

## Calendar No. 343

118TH CONGRESS  
2D SESSION**S. 3791**

To reauthorize the America’s Conservation Enhancement Act, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 8 (legislative day, FEBRUARY 7), 2024

Mr. CARPER (for himself, Mrs. CAPITO, Mr. CARDIN, Mr. BOOZMAN, Mr. PADILLA, Mr. WICKER, Mr. WHITEHOUSE, Mr. MULLIN, Mr. VAN HOLLEN, and Mr. CASSIDY) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

MARCH 12, 2024

Reported by Mr. CARPER, with an amendment

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

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**A BILL**

To reauthorize the America’s Conservation Enhancement Act, 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 “America’s Conservation Enhancement Reauthorization  
6 Act of 2024”.

1           (b) **TABLE OF CONTENTS.**—The table of contents for  
 2 this Act is as follows:

See. 1. Short title; table of contents.

**TITLE I—WILDLIFE ENHANCEMENT, DISEASE, AND PREDATION**

See. 101. Losses of livestock due to depredation by federally protected species.

See. 102. Black vulture livestock protection program.

See. 103. Chronic Wasting Disease Task Force.

See. 104. Protection of water, oceans, coasts, and wildlife from invasive species.

See. 105. North American Wetlands Conservation Act.

See. 106. National Fish and Wildlife Foundation Establishment Act.

See. 107. Modification of definition of sport fishing equipment under TSCA.

See. 108. Chesapeake Bay Program.

See. 109. Chesapeake Bay Initiative Act of 1998.

See. 110. Chesapeake Watershed Investments for Landscape Defense.

**TITLE II—NATIONAL FISH HABITAT CONSERVATION THROUGH  
 PARTNERSHIPS**

See. 201. National Fish Habitat Board.

See. 202. Fish Habitat Partnerships.

See. 203. Fish habitat conservation projects.

See. 204. Technical and scientific assistance.

See. 205. Accountability and reporting.

See. 206. Funding.

See. 207. Technical correction.

3 **TITLE I—WILDLIFE ENHANCE-**  
 4 **MENT, DISEASE, AND PREDA-**  
 5 **TION**

6 **SEC. 101. LOSSES OF LIVESTOCK DUE TO DEPREDAATION BY**  
 7 **FEDERALLY PROTECTED SPECIES.**

8           Section 102(d) of the America’s Conservation En-  
 9 hancement Act (7 U.S.C. 8355(d)) is amended, in the  
 10 matter preceding paragraph (1), by striking “2025” and  
 11 inserting “2030”.

1 **SEC. 102. BLACK VULTURE LIVESTOCK PROTECTION PRO-**  
 2 **GRAM.**

3 Section 103 of the America's Conservation Enhance-  
 4 ment Act (7 U.S.C. 8356) is amended—

5 (1) in the section heading, by inserting “;  
 6 **BLACK VULTURE LIVESTOCK PROTECTION**  
 7 **PROGRAM**” after “**COMMON RAVENS**”;

8 (2) by redesignating subsections (a) through (e)  
 9 as paragraphs (1) through (3), respectively, and in-  
 10 denting appropriately;

11 (3) in each of paragraphs (2) and (3) (as so re-  
 12 designated), by striking “subsection (a)” and insert-  
 13 ing “paragraph (1)”;

14 (4) by inserting before paragraph (1) (as so re-  
 15 designated) the following:

16 “(a) DEPREDATION PERMITS FOR BLACK VULTURES  
 17 AND COMMON RAVENS.—”; and

18 (5) by adding at the end the following:

19 “(b) **BLACK VULTURE LIVESTOCK PROTECTION**  
 20 **PROGRAM.—**

21 “(1) **IN GENERAL.—**The Secretary, in coordina-  
 22 tion with States, shall carry out, through fiscal year  
 23 2030, a black vulture livestock protection program  
 24 (referred to in this subsection as the ‘program’) that  
 25 allows 1 public entity per State to hold a statewide

1       depredation permit to protect commercial agriculture  
2       livestock from black vulture predation.

