounts deposited under  
24 subparagraphs (C), (D), and (E) of subsection (a)(1) and  
25 described in subsection (a)(2) shall—

1 (1) be available without subsequent appropria-  
2 tion;

3 (2) remain available until expended; and

4 (3) be in addition to any amounts appropriated  
5 under any other provision of law.

6 (c) DISPOSITION OF QUALIFIED OUTER CONTI-  
7 NENTAL SHELF REVENUES FROM 181 AREA, 181 SOUTH  
8 AREA, AND 2002–2007 PLANNING AREAS OF GULF OF  
9 MEXICO.—Section 102(9)(B) of the Gulf of Mexico En-  
10 ergy Security Act of 2006 (43 U.S.C. 1331 note) is  
11 amended by striking “subject to section 8(g) of the Outer  
12 Continental Shelf Lands Act (43 U.S.C. 1337(g))” and  
13 inserting “subject to subsection (g) or (p) of section 8 of  
14 the Outer Continental Shelf Lands Act (43 U.S.C.  
15 1337)”.

16 **SEC. 4. UPDATES TO NATIONAL OCEANS AND COASTAL SE-**  
17 **CURITY ACT.**

18 (a) DEFINITIONS.—Section 902 of the National  
19 Oceans and Coastal Security Act (16 U.S.C. 7501) is  
20 amended—

21 (1) by amending paragraph (5) to read as fol-  
22 lows:

23 “(5) INDIAN TRIBE; INDIAN TRIBE.—The terms  
24 ‘Indian Tribe’ and ‘Indian tribe’ have the meaning  
25 given the term ‘Indian Tribe’ in section 4 of the In-

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

3            (2) by amending paragraph (7) to read as fol-  
4        lows:

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

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

11          “(8) BLUE CARBON.—The term ‘blue carbon’  
12        means carbon that coastal or marine vegetation se-  
13        quester from the atmosphere in a manner that re-  
14        sults in the storage of such carbon for a period of  
15        not less than 100 years.

16          “(9) COASTAL POLITICAL SUBDIVISION.—The  
17        term ‘coastal political subdivision’ means a political  
18        subdivision of a coastal State any part of which is—

19            “(A) within the coastal zone of the coastal  
20        State as of the date of the enactment of this  
21        subparagraph; and

22            “(B) within 75 miles of the geographic  
23        center of the area of a lease, easement, or  
24        right-of-way for an offshore renewable energy  
25        project.

1           “(10) COASTAL ZONE.—The term ‘coastal zone’  
2           has the meaning given the term in section 304 of the  
3           Coastal Zone Management Act of 1972 (16 U.S.C.  
4           1453).

5           “(11) OFFSHORE RENEWABLE ENERGY  
6           PROJECT.—The term ‘offshore renewable energy  
7           project’ means a project carried out under a lease,  
8           easement, or right-of-way granted under section  
9           8(p)(1)(C) of the Outer Continental Shelf Lands Act  
10          (43 U.S.C. 1337(p)(1)(C)).

11          “(12) STATE.—The term ‘State’ means each of  
12          the several States, the District of Columbia, Puerto  
13          Rico, the United States Virgin Islands, Guam, the  
14          Commonwealth of the Northern Mariana Islands,  
15          the Freely Associated States, and American  
16          Samoa.”.

17          (b) IMPROVEMENTS TO NATIONAL OCEANS AND  
18          COASTAL SECURITY FUND.—

19                 (1) DEPOSITS.—Section 904(b)(1) of the Na-  
20                 tional Oceans and Coastal Security Act (16 U.S.C.  
21                 7503(b)(1)) is amended to read as follows:

22                         “(1) IN GENERAL.—

23                                 “(A) CONTENTS OF FUND.—The Fund  
24                                 shall consist of the amounts deposited into the  
25                                 Fund under—

1 “(i) section 3(a) of the Resilience, Eq-  
2 uity, and Sustainability Through Offshore  
3 Renewable Energy Act of 2024; and

4 “(ii) subparagraph (B).

5 “(B) DEPOSITS INTO FUND.—There shall  
6 be deposited into the Fund—

7 “(i) amounts transferred to the Fund  
8 under section 908; and

9 “(ii) such other amounts as may be  
10 appropriated or otherwise made available  
11 to carry out this title.”.

