

Calendar No. 368

103^D CONGRESS
2^D SESSION

S. 476

[Report No. 103-225]

A BILL

To reauthorize and amend the National Fish and
Wildlife Foundation Establishment Act.

FEBRUARY 10 (legislative day, JANUARY 25), 1994
Reported with an amendment

Calendar No. 368103^D CONGRESS
2^D SESSION**S. 476****[Report No. 103-225]**

To reauthorize and amend the National Fish and Wildlife Foundation
Establishment Act.

IN THE SENATE OF THE UNITED STATES

MARCH 2 (legislative day, JANUARY 5), 1993

Mr. CHAFEE (for himself and Mr. SASSER) introduced the following bill; which
was read twice and referred to the Committee on Environment and Public
Works

FEBRUARY 10 (legislative day, JANUARY 25), 1994

Reported by Mr. BAUCUS, with an amendment

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

A BILL

To reauthorize and amend the National Fish and Wildlife
Foundation Establishment Act.

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. EXPANSION OF BOARD OF DIRECTORS OF**
 2 **FOUNDATION.**

3 Subsection (a) of section 3702 of the National Fish
 4 and Wildlife Foundation Establishment Act (16 U.S.C.
 5 3702(a)) is amended—

6 (a) by striking “nine” and inserting “fifteen”;

7 (b) by striking “six” and inserting “eleven”;

8 and

9 (c) by striking “three” and inserting “four”.

10 **SEC. 2. AUTHORIZATION OF APPROPRIATIONS.**

11 Subsection (a) of section 3709 of the National Fish
 12 and Wildlife Foundation Establishment Act (16 U.S.C.
 13 3709(a)) is amended to read as follows:

14 “(a) AUTHORIZATION OF APPROPRIATIONS.—

15 (a) AUTHORIZATION.—There are authorized to be ap-
 16 propriated to the Department of Interior not to exceed
 17 \$25,000,000, for each of fiscal years 1994, 1995, and
 18 1996.”.

19 ***TITLE I—AMENDMENTS TO NA-***
 20 ***TIONAL FISH AND WILDLIFE***
 21 ***FOUNDATION ESTABLISH-***
 22 ***MENT ACT***

23 ***SEC. 101. SHORT TITLE.***

24 *This title may be cited as the “National Fish and*
 25 *Wildlife Foundation Improvement Act of 1994”.*

1 **SEC. 102. COOPERATIVE PROGRAMS WITH NATIONAL OCE-**
2 **ANIC AND ATMOSPHERIC ADMINISTRATION.**

3 *Section 2(b)(1) of the National Fish and Wildlife*
4 *Foundation Establishment Act (16 U.S.C. 3701(b)(1)) is*
5 *amended by inserting “and the National Oceanic and At-*
6 *mospheric Administration” after “the United States Fish*
7 *and Wildlife Service”.*

8 **SEC. 103. MEMBERSHIP OF BOARD OF DIRECTORS OF FOUN-**
9 **DATION.**

10 (a) *CONSULTATIONS REGARDING APPOINTMENTS.—*

11 (1) *IN GENERAL.—Section 3(b) of the National*
12 *Fish and Wildlife Foundation Establishment Act (16*
13 *U.S.C. 3702(b)) is amended by adding at the end the*
14 *following new sentence: “The Secretary of the Interior*
15 *shall consult with the Under Secretary of Commerce*
16 *for Oceans and Atmosphere before appointing any Di-*
17 *rector of the Board.”.*

18 (2) *APPLICATION.—The amendment made by*
19 *paragraph (1) shall apply to appointments of Direc-*
20 *tors of the Board of Directors of the National Fish*
21 *and Wildlife Foundation made after the date of enact-*
22 *ment of this Act.*

23 (b) *EXPANSION OF BOARD.—Section 3(a) of the Na-*
24 *tional Fish and Wildlife Foundation Establishment Act (16*
25 *U.S.C. 3702(a)) is amended—*

1 (1) *in the matter preceding paragraph (1), by*
2 *striking “nine” and inserting “15”; and*

3 (2) *in paragraph (2), by striking “three” and*
4 *inserting “4”.*

5 (c) *INITIAL TERMS.—Of the Directors on the Board*
6 *of Directors of the National Fish and Wildlife Foundation*
7 *first appointed pursuant to the amendment made by sub-*
8 *section (b)(1), notwithstanding the second sentence of sec-*
9 *tion 3(b) of the National Fish and Wildlife Foundation Es-*
10 *tablishment Act (16 U.S.C. 3702(b))—*

