

Calendar No. 497

109TH CONGRESS
2^D SESSION

S. 2430

[Report No. 109–270]

To amend the Great Lakes Fish and Wildlife Restoration Act of 1990 to provide for implementation of recommendations of the United States Fish and Wildlife Service contained in the Great Lakes Fishery Resources Restoration Study.

IN THE SENATE OF THE UNITED STATES

MARCH 16 (legislative day, MARCH 15), 2006

Mr. DEWINE (for himself, Mr. LEVIN, Mr. VOINOVICH, and Ms. STABENOW) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

JUNE 27, 2006

Reported by Mr. INHOFE, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To amend the Great Lakes Fish and Wildlife Restoration Act of 1990 to provide for implementation of recommendations of the United States Fish and Wildlife Service contained in the Great Lakes Fishery Resources Restoration Study.

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 “Great Lakes Fish and
3 Wildlife Restoration Act of 2006”.

4 **SEC. 2. FINDINGS.**

5 Congress finds that—

6 (1) the Great Lakes have fish and wildlife com-
7 munities that are structurally and functionally
8 changing;

9 (2) successful fish and wildlife management fo-
10 cuses on the lakes as ecosystems, and effective man-
11 agement requires the coordination and integration of
12 efforts of many partners;

13 (3) it is in the national interest to undertake
14 activities in the Great Lakes Basin that support sus-
15 tainable fish and wildlife resources of common con-
16 cern provided under the recommendations of the
17 Great Lakes Regional Collaboration authorized
18 under Executive Order 13340 (69 Fed. Reg. 29043;
19 relating to the Great Lakes Interagency Task
20 Force);

21 (4) additional actions and better coordination
22 are needed to protect and effectively manage the fish
23 and wildlife resources, and the habitats upon which
24 the resources depend, in the Great Lakes Basin;

25 (5) as of the date of enactment of this Act, ac-
26 tions are not funded that are considered essential to

1 meet the goals and objectives in managing the fish
 2 and wildlife resources, and the habitats upon which
 3 the resources depend, in the Great Lakes Basin; and
 4 (6) the Great Lakes Fish and Wildlife Restora-
 5 tion Act (16 U.S.C. 941 et seq.) allows Federal
 6 agencies, States, and tribes to work in an effective
 7 partnership by providing the funding for restoration
 8 work.

9 **SEC. 3. DEFINITIONS.**

10 Section 1004 of the Great Lakes Fish and Wildlife
 11 Restoration Act of 1990 (16 U.S.C. 941b) is amended—

12 (1) by striking paragraphs (1), (4), and (12);

13 (2) by redesignating paragraphs (2), (3), (5),
 14 (6), (7), (8), (9), (10), (11), (13), and (14) as para-
 15 graphs (1), (2), (3), (4), (5), (6), (7), (9), (10),
 16 (11), and (12), respectively;

17 (3) in paragraph (4) (as redesignated by para-
 18 graph (2)), by inserting before the semicolon at the
 19 end the following: “, and that has Great Lakes fish
 20 and wildlife management authority in the Great
 21 Lakes Basin”; and

22 (4) by inserting after paragraph (7) (as redesign-
 23 ated by paragraph (2)) the following:

24 “(8) the term ‘regional project’ means author-
 25 ized activities of the United States Fish and Wildlife

1 Service related to fish and wildlife resource protec-
 2 tion, restoration, maintenance, and enhancement
 3 that benefit the Great Lakes basin;”.

4 **SEC. 4. IDENTIFICATION, REVIEW, AND IMPLEMENTATION**
 5 **OF PROPOSALS.**

6 Section 1005 of the Great Lakes Fish and Wildlife
 7 Restoration Act of 1990 (16 U.S.C. 941e) is amended to
 8 read as follows:

9 **“SEC. 1005. IDENTIFICATION, REVIEW, AND IMPLEMENTA-**
 10 **TION OF PROPOSALS AND REGIONAL**
 11 **PROJECTS.**

12 **“(a) IN GENERAL.—**Subject to subsection (b)(2), the
 13 Director—

14 **“(1)** shall encourage the development and, sub-
 15 ject to the availability of appropriations, the imple-
 16 mentation of fish and wildlife restoration proposals
 17 and regional projects; and

18 **“(2)** in cooperation with the State Directors
 19 and Indian Tribes, shall identify, develop, and, sub-
 20 ject to the availability of appropriations, implement
 21 regional projects in the Great Lakes Basin to be ad-
 22 ministered by Director in accordance with this sec-
 23 tion.

