

**Calendar No. 554**

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

**S. 3073**

**[Report No. 111-283]**

To amend the Federal Water Pollution Control Act to protect and restore  
the Great Lakes.

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IN THE SENATE OF THE UNITED STATES

MARCH 4, 2010

Mr. LEVIN (for himself, Mr. VOINOVICH, Ms. KLOBUCHAR, Mr. BROWN of Ohio, Mr. FRANKEN, Ms. STABENOW, Mr. DURBIN, Mr. BURRIS, Mr. CASEY, and Mrs. GILLIBRAND) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

SEPTEMBER 2, 2010

Reported under authority of the order of the Senate of August 5, 2010, by  
Mrs. BOXER, with an amendment

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

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**A BILL**

To amend the Federal Water Pollution Control Act to protect  
and restore the Great Lakes.

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 Eco-  
3 system Protection Act of 2010”.

4 **SEC. 2. GREAT LAKES PROVISION MODIFICATIONS.**

5       (a) **FINDINGS; PURPOSE.**—Section 118(a) of the  
6 Federal Water Pollution Control Act (33 U.S.C. 1268(a))  
7 is amended—

8               (1) in paragraph (1)—

9                       (A) by striking subparagraph (B) and in-  
10 serting the following:

11                       “(B) the United States should seek to at-  
12 tain the goals embodied in the Great Lakes  
13 Restoration Initiative Action Plan, the Great  
14 Lakes Regional Collaboration Strategy, and the  
15 Great Lakes Water Quality Agreement; and”;  
16 and

17                       (B) in subparagraph (C), by inserting “,  
18 tribal,” after “State”; and

19               (2) by striking paragraph (2) and inserting the  
20 following:

21                       “(2) **PURPOSE.**—The purpose of this section is  
22 to achieve the goals established in the Great Lakes  
23 Restoration Initiative Action Plan, the Great Lakes  
24 Regional Collaboration Strategy, and the Great  
25 Lakes Water Quality Agreement through—

1           “(A) improved organization and definition  
2 of mission on the part of the Agency;

3           “(B) the funding of grants for protection,  
4 restoration, and pollution control in the Great  
5 Lakes area; and

6           “(C) improved accountability.”.

7       (b) GREAT LAKES MANAGEMENT.—Section 118(e) of  
8 the Federal Water Pollution Control Act (33 U.S.C.  
9 1268(e)) is amended—

10       (1) in paragraph (1)—

11           (A) in subparagraph (A), by striking “;”  
12 and inserting a semicolon;

13           (B) by striking subparagraph (E);

14           (C) by redesignating subparagraphs (C)  
15 and (D) as subparagraphs (E) and (F), respec-  
16 tively;

17           (D) in subparagraph (E) (as so redesign-  
18 ated), by adding “and” at the end;

19           (E) in subparagraph (F) (as so redesign-  
20 ated), by striking “; and” and inserting a pe-  
21 riod; and

22           (F) by inserting after subparagraph (B)  
23 the following:

24           “(C) provide the support described in para-  
25 graph (6);

1           “(D) coordinate with the Great Lakes  
2           Interagency Task Force, as required under  
3           paragraph (7);”;

4           (2) in paragraph (3)(C), by striking “subpara-  
5           graph (c)(1)(C) of this section” and inserting “para-  
6           graph (1)(E)”;

7           (3) by striking paragraph (6) and inserting the  
8           following:

9           “(6) GREAT LAKES GOVERNANCE AND MANAGE-  
10          MENT.—

11          “(A) GREAT LAKES LEADERSHIP COUN-  
12          CIL.—

13               “(i) ESTABLISHMENT.—There is es-  
14               tablished a council, to be known as the  
15               Great Lakes Leadership Council (referred  
16               to in this paragraph as the ‘Council’).

17               “(ii) DUTIES.—The Council shall—

18                       “(I) develop and establish Great  
19                       Lakes protection and restoration pol-  
20                       icy;

21                       “(II) approve long-term goals  
22                       and objectives relating to Great Lakes  
23                       protection and restoration, including  
24                       the Great Lakes Restoration Initia-  
25                       tive;

1           “(III) establish annual priorities  
2           with respect to Great Lakes protec-  
3           tion and restoration, including prior-  
4           ities for the Great Lakes Restoration  
5           Initiative;

6           “(IV) submit to Congress, the  
7           President, and the public reports de-  
8           scribing progress made during the re-  
9           porting period with respect to Great  
10          Lakes protection and restoration;

11          “(V) seek consensus among units  
12          of government and stakeholders re-  
13          garding disputes relating to Great  
14          Lakes protection and restoration;

15          “(VI) determine a process for  
16          participation in relevant international  
17          forums, such as the Great Lakes  
18          Water Quality Agreement; and

19          “(VII) provide input annually re-  
20          garding Federal budget priorities and  
21          levels for Great Lakes protection and  
22          restoration, including the Great Lakes  
23          Restoration Initiative.

24          “(iii) MEMBERSHIP.—

1                   “(I) IN GENERAL.—The member-  
2                   ship of the Council shall include—

3                   “~~(aa)~~ 8 heads of Federal de-  
4                   partments and agencies, to be  
5                   appointed by the President, in-  
6                   cluding—

7                   “~~(AA)~~ the Adminis-  
8                   trator;

9                   “~~(BB)~~ the Chief of En-  
10                  gineers;

11                  “~~(CC)~~ the Secretary of  
12                  the Interior;

13                  “~~(DD)~~ the Secretary of  
14                  Agriculture;

15                  “~~(EE)~~ the Secretary of  
16                  Commerce; and

17                  “~~(FF)~~ the head of the  
18                  department in which the  
19                  Coast Guard is operating;

20                  “~~(bb)~~ the governors of the  
21                  Great Lake States;

22                  “~~(cc)~~ 8 representatives of  
23                  tribal governments, to be ap-  
24                  pointed by the Indian tribes lo-

1                   eated in the Great Lakes basin;  
2                   and

3                   ~~“(dd) 8 mayors, including~~  
4                   mayors participating in the Great  
5                   Lakes and St. Lawrence Cities  
6                   Initiative, to be appointed by the  
7                   mayors of areas located in the  
8                   Great Lakes basin.

9                   ~~“(II) CHAIRPERSON.—The Ad-~~  
10                  ministrators shall serve as chairperson  
11                  of the Council.

12                  ~~“(III) SECRETARY.—The Direc-~~  
13                  tor of the Program Office shall serve  
14                  as secretary of, and provide adminis-  
15                  trative support to, the Council.