3           ~~“(2) REQUIREMENTS.—~~Each public entity that  
4       holds a depredation permit under the program—

5           ~~“(A) shall—~~

6           ~~“(i) demonstrate sufficient experience~~  
7           ~~and capacity to provide government regu-~~  
8           ~~lated services to the public, as determined~~  
9           ~~by the Secretary;~~

10          ~~“(ii) submit a complete depredation~~  
11          ~~permit application, as determined by the~~  
12          ~~Secretary, for review and approval accord-~~  
13          ~~ing to procedures of the United States~~  
14          ~~Fish and Wildlife Service;~~

15          ~~“(iii) be responsible for complying~~  
16          ~~with, and ensuring subpermittee compli-~~  
17          ~~ance with, as applicable, all permit condi-~~  
18          ~~tions; and~~

19          ~~“(iv) be responsible for collecting,~~  
20          ~~managing, and reporting required informa-~~  
21          ~~tion under the permit; and~~

22          ~~“(B) may subpermit to livestock producers~~  
23          ~~to take black vultures for the purposes of live-~~  
24          ~~stock protection.~~

1           “(3) STUDY.—The Secretary, in consultation  
2           with the Secretary of Agriculture, acting through the  
3           Administrator of the Animal and Plant Health In-  
4           spection Service, shall carry out a study on whether  
5           prescribed take levels of black vultures may be in-  
6           creased for subpermittees within a biologically sus-  
7           tainable take level for the population.

8           “(4) REPORT.—Not later than 1 year after the  
9           date of enactment of the America’s Conservation  
10          Enhancement Reauthorization Act of 2024, the Sec-  
11          retary, in consultation with the Secretary of Agri-  
12          culture, acting through the Administrator of the  
13          Animal and Plant Health Inspection Service, shall  
14          submit to the Chair and Ranking Member of the  
15          Committee on Environment and Public Works of the  
16          Senate and the Chair and Ranking Member of the  
17          Committee on Natural Resources of the House of  
18          Representatives a report on the status of the pro-  
19          gram, including the results of the study required  
20          under paragraph (3).”.

21 **SEC. 103. CHRONIC WASTING DISEASE TASK FORCE.**

22          Section 104(d)(1) of the America’s Conservation En-  
23          hancement Act (16 U.S.C. 667h(d)(1)) is amended by  
24          striking “2025” and inserting “2030”.

1 **SEC. 104. PROTECTION OF WATER, OCEANS, COASTS, AND**  
 2 **WILDLIFE FROM INVASIVE SPECIES.**

3 Section 10(p) of the Fish and Wildlife Coordination  
 4 Act (16 U.S.C. 666e-1(p)) is amended, in the matter pre-  
 5 ceeding paragraph (1), by striking “2025” and inserting  
 6 “2030”.

7 **SEC. 105. NORTH AMERICAN WETLANDS CONSERVATION**  
 8 **ACT.**

9 Section 7(e) of the North American Wetlands Con-  
 10 servation Act (16 U.S.C. 4406(e)) is amended—

11 (1) by striking “not to exceed \$60,000,000”  
 12 and inserting the following: “not to exceed—

13 “(1) \$60,000,000”;

14 (2) in paragraph (1) (as so designated), by  
 15 striking the period at the end and inserting “; and”;  
 16 and

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

18 “(2) \$65,000,000 for each of fiscal years 2026  
 19 through 2030.”.

20 **SEC. 106. NATIONAL FISH AND WILDLIFE FOUNDATION ES-**  
 21 **TABLISHMENT ACT.**

22 Section 10 of the National Fish and Wildlife Founda-  
 23 tion Establishment Act (16 U.S.C. 3709) is amended—

24 (1) in subsection (a)(1), in the matter pre-  
 25 ceeding subparagraph (A), by striking “2025” and  
 26 inserting “2030”; and

1 (2) in subsection (b)(1)—

2 (A) in subparagraph (A), by striking “and  
3 cooperative agreements,” and inserting “, coop-  
4 erative agreements, participating agreements,  
5 and similar instruments used for providing  
6 partnership funds,”;

7 (B) by redesignating subparagraphs (B)  
8 and (C) as subparagraphs (C) and (D), respec-  
9 tively;

10 (C) by inserting after subparagraph (A)  
11 the following:

12 “(B) FUNDING AGREEMENTS.—Federal  
13 departments, agencies, and instrumentalities  
14 may enter into a Federal funding agreement  
15 with the Foundation for a period of not less  
16 than 5 years and not more than 10 years.”; and

17 (D) in subparagraph (C) (as so redesi-  
18 gnated), by inserting “, and should when pos-  
19 sible,” after “may”.