24 **“(b) IDENTIFICATION OF PROPOSALS AND REGIONAL**
 25 **PROJECTS.—**

1 “(1) REQUEST BY THE DIRECTOR.—The Direc-
 2 tor shall annually request that State Directors and
 3 Indian Tribes, in cooperation or partnership with
 4 other interested entities and in accordance with sub-
 5 section (a), submit proposals or regional projects for
 6 the restoration of fish and wildlife resources.

7 “(2) REQUIREMENTS FOR PROPOSALS AND RE-
 8 GIONAL PROJECTS.—A proposal or regional project
 9 under paragraph (1) shall be—

10 “(A) submitted in the manner and form
 11 prescribed by the Director; and

12 “(B) consistent with—

13 “(i) the goals of the Great Lakes
 14 Water Quality Agreement, as amended;

15 “(ii) the 1954 Great Lakes Fisheries
 16 Convention;

17 “(iii) the 1980 Joint Strategic Plan
 18 for Management of Great Lakes Fisheries,
 19 as revised in 1997, and Fish Community
 20 Objectives for each Great Lake and con-
 21 necting water as established under the
 22 Joint Strategic Plan;

23 “(iv) the Nonindigenous Aquatic Nui-
 24 sance Prevention and Control Act of 1990
 25 (16 U.S.C. 4701 et seq.);

1 “(v) the North American Waterfowl
2 Management Plan and joint ventures es-
3 tablished under the plan; and

4 “(vi) the strategies outlined through
5 the Great Lakes Regional Collaboration
6 authorized under Executive Order 13340
7 (69 Fed. Reg. 29043; relating to the Great
8 Lakes Interagency Task Force).

9 ~~“(3) SEA LAMPREY AUTHORITY.—~~The Great
10 Lakes Fishery Commission shall retain authority
11 and responsibility to formulate and implement a
12 comprehensive program to eradicate or minimize sea
13 lamprey populations in the Great Lakes Basin.

14 ~~“(c) REVIEW OF PROPOSALS.—~~

15 ~~“(1) ESTABLISHMENT OF COMMITTEE.—~~There
16 is established the Great Lakes Fish and Wildlife
17 Restoration Proposal Review Committee, which shall
18 operate under the guidance of the United States
19 Fish and Wildlife Service.

20 ~~“(2) MEMBERSHIP AND APPOINTMENT.—~~

21 ~~“(A) IN GENERAL.—~~The Committee shall
22 consist of 2 representatives of each of the State
23 Directors and Indian Tribes, of whom—

24 ~~“(i) 1 representative shall be the indi-~~
25 vidual appointed by the State Director or

1 Indian Tribe to the Council of Lake Com-
 2 mittees of the Great Lakes Fishery Com-
 3 mission; and

4 “(ii) 1 representative shall have exper-
 5 tise in wildlife management.

6 “(B) APPOINTMENTS.—Each representa-
 7 tive shall serve at the pleasure of the appointing
 8 State Director or Tribal Chair.

9 “(C) OBSERVER.—The Great Lakes Coor-
 10 dinator of the United States Fish and Wildlife
 11 Service shall participate as an observer of the
 12 Committee.

13 “(D) RECUSAL.—A member of the Com-
 14 mittee shall recuse himself or herself from con-
 15 sideration of proposals that the member, or the
 16 entity that the member represents, has sub-
 17 mitted.

18 “(3) FUNCTIONS.—The Committee shall—

19 “(A) meet at least annually;

20 “(B) review proposals and special projects
 21 developed in accordance with subsection (b) to
 22 assess the effectiveness and appropriateness of
 23 the proposals and special projects in fulfilling
 24 the purposes of this title; and

1 “(C) recommend to the Director any of
 2 those proposals and special projects that should
 3 be funded and implemented under this section.

4 “(d) IMPLEMENTATION OF PROPOSALS AND RE-
 5 REGIONAL PROJECTS.—

6 “(1) IN GENERAL.—After considering rec-
 7 ommendations of the Committee and the goals speci-
 8 fied in section 1006, the Director shall—

9 “(A) select proposals and regional projects
 10 to be implemented; and

11 “(B) subject to the availability of appro-
 12 priations and subsection (e), fund implementa-
 13 tion of the proposals and regional projects.