16                  ~~“(IV) OBSERVER MEMBERS.—~~  
17                  The membership of the Council shall  
18                  include 1 observer member from each  
19                  of—

20                         ~~“(aa) the International Joint~~  
21                         Commission;

22                         ~~“(bb) the Great Lakes Fish-~~  
23                         ery Commission;

24                         ~~“(cc) the Great Lakes Com-~~  
25                         mission; and

1                                   ~~“(dd) Canada.~~

2                                   ~~“(iv) COMMITTEES.—The Council~~  
 3                                   ~~may establish such committees as the~~  
 4                                   ~~Council determines to be appropriate for~~  
 5                                   ~~issues including—~~

6                                   ~~“(I) executive issues;~~

7                                   ~~“(II) science issues;~~

8                                   ~~“(III) implementation issues; and~~

9                                   ~~“(IV) funding issues.~~

10                                  ~~“(v) MEETINGS.—~~

11                                  ~~“(I) IN GENERAL.—The Council~~  
 12                                  ~~shall meet not less frequently than~~  
 13                                  ~~once each year.~~

14                                  ~~“(II) OPEN TO PUBLIC.—The~~  
 15                                  ~~meetings of the Council shall be held~~  
 16                                  ~~open to the public.~~

17                                  ~~“(vi) OPERATION.—The Council shall~~  
 18                                  ~~operate on a consensus basis.~~

19                                  ~~“(vii) COSTS.—The Agency shall pay~~  
 20                                  ~~the operating costs of the Council.~~

21                                  ~~“(B) GREAT LAKES MANAGEMENT COM-~~  
 22                                  ~~MITTEE.—~~

23                                  ~~“(i) ESTABLISHMENT.—There is es-~~  
 24                                  ~~tablished within the Council a committee;~~



to be known as the ‘Great Lakes Management Committee’.

“(ii) DUTIES.—The Great Lakes Management Committee shall—

“(I) submit reports to the Council, including recommendations regarding relevant issues;

“(II) provide direction for the planning, assessment, and reporting efforts of the Council;

“(III) monitor and assist in implementation activities relating to Great Lakes management; and

“(IV) engage in ongoing problem solving regarding Great Lakes management.

“(iii) MEMBERSHIP.—

“(I) MEMBERSHIP.—The Great Lakes Management Committee shall consist of 11 members, of whom—

“(aa) 1 shall be appointed by each unit of government included in the membership of the Council;

1                   “(bb) 1 shall be appointed  
2 by the Great Lakes Commission;

3                   “(cc) 1 shall be appointed by  
4 the International Joint Commis-  
5 sion;

6                   “(dd) 1 shall be appointed  
7 by the Great Lakes Fishery Com-  
8 mission;

9                   “(ee) 1 shall be a represent-  
10 ative of the environmental com-  
11 munity in the Great Lakes, to be  
12 appointed by the Administrator,  
13 after soliciting advice from that  
14 community;

15                   “(ff) 1 shall be a representa-  
16 tive of the agricultural commu-  
17 nity, to be appointed by the Ad-  
18 ministrator, after soliciting ad-  
19 vice from that community;

20                   “(gg) 1 shall be a represent-  
21 ative of Great Lakes industry, to  
22 be appointed by the Adminis-  
23 trator, after soliciting advice  
24 from that industry;

1                   “(hh) 1 shall be a represent-  
2                   ative of the scientific community,  
3                   to be appointed by the Adminis-  
4                   trator, after soliciting advice  
5                   from that community; and

6                   “(ii) 1 shall be a representa-  
7                   tive of Canada, who shall serve  
8                   as an observer member.

9                   “(H) CHAIRPERSON.—The senior  
10                  advisor on Great Lakes of the Agency  
11                  (or a designee) shall serve as chair-  
12                  person of the Great Lakes Manage-  
13                  ment Committee.

14                  “(III) SECRETARY.—The Direc-  
15                  tor of the Program Office shall serve  
16                  as secretary of, and provide adminis-  
17                  trative support to, the Great Lakes  
18                  Management Committee.

19                  “(iv) MEETINGS.—

20                  “(I) IN GENERAL.—The Great  
21                  Lakes Management Committee shall  
22                  meet not less frequently than once  
23                  each quarter.

24                  “(H) OPEN TO PUBLIC.—

1                   “(aa) IN GENERAL.—Sub-  
 2                   ject to item (bb), the meetings of  
 3                   the Great Lakes Management  
 4                   Committee shall be held open to  
 5                   the public.

6                   “(bb) EXECUTIVE SES-  
 7                   SIONS.—The Great Lakes Man-  
 8                   agement Committee may hold ex-  
 9                   ecutive sessions that are closed to  
 10                  the public.

11                  “(v) OPERATION.—The Great Lakes  
 12                  Management Committee shall operate on a  
 13                  consensus basis.

14                  “(vi) COSTS.—The Agency shall pay  
 15                  the operating costs of the Great Lakes  
 16                  Management Committee.”;

17                  (4) by striking paragraph (7) and inserting the  
 18                  following:

19                  “(7) GREAT LAKES INTERAGENCY TASK  
 20                  FORCE.—

21                  “(A) ESTABLISHMENT.—There is estab-  
 22                  lished a task force, to be known as the ‘Great  
 23                  Lakes Interagency Task Force’.

24                  “(B) COORDINATION.—The Program Of-  
 25                  fice shall coordinate, to the maximum extent

practicable, with the Great Lakes Interagency Task Force established by subparagraph (A).”;  
~~(5) in paragraph (8)—~~

~~(A) by redesignating subparagraphs (A) through (C) as clauses (i) through (iii), respectively, and indenting the clauses appropriately;~~

~~(B) by striking “The Administrator” and inserting the following:~~

~~“(A) IN GENERAL.—The Administrator”;~~

~~and~~

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

~~“(B) ANNUAL REPORTS.—Not later than 30 days after the date of publication of the budget for a fiscal year, the Administrator shall submit to Congress a report that describes—~~

~~“(i) with respect to each organizational element of the Agency referred to in subparagraph (A)—~~

~~“(I) the budget of the element for Great Lakes restoration activities for the applicable fiscal year;~~

~~“(H) each Great Lakes restoration activity to be carried out by the element during the applicable fiscal year; and~~

1                   “(III) the means by which  
2                   progress made on those activities will  
3                   be evaluated; and

4                   “(ii) with respect to each rec-  
5                   ommendation submitted by the Great  
6                   Lakes Leadership Council during the pre-  
7                   ceding fiscal year; the reasons why the Ad-  
8                   ministrator approved or disapproved the  
9                   recommendation.”;