20 **SEC. 107. MODIFICATION OF DEFINITION OF SPORT FISH-**  
21 **ING EQUIPMENT UNDER TSCA.**

22 Section 108(a) of the America’s Conservation En-  
23 hancement Act (15 U.S.C. 2601 note; Public Law 116-  
24 188) is amended by striking “During the 5-year period  
25 beginning on the date of enactment of this Act” and in-

1 sserting “During the period beginning on the date of enact-  
 2 ment of the America’s Conservation Enhancement Reau-  
 3 thorization Act of 2024 and ending on September 30,  
 4 2030”.

5 **SEC. 108. CHESAPEAKE BAY PROGRAM.**

6 Section 117(j) of the Federal Water Pollution Control  
 7 Act (~~33~~ U.S.C. 1267(j)) is amended—

8 (1) in paragraph (4), by striking “and” at the  
 9 end;

10 (2) in paragraph (5), by striking the period at  
 11 the end and inserting “; and”; and

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

13 “(6) for each of fiscal years 2026 through  
 14 2030, \$100,000,000.”.

15 **SEC. 109. CHESAPEAKE BAY INITIATIVE ACT OF 1998.**

16 Section 502(c) of the Chesapeake Bay Initiative Act  
 17 of 1998 (Public Law 105–312; 112 Stat. 2963; 134 Stat.  
 18 920) is amended by striking “2025” and inserting  
 19 “2030”.

20 **SEC. 110. CHESAPEAKE WATERSHED INVESTMENTS FOR**  
 21 **LANDSCAPE DEFENSE.**

22 Section 111(c)(1) of the America’s Conservation En-  
 23 hancement Act (~~33~~ U.S.C. 1267 note; Public Law 116–  
 24 188) is amended by striking “2025” and inserting  
 25 “2030”.



1 **TITLE II—NATIONAL FISH HABITAT**  
 2 **TAT CONSERVATION**  
 3 **THROUGH PARTNERSHIPS**

4 **SEC. 201. NATIONAL FISH HABITAT BOARD.**

5 Section 203(a)(2) of the America’s Conservation En-  
 6 hancement Act (16 U.S.C. 8203(a)(2)) is amended—

7 (1) in the matter preceding subparagraph (A),  
 8 by striking “26 members” and inserting “28 mem-  
 9 bers”;

10 (2) by striking subparagraph (A) and inserting  
 11 the following:

12 “(A) 2 shall be representatives of the De-  
 13 partment of the Interior, including the United  
 14 States Fish and Wildlife Service and the Bu-  
 15 reau of Land Management;” and

16 (3) by striking subparagraph (H) and inserting  
 17 the following:

18 “(H) 2 shall be representatives of—

19 “(i) the Regional Fishery Manage-  
 20 ment Councils established by section  
 21 302(a)(1) of the Magnuson-Stevens Fish-  
 22 ery Conservation and Management Act (16  
 23 U.S.C. 1852(a)(1)); or

24 “(ii) the Marine Fisheries Commis-  
 25 sions;”.

1 **SEC. 202. FISH HABITAT PARTNERSHIPS.**

2 Section 204(e) of the America's Conservation En-  
3 hancement Act (16 U.S.C. 8204(e)) is amended—

4 (1) in paragraph (1), in the matter preceding  
5 subparagraph (A), by inserting “; subject to para-  
6 graph (3),” after “Act and”; and

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

8 “(3) LIMITATION.—The Board shall only sub-  
9 mit a report required under paragraph (1) in the fis-  
10 cal years in which the Board is proposing modifica-  
11 tions to, or new designations of, 1 or more Partner-  
12 ships.”.

13 **SEC. 203. FISH HABITAT CONSERVATION PROJECTS.**

14 Section 205 of the America's Conservation Enhance-  
15 ment Act (16 U.S.C. 8205) is amended—

16 (1) in subsection (b), by striking “for the fol-  
17 lowing fiscal year”; and

18 (2) in subsection (c)—

19 (A) by striking paragraph (1) and insert-  
20 ing the following:

21 “(1) IN GENERAL.—The non-Federal share of  
22 the total cost of all fish habitat conservation projects  
23 carried out by a Partnership each year shall be at  
24 least 50 percent.”; and

25 (B) in paragraph (2), in the matter pre-  
26 ceeding subparagraph (A), by striking “Such

1 non-Federal share of the cost of a fish habitat  
 2 conservation project” and inserting “The non-  
 3 Federal share described in paragraph (1)”.