14 “(2) SELECTION CRITERIA.—In selecting and
 15 funding proposals and regional projects, the Director
 16 shall take into account the effectiveness and appro-
 17 priateness of the proposals and regional projects in
 18 fulfilling the purposes of other laws applicable to
 19 restoration of the fish and wildlife resources and
 20 habitat of the Great Lakes Basin.

21 “(e) COST SHARING.—

22 “(1) IN GENERAL.—Except as provided in para-
 23 graphs (2) and (4), not less than 25 percent of the
 24 cost of implementing a proposal selected under sub-
 25 section (d) (excluding the cost of establishing sea

1 lamprey barriers) shall be paid in cash or in-kind
 2 contributions by non-Federal sources.

3 ~~“(2) REGIONAL PROJECTS.—Regional projects~~
 4 ~~selected under subsection (d) shall be exempt from~~
 5 ~~cost sharing if the Director determines that the au-~~
 6 ~~thorization for the project does not require a non-~~
 7 ~~Federal cost-share.~~

8 ~~“(3) EXCLUSION OF FEDERAL FUNDS FROM~~
 9 ~~NON-FEDERAL SHARE.—The Director may not con-~~
 10 ~~sider the expenditure, directly or indirectly, of Fed-~~
 11 ~~eral funds received by any entity to be a contribution~~
 12 ~~by a non-Federal source for purposes of this sub-~~
 13 ~~section.~~

14 ~~“(4) EFFECT ON CERTAIN INDIAN TRIBES.—~~
 15 ~~Nothing in this subsection affects an Indian tribe af-~~
 16 ~~ected by an alternative applicable cost sharing re-~~
 17 ~~quirement under the Indian Self-Determination and~~
 18 ~~Education Assistance Act (25 U.S.C. 450 et seq.).”.~~

19 **SEC. 5. GOALS OF UNITED STATES FISH AND WILDLIFE**
 20 **SERVICE PROGRAMS RELATED TO GREAT**
 21 **LAKES FISH AND WILDLIFE RESOURCES.**

22 Section 1006 of the Great Lakes Fish and Wildlife
 23 Restoration Act of 1990 (16 U.S.C. 941d) is amended by
 24 striking paragraph (1) and inserting the following:

1 ~~“(1) Restoring and maintaining self-sustaining~~
 2 ~~fish and wildlife resources.”.~~

3 **SEC. 6. ESTABLISHMENT OF OFFICES.**

4 Section 1007 of the Great Lakes Fish and Wildlife
 5 Restoration Act of 1990 (16 U.S.C. 941e) is amended—

6 ~~(1) by striking subsection (a) and inserting the~~
 7 ~~following:~~

8 ~~“(a) GREAT LAKES COORDINATION OFFICE.—~~

9 ~~“(1) IN GENERAL.—The Director shall establish~~
 10 ~~a centrally located facility for the coordination of all~~
 11 ~~United States Fish and Wildlife Service activities in~~
 12 ~~the Great Lakes Basin, to be known as the ‘Great~~
 13 ~~Lakes Coordination Office’.~~

14 ~~“(2) FUNCTIONAL RESPONSIBILITIES.—The~~
 15 ~~functional responsibilities of the Great Lakes Co-~~
 16 ~~ordination Office shall include—~~

17 ~~“(A) intra- and interagency coordination;~~

18 ~~“(B) information distribution; and~~

19 ~~“(C) public outreach.~~

20 ~~“(3) REQUIREMENTS.—The Great Lakes Co-~~
 21 ~~ordination Office shall—~~

22 ~~“(A) ensure that information acquired~~
 23 ~~under this Act is made available to the public;~~
 24 ~~and~~

1 “(B) report to the Director of Region 3,
2 Great Lakes Big Rivers.”;

3 ~~(2) in subsection (b)—~~

4 (A) in the first sentence, by striking “The
5 Director” and inserting the following:

6 ~~“(1) IN GENERAL.—The Director”;~~

7 (B) in the second sentence, by striking
8 “The office” and inserting the following:

9 ~~“(2) NAME AND LOCATION.—The office”; and~~

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

11 ~~“(3) RESPONSIBILITIES.—The responsibilities~~
12 of the Lower Great Lakes Fishery Resources Office
13 shall include operational activities of the United
14 States Fish and Wildlife Service related to fishery
15 resource protection, restoration, maintenance, and
16 enhancement in the Lower Great Lakes.”; and

17 ~~(3) in subsection (c)—~~

18 (A) in the first sentence, by striking “The
19 Director” and inserting the following:

20 ~~“(1) IN GENERAL.—The Director”;~~

21 (B) in the second sentence, by striking
22 “The office” and inserting the following:

23 ~~“(2) NAME AND LOCATION.—The office”; and~~

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

1 ~~“(3) RESPONSIBILITIES.—The responsibilities~~
 2 ~~of the Upper Great Lakes Fishery Resources Offices~~
 3 ~~shall include operational activities of the United~~
 4 ~~States Fish and Wildlife Service related to fishery~~
 5 ~~resource protection, restoration, maintenance, and~~
 6 ~~enhancement in the Upper Great Lakes.”.~~

7 **SEC. 7. REPORTS.**

8 Section 1008 of the Great Lakes Fish and Wildlife
 9 Restoration Act of 1990 (16 U.S.C. 941f) is amended to
 10 read as follows:

11 ~~“SEC. 1008. REPORTS.~~

12 ~~“(a) IN GENERAL.—Not later than December 31,~~
 13 ~~2011, the Director shall submit to the Committee on Re-~~
 14 ~~sources of the House of Representatives and the Com-~~
 15 ~~mittee on Environment and Public Works of the Senate~~
 16 ~~a report that describes—~~

17 ~~“(1) actions taken to solicit and review pro-~~
 18 ~~posals under section 1005;~~

19 ~~“(2) the results of proposals implemented under~~
 20 ~~section 1005; and~~

21 ~~“(3) progress toward the accomplishment of the~~
 22 ~~goals specified in section 1006.~~

23 ~~“(b) ANNUAL REPORTS.—Not later than December~~
 24 ~~31 of each of fiscal years 2007 through 2012, the Director~~

1 shall submit to the 8 Great Lakes States and Indian
2 Tribes a report that describes—

3 “(1) actions taken to solicit and review pro-
4 posals under section 1005;

5 “(2) the results of proposals implemented under
6 section 1005;

7 “(3) progress toward the accomplishment of the
8 goals specified in section 1006;

9 “(4) the priorities proposed for funding in the
10 annual budget process under this title; and

11 “(5) actions taken in support of the rec-
12 ommendations of the Great Lakes Regional Collabo-
13 ration authorized under Executive Order 13340 (69
14 Fed. Reg. 29043; relating to the Great Lakes Inter-
15 agency Task Force).

16 “(c) STUDY.—

17 “(1) IN GENERAL.—Not later than December
18 16, 2009, the Director, in consultation with State
19 fish and wildlife resource management agencies, In-
20 dian Tribes, and the Great Lakes Fishery Commis-
21 sion, shall—

22 “(A) conduct a comprehensive study of the
23 status, and the assessment, management, and
24 restoration needs, of the fish and wildlife re-
25 sources of the Great Lakes Basin, including a

comprehensive review of the accomplishments
that have been achieved under this title through
fiscal year 2008; and

“(B) submit to the President of the Senate
and the Speaker of the House of Representa-
tives—

“(i) the study described in subpara-
graph (A); and

“(ii) a comprehensive report on the
findings of the study.

“(d) REPORT.—Not later than June 30, 2006, the
Director shall submit to the Committee on Environment
and Public Works of the Senate and the Committee on
Resources of the House of Representatives the 2002 re-
port required under this section as in effect on the day
before the date of enactment of the Great Lakes Fish and
Wildlife Restoration Act of 2006.”.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

Section 1009 of the Great Lakes Fish and Wildlife
Restoration Act of 1990 (16 U.S.C. 941g) is amended to
read as follows:

“SEC. 1009. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to the Di-
rector for each of fiscal years 2007 through 2012—

“(1) \$12,000,000, of which—

1 “(A) \$11,400,000 shall be allocated to im-
 2 plement fish and wildlife restoration proposals
 3 as selected by the Director under section
 4 1005(e); and

5 “(B) the lesser of 5 percent or \$600,000
 6 shall be allocated to the United States Fish and
 7 Wildlife Service to cover costs incurred in ad-
 8 ministering the proposals by any entity;

9 “(2) \$6,000,000, which shall be allocated to im-
 10 plement regional projects by the United States Fish
 11 and Wildlife Service, as selected by the Director
 12 under section 1005(e); and

13 “(3) \$2,000,000, which shall be allocated for
 14 the activities of the Great Lake Coordination Office
 15 in East Lansing, Michigan, of the Upper Great
 16 Lakes Fishery Resources Office, and the Lower
 17 Great Lakes Fishery Resources Office under section
 18 1007.”.