12 (2) EXPENDITURES.—Section 904(d) of the  
13 National Oceans and Coastal Security Act (16  
14 U.S.C. 7503(d)) is amended to read as follows:

15 “(d) EXPENDITURE.—Of the amounts deposited into  
16 the Fund for each fiscal year—

17 “(1) not less than \$150,000,000 shall be used  
18 to award grants under section 906(b);

19 “(2) not less than \$50,000,000 shall be used to  
20 award grants under section 906(c);

21 “(3) if amounts deposited into the Fund for a  
22 fiscal year are in excess of \$200,000,000, such ex-  
23 cess amounts shall be distributed such that—

24 “(A) 80 percent shall be used to award  
25 grants under section 906(b); and

1 “(B) 20 percent shall be used to award  
2 grants under section 906(e); and

3 “(4) of the amounts provided in this subsection,  
4 not more than 4 percent may be used by the Admin-  
5 istrator and the Foundation for administrative ex-  
6 penses to carry out this title.”.

7 (c) COASTAL CONSERVATION AND COMMUNITY RE-  
8 SILIENCE FUND.—The National Oceans and Coastal Se-  
9 curity Act (16 U.S.C. 7501 et seq.) is amended by insert-  
10 ing after section 904 the following:

11 **“SEC. 904A. COASTAL CONSERVATION AND COMMUNITY RE-**  
12 **SILIENCE FUND.**

13 “(a) IN GENERAL.—There is established in the  
14 Treasury of the United States a fund to be known as the  
15 ‘Coastal Conservation and Community Resilience Fund’  
16 (referred to in this section as the ‘fund’).

17 “(b) CONTENTS OF FUND.—The fund shall consist  
18 of amounts deposited into the fund under section 3(a) of  
19 the Resilience, Equity, and Sustainability Through Off-  
20 shore Renewable Energy Act of 2024.

21 “(c) ALLOCATION OF AMOUNTS IN FUND.—

22 “(1) COASTAL STATES.—For each fiscal year,  
23 of the amounts deposited into the fund for the fiscal  
24 year, the Secretary, subject to paragraph (2), shall  
25 allocate—

1           “(A) 25 percent of such amounts to each  
2 coastal State on the basis of the ratio of the  
3 length of the tidal shoreline and extent of  
4 waters adjacent to the tidal shoreline of the  
5 coastal State to the total length of tidal shore-  
6 line and extent of waters adjacent to the tidal  
7 shoreline of all coastal States;

8           “(B) 25 percent of such amounts to each  
9 coastal State on the basis of the ratio of the  
10 population of the coastal State to the total pop-  
11 ulation of all coastal States; and

12           “(C) 50 percent of such amounts to each  
13 coastal State based on—

14           “(i) the megawatts of offshore renew-  
15 able energy produced within the adminis-  
16 trative boundary of the coastal State, as  
17 depicted in ‘Federal Outer Continental  
18 Shelf (OCS) Administrative Boundaries  
19 Extending from the Submerged Lands Act  
20 Boundary seaward to the Limit of the  
21 United States Outer Continental Shelf’ (71  
22 Fed. Reg. 127; January 3, 2006);

23           “(ii) the megawatts of offshore renew-  
24 able energy that is transmitted to, and  
25 used within, the coastal State; and

1 “(iii) whether the coastal State has  
2 any policies, laws, regulations, or executive  
3 orders establishing an offshore renewable  
4 energy goal.

5 “(2) COASTAL POLITICAL SUBDIVISIONS.—

6 “(A) IN GENERAL.—For each fiscal year,  
7 the Secretary shall pay to the coastal political  
8 subdivisions of a coastal State 20 percent of the  
9 amount allocated to the coastal State under  
10 paragraph (1).

