GENERAL COUNSEL OF THE
UNITED STATES DEPARTMENT OF COMMERCE
Washington, D.C. 20230

OCT 29 2007

The Honorable Daniel K. Inouye
Chairman, Committee on Commerce,
Science, and Transportation
United States Senate
Washington, D.C. 20510-6125

Dear Mr. Chairman:

This letter expresses the Administration's support for S. 1580, the *Coral Reef Conservation Amendments Act of 2007*, which reauthorizes and amends the Coral Reef Conservation Act of 2000 (CRCA). S. 1580 would reauthorize the National Coral Reef Conservation Program, which addresses coral reef conservation objectives highlighted in the President's *U.S. Ocean Action Plan* and facilitates broader interagency efforts with our partners. The Administration strongly supports S. 1580, which is similar in many respects to the Administration's reauthorization proposal, the *Coral Reef Ecosystem Amendments Act of 2007*.

S. 1580 makes several amendments that are necessary to implement the objectives of the CRCA more effectively. Proposed changes would clarify the need for protection of all U.S. coral reef areas, provide tools for stronger partnerships, and direct the National Oceanic and Atmospheric Administration (NOAA) to focus its coral reef conservation program on coral disease and bleaching as emerging threats. The most significant changes add authorities to address injuries to coral reefs by providing authorization for monies to be placed into an emergency response fund, make parties responsible for injuries to reefs liable for the costs of response and restoration, and provide NOAA and the Department of the Interior with various enforcement authorities. The Committee's proposed legislation would, for the first time, establish a damage-recovery process for all coral reefs, including those in National Wildlife Refuges, and increase the effectiveness of current authorities for recovering damages for injuries to reefs in the National Park and National Marine Sanctuary Systems.

The Administration generally supports the concept of community-based planning and management included in this bill, which provides an opportunity and incentive for capacity building at the local level. NOAA has supported a number of these community-led efforts through existing Coral Reef Conservation Program grants. In addition, the expanded definitions of "coral", "coral reef", and "coral reef ecosystem" would improve NOAA's ability to research and manage the full extent of these valuable ecosystems. We request, however, that the authorization levels contained in S. 1580 be modified to be consistent with the President's FY 2008 Budget.

We note that S. 1580 fails to address a matter raised by Section 20 of the Administration proposal. This section provides specific authorization for the Department of the Interior (DOI)

to provide technical and financial assistance to States and territories to address threats to coral reefs, and clarifies that several general authorities relating to the territories and to the conservation of fish and wildlife resources also apply to the conservation of coral reefs. DOI's efforts and resources are an important element of our nation's coral conservation program, and we would be pleased to work with you to include this matter in S. 1580.

We commend the Committee for its efforts to enact legislation that would significantly strengthen the protection of all U.S. coral reefs. We look forward to continuing to work with you to reauthorize the Coral Reef Conservation Act of 2000. The Department of Commerce is available to discuss other concerns as the legislative process continues.

The Office of Management and Budget has advised that there is no objection to the submission of this letter from the standpoint of the Administration's program.

Sincerely,

John J. Sullivan

John J. Sullivan

cc: The Honorable Ted Stevens, Vice Chairman,
Committee on Commerce, Science and Transportation

The Honorable Maria Cantwell, Chair,
Subcommittee on Oceans, Atmosphere, Fisheries and Coast Guard

The Honorable Olympia J. Snowe, Ranking Member,
Subcommittee on Oceans, Atmosphere, Fisheries and Coast Guard