10               (6) in paragraph (12)(H), by striking clause (i)  
11               and inserting the following:

12                   “(i) AUTHORIZATION.—In addition to  
13                   other amounts authorized to be appro-  
14                   priated pursuant to this section, there are  
15                   authorized to be appropriated to carry out  
16                   this paragraph—

17                   “(I) \$50,000,000 for each of fis-  
18                   cal years 2004 through 2010; and

19                   “(II) \$150,000,000 for each of  
20                   fiscal years 2011 through 2015.”; and

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

22                   “(14) GREAT LAKES RESTORATION INITIA-  
23                   TIVE.—

24                   “(A) FINDINGS.—Congress finds that—

1 “(i) the goal of the Great Lakes pro-  
2 gram of the Agency is to restore and main-  
3 tain the chemical, physical, and biological  
4 integrity of the Great Lakes basin eco-  
5 system; and

6 “(ii) in 2010, the Agency, in coordina-  
7 tion with Federal partners, will commence  
8 implementation of a new Great Lakes Res-  
9 toration Initiative (referred to in this para-  
10 graph as the ‘Initiative’), which will—

11 “(I) identify programs and  
12 projects that are strategically selected  
13 to target the most significant environ-  
14 mental problems in the Great Lakes  
15 ecosystem;

16 “(II) be based on the work of—

17 “(aa) the Great Lakes Inter-  
18 agency Task Force established by  
19 paragraph (7)(A); and

20 “(bb) the stakeholders and  
21 nongovernmental partners of the  
22 Great Lakes Leadership Council;  
23 and

24 “(III) represent the commitment  
25 of the Federal Government to signifi-

1                   eantly advancing Great Lakes protec-  
2                   tion and restoration.

3                   ~~“(B) PRIORITY.—~~The Initiative shall give  
4                   priority to work done by non-Federal partners  
5                   using funding made available for the Great  
6                   Lakes for—

7                   ~~“(i) the remediation of toxic sub-~~  
8                   stances in Areas of Concern;

9                   ~~“(ii)(I) the prevention of invasive spe-~~  
10                  cies; and

11                  ~~“(II) the mitigation and restoration of~~  
12                  the impacts of invasive species;

13                  ~~“(iii)(I) the protection and restoration~~  
14                  of nearshore health; and

15                  ~~“(II) the prevention of nonpoint~~  
16                  source pollution;

17                  ~~“(iv) habitat and wildlife protection~~  
18                  and restoration; and

19                  ~~“(v) accountability, monitoring, eval-~~  
20                  uation, communication, and partnership  
21                  activities.

22                  ~~“(C) PROJECTS.—~~Pursuant to the Initia-  
23                  tive, the Agency shall consult with Federal  
24                  partners and take into consideration the rec-  
25                  ommendations of the Council to select the best



1 combination of programs and projects for Great  
 2 Lakes protection and restoration using prin-  
 3 ciples and criteria such as—

4 “(i) the ability to achieve strategic  
 5 and measurable environmental outcomes;

6 “(ii) the feasibility of—

7 “(I) prompt implementation;

8 “(II) timely achievement of re-  
 9 sults; and

10 “(III) the ability to leverage re-  
 11 sources; and

12 “(iii) opportunities for interagency  
 13 and interorganizational coordination and  
 14 collaboration.

15 “(D) IMPLEMENTATION OF PROJECTS.—

16 “(i) IN GENERAL.—Funds made avail-  
 17 able to carry out the Initiative shall be  
 18 used to strategically implement—

19 “(I) Federal projects; and

20 “(II) projects carried out in co-  
 21 ordination with States, Indian tribes,  
 22 municipalities, institutions of higher  
 23 education, and other organizations.

24 “(ii) TRANSFER OF FUNDS.—Of  
 25 amounts made available for environmental

1 programs and management for the Great  
2 Lakes Initiative, the Administrator may—

3 “(I) transfer not more than  
4 \$475,000,000 to the head of any Fed-  
5 eral department or agency, with the  
6 concurrence of the department or  
7 agency head, to carry out activities to  
8 support the Great Lakes Restoration  
9 Initiative and the Great Lakes Water  
10 Quality Agreement of 1978;

11 “(II) enter into an interagency  
12 agreement with the head of any Fed-  
13 eral department or agency to carry  
14 out activities described in subelause  
15 (I); and

16 “(III) make grants to govern-  
17 mental entities, nonprofit organiza-  
18 tions, institutions, and individuals for  
19 planning, research, monitoring, out-  
20 reach, and implementation relating to  
21 the activities described in subelause  
22 (I).

23 “(E) SCOPE.—

1                   “(i) IN GENERAL.—Projects shall be  
2                   carried out pursuant to the Initiative on  
3                   multiple levels, including—

4                               “(I) local;

5                               “(II) Great Lake-wide; and

6                               “(III) Great Lakes basin-wide.

7                   “(ii) LIMITATION.—No funds made  
8                   available to carry out the Initiative may be  
9                   used for any water infrastructure activity  
10                  that is carried out using funds made avail-  
11                  able under the clean water or drinking  
12                  water State revolving fund program.

13                  “(F) ACTIVITIES BY OTHER FEDERAL  
14                  AGENCIES.—Each relevant Federal department  
15                  and agency shall, to the maximum extent prac-  
16                  ticable—

17                               “(i) maintain the base level of funding  
18                               for the Great Lakes activities of the agen-  
19                               cy; and

20                               “(ii) identify new activities and  
21                               projects to support the environmental goals  
22                               of the Initiative.

23                  “(G) FUNDING.—

24                               “(i) AUTHORIZATION OF APPROPRIA-  
25                               TIONS.—There is authorized to be appro-

1            priated to carry out the Initiative  
 2            \$475,000,000 for each of fiscal years 2011  
 3            through 2016.

4            “(ii) PARTNERSHIPS.—Of the  
 5            amounts made available to carry out the  
 6            Initiative, the Administrator shall transfer  
 7            expeditiously to the Federal partners of the  
 8            Initiative such sums as are necessary for  
 9            subsequent use and distribution by the  
 10           Federal partners in accordance with this  
 11           section.”.

12        (c) AUTHORIZATION OF APPROPRIATIONS.—Section  
 13 118 of the Federal Water Pollution Control Act (33  
 14 U.S.C. 1268) is amended by striking subsection (h) and  
 15 inserting the following:

16        “(h) AUTHORIZATION OF APPROPRIATIONS FOR PRO-  
 17 GRAM OFFICE.—There is authorized to be appropriated  
 18 to the Administrator to carry out this section \$25,000,000  
 19 for each of fiscal years 2011 through 2016.”.