11 “(B) ALLOCATION.—Of the amounts paid  
12 by the Secretary to the coastal political subdivi-  
13 sions of a coastal State under subparagraph  
14 (A)—

15 “(i) if the area of a lease, easement,  
16 or right-of-way for an offshore renewable  
17 energy project is located within the admin-  
18 istrative boundary of the coastal State—

19 “(I) 25 percent shall be allocated  
20 to each coastal political subdivision lo-  
21 cated within the coastal State on the  
22 basis of the ratio of the coastal popu-  
23 lation of the coastal political subdivi-  
24 sion to the total coastal population of  
25 the coastal State;

1                   “(II) 25 percent shall be allo-  
2 cated to each such coastal political  
3 subdivision on the basis of the ratio of  
4 the length of the coastline of the  
5 coastal political subdivision to the  
6 total length of the coastline of the  
7 coastal State; and

8                   “(III) 50 percent shall be allo-  
9 cated to each such coastal political  
10 subdivision in amounts that are in-  
11 versely proportional to the distance  
12 from the geographic center of the  
13 coastal political subdivision to the geo-  
14 graphic center of the nearest area of  
15 such a lease, easement, or right-of-  
16 way; and

17                   “(ii) if no such area is located within  
18 the administrative boundary of the coastal  
19 State—

20                   “(I) 50 percent shall be allocated  
21 to each such coastal political subdivi-  
22 sion on the basis of the ratio of the  
23 coastal population of the coastal polit-  
24 ical subdivision to the total coastal  
25 population of the coastal State; and

1                   “(II) 50 percent shall be allo-  
2                   cated to each such coastal political  
3                   subdivision on the basis of the ratio of  
4                   the length of the coastline of the  
5                   coastal political subdivision to the  
6                   total length of the coastline of the  
7                   coastal State.

8           “(d) **EQUITABLE ADJUSTMENT OF ALLOCATED**  
9 **AMOUNTS.**—The Secretary shall, as necessary, equitably  
10 adjust the amounts allocated under subsection (c) such  
11 that no single coastal State receives less than 1 percent  
12 of such amounts.

13           “(e) **ELIGIBLE USES OF DISTRIBUTED AMOUNTS.**—  
14 A coastal State or a coastal political subdivision to which  
15 the Secretary allocates amounts under subsection (c) may  
16 use such amounts to carry out the following activities:

17                   “(1) Scientific research related to changing en-  
18                   vironmental conditions, including the effects of off-  
19                   shore renewable energy development, including off-  
20                   shore wind, on such environmental conditions.

21                   “(2) Ocean observing projects aimed at moni-  
22                   toring marine ecosystems and climate patterns.

23                   “(3) Natural infrastructure and community re-  
24                   silience projects to mitigate the effects of climate  
25                   change and sea-level rise.

1           “(4) Habitat protection and restoration projects  
2           to conserve coastal and marine biodiversity.

3           “(5) Cooperative fishery research and analysis  
4           in collaboration with fishery participants, academic  
5           institutions, community residents, and other inter-  
6           ested parties.

7           “(6) Ratepayer offsets for low-income house-  
8           holds within the coastal State or coastal political  
9           subdivision.

10          “(7) Investments to reduce pollution from in-  
11          creased port traffic for offshore renewable energy  
12          development.

13          “(8) Job training opportunities for local com-  
14          munities within the coastal State or coastal political  
15          subdivision.

16          “(9) Emphasizing the importance of incor-  
17          porating indigenous knowledge and Tribal perspec-  
18          tives in scientific research and conservation initia-  
19          tives.

20          “(f) TRIBAL COLLABORATION.—The Secretary shall  
21          establish mechanisms for collaboration between coastal  
22          States or coastal political subdivisions and Indian Tribes  
23          in the planning and implementation of conservation  
24          projects carried out using amounts allocated under sub-  
25          section (c), recognizing Indian Tribes as sovereign part-

1 ners in environmental stewardship and resource manage-  
2 ment.”.

3 (d) ELIGIBLE USES OF FUND.—Section 905 of the  
4 National Oceans and Coastal Security Act (16 U.S.C.  
5 7504) is amended to read as follows:

6 **“SEC. 905. ELIGIBLE USES.**

7 “Amounts in the Fund shall be used by the Adminis-  
8 trator and the Foundation to award grants in accordance  
9 with subsections (b) and (c) of section 906 to support pro-  
10 grams and activities intended to protect, conserve, restore,  
11 and better understand and use ocean and coastal re-  
12 sources and coastal infrastructure, including the following:

13 “(1) Scientific research, resiliency planning, im-  
14 plementation, monitoring and spatial planning, data-  
15 sharing, and other programs and activities carried  
16 out in coordination with Federal and State agencies.