4 **SEC. 204. TECHNICAL AND SCIENTIFIC ASSISTANCE.**

5 Section 206(a) of the America’s Conservation En-  
 6 hancement Act (16 U.S.C. 8206(a)) is amended by insert-  
 7 ing “, the Bureau of Land Management,” after “the For-  
 8 est Service”.

9 **SEC. 205. ACCOUNTABILITY AND REPORTING.**

10 Section 209 of the America’s Conservation Enhance-  
 11 ment Act (16 U.S.C. 8209) is amended—

12 (1) by striking subsection (b);

13 (2) in subsection (a)—

14 (A) by striking the subsection designation  
 15 and heading and all that follows through “Not  
 16 later than” in paragraph (1) and inserting the  
 17 following:

18 “(a) **IN GENERAL.**—Not later than”; and

19 (B) by redesignating paragraph (2) as sub-  
 20 section (b) and indenting appropriately; and

21 (3) in subsection (b) (as so redesignated)—

22 (A) in the matter preceding subparagraph  
 23 (A), by striking “paragraph (1)” and inserting  
 24 “subsection (a)”;

1           (B) by redesignating subparagraphs (A),  
2           (B), (C), and (D) as paragraphs (1), (2), (3),  
3           and (5), respectively, and indenting appro-  
4           priately;

5           (C) in paragraph (3) (as so redesignated),  
6           by striking “and” at the end;

7           (D) by inserting after paragraph (3) (as so  
8           redesignated) the following:

9           “(4) a description of the status of fish habitats  
10          in the United States as identified by Partnerships;  
11          and”;

12          (E) in paragraph (5) (as so redesi-  
13          gnated)—

14               (i) by redesignating clauses (i)  
15               through (v) as subparagraphs (A) through  
16               (E), respectively, and indenting appro-  
17               priately; and

18               (ii) in subparagraph (C) (as so redesi-  
19               gnated), by redesignating subclauses (I)  
20               and (II) as clauses (i) and (ii), respec-  
21               tively, and indenting appropriately.

22 **SEC. 206. FUNDING.**

23          Section 212 of the America’s Conservation Enhance-  
24          ment Act (16 U.S.C. 8212) is amended—

25               (1) in subsection (a)—

1           (A) in paragraph (1), by inserting “and  
2           \$10,000,000 for each of fiscal years 2026  
3           through 2030” after “through 2025”;

4           (B) in paragraph (2), in the matter pre-  
5           ceding subparagraph (A), by striking “2025”  
6           and inserting “2030”; and

7           (C) in paragraph (3)—

8                 (i) in the matter preceding subpara-  
9                 graph (A), by striking “2025” and insert-  
10                ing “2030”;

11               (ii) by redesignating subparagraphs  
12                (B) through (E) as subparagraphs (C)  
13                through (F), respectively; and

14               (iii) by inserting after subparagraph  
15                (A) the following:

16                “(B) \$400,000 to the Secretary for use by  
17                the Bureau of Land Management;”;

18           (2) by adding at the end the following:

19           “(d) NATIONAL FISH HABITAT ASSESSMENT.—

20           There is authorized to be appropriated for completion of  
21           the National Fish Habitat Assessment described in section  
22           201(4), including the associated database of the National  
23           Fish Habitat Assessment described in that section,  
24           \$1,000,000, to remain available until expended.”.

1 **SEC. 207. TECHNICAL CORRECTION.**

2 Section 211 of the America’s Conservation Enhance-  
 3 ment Act (16 U.S.C. 8211) is amended, in the matter pre-  
 4 ceeding paragraph (1), by striking “The Federal Advisory  
 5 Committee Act (5 U.S.C. App.)” and inserting “Chapter  
 6 10 of title 5, United States Code (commonly known as  
 7 the ‘Federal Advisory Committee Act’),”.

8 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

9 (a) *SHORT TITLE.*—This Act may be cited as the  
 10 “America’s Conservation Enhancement Reauthorization  
 11 Act of 2024”.