20        (d) EFFECT OF SECTION.—Nothing in this section  
 21 or an amendment made by this section affects—

22            (1) the jurisdiction, powers, or prerogatives  
 23            of—

24            (A) any department, agency, or officer  
 25            of—

- 1 (i) the Federal Government; or  
 2 (ii) any State or tribal government; or  
 3 ~~(B) any international body established by~~  
 4 ~~treaty with authority relating to the Great~~  
 5 ~~Lakes (as defined in section 118(a)(3) of the~~  
 6 ~~Federal Water Pollution Control Act (33 U.S.C.~~  
 7 ~~1268(a)(3)))~~; or  
 8 (2) any other Federal or State authority that is  
 9 being used or may be used to facilitate the cleanup  
 10 and protection of the Great Lakes (as so defined).

11 **SECTION 1. SHORT TITLE.**

12 *This Act may be cited as the “Great Lakes Ecosystem*  
 13 *Protection Act of 2010”.*

14 **SEC. 2. GREAT LAKES PROVISION MODIFICATIONS.**

15 (a) *FINDINGS; PURPOSE.*—Section 118(a) of the Fed-  
 16 eral Water Pollution Control Act (33 U.S.C. 1268(a)) is  
 17 amended—

18 (1) in paragraph (1)—

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

21 “(B) the United States should seek to attain  
 22 the goals embodied in the Great Lakes Restora-  
 23 tion Initiative Action Plan, the Great Lakes Re-  
 24 gional Collaboration Strategy, and the Great  
 25 Lakes Water Quality Agreement; and”;

1                   (B) in subparagraph (C), by inserting “,  
2                   tribal,” after “State”;

3                   (2) by striking paragraph (2) and inserting the  
4                   following:

5                   “(2) *PURPOSE.*—*The purpose of this section is to*  
6                   *achieve the goals established in the Great Lakes Res-*  
7                   *toration Initiative Action Plan, the Great Lakes Re-*  
8                   *gional Collaboration Strategy, and the Great Lakes*  
9                   *Water Quality Agreement through—*

10                   “(A) *improved organization and definition*  
11                   *of mission on the part of the Agency;*

12                   “(B) *the funding of grants, contracts, and*  
13                   *interagency agreements for protection, restora-*  
14                   *tion, and pollution control in the Great Lakes*  
15                   *area; and*

16                   “(C) *improved accountability.*”; and

17                   (3) in paragraph (3), by striking subparagraph  
18                   (H) and inserting the following:

19                   “(H) ‘*Great Lakes Water Quality Agree-*  
20                   *ment*’ means the bilateral ‘*Agreement on Great*  
21                   *Lakes water quality, 1978*’ between the United  
22                   *States and Canada, signed at Ottawa on Novem-*  
23                   *ber 22, 1978 (30 U.S.T. 1383; TIAS 9257),*  
24                   *amended October 16, 1983 (TIAS 10798) and*  
25                   *November 18, 1987 (TIAS 11551);”.*

1       (b) *GREAT LAKES MANAGEMENT*.—Section 118(c) of  
 2   the *Federal Water Pollution Control Act* (33 U.S.C.  
 3   1268(c)) is amended—

4           (1) in paragraph (1)—

5               (A) in subparagraph (A), by striking “;”  
 6       and inserting a semicolon;

7               (B) by striking subparagraph (E);

8               (C) by redesignating subparagraphs (C)  
 9       and (D) as subparagraphs (E) and (F), respec-  
 10      tively;

11              (D) in subparagraph (E) (as so redesign-  
 12      ated), by adding “and” at the end;

13              (E) in subparagraph (F) (as so redesign-  
 14      ated), by striking “; and” and inserting a pe-  
 15      riod; and

16              (F) by inserting after subparagraph (B) the  
 17      following:

18                   “(C) provide the support described in para-  
 19      graph (6);

20                   “(D) coordinate with the Great Lakes Inter-  
 21      agency Task Force, as required under paragraph  
 22      (8);”;

23           (2) in paragraph (3)(C), by striking “subpara-  
 24      graph (c)(1)(C) of this section” and inserting “para-  
 25      graph (1)(E)”;

1           (3) *by striking paragraph (6) and inserting the*  
 2     *following:*

3           “(6) *GREAT LAKES GOVERNANCE AND MANAGE-*  
 4     *MENT.—*

5           “(A) *GREAT LAKES LEADERSHIP COUN-*  
 6     *CIL.—*

7           “(i) *ESTABLISHMENT.—There is estab-*  
 8     *lished a council, to be known as the Great*  
 9     *Lakes Leadership Council (referred to in*  
 10    *this paragraph as the ‘Council’).*

11          “(ii) *DUTIES.—The Council shall—*

12           “(I) *not later than 1 year after*  
 13    *the date of establishment of the Council*  
 14    *and every 5 years thereafter—*

15           “(aa) *review the Great Lakes*  
 16    *Regional Collaboration Strategy;*  
 17    *and*

18           “(bb) *if the Council deter-*  
 19    *mines revisions are necessary, re-*  
 20    *vises the Strategy to reflect the*  
 21    *most comprehensive scientific in-*  
 22    *formation available and ensure*  
 23    *the Great Lakes Restoration Ini-*  
 24    *tiative Action Plan reflects those*  
 25    *revisions;*



1           “(II) establish annual priorities  
2           with respect to Great Lakes protection  
3           and restoration, including priorities  
4           for the Great Lakes Restoration Initia-  
5           tive;

6           “(III) submit to Congress, the  
7           President, and the public an annual  
8           report describing progress made during  
9           the reporting period with respect to  
10          Great Lakes protection and restoration;

11          “(IV) make recommendations to  
12          the Administrator and the Secretary of  
13          State regarding—

14               “(aa) a process for participa-  
15               tion in relevant international fo-  
16               rums, such as the Great Lakes  
17               Water Quality Agreement; and

18               “(bb) whether any existing  
19               advisory committees are duplica-  
20               tive and should be replaced; and

21          “(V) make recommendations to  
22          Congress and the President for stream-  
23          lining the work of existing advisory  
24          and coordinating committees (such as  
25          the Great Lakes Regional Collaboration

1           *and the United States Policy Com-*  
 2           *mittee), including a recommendation*  
 3           *for eliminating any such entity if the*  
 4           *work of the entity—*