17 “(2) Ocean, coastal, and Great Lakes restora-  
18 tion and protection, including efforts to address po-  
19 tential impacts of sea level change, sedimentation,  
20 erosion, changes in ocean chemistry, hurricanes and  
21 other extreme weather, flooding, and changes in  
22 ocean temperature on natural resources, commu-  
23 nities, and coastal economies.

24 “(3) Restoration, protection, or maintenance of  
25 living ocean, coastal, and Great Lakes resources and

1 their habitats, including habitats and ecosystems  
2 that provide blue carbon benefits.

3 “(4) Planning for and managing coastal devel-  
4 opment to enhance ecosystem and community integ-  
5 rity or to minimize impacts from sea level change,  
6 hurricanes and other extreme weather, flooding, and  
7 coastal erosion.

8 “(5) Projects to address management, planning,  
9 or resiliency and readiness issues that are regional  
10 or interstate in scope, including regional ocean part-  
11 nerships or similar entities.

12 “(6) Efforts that contribute to the under-  
13 standing of ecological, economic, societal, and na-  
14 tional security threats driven by changes to the  
15 oceans, coasts, and Great Lakes.

16 “(7) Efforts to preserve, protect, and collect  
17 data, including data from public ocean and coastal  
18 data portals that would support sustainable water-  
19 dependent commercial activities, including commer-  
20 cial fishing, recreational fishing businesses, aqua-  
21 culture, boat building, or other coastal-related busi-  
22 nesses, other marine-based recreational businesses,  
23 and sustainable tourism.

24 “(8) Efforts to assist coastal States in repo-  
25 sitioning, relocating, or deploying natural or nature-

1 based features to enhance the resiliency of critical  
2 coastal transportation, emergency response, water,  
3 electrical, and other infrastructure that are subject  
4 to or face increased future risks from hurricanes,  
5 coastal flooding, coastal erosion, or sea level change  
6 to ensure the economic security, safety, and ecologi-  
7 cal well-being of the coasts of the United States.

8 “(9) Acquisition of property or an interest in  
9 property if—

10 “(A) the area is located within a coastal  
11 county or a county that is adjacent to a coastal  
12 county;

13 “(B) such property or interest in property  
14 is acquired through purchase, exchange, or do-  
15 nation from a willing party;

16 “(C) the Governor of the State in which  
17 the property or interest in property is acquired  
18 approves of the acquisition; and

19 “(D) such property or interest is acquired  
20 in a manner that ensures such property or in-  
21 terest in property will be administered to sup-  
22 port the purposes of this title.

23 “(10) Protection and modification of critical  
24 coastal public infrastructure affected by erosion,

1 hurricanes or other extreme weather, flooding, or sea  
2 level change.

3 “(11) Assistance for small businesses and com-  
4 munities that are dependent on coastal tourism as  
5 eligible efforts that help coastal economies minimize  
6 impacts from sea level rise and disasters.

7 “(12) Projects that use natural and nature-  
8 based approaches for enhancing the resiliency of  
9 wastewater and stormwater infrastructure as eligible  
10 critical infrastructure projects (as compared to just  
11 general water infrastructure, which can also include  
12 drinking water systems).

13 “(13) Technical assistance to help develop com-  
14 prehensive resilience and mitigation plans and to en-  
15 gage community stakeholders, as an eligible funding  
16 effort.

17 “(14) Community-led strategic relocation ef-  
18 forts.

19 “(15) Any activity described in section  
20 904A(e).”.