12 (b) *TABLE OF CONTENTS.*—The table of contents for  
 13 this Act is as follows:

*Sec. 1. Short title; table of contents.*

**TITLE I—WILDLIFE ENHANCEMENT, DISEASE, AND PREDATION**

- Sec. 101. Losses of livestock due to depredation by federally protected species.*
- Sec. 102. Black vulture livestock protection program.*
- Sec. 103. Chronic Wasting Disease Task Force.*
- Sec. 104. Protection of water, oceans, coasts, and wildlife from invasive species.*
- Sec. 105. North American Wetlands Conservation Act.*
- Sec. 106. National Fish and Wildlife Foundation Establishment Act.*
- Sec. 107. Modification of definition of sport fishing equipment under TSCA.*
- Sec. 108. Chesapeake Bay Program.*
- Sec. 109. Chesapeake Bay Initiative Act of 1998.*
- Sec. 110. Chesapeake Watershed Investments for Landscape Defense.*

**TITLE II—NATIONAL FISH HABITAT CONSERVATION THROUGH PARTNERSHIPS**

- Sec. 201. National Fish Habitat Board.*
- Sec. 202. Fish Habitat Partnerships.*
- Sec. 203. Fish habitat conservation projects.*
- Sec. 204. Technical and scientific assistance.*
- Sec. 205. Accountability and reporting.*
- Sec. 206. Funding.*
- Sec. 207. Technical correction.*

1 **TITLE I—WILDLIFE ENHANCE-**  
 2 **MENT, DISEASE, AND PREDA-**  
 3 **TION**

4 **SEC. 101. LOSSES OF LIVESTOCK DUE TO DEPREDATION BY**  
 5 **FEDERALLY PROTECTED SPECIES.**

6 *Section 102(d) of the America’s Conservation En-*  
 7 *hancement Act (7 U.S.C. 8355(d)) is amended, in the mat-*  
 8 *ter preceding paragraph (1), by striking “2025” and insert-*  
 9 *ing “2030”.*

10 **SEC. 102. BLACK VULTURE LIVESTOCK PROTECTION PRO-**  
 11 **GRAM.**

12 *Section 103 of the America’s Conservation Enhance-*  
 13 *ment Act (7 U.S.C. 8356) is amended—*

14 *(1) in the section heading, by inserting “;*  
 15 ***BLACK VULTURE LIVESTOCK PROTECTION PRO-***  
 16 ***GRAM”*** after “**COMMON RAVENS**”;

17 *(2) by redesignating subsections (a) through (c)*  
 18 *as paragraphs (1) through (3), respectively, and in-*  
 19 *denting appropriately;*

20 *(3) in each of paragraphs (2) and (3) (as so re-*  
 21 *designated), by striking “subsection (a)” and insert-*  
 22 *ing “paragraph (1)”;*

23 *(4) by inserting before paragraph (1) (as so re-*  
 24 *designated) the following:*

1       “(a) *DEPREDAATION PERMITS FOR BLACK VULTURES*  
2 *AND COMMON RAVENS.—*”; and

3               (5) *by adding at the end the following:*

4       “(b) *BLACK VULTURE LIVESTOCK PROTECTION PRO-*  
5 *GRAM.—*

6               “(1) *IN GENERAL.—The Secretary, in coordina-*  
7 *tion with States, shall carry out, through fiscal year*  
8 *2030, a black vulture livestock protection program*  
9 *(referred to in this subsection as the ‘program’) that*  
10 *allows 1 public entity or Farm Bureau organization*  
11 *per State to hold a statewide depredation permit to*  
12 *protect commercial agriculture livestock from black*  
13 *vulture predation.*

14              “(2) *REQUIREMENTS.—Each public entity or*  
15 *Farm Bureau organization that holds a depredation*  
16 *permit under the program—*

17                      “(A) *shall—*

18                              “(i) *demonstrate sufficient experience*  
19 *and capacity to provide government regu-*  
20 *lated services to the public, as determined*  
21 *by the Secretary;*

22                              “(ii) *submit a complete depredation*  
23 *permit application, as determined by the*  
24 *Secretary, for review and approval accord-*



1                    *ing to procedures of the United States Fish*  
2                    *and Wildlife Service;*

3                    *“(iii) be responsible for complying*  
4                    *with, and ensuring subpermittee compliance*  
5                    *with, as applicable, all permit conditions;*  
6                    *and*

7                    *“(iv) be responsible for collecting, man-*  
8                    *aging, and reporting required information*  
9                    *under the permit; and*

10                  *“(B) may subpermit to livestock producers*  
11                  *to take black vultures for the purposes of livestock*  
12                  *protection.*

13                  *“(3) STUDY.—The Secretary, in consultation*  
14                  *with the Secretary of Agriculture, acting through the*  
15                  *Administrator of the Animal and Plant Health In-*  
16                  *spection Service, shall carry out a study on whether*  
17                  *prescribed take levels of black vultures may be in-*  
18                  *creased for subpermittees within a biologically sus-*  
19                  *tainable take level for the population.*