5                     *“(aa) is duplicative; or*

6                     *“(bb) complicates the protec-*  
 7                     *tion and restoration of the Great*  
 8                     *Lakes.*

9                     *“(iii) BUDGET PRIORITIES AND FUND-*  
 10            *ING LEVELS.—Non-Federal members of the*  
 11            *Council shall provide input annually to the*  
 12            *Council and the Great Lakes Interagency*  
 13            *Task Force on Federal budget priorities and*  
 14            *funding levels for Great Lakes protection*  
 15            *and restoration, including the Great Lakes*  
 16            *Restoration Initiative.*

17                    *“(iv) MEMBERSHIP.—*

18                    *“(I) IN GENERAL.—The member-*  
 19                    *ship of the Council shall include—*

20                    *“(aa) 8 heads of Federal de-*  
 21                    *partments and agencies that par-*  
 22                    *ticipate in the Great Lakes Inter-*  
 23                    *agency Task Force established*  
 24                    *under paragraph (8), to be ap-*  
 25                    *pointed by the President and peri-*

1 *odically rotated as the President*  
2 *determines to be appropriate, in-*  
3 *cluding—*

4 *“(AA) the Adminis-*  
5 *trator;*

6 *“(BB) the Chief of En-*  
7 *gineers;*

8 *“(CC) the Secretary of*  
9 *the Interior;*

10 *“(DD) the Secretary of*  
11 *Agriculture;*

12 *“(EE) the Secretary of*  
13 *Commerce;*

14 *“(FF) the Secretary of*  
15 *Energy; and*

16 *“(GG) the Secretary of*  
17 *State;*

18 *“(bb) the governors of the*  
19 *Great Lake States;*

20 *“(cc) 8 representatives of*  
21 *tribal governments, to be ap-*  
22 *pointed—*

23 *“(AA) by the Indian*  
24 *tribes located in the Great*

1                   *Lakes basin in the United*  
 2                   *States; and*

3                   “(BB) to the maximum  
 4                   *extent practicable, in a man-*  
 5                   *ner that ensures that the*  
 6                   *tribal governments are geo-*  
 7                   *graphically representative of*  
 8                   *the Great Lakes basin; and*

9                   “(dd) 8 mayors, including  
 10                  *mayors participating in the Great*  
 11                  *Lakes and St. Lawrence Cities*  
 12                  *Initiative, to be appointed—*

13                  “(AA) by the mayors of  
 14                  *areas located in the Great*  
 15                  *Lakes basin in the United*  
 16                  *States; and*

17                  “(BB) to the maximum  
 18                  *extent practicable, in a man-*  
 19                  *ner that ensures that the*  
 20                  *mayors are geographically*  
 21                  *representative of the Great*  
 22                  *Lakes basin.*

23                  “(II) CHAIRPERSON.—*The Ad-*  
 24                  *ministrator shall serve as chairperson*  
 25                  *of the Council.*

1                   “(III) *SECRETARY.*—*The Director*  
 2                   *of the Program Office shall serve as*  
 3                   *secretary of, and provide administra-*  
 4                   *tive support to, the Council.*

5                   “(IV) *OBSERVER MEMBERS.*—*The*  
 6                   *membership of the Council—*

7                               “(aa) *shall include 1 observer*  
 8                               *member from each of—*

9                                       “(AA) *the International*  
 10                                       *Joint Commission;*

11                                       “(BB) *the Great Lakes*  
 12                                       *Fishery Commission; and*

13                                       “(CC) *the Great Lakes*  
 14                                       *Commission; and*

15                               “(bb) *may include 1 observer*  
 16                               *member from Canada.*

17                   “(v) *COMMITTEES.*—*The Council may*  
 18                   *establish such committees (including the*  
 19                   *Great Lakes Advisory Committee, in accord-*  
 20                   *ance with subparagraph (B)(i)) as the*  
 21                   *Council determines to be appropriate for*  
 22                   *issues including—*

23                               “(I) *executive issues;*

24                               “(II) *science issues;*

25                               “(III) *implementation issues; and*

1 “(IV) *funding issues.*

2 “(vi) *MEETINGS.—*

3 “(I) *IN GENERAL.—The Council*  
4 *shall meet not less frequently than once*  
5 *each year.*

6 “(II) *OPEN TO PUBLIC.—The*  
7 *meetings of the Council shall be held*  
8 *open to the public.*

9 “(vii) *OPERATION.—The Council shall*  
10 *operate on a consensus basis.*

11 “(viii) *COSTS.—The Agency shall pay*  
12 *the operating costs of the Council.*

13 “(B) *GREAT LAKES ADVISORY COM-*  
14 *MITTEE.—*

15 “(i) *ESTABLISHMENT.—The Council*  
16 *shall establish a committee, to be known as*  
17 *the ‘Great Lakes Advisory Committee’.*

18 “(ii) *DUTIES.—The Great Lakes Advi-*  
19 *sory Committee shall—*

20 “(I) *submit reports and informa-*  
21 *tion to the Council, including rec-*  
22 *ommendations regarding issues rel-*  
23 *evant to the planning, assessment, and*  
24 *reporting duties of the Council; and*

1 “(II) provide advice to the Coun-  
 2 cil on—

3 “(aa) monitoring implemen-  
 4 tation activities relating to Great  
 5 Lakes management; and

6 “(bb) other relevant Great  
 7 Lakes issues.

8 “(iii) MEMBERSHIP.—

9 “(I) MEMBERSHIP.—The Great  
 10 Lakes Advisory Committee shall consist  
 11 of—

12 “(aa) 4 members rep-  
 13 resenting the membership of the  
 14 Council, of which 1 member shall  
 15 be appointed by each unit of gov-  
 16 ernment (including Federal agen-  
 17 cies, States, units of local govern-  
 18 ment, and Indian tribes) included  
 19 in the membership of the Council;

20 “(bb) 1 member who shall be  
 21 appointed by the Great Lakes  
 22 Commission;

23 “(cc) 1 member who shall be  
 24 appointed by the International  
 25 Joint Commission;

1                   “(dd) 1 member who shall be  
2                   appointed by the Great Lakes  
3                   Fishery Commission;

4                   “(ee) 1 member who shall be  
5                   a representative of the environ-  
6                   mental community in the Great  
7                   Lakes, to be appointed by the Ad-  
8                   ministrator, after soliciting advice  
9                   from that community;

10                  “(ff) 1 member who shall be  
11                  a representative of the agricul-  
12                  tural community, to be appointed  
13                  by the Administrator, after solic-  
14                  iting advice from that commu-  
15                  nity;

16                  “(gg) 1 member who shall be  
17                  a representative of Great Lakes  
18                  industry, to be appointed by the  
19                  Administrator, after soliciting ad-  
20                  vice from that industry;

21                  “(hh) 1 member who shall be  
22                  a representative of the scientific  
23                  community, to be appointed by  
24                  the Administrator, after soliciting  
25                  advice from that community; and



1                   “(ii) if the member is ap-  
 2                   pointed under subparagraph  
 3                   (A)(iv)(IV)(bb), 1 member who  
 4                   shall be a representative of Can-  
 5                   ada, as an observer member.