21 (e) GRANTS.—

22 (1) ADMINISTRATION.—Section 906(a)(1) of  
23 the National Oceans and Coastal Security Act (16  
24 U.S.C. 7505(a)(1)) is amended—

1 (A) by amending subparagraph (B) to read  
2 as follows:

3 “(B) Selection procedures and criteria for  
4 the awarding of grants under this section that  
5 require consultation with the Administrator and  
6 Secretary of the Interior.”;

7 (B) by amending subparagraph (C)(ii) to  
8 read as follows:

9 “(ii) under subsection (c), as appro-  
10 priate, to entities including States, local  
11 governments, Indian Tribes, regional and  
12 interstate collaboratives, associations, non-  
13 profit and for-profit private entities, pub-  
14 lic-private partnerships, academic institu-  
15 tions, and Indigenous communities.”;

16 (C) in subparagraph (F), by striking “year  
17 if grants have been awarded in that year” and  
18 inserting “5 years”; and

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

20 “(I) A method to give special consideration  
21 in reviewing proposals for projects with either  
22 direct or indirect coastal or marine blue carbon  
23 benefits and an accounting methodology to  
24 quantify such benefits for the purposes of the  
25 annual report required under section 907.”.

1           (2) GRANTS TO COASTAL STATES.—Section  
2           906(b) of the National Oceans and Coastal Security  
3           Act (16 U.S.C. 7505(b)) is amended to read as fol-  
4           lows:

5           “(b) GRANTS TO COASTAL STATES AND INDIAN  
6           TRIBES.—

7           “(1) IN GENERAL.—Subject to paragraphs (2)  
8           and (3), the Foundation, at the discretion of the Ad-  
9           ministrator, shall award grants to coastal States and  
10          Indian Tribes from the amount made available  
11          under section 904(d)(1) based on the following:

12                   “(A) 50 percent of such amount shall be  
13                   allocated equally among coastal States and In-  
14                   dian Tribes, and not less than 15 percent of  
15                   such amount shall be allocated to Indian  
16                   Tribes.

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

22                   “(C) 20 percent of such amount shall be  
23                   allocated to coastal States on the basis of the  
24                   ratio of population of the coastal counties of a  
25                   coastal State to the total population of the

1 coastal counties of all coastal States, based on  
2 the most recent data available from the United  
3 States Census Bureau.

4 “(2) MAXIMUM ALLOCATION TO COASTAL  
5 STATES.—

6 “(A) IN GENERAL.—Notwithstanding para-  
7 graph (1), not more than 5 percent of the total  
8 amount awarded under this subsection may be  
9 allocated to any single coastal State or Indian  
10 Tribe.

11 “(B) REDISTRIBUTION.—Any amount  
12 greater than the maximum allocation described  
13 in subparagraph (A) that would otherwise be al-  
14 located to the affected coastal State or Indian  
15 Tribe shall be reallocated equally among the re-  
16 maining coastal States and Indian Tribes.

17 “(3) APPLICATION.—

18 “(A) IN GENERAL.—To be eligible for a  
19 grant under this subsection, a coastal State or  
20 Indian Tribe shall submit to the Administrator  
21 for approval a 5-year plan, which shall include  
22 the following:

23 “(i) Criteria to determine eligibility  
24 for entities which may receive grants under  
25 this subsection.

1           “(ii) A description of the competitive  
2 process the coastal State or Indian Tribe  
3 will use to allocate grant amounts awarded  
4 to the coastal State or Indian Tribe under  
5 paragraph (1), which shall include—

6           “(I) in the case of a coastal  
7 State, a description of the relative  
8 roles of and consistency with the  
9 Coastal Zone Management Program  
10 of the coastal State approved under  
11 section 306 of the Coastal Zone Man-  
12 agement Act of 1972 (16 U.S.C.  
13 1455) and the Sea Grant program of  
14 the coastal State, if applicable;

15           “(II) an affirmation that such  
16 competitive process is consistent with  
17 the application and review procedures  
18 established by the Foundation under  
19 subsection (a)(1).

20           “(iii) A process to certify that each  
21 project or program funded pursuant to the  
22 process of the coastal State or Indian  
23 Tribe described in clause (ii) and each con-  
24 tract awarded pursuant to each such  
25 project or program is consistent with the

1 standard procurement rules and regula-  
2 tions governing a comparable project or  
3 program of the coastal State or Indian  
4 Tribe, including all applicable competitive  
5 bidding and audit requirements.

6 “(iv) Procedures to make publicly  
7 available on the Internet a list of each  
8 project and program funded pursuant to  
9 the process of the coastal State or Indian  
10 Tribe described in clause (ii), including, at  
11 a minimum, the grant recipient, grant  
12 amount, project description, and project  
13 status.