20                  *“(4) REPORT.—Not later than 1 year after the*  
21                  *date of enactment of the America’s Conservation En-*  
22                  *hancement Reauthorization Act of 2024, the Sec-*  
23                  *retary, in consultation with the Secretary of Agri-*  
24                  *culture, acting through the Administrator of the Ani-*  
25                  *mal and Plant Health Inspection Service, shall sub-*

1       *mit to the Chair and Ranking Member of the Com-*  
2       *mittee on Environment and Public Works of the Sen-*  
3       *ate and the Chair and Ranking Member of the Com-*  
4       *mittee on Natural Resources of the House of Rep-*  
5       *resentatives a report on the status of the program, in-*  
6       *cluding the results of the study required under para-*  
7       *graph (3).”.*

8       **SEC. 103. CHRONIC WASTING DISEASE TASK FORCE.**

9       *Section 104(d)(1) of the America’s Conservation En-*  
10      *hancement Act (16 U.S.C. 667h(d)(1)) is amended by strik-*  
11      *ing “2025” and inserting “2030”.*

12      **SEC. 104. PROTECTION OF WATER, OCEANS, COASTS, AND**  
13                                   **WILDLIFE FROM INVASIVE SPECIES.**

14      *Section 10(p) of the Fish and Wildlife Coordination*  
15      *Act (16 U.S.C. 666c–1(p)) is amended, in the matter pre-*  
16      *ceding paragraph (1), by striking “2025” and inserting*  
17      *“2030”.*

18      **SEC. 105. NORTH AMERICAN WETLANDS CONSERVATION**  
19                                   **ACT.**

20      *Section 7(c) of the North American Wetlands Con-*  
21      *servations Act (16 U.S.C. 4406(c)) is amended—*

22                                   (1) *by striking “not to exceed \$60,000,000” and*  
23      *inserting the following: “not to exceed—*

24                                   “(1) \$60,000,000”;

1           (2) *in paragraph (1) (as so designated), by strik-*  
 2           *ing the period at the end and inserting “; and”; and*

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

4           “(2) \$65,000,000 for each of fiscal years 2026  
 5           *through 2030.”.*

6 **SEC. 106. NATIONAL FISH AND WILDLIFE FOUNDATION ES-**  
 7           **TABLISHMENT ACT.**

8           *Section 10 of the National Fish and Wildlife Founda-*  
 9           *tion Establishment Act (16 U.S.C. 3709) is amended—*

10           (1) *in subsection (a)(1), in the matter preceding*  
 11           *subparagraph (A), by striking “2025” and inserting*  
 12           *“2030”; and*

13           (2) *in subsection (b)(1)—*

14           (A) *in subparagraph (A), by striking “and*  
 15           *cooperative agreements,” and inserting “, cooper-*  
 16           *ative agreements, participating agreements, and*  
 17           *similar instruments used for providing partner-*  
 18           *ship funds,”;*

19           (B) *by redesignating subparagraphs (B)*  
 20           *and (C) as subparagraphs (C) and (D), respec-*  
 21           *tively;*

22           (C) *by inserting after subparagraph (A) the*  
 23           *following:*

24           “(B) *FUNDING AGREEMENTS.—Federal de-*  
 25           *partments, agencies, and instrumentalities may*

1           enter into a Federal funding agreement with the  
2           Foundation for a period of not less than 5 years  
3           and not more than 10 years.”; and

4                   (D) in subparagraph (C) (as so redesign-  
5           ated), by inserting “, and should when pos-  
6           sible,” after “may”.

7   **SEC. 107. MODIFICATION OF DEFINITION OF SPORT FISH-**  
8                   **ING EQUIPMENT UNDER TSCA.**

9           Section 108(a) of the America’s Conservation En-  
10          hancement Act (15 U.S.C. 2601 note; Public Law 116–188)  
11          is amended by striking “During the 5-year period begin-  
12          ning on the date of enactment of this Act” and inserting  
13          “During the period beginning on the date of enactment of  
14          the America’s Conservation Enhancement Reauthorization  
15          Act of 2024 and ending on September 30, 2030”.