19 **SECTION 1. SHORT TITLE.**

20 *This Act may be cited as the “Great Lakes Fish and*
 21 *Wildlife Restoration Act of 2006”.*

22 **SEC. 2. FINDINGS.**

23 *Congress finds that—*

1 (1) *the Great Lakes have fish and wildlife com-*
2 *munities that are structurally and functionally*
3 *changing;*

4 (2) *successful fish and wildlife management fo-*
5 *cuses on the lakes as ecosystems, and effective manage-*
6 *ment requires the coordination and integration of ef-*
7 *forts of many partners;*

8 (3) *it is in the national interest to undertake ac-*
9 *tivities in the Great Lakes Basin that support sus-*
10 *tainable fish and wildlife resources of common con-*
11 *cern provided under the recommendations of the*
12 *Great Lakes Regional Collaboration authorized under*
13 *Executive Order 13340 (69 Fed. Reg. 29043; relating*
14 *to the Great Lakes Interagency Task Force);*

15 (4) *additional actions and better coordination*
16 *are needed to protect and effectively manage the fish*
17 *and wildlife resources, and the habitats upon which*
18 *the resources depend, in the Great Lakes Basin;*

19 (5) *as of the date of enactment of this Act, ac-*
20 *tions are not funded that are considered essential to*
21 *meet the goals and objectives in managing the fish*
22 *and wildlife resources, and the habitats upon which*
23 *the resources depend, in the Great Lakes Basin; and*

24 (6) *the Great Lakes Fish and Wildlife Restora-*
25 *tion Act (16 U.S.C. 941 et seq.) allows Federal agen-*

1 *cies, States, and tribes to work in an effective part-*
 2 *nership by providing the funding for restoration*
 3 *work.*

4 **SEC. 3. DEFINITIONS.**

5 *Section 1004 of the Great Lakes Fish and Wildlife Res-*
 6 *toration Act of 1990 (16 U.S.C. 941b) is amended—*

7 *(1) by striking paragraphs (1), (4), and (12);*

8 *(2) by redesignating paragraphs (2), (3), (5),*
 9 *(6), (7), (8), (9), (10), (11), (13), and (14) as para-*
 10 *graphs (1), (2), (3), (4), (5), (6), (7), (9), (10), (11),*
 11 *and (12), respectively;*

12 *(3) in paragraph (4) (as redesignated by para-*
 13 *graph (2)), by inserting before the semicolon at the*
 14 *end the following: “, and that has Great Lakes fish*
 15 *and wildlife management authority in the Great*
 16 *Lakes Basin”; and*

17 *(4) by inserting after paragraph (7) (as redesign-*
 18 *ated by paragraph (2)) the following:*

19 *“(8) the term ‘regional project’ means authorized*
 20 *activities of the United States Fish and Wildlife Serv-*
 21 *ice related to fish and wildlife resource protection,*
 22 *restoration, maintenance, and enhancement impact-*
 23 *ing multiple States or Indian Tribes with fish and*
 24 *wildlife management authority in the Great Lakes*
 25 *basin;”.*

1 **SEC. 4. IDENTIFICATION, REVIEW, AND IMPLEMENTATION**
 2 **OF PROPOSALS.**

3 *Section 1005 of the Great Lakes Fish and Wildlife Res-*
 4 *toration Act of 1990 (16 U.S.C. 941c) is amended to read*
 5 *as follows:*

6 **“SEC. 1005. IDENTIFICATION, REVIEW, AND IMPLEMENTA-**
 7 **TION OF PROPOSALS AND REGIONAL**
 8 **PROJECTS.**

9 *“(a) IN GENERAL.—Subject to subsection (b)(2), the*
 10 *Director—*

11 *“(1) shall encourage the development and, subject*
 12 *to the availability of appropriations, the implementa-*
 13 *tion of fish and wildlife restoration proposals and re-*
 14 *gional projects based on the results of the Report; and*

15 *“(2) in cooperation with the State Directors and*
 16 *Indian Tribes, shall identify, develop, and, subject to*
 17 *the availability of appropriations, implement re-*
 18 *gional projects in the Great Lakes Basin to be admin-*
 19 *istered by Director in accordance with this section.*

20 *“(b) IDENTIFICATION OF PROPOSALS AND REGIONAL*
 21 *PROJECTS.—*

22 *“(1) REQUEST BY THE DIRECTOR.—The Director*
 23 *shall annually request that State Directors and In-*
 24 *dian Tribes, in cooperation or partnership with other*
 25 *interested entities and in accordance with subsection*

1 (a), submit proposals or regional projects for the res-
 2 toration of fish and wildlife resources.