6                   “(II) CHAIRPERSON.—The Ad-  
 7                   ministrator (or a designee) shall serve  
 8                   as chairperson of the Great Lakes Ad-  
 9                   visory Committee.

10                  “(III) SECRETARY.—The Director  
 11                  of the Program Office (or a designee)  
 12                  shall serve as secretary of, and provide  
 13                  administrative support to, the Great  
 14                  Lakes Advisory Committee.

15                  “(iv) MEETINGS.—

16                  “(I) IN GENERAL.—The Great  
 17                  Lakes Advisory Committee shall meet  
 18                  not less frequently than every 180  
 19                  days.

20                  “(II) OPEN TO PUBLIC.—

21                  “(aa) IN GENERAL.—Subject  
 22                  to item (bb), the meetings of the  
 23                  Great Lakes Advisory Committee  
 24                  shall be held open to the public.

1                               “(bb)     *EXECUTIVE     SES-*  
 2                               *SIONS.—The Great Lakes Advi-*  
 3                               *sory Committee may hold execu-*  
 4                               *tive sessions that are closed to the*  
 5                               *public.*

6                               “(v)   *OPERATION.—The Great Lakes*  
 7                               *Advisory Committee shall operate on a con-*  
 8                               *sensus basis.*

9                               “(vi) *COSTS.—The Agency shall pay*  
 10                              *the operating costs of the Great Lakes Advi-*  
 11                              *sory Committee.”;*

12                           (4) *by striking paragraph (7) and inserting the*  
 13                           *following:*

14                           “(7) *GREAT LAKES RESTORATION INITIATIVE.—*

15                           “(A) *FINDINGS.—Congress finds that—*

16                           “(i) *the goal of the Great Lakes pro-*  
 17                           *gram of the Agency is to restore and main-*  
 18                           *tain the chemical, physical, and biological*  
 19                           *integrity of the Great Lakes basin eco-*  
 20                           *system; and*

21                           “(ii) *in 2010, the Agency, in coordina-*  
 22                           *tion with Federal partners, will commence*  
 23                           *implementation of a new Great Lakes Res-*  
 24                           *toration Initiative (referred to in this para-*  
 25                           *graph as the ‘Initiative’), which will—*

1                   “(I) identify programs and  
2                   projects that are strategically selected  
3                   to target the most significant environ-  
4                   mental problems in the Great Lakes  
5                   ecosystem;

6                   “(II) be based on the work of—

7                   “(aa) the Great Lakes Inter-  
8                   agency Task Force established by  
9                   paragraph (8)(A); and

10                  “(bb) the Great Lakes Lead-  
11                  ership Council, stakeholders, and  
12                  nongovernmental partners; and

13                  “(III) represent the commitment  
14                  of the Federal Government to signifi-  
15                  cantly advancing Great Lakes protec-  
16                  tion and restoration.

17                  “(B) PRIORITY.—The Initiative shall give  
18                  priority to work done by non-Federal partners  
19                  using funding made available for the Great  
20                  Lakes for priority areas for each fiscal year, such  
21                  as—

22                  “(i) the remediation of toxic substances  
23                  and areas of concern;

24                  “(ii)(I) the prevention of invasive spe-  
25                  cies; and

1                   “(II) the mitigation and restoration of  
2                   the impacts of invasive species;

3                   “(iii)(I) the protection and restoration  
4                   of nearshore health; and

5                   “(II) the prevention of nonpoint source  
6                   pollution;

7                   “(iv) habitat and wildlife protection  
8                   and restoration;

9                   “(v) accountability, monitoring, eval-  
10                  uation, communication, and partnership  
11                  activities; and

12                  “(vi) other areas prioritized by the  
13                  Council.

14                  “(C) *PROJECTS*.—Pursuant to the Initia-  
15                  tive, the Agency shall consult with Federal part-  
16                  ners and take into consideration the rec-  
17                  ommendations of the Council to select the best  
18                  combination of programs and projects for Great  
19                  Lakes protection and restoration using prin-  
20                  ciples and criteria such as—

21                         “(i) the ability to achieve strategic and  
22                         measurable environmental outcomes;

23                         “(ii) the feasibility of—

24                                 “(I) prompt implementation;

1                   “(II) *timely achievement of re-*  
2                   *sults; and*

3                   “(III) *the ability to leverage re-*  
4                   *sources; and*

5                   “(iii) *opportunities for interagency*  
6                   *and interorganizational coordination and*  
7                   *collaboration.*

8                   “(D) *IMPLEMENTATION OF PROJECTS.—*

9                   “(i) *IN GENERAL.—Funds made avail-*  
10                  *able to carry out the Initiative shall be used*  
11                  *to strategically implement—*

12                  “(I) *Federal projects; and*

13                  “(II) *projects carried out in co-*  
14                  *ordination with States, Indian tribes,*  
15                  *municipalities, institutions of higher*  
16                  *education, and other organizations.*

17                  “(ii) *TRANSFER OF FUNDS.—Of*  
18                  *amounts made available for environmental*  
19                  *programs and management for the Great*  
20                  *Lakes Restoration Initiative, the Adminis-*  
21                  *trator may—*

22                  “(I) *transfer not more than*  
23                  *\$475,000,000 to the head of any Fed-*  
24                  *eral department or agency, with the*  
25                  *concurrence of the department or agen-*

1            *cy head, to carry out activities to sup-*  
 2            *port the Great Lakes Restoration Ini-*  
 3            *tiative and the Great Lakes Water*  
 4            *Quality Agreement;*

5            *“(II) enter into an interagency*  
 6            *agreement with the head of any Fed-*  
 7            *eral department or agency to carry out*  
 8            *activities described in subclause (I);*  
 9            *and*