14 “(B) UPDATES.—As a condition of being  
15 awarded a grant under this subsection, a coast-  
16 al State or Indian Tribe shall submit to the Ad-  
17 ministrator not less frequently than once every  
18 5 years an update to the 5-year plan submitted  
19 by the coastal State or Indian Tribe under sub-  
20 paragraph (A) for the 5-year period imme-  
21 diately following the most recent submission  
22 under this paragraph.

23 “(4) OPPORTUNITY FOR PUBLIC COMMENT.—In  
24 determining whether to approve a plan or an update  
25 to a plan described in subparagraph (A) or (B) of

1 paragraph (3), the Administrator shall provide the  
2 opportunity for, and take into consideration, public  
3 input and comment on such plan.

4 “(5) INDIAN TRIBES.—As a condition of being  
5 awarded a grant under this subsection, a coastal  
6 State shall ensure that Indian Tribes in the coastal  
7 State are eligible to participate in the competitive  
8 process described in the 5-year plan of the coastal  
9 State submitted under paragraph (3)(A)(ii).

10 “(6) NONPARTICIPATION.—In any year, if a  
11 coastal State or Indian Tribe or geographic area is  
12 not eligible to be awarded a grant under this sub-  
13 section or declines a grant award under this sub-  
14 section, the amount that would have been awarded  
15 to the coastal State or Indian Tribe or area in ac-  
16 cordance with this subsection shall be reallocated to  
17 award grants under subsection (c).”.

18 (3) NATIONAL GRANTS FOR OCEANS, COASTS,  
19 AND GREAT LAKES.—Section 906(c)(2) of the Na-  
20 tional Oceans and Coastal Security Act (16 U.S.C.  
21 7505(c)(2)) is amended—

22 (A) in subparagraph (B)—

23 (i) in clause (ii), by striking “and” at  
24 the end;

1 (ii) by redesignating clause (iii) as  
2 clause (iv); and

3 (iii) by inserting after clause (ii) the  
4 following:

5 “(iii) nongovernmental organizations;  
6 and”; and

7 (B) by adding at the end the following:

8 “(C) CAP ON COASTAL STATE FUNDING.—  
9 The amount of a grant awarded under this sub-  
10 section does not count toward the cap on fund-  
11 ing to coastal States through grants awarded  
12 under subsection (b).

13 “(D) INDIGENOUS COMMUNITIES.—Not  
14 less than \$5,000,000 shall be awarded to In-  
15 dian Tribes and Indigenous communities each  
16 fiscal year under this subsection.”.

17 (f) ANNUAL REPORT.—Section 907 of the National  
18 Oceans and Coastal Security Act (16 U.S.C. 7506) is  
19 amended—

20 (1) in subsection (a), by striking “Subject to  
21 subsection (c), beginning” and inserting “Begin-  
22 ning”; and

23 (2) in subsection (b)—

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

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

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

4 “(4) an estimate of the blue carbon benefits, in  
5 tons of carbon dioxide sequestered, expected as a re-  
6 sult of grants awarded to projects that received spe-  
7 cial consideration under section 906(a)(1)(I).”.

8 (g) FUNDING.—Section 908 of the National Oceans  
9 and Coastal Security Act (16 U.S.C. 7507) is amended  
10 by striking “such sums as are necessary for fiscal years  
11 2017, 2018, and 2019 for this title” and inserting “to  
12 carry out this title for each of fiscal years 2025 through  
13 2029 \$200,000,000”.

14 (h) CLERICAL AMENDMENT.—The table of contents  
15 in section 1 of Division O of the Consolidated Appropria-  
16 tions Act, 2016 is amended by inserting after the item  
17 relating to section 904 the following:

“Sec. 904A. Coastal Conservation and Community Resilience Fund.”.

18 **SEC. 5. MITIGATION AND ECONOMIC DEVELOPMENT FOR**  
19 **ELIGIBLE INDIAN TRIBES.**

20 The Secretary of the Interior, acting through the Bu-  
21 reau of Indian Affairs, in conjunction with the Secretary  
22 of the Interior’s Tribal Advisory Committee, shall estab-  
23 lish a task force that shall—

24 (1) be composed of not fewer than  $\frac{2}{3}$  of indi-  
25 viduals recommended by Indian Tribes; and



1           “(8) researching the potential effects of off-  
2           shore wind energy development on Federal fisheries  
3           and ocean conditions.”.