3 “(2) *REQUIREMENTS FOR PROPOSALS AND RE-*
 4 *GIONAL PROJECTS.*—A proposal or regional project
 5 under paragraph (1) shall be—

6 “(A) submitted in the manner and form
 7 prescribed by the Director; and

8 “(B) consistent with—

9 “(i) the goals of the Great Lakes Water
 10 Quality Agreement, as amended;

11 “(ii) the 1954 Great Lakes Fisheries
 12 Convention;

13 “(iii) the 1980 Joint Strategic Plan
 14 for Management of Great Lakes Fisheries,
 15 as revised in 1997, and Fish Community
 16 Objectives for each Great Lake and con-
 17 necting water as established under the Joint
 18 Strategic Plan;

19 “(iv) the Nonindigenous Aquatic Nui-
 20 sance Prevention and Control Act of 1990
 21 (16 U.S.C. 4701 et seq.);

22 “(v) the North American Waterfowl
 23 Management Plan and joint ventures estab-
 24 lished under the plan; and

1 “(vi) the strategies outlined through the
 2 *Great Lakes Regional Collaboration* author-
 3 ized under *Executive Order 13340* (69 *Fed.*
 4 *Reg.* 29043; relating to the *Great Lakes*
 5 *Interagency Task Force*).

6 “(3) *SEA LAMPREY AUTHORITY*.—The *Great*
 7 *Lakes Fishery Commission* shall retain authority and
 8 responsibility to formulate and implement a com-
 9 prehensive program to eradicate or minimize sea lam-
 10 prey populations in the *Great Lakes Basin*.

11 “(c) *REVIEW OF PROPOSALS*.—

12 “(1) *ESTABLISHMENT OF COMMITTEE*.—There is
 13 established the *Great Lakes Fish and Wildlife Res-*
 14 toration Proposal Review Committee, which shall op-
 15 erate under the guidance of the *United States Fish*
 16 and Wildlife Service.

17 “(2) *MEMBERSHIP AND APPOINTMENT*.—

18 “(A) *IN GENERAL*.—The Committee shall
 19 consist of 2 representatives of each of the State
 20 Directors and Indian Tribes, of whom—

21 “(i) 1 representative shall be the indi-
 22 vidual appointed by the State Director or
 23 Indian Tribe to the Council of Lake Com-
 24 mittees of the *Great Lakes Fishery Commis-*
 25 sion; and

1 “(ii) 1 representative shall have exper-
2 tise in wildlife management.

3 “(B) APPOINTMENTS.—Each representative
4 shall serve at the pleasure of the appointing
5 State Director or Tribal Chair.

6 “(C) OBSERVER.—The Great Lakes Coordi-
7 nator of the United States Fish and Wildlife
8 Service shall participate as an observer of the
9 Committee.

10 “(D) RECUSAL.—A member of the Com-
11 mittee shall recuse himself or herself from consid-
12 eration of proposals that the member, or the enti-
13 ty that the member represents, has submitted.

14 “(3) FUNCTIONS.—The Committee shall—

15 “(A) meet at least annually;

16 “(B) review proposals and special projects
17 developed in accordance with subsection (b) to
18 assess the effectiveness and appropriateness of the
19 proposals and special projects in fulfilling the
20 purposes of this title; and

21 “(C) recommend to the Director any of
22 those proposals and special projects that should
23 be funded and implemented under this section.

24 “(d) IMPLEMENTATION OF PROPOSALS AND REGIONAL
25 PROJECTS.—

1 “(1) *IN GENERAL.*—After considering rec-
 2 ommendations of the Committee and the goals speci-
 3 fied in section 1006, the Director shall—

4 “(A) select proposals and regional projects
 5 to be implemented; and

6 “(B) subject to the availability of appro-
 7 priations and subsection (e), fund implementa-
 8 tion of the proposals and regional projects.

9 “(2) *SELECTION CRITERIA.*—In selecting and
 10 funding proposals and regional projects, the Director
 11 shall take into account the effectiveness and appro-
 12 priateness of the proposals and regional projects in
 13 fulfilling the purposes of other laws applicable to res-
 14 toration of the fish and wildlife resources and habitat
 15 of the Great Lakes Basin.

16 “(e) *COST SHARING.*—

17 “(1) *IN GENERAL.*—Except as provided in para-
 18 graphs (2) and (4), not less than 25 percent of the
 19 cost of implementing a proposal selected under sub-
 20 section (d) (excluding the cost of establishing sea lam-
 21 prey barriers) shall be paid in cash or in-kind con-
 22 tributions by non-Federal sources.