10           *“(III) make grants to govern-*  
 11           *mental entities, nonprofit organiza-*  
 12           *tions, institutions, and educational in-*  
 13           *stitutions for use in carrying out plan-*  
 14           *ning, research, monitoring, outreach,*  
 15           *training, studies, surveys, investiga-*  
 16           *tions, experiments, demonstration*  
 17           *projects, and implementation relating*  
 18           *to the activities described in subclause*  
 19           *(I).*

20           *“(E) SCOPE.—*

21           *“(i) IN GENERAL.—Projects shall be*  
 22           *carried out pursuant to the Initiative on*  
 23           *multiple levels, including—*

24           *“(I) local;*

25           *“(II) Great Lake-wide; and*

1                   “(III) *Great Lakes basin-wide.*

2                   “(ii) *LIMITATION.—No funds made*  
 3                   *available to carry out the Initiative may be*  
 4                   *used for any water infrastructure activity*  
 5                   *(other than a green infrastructure project*  
 6                   *that improves habitat and other ecosystem*  
 7                   *functions in the Great Lakes) for which*  
 8                   *amounts are made available from—*

9                   “(I) *a State water pollution con-*  
 10                  *trol revolving fund established under*  
 11                  *title VI; or*

12                  “(II) *a State drinking water re-*  
 13                  *volving loan fund established under*  
 14                  *section 1452 of the Safe Drinking*  
 15                  *Water Act (42 U.S.C. 300j–12).*

16                  “(F) *ACTIVITIES BY OTHER FEDERAL AGEN-*  
 17                  *CIES.—Each relevant Federal department and*  
 18                  *agency shall, to the maximum extent prac-*  
 19                  *ticable—*

20                  “(i) *maintain the base level of funding*  
 21                  *for the Great Lakes activities of the agency;*  
 22                  *and*

23                  “(ii) *identify new activities and*  
 24                  *projects to support the environmental goals*  
 25                  *of the Initiative.*

“(G) *FUNDING.*—

“(i) *AUTHORIZATION OF APPROPRIATIONS.*—*There is authorized to be appropriated to carry out the Initiative \$475,000,000 for each of fiscal years 2011 through 2016.*

“(ii) *PARTNERSHIPS.*—*Of the amounts made available to carry out the Initiative, the Administrator shall transfer expeditiously to the Federal partners of the Initiative such sums as are necessary for subsequent use and distribution by the Federal partners in accordance with this section.”;*

*(5) by striking paragraph (8) and inserting the following:*

“(8) *GREAT LAKES INTERAGENCY TASK FORCE.*—

“(A) *ESTABLISHMENT.*—*There is established a task force, to be known as the ‘Great Lakes Interagency Task Force’ as described in Executive Order 13340 (33 U.S.C. 1268 note) and relating to establishment of Great Lakes Interagency Task Force and promotion of regional collaboration of national significance for Great Lakes.*



1           “(B) *COORDINATION.*—*The Program Office*  
 2           *shall coordinate, to the maximum extent prac-*  
 3           *ticable, with the Great Lakes Interagency Task*  
 4           *Force.*

5           “(C) *DUTIES.*—*The Great Lakes Inter-*  
 6           *agency Task Force shall—*

7                   “(i) *collaborate with Canada, prov-*  
 8                   *inces of Canada, and binational bodies in-*  
 9                   *volved in the Great Lakes region regarding*  
 10                  *policies, strategies, projects, and priorities*  
 11                  *for the Great Lakes System;*

12                  “(ii)(I) *coordinate the development of*  
 13                  *Federal policies, strategies, projects, and*  
 14                  *priorities for addressing the restoration and*  
 15                  *protection of the Great Lakes System con-*  
 16                  *sistent with—*

17                           “(aa) *the Great Lakes Regional*  
 18                           *Collaboration Strategy;*

19                           “(bb) *Great Lakes Restoration*  
 20                           *Initiative Action Plan;*

21                           “(cc) *the Great Lakes Water Qual-*  
 22                           *ity Agreement; and*

23                           “(dd) *Federal implementation of*  
 24                           *recommendations of the Great Lakes*  
 25                           *Leadership Council; and*

1           “(II) assist in the appropriate man-  
2           agement of the Great Lakes System;

3           “(iii) develop outcome-based goals for  
4           the Great Lakes System (relying on existing  
5           data and science-based indicators of water  
6           quality, related environmental factors, and  
7           other information) that—

8                   “(I) focus on outcomes such as  
9                   cleaner water, sustainable fisheries,  
10                  and biodiversity of the Great Lakes  
11                  System;

12                  “(II) ensure that Federal policies,  
13                  strategies, projects, and priorities sup-  
14                  port measurable results; and

15                  “(III) are consistent with the  
16                  Great Lakes Regional Collaboration  
17                  Strategy and the Great Lakes Restora-  
18                  tion Initiative Action Plan;

19           “(iv) exchange information regarding  
20           policies, strategies, projects, and activities of  
21           the agencies represented on the Task Force  
22           relating to—

23                   “(I) the Great Lakes System;

24                   “(II) the Great Lakes Regional  
25                  Collaboration Strategy; and

1                   “(III) the Great Lakes Restora-  
2                   tion Initiative Action Plan;

3                   “(v) coordinate government action as-  
4                   sociated with the Great Lakes System;

5                   “(vi) ensure coordinated Federal sci-  
6                   entific and other research associated with  
7                   the Great Lakes System; and

8                   “(vii) provide assistance and support  
9                   to agencies represented on the Task Force in  
10                  activities relating to the Great Lakes Sys-  
11                  tem.”;

12                  (6) by striking paragraph (10) and inserting the  
13                  following:

14                  “(10) *REPORTS.*—

15                         “(A) *ANNUAL COMPREHENSIVE RESTORA-*  
16                         *TION REPORT.*—Not later than 90 days after the  
17                         end of each fiscal year, the Administrator shall  
18                         submit to Congress and make publicly available  
19                         a comprehensive report on the overall health of  
20                         the Great Lakes that includes—

21                                 “(i) a description of the achievements  
22                                 during the fiscal year in implementing the  
23                                 Great Lakes Water Quality Agreement and  
24                                 any other applicable agreements and  
25                                 amendments that—

1           “(I) demonstrate, by category (in-  
2           cluding categories for judicial enforce-  
3           ment, research, State cooperative ef-  
4           forts, and general administration) the  
5           amounts expended on Great Lakes  
6           water quality initiatives for the fiscal  
7           year;

8           “(II) describe the progress made  
9           during the fiscal year in implementing  
10          the system of surveillance of the water  
11          quality in the Great Lakes System, in-  
12          cluding the monitoring of groundwater  
13          and sediment, with a particular focus  
14          on toxic pollutants;