16   **SEC. 108. CHESAPEAKE BAY PROGRAM.**

17          Section 117(j) of the Federal Water Pollution Control  
18          Act (33 U.S.C. 1267(j)) is amended—

19                   (1) in paragraph (4), by striking “and” at the  
20          end;

21                   (2) in paragraph (5), by striking the period at  
22          the end and inserting “; and”; and

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

24                           “(6) for each of fiscal years 2026 through 2030,  
25                           \$100,000,000.”.

1 **SEC. 109. CHESAPEAKE BAY INITIATIVE ACT OF 1998.**

2 *Section 502(c) of the Chesapeake Bay Initiative Act*  
 3 *of 1998 (Public Law 105–312; 112 Stat. 2963; 134 Stat.*  
 4 *920) is amended by striking “2025” and inserting “2030”.*

5 **SEC. 110. CHESAPEAKE WATERSHED INVESTMENTS FOR**  
 6 **LANDSCAPE DEFENSE.**

7 *Section 111(e)(1) of the America’s Conservation En-*  
 8 *hancement Act (33 U.S.C. 1267 note; Public Law 116–188)*  
 9 *is amended by striking “2025” and inserting “2030”.*

10 **TITLE II—NATIONAL FISH HABI-**  
 11 **TAT CONSERVATION**  
 12 **THROUGH PARTNERSHIPS**

13 **SEC. 201. NATIONAL FISH HABITAT BOARD.**

14 *Section 203 of the America’s Conservation Enhance-*  
 15 *ment Act (16 U.S.C. 8203) is amended—*

16 *(1) in subsection (a)(2)—*

17 *(A) in the matter preceding subparagraph*  
 18 *(A), by striking “26 members” and inserting “28*  
 19 *members”;*

20 *(B) by striking subparagraph (A) and in-*  
 21 *serting the following:*

22 *“(A) 2 shall be representatives of the De-*  
 23 *partment of the Interior, including the United*  
 24 *States Fish and Wildlife Service and the Bureau*  
 25 *of Land Management;”;* and

1                   (C) by striking subparagraphs (G) and (H)  
2                   and inserting the following:

3                   “(G) 2 shall be representatives of Indian  
4                   Tribes, of whom—

5                   “(i) 1 shall be a representative of In-  
6                   dian Tribes in the State of Alaska; and

7                   “(ii) 1 shall be a representative of In-  
8                   dian Tribes in States other than the State  
9                   of Alaska;

10                  “(H) 2 shall be representatives of—

11                  “(i) the Regional Fishery Management  
12                  Councils established by section 302(a)(1) of  
13                  the Magnuson-Stevens Fishery Conservation  
14                  and Management Act (16 U.S.C.  
15                  1852(a)(1)); or

16                  “(ii) the Marine Fisheries Commis-  
17                  sions;”; and

18                  (2) in subsection (e)(1)(B), by striking “all  
19                  members” and inserting “the members present”.

20   **SEC. 202. FISH HABITAT PARTNERSHIPS.**

21                  Section 204(e) of the America’s Conservation Enhance-  
22                  ment Act (16 U.S.C. 8204(e)) is amended—

23                  (1) in paragraph (1), in the matter preceding  
24                  subparagraph (A), by inserting “, subject to para-  
25                  graph (3),” after “Act and”; and

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

2           “(3) *LIMITATION.—The Board shall only submit*  
 3           *a report required under paragraph (1) in the fiscal*  
 4           *years in which the Board is proposing modifications*  
 5           *to, or new designations of, 1 or more Partnerships.”.*

6   **SEC. 203. FISH HABITAT CONSERVATION PROJECTS.**

7           *Section 205 of the America’s Conservation Enhance-*  
 8           *ment Act (16 U.S.C. 8205) is amended—*

9           (1) *in subsection (b), by striking “for the fol-*  
 10          *lowing fiscal year”; and*

11          (2) *in subsection (e)—*

12                 (A) *by striking paragraph (1) and inserting*  
 13                 *the following:*

14                 “(1) *IN GENERAL.—The non-Federal share of the*  
 15                 *total cost of all fish habitat conservation projects car-*  
 16                 *ried out by a Partnership each year shall be at least*  
 17                 *50 percent.”; and*

18                 (B) *in paragraph (2), in the matter pre-*  
 19                 *ceding subparagraph (A), by striking “Such non-*  
 20                 *Federal share of the cost of a fish habitat con-*  
 21                 *servaion project” and inserting “The non-Fed-*  
 22                 *eral share described in paragraph (1)”.*

23   **SEC. 204. TECHNICAL AND SCIENTIFIC ASSISTANCE.**

24           *Section 206(a) of the America’s Conservation En-*  
 25           *hancement Act (16 U.S.C. 8206(a)) is amended by inserting*

1 “, the Bureau of Land Management,” after “the Forest  
2 Service”.