4 **SEC. 8. DEFINITIONS.**

5           In this Act:

6           (1) COASTAL STATE.—The term “coastal  
7           State” has the meaning given the term “coastal  
8           state” in section 304 of the Coastal Zone Manage-  
9           ment Act of 1972 (16 U.S.C. 1453).

10          (2) COASTAL WATERS.—The term “coastal  
11          waters” has the meaning given the term in section  
12          304 of the Coastal Zone Management Act of 1972  
13          (16 U.S.C. 1453).

14          (3) COASTAL ZONE.—The term “coastal zone”  
15          means the coastal waters (including the lands there-  
16          in and thereunder) and the adjacent shorelands (in-  
17          cluding the waters therein and thereunder), strongly  
18          influenced by each other and in proximity to the  
19          shorelines of the several coastal states, and includes,  
20          islands, transitional and intertidal areas, salt  
21          marshes, wetlands, and beaches. The zone extends,  
22          in Great Lakes waters, to the international boundary  
23          between the United States and Canada and, in other  
24          areas, seaward to the outer limit of State title and  
25          ownership under the Submerged Lands Act (43

1 U.S.C. 1301 et seq.), the Act of March 2, 1917 (48  
2 U.S.C. 749), the Covenant to Establish a Common-  
3 wealth of the Northern Mariana Islands in Political  
4 Union with the United States of America, as ap-  
5 proved by the Act of March 24, 1976 (48 U.S.C.  
6 1681 note), or section 1 of the Act of November 20,  
7 1963 (48 U.S.C. 1705), as applicable. The zone ex-  
8 tends inland from the shorelines only to the extent  
9 necessary to control shorelands, the uses of which  
10 have a direct and significant impact on the coastal  
11 waters, and to control those geographical areas  
12 which are likely to be affected by or vulnerable to  
13 sea level rise.

14 (4) ELIGIBLE INDIAN TRIBE.—The term “eligi-  
15 ble Indian Tribe” means an Indian Tribe—

16 (A) with Indian land—

17 (i) located within a coastal State; and

18 (ii) with a point in the coastal zone

19 that is located within 75 miles of the geo-

20 graphic center of the area of a lease, ease-

21 ment, or right-of-way for an offshore re-

22 newable energy project; or

23 (B) that the Secretary of the Interior de-

24 termines has an ancestral or aboriginal connec-

25 tion to coastal waters or adjacent shorelands

1 through the presence of villages, burial grounds,  
2 sacred sites, or objects of other cultural pat-  
3 rimony of the Indian Tribe.

4 (5) INDIAN LAND.—The term “Indian land”  
5 has the meaning given the term in section 2601(2)  
6 of the Energy Policy Act of 1992 (25 U.S.C.  
7 3501(2)).

8 (6) INDIAN TRIBE.—The term “Indian Tribe”  
9 has the meaning given the term in section 4 of the  
10 Indian Self-Determination and Education Assistance  
11 Act (25 U.S.C. 5304).

12 (7) OFFSHORE RENEWABLE ENERGY  
13 PROJECT.—The term “offshore renewable energy  
14 project” means a project carried out under a lease,  
15 easement, or right-of-way granted under section  
16 8(p)(1)(C) of the Outer Continental Shelf Lands Act  
17 (43 U.S.C. 1337(p)(1)(C)).

18 (8) QUALIFIED OFFSHORE RENEWABLE EN-  
19 ERGY LEASING REVENUE.—The term “qualified off-  
20 shore renewable energy leasing revenue” means, with  
21 respect to a fiscal year, all royalties, fees, rentals,  
22 bonuses, and other payments received by the Federal  
23 Government pursuant to subparagraph (A) of sec-  
24 tion 8(p)(2) of the Outer Continental Shelf Lands  
25 Act (43 U.S.C. 1337(p)(2)), not including any rev-

- 1 enue made as a payment under subparagraph (B) of
- 2 section 8(p)(2) of such Act.