15          “(III) describe the prospects of  
16          meeting the goals and objectives of the  
17          Great Lakes Water Quality Agreement;  
18          and

19          “(IV) provide a comprehensive as-  
20          sessment of the planned efforts to be  
21          pursued in the succeeding fiscal year  
22          for implementing the Great Lakes  
23          Water Quality Agreement and any  
24          other applicable agreements and  
25          amendments that—

1                   “(aa) indicate, by category  
2                   (including categories for judicial  
3                   enforcement, research, State coop-  
4                   erative efforts, and general ad-  
5                   ministration) the amount antici-  
6                   pated to be expended on Great  
7                   Lakes water quality initiatives for  
8                   the applicable fiscal year; and

9                   “(bb) include a report on  
10                  programs administered by other  
11                  Federal agencies that make re-  
12                  sources available for Great Lakes  
13                  water quality management efforts;

14               “(ii) a detailed list of accomplishments  
15               of the Great Lakes Restoration Initiative  
16               with respect to each organizational element  
17               of the Initiative and the means by which  
18               progress will be evaluated;

19               “(iii) recommendations for stream-  
20               lining the work of existing advisory and co-  
21               ordinating committees (such as the Great  
22               Lakes Regional Collaboration and the  
23               United States Policy Committee), including  
24               a recommendation for eliminating any such  
25               entity if the work of the entity—

1                   “(I) is duplicative; or  
2                   “(II) complicates the protection  
3                   and restoration of the Great Lakes;  
4                   and

5                   “(iv) with respect to each priority es-  
6                   tablished under paragraph (6)(A)(ii)(II)  
7                   and recommendation submitted under  
8                   clauses (ii)(IV) and (iii) of paragraph  
9                   (6)(A) by the Great Lakes Leadership Coun-  
10                  cil during the fiscal year, the reasons why  
11                  the Administrator implemented, or did not  
12                  implement, the priorities and recommenda-  
13                  tions.

14                  “(B) CROSSCUT BUDGET.—Not later than  
15                  45 days after the date of submission of the budg-  
16                  et of the President to Congress, the Director of  
17                  the Office of Management and Budget, in coordi-  
18                  nation with the Governor of each Great Lakes  
19                  State and the Great Lakes Interagency Task  
20                  Force, shall submit to Congress and make pub-  
21                  licly available a financial report, certified by the  
22                  head of each agency that has budget authority  
23                  for Great Lakes restoration activities, con-  
24                  taining—

1           “(i) *an interagency budget crosscut re-*  
2           *port that—*

3                       “(I) *describes the budget proposed,*  
4                       *including funding allocations by each*  
5                       *agency for the Great Lakes Restoration*  
6                       *Initiative;*

7                       “(II) *identifies any adjustments*  
8                       *from the budget request;*

9                       “(III) *identifies the funding in*  
10                      *any amount for each of the Federal*  
11                      *agencies that carry out restoration and*  
12                      *protection activities in the subsequent*  
13                      *fiscal year, separately reporting the*  
14                      *amount of funding to be provided*  
15                      *under each law pertaining to the agen-*  
16                      *cy;*

17                      “(IV) *compares specific funding*  
18                      *levels allocated for participating Fed-*  
19                      *eral agencies from fiscal year to fiscal*  
20                      *year; and*

21                      “(V) *identifies all expenditures*  
22                      *since fiscal year 2004 by the Federal*  
23                      *Government and State governments for*  
24                      *Great Lakes restoration activities;*

1           “(ii) a detailed accounting of all funds  
 2           received and obligated by all Federal agen-  
 3           cies and, to the maximum extent prac-  
 4           ticable, State agencies using Federal funds,  
 5           for Great Lakes restoration activities during  
 6           the current and previous fiscal years;

7           “(iii) a budget for the proposed  
 8           projects (including a description of the  
 9           project, authorization level, and project sta-  
 10          tus) to be carried out in the subsequent fis-  
 11          cal year with the Federal share of funds for  
 12          activities; and

13          “(iv) a listing of all projects to be un-  
 14          dertaken in the subsequent fiscal year with  
 15          the Federal share of funds for activities.”;  
 16          and

17          (7) in paragraph (12)(H), by striking clause (i)  
 18          and inserting the following:

19               “(i) *AUTHORIZATION.*—In addition to  
 20               other amounts authorized to be appro-  
 21               priated pursuant to this section, there are  
 22               authorized to be appropriated to carry out  
 23               this paragraph—

24                       “(I) \$50,000,000 for each of fiscal  
 25                       years 2004 through 2010; and



1                                   “(II) \$150,000,000 for each of fis-  
2                                   cal years 2011 through 2015.”.

3           (c) *AUTHORIZATION OF APPROPRIATIONS.*—Section  
4 118(h) of the Federal Water Pollution Control Act (33  
5 U.S.C. 1268(h)) is amended—

6                   (1) by redesignating paragraphs (1) through (3)  
7                   as subparagraphs (A) through (C), respectively, and  
8                   indenting the subparagraphs appropriately;

9                   (2) by striking “There are authorized” and in-  
10                  serting the following:

11                   “(1) *IN GENERAL.*—There are authorized”; and  
12                   (3) by adding at the end the following:

13                   “(2) *PROGRAM OFFICE.*—There is authorized to  
14                  be appropriated to the Program Office to carry out  
15                  this section \$25,000,000 for each of fiscal years 2011  
16                  through 2016.”.

17           (d) *EFFECT OF SECTION.*—Nothing in this section or  
18                  an amendment made by this section affects—

19                   (1) the jurisdiction, powers, or prerogatives of—

20                           (A) any department, agency, or officer of—

21                                   (i) the Federal Government; or

22                                   (ii) any State or tribal government; or

23                           (B) any international body established by

24                                   treaty with authority relating to the Great Lakes

25                                   (as defined in section 118(a)(3) of the Federal

1           *Water Pollution Control Act (33 U.S.C.*  
2           *1268(a)(3))*; or  
3           *(2) any other Federal or State authority that is*  
4           *being used or may be used to facilitate the cleanup*  
5           *and protection of the Great Lakes (as so defined).*



Calendar No. 554

11<sup>TH</sup> CONGRESS  
2<sup>D</sup> Session

**S. 3073**

[Report No. 111-283]

**A BILL**

To amend the Federal Water Pollution Control Act  
to protect and restore the Great Lakes.

SEPTEMBER 2, 2010

Reported with an amendment