23 “(2) *REGIONAL PROJECTS.*—Regional projects se-
 24 lected under subsection (d) shall be exempt from cost
 25 sharing if the Director determines that the authoriza-

1 *tion for the project does not require a non-Federal*
 2 *cost-share.*

3 “(3) *EXCLUSION OF FEDERAL FUNDS FROM NON-*
 4 *FEDERAL SHARE.—The Director may not consider the*
 5 *expenditure, directly or indirectly, of Federal funds*
 6 *received by any entity to be a contribution by a non-*
 7 *Federal source for purposes of this subsection.*

8 “(4) *EFFECT ON CERTAIN INDIAN TRIBES.—*
 9 *Nothing in this subsection affects an Indian tribe af-*
 10 *ected by an alternative applicable cost sharing re-*
 11 *quirement under the Indian Self-Determination and*
 12 *Education Assistance Act (25 U.S.C. 450 et seq.).”.*

13 **SEC. 5. GOALS OF UNITED STATES FISH AND WILDLIFE**
 14 **SERVICE PROGRAMS RELATED TO GREAT**
 15 **LAKES FISH AND WILDLIFE RESOURCES.**

16 *Section 1006 of the Great Lakes Fish and Wildlife Res-*
 17 *toration Act of 1990 (16 U.S.C. 941d) is amended by strik-*
 18 *ing paragraph (1) and inserting the following:*

19 “(1) *Restoring and maintaining self-sustaining*
 20 *fish and wildlife resources.”.*

21 **SEC. 6. ESTABLISHMENT OF OFFICES.**

22 *Section 1007 of the Great Lakes Fish and Wildlife Res-*
 23 *toration Act of 1990 (16 U.S.C. 941e) is amended—*

24 (1) *by striking subsection (a) and inserting the*
 25 *following:*

1 “(a) *GREAT LAKES COORDINATION OFFICE.*—

2 “(1) *IN GENERAL.*—*The Director shall establish*
 3 *a centrally located facility for the coordination of all*
 4 *United States Fish and Wildlife Service activities in*
 5 *the Great Lakes Basin, to be known as the ‘Great*
 6 *Lakes Coordination Office’.*

7 “(2) *FUNCTIONAL RESPONSIBILITIES.*—*The func-*
 8 *tional responsibilities of the Great Lakes Coordina-*
 9 *tion Office shall include—*

10 “(A) *intra- and interagency coordination;*

11 “(B) *information distribution; and*

12 “(C) *public outreach.*

13 “(3) *REQUIREMENTS.*—*The Great Lakes Coordi-*
 14 *nation Office shall—*

15 “(A) *ensure that information acquired*
 16 *under this Act is made available to the public;*
 17 *and*

18 “(B) *report to the Director of Region 3,*
 19 *Great Lakes Big Rivers.”;*

20 (2) *in subsection (b)—*

21 (A) *in the first sentence, by striking “The*
 22 *Director” and inserting the following:*

23 “(1) *IN GENERAL.*—*The Director”;*.

24 (B) *in the second sentence, by striking “The*
 25 *office” and inserting the following:*

1 “(2) *NAME AND LOCATION.*—*The office*”; and

2 *(C) by adding at the end the following:*

3 “(3) *RESPONSIBILITIES.*—*The responsibilities of*
4 *the Lower Great Lakes Fishery Resources Office shall*
5 *include operational activities of the United States*
6 *Fish and Wildlife Service related to fishery resource*
7 *protection, restoration, maintenance, and enhance-*
8 *ment in the Lower Great Lakes.*”; and

9 *(3) in subsection (c)—*

10 *(A) in the first sentence, by striking “The*
11 *Director” and inserting the following:*

12 “(1) *IN GENERAL.*—*The Director*”;.

13 *(B) in the second sentence, by striking*
14 *“Each of the offices” and inserting the following:*

15 “(2) *NAME AND LOCATION.*—*Each of the offices*”;
16 and

17 *(C) by adding at the end the following:*

18 “(3) *RESPONSIBILITIES.*—*The responsibilities of*
19 *the Upper Great Lakes Fishery Resources Offices shall*
20 *include operational activities of the United States*
21 *Fish and Wildlife Service related to fishery resource*
22 *protection, restoration, maintenance, and enhance-*
23 *ment in the Upper Great Lakes.*”.