3 **SEC. 205. ACCOUNTABILITY AND REPORTING.**

4 *Section 209 of the America’s Conservation Enhance-*  
5 *ment Act (16 U.S.C. 8209) is amended—*

6 *(1) by striking subsection (b);*

7 *(2) in subsection (a)—*

8 *(A) by striking the subsection designation*  
9 *and heading and all that follows through “Not*  
10 *later than” in paragraph (1) and inserting the*  
11 *following:*

12 *“(a) IN GENERAL.—Not later than”; and*

13 *(B) by redesignating paragraph (2) as sub-*  
14 *section (b) and indenting appropriately; and*

15 *(3) in subsection (b) (as so redesignated)—*

16 *(A) in the matter preceding subparagraph*  
17 *(A), by striking “paragraph (1)” and inserting*  
18 *“subsection (a)”;*

19 *(B) by redesignating subparagraphs (A),*  
20 *(B), (C), and (D) as paragraphs (1), (2), (3),*  
21 *and (5), respectively, and indenting appro-*  
22 *priately;*

23 *(C) in paragraph (3) (as so redesignated),*  
24 *by striking “and” at the end;*



1                   (D) by inserting after paragraph (3) (as so  
2                   redesignated) the following:

3                   “(4) a description of the status of fish habitats  
4                   in the United States as identified by Partnerships;  
5                   and”;

6                   (E) in paragraph (5) (as so redesignated)—

7                   (i) by redesignating clauses (i) through  
8                   (v) as subparagraphs (A) through (E), re-  
9                   spectively, and indenting appropriately;  
10                  and

11                  (ii) in subparagraph (C) (as so redesi-  
12                  gnated), by redesignating subclauses (I)  
13                  and (II) as clauses (i) and (ii), respectively,  
14                  and indenting appropriately.

15 **SEC. 206. FUNDING.**

16                  Section 212 of the America’s Conservation Enhance-  
17                  ment Act (16 U.S.C. 8212) is amended—

18                  (1) in subsection (a)—

19                  (A) in paragraph (1)—

20                  (i) in the paragraph heading, by in-  
21                  serting “PARTNERSHIPS AND” after “HABI-  
22                  TAT”;

23                  (ii) by inserting “and \$10,000,000 for  
24                  each of fiscal years 2026 through 2030”  
25                  after “through 2025”; and

1                   (iii) by inserting “Partnership oper-  
2                   ations under section 204 and” after “to pro-  
3                   vide funds for”;

4                   (B) in paragraph (2), in the matter pre-  
5                   ceding subparagraph (A), by striking “2025”  
6                   and inserting “2030”; and

7                   (C) in paragraph (3)—

8                   (i) in the matter preceding subpara-  
9                   graph (A), by striking “2025” and inserting  
10                  “2030”;

11                  (ii) by redesignating subparagraphs  
12                  (B) through (E) as subparagraphs (C)  
13                  through (F), respectively; and

14                  (iii) by inserting after subparagraph  
15                  (A) the following:

16                  “(B) \$400,000 to the Secretary for use by  
17                  the Bureau of Land Management;”;

18                  (2) by adding at the end the following:

19                  “(d) NATIONAL FISH HABITAT ASSESSMENT.—There  
20                  is authorized to be appropriated for completion of the Na-  
21                  tional Fish Habitat Assessment described in section 201(4),  
22                  including the associated database of the National Fish  
23                  Habitat Assessment described in that section, \$1,000,000,  
24                  to remain available until expended.”.

1 **SEC. 207. TECHNICAL CORRECTION.**

2        *Section 211 of the America’s Conservation Enhance-*  
3 *ment Act (16 U.S.C. 8211) is amended, in the matter pre-*  
4 *ceding paragraph (1), by striking “The Federal Advisory*  
5 *Committee Act (5 U.S.C. App.)” and inserting “Chapter*  
6 *10 of title 5, United States Code (commonly known as the*  
7 *‘Federal Advisory Committee Act’),”.*

Calendar No. 343

118<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S. 3791**

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**A BILL**

To reauthorize the America's Conservation Enhancement Act, and for other purposes.

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MARCH 12, 2024

Reported with an amendment