1 **SEC. 7. REPORTS.**

2 *Section 1008 of the Great Lakes Fish and Wildlife Res-*
 3 *toration Act of 1990 (16 U.S.C. 941f) is amended to read*
 4 *as follows:*

5 **“SEC. 1008. REPORTS.**

6 “(a) *IN GENERAL.*—*Not later than December 31, 2011,*
 7 *the Director shall submit to the Committee on Resources*
 8 *of the House of Representatives and the Committee on Envi-*
 9 *ronment and Public Works of the Senate a report that de-*
 10 *scribes—*

11 “(1) *actions taken to solicit and review proposals*
 12 *under section 1005;*

13 “(2) *the results of proposals implemented under*
 14 *section 1005; and*

15 “(3) *progress toward the accomplishment of the*
 16 *goals specified in section 1006.*

17 “(b) *PUBLIC ACCESS TO DATA.*—*For each of fiscal*
 18 *years 2007 through 2012, the Director shall make available*
 19 *through a public access website of the Department informa-*
 20 *tion that describes—*

21 “(1) *actions taken to solicit and review proposals*
 22 *under section 1005;*

23 “(2) *the results of proposals implemented under*
 24 *section 1005;*

25 “(3) *progress toward the accomplishment of the*
 26 *goals specified in section 1006;*

1 “(4) the priorities proposed for funding in the
2 annual budget process under this title; and

3 “(5) actions taken in support of the rec-
4 ommendations of the Great Lakes Regional Collabora-
5 tion authorized under Executive Order 13340 (69
6 Fed. Reg. 29043; relating to the Great Lakes Inter-
7 agency Task Force).

8 “(c) *REPORT.*—Not later than June 30, 2006, the Di-
9 rector shall submit to the Committee on Environment and
10 Public Works of the Senate and the Committee on Resources
11 of the House of Representatives the 2002 report required
12 under this section as in effect on the day before the date
13 of enactment of the Great Lakes Fish and Wildlife Restora-
14 tion Act of 2006.”.

15 **SEC. 8. CONTINUED MONITORING AND ASSESSMENT OF**
16 **STUDY FINDINGS AND RECOMMENDATIONS.**

17 *The Director of the United States Fish and Wildlife*
18 *Service—*

19 (1) shall continue to monitor the status, and the
20 assessment, management, and restoration needs, of the
21 fish and wildlife resources of the Great Lakes Basin;
22 and

23 (2) may reassess and update, as necessary, the
24 findings and recommendations of the report entitled
25 “Great Lakes Fishery Resources Restoration Study”,

1 *submitted to the President of the Senate and the*
 2 *Speaker of the House of Representatives on September*
 3 *13, 1995.*

4 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

5 *Section 1009 of the Great Lakes Fish and Wildlife Res-*
 6 *toration Act of 1990 (16 U.S.C. 941g) is amended to read*
 7 *as follows:*

8 **“SEC. 1009. AUTHORIZATION OF APPROPRIATIONS.**

9 *“There are authorized to be appropriated to the Direc-*
 10 *tor for each of fiscal years 2007 through 2012—*

11 *“(1) \$18,000,000 to implement fish and wildlife*
 12 *restoration proposals as selected by the Director under*
 13 *section 1005(e), of which—*

14 *“(A) not more than the lesser of 33¹/₃ per-*
 15 *cent or \$6,000,000 may be allocated to imple-*
 16 *ment regional projects by the United States Fish*
 17 *and Wildlife Service, as selected by the Director*
 18 *under section 1005(e); and*

19 *“(B) the lesser of 5 percent or \$600,000*
 20 *shall be allocated to the United States Fish and*
 21 *Wildlife Service to cover costs incurred in ad-*
 22 *ministering the proposals by any entity; and*

23 *“(2) \$2,000,000, which shall be allocated for the*
 24 *activities of the Great Lakes Coordination Office in*
 25 *East Lansing, Michigan, of the Upper Great Lakes*

- 1 *Fishery Resources Office, and the Lower Great Lakes*
- 2 *Fishery Resources Office under section 1007.”.*

Calendar No. 497

109TH CONGRESS
2^D Session

S. 2430

[Report No. 109-270]

A BILL

To amend the Great Lakes Fish and Wildlife Restoration Act of 1990 to provide for implementation of recommendations of the United States Fish and Wildlife Service contained in the Great Lakes Fishery Resources Restoration Study.

JUNE 27, 2006

Reported with an amendment