11 (1) *2 shall be appointed to a term of 2 years;*

12 (2) *2 shall be appointed to a term of 4 years;*

13 *and*

14 (3) *2 shall be appointed to a term of 6 years;*

15 *as specified by the Secretary of the Interior at the time of*
16 *appointment.*

17 (d) *COMPLETION OF APPOINTMENTS.—Not later than*
18 *60 days after the date of enactment of this Act, the Sec-*
19 *retary of the Interior shall appoint the additional members*
20 *of the Board of Directors of the National Fish and Wildlife*
21 *Foundation referred to in subsection (c).*

22 (e) *AUTHORITY OF BOARD NOT AFFECTED.—The au-*
23 *thority of the Board of Directors of the National Fish and*
24 *Wildlife Foundation to take any action otherwise author-*
25 *ized by law shall not be affected by reason of the Secretary*

1 *of the Interior not having completed the appointment of Di-*
2 *rectors of the Board of Directors of the National Fish and*
3 *Wildlife Foundation pursuant to the amendment made by*
4 *subsection (b)(1).*

5 **SEC. 104. REAUTHORIZATION OF NATIONAL FISH AND**
6 **WILDLIFE FOUNDATION ESTABLISHMENT**
7 **ACT.**

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

11 (1) *in subsection (a), by striking “not to exceed*
12 *\$15,000,000” and all that follows through the end of*
13 *the sentence and inserting “\$25,000,000 for each of*
14 *fiscal years 1994, 1995, 1996, 1997, and 1998.”; and*

15 (2) *by adding at the end the following new sub-*
16 *section:*

17 “(c) *ADDITIONAL AUTHORIZATION.*—*The amounts au-*
18 *thorized to be appropriated under this section are in addi-*
19 *tion to any amounts provided or available to the Founda-*
20 *tion under any other Federal law.”.*

21 (b) *CLERICAL AMENDMENT.*—*Section 10(b)(1) of the*
22 *National Fish and Wildlife Foundation Establishment Act*
23 *(16 U.S.C. 3709(b)(1)) is amended by striking “paragraphs*
24 *(2) and (3),” and inserting “paragraph (2),”.*

1 **SEC. 105. CONVEYANCE OF SENCAVILLE NATIONAL FISH**
2 **HATCHERY.**

3 (a) *CONVEYANCE AUTHORIZED.*—Notwithstanding
4 any other provision of law and not later than 180 days
5 after the date of enactment of this Act, the Secretary of the
6 Interior shall convey to the State of Ohio without reim-
7 bursement all right, title, and interest of the United States
8 in and to the property known as the Senecaville National
9 Fish Hatchery, located in Senecaville, Ohio, including—

10 (1) all easements and water rights relating to
11 that property; and

12 (2) all land, improvements, and related personal
13 property comprising that hatchery.

14 (b) *USE OF PROPERTY.*—All property and interests
15 conveyed under this section shall be used by the Ohio De-
16 partment of Natural Resources for the Ohio fishery re-
17 sources management program.

18 (c) *REVERSIONARY INTEREST.*—All right, title, and
19 interest in and to all property and interests conveyed under
20 this section shall revert to the United States on any date
21 on which any of the property or interests are used other
22 than for the Ohio fishery resources management program.

1 **TITLE II—BROWNSVILLE**
2 **WETLANDS POLICY CENTER**

3 **SEC. 201. SHORT TITLE.**

4 *This title may be cited as the “Brownsville Wetlands*
5 *Policy Act of 1994”.*

6 **SEC. 202. ESTABLISHMENT OF WETLANDS POLICY CENTER**

7 **AT THE PORT OF BROWNSVILLE, TEXAS.**

8 (a) *ESTABLISHMENT OF CENTER.*—*For purposes of*
9 *utilizing grants made by the United States Fish and Wild-*
10 *life Service, there may be established in accordance with*
11 *this title, on property owned or held in trust by the Browns-*
12 *ville Navigation District at the Port of Brownsville, Texas,*
13 *a wetlands policy center which shall be known as the*
14 *“Brownsville Wetlands Policy Center at the Port of Browns-*
15 *ville, Texas” (referred to in this title as the “Center”). The*
16 *Center shall be operated and maintained by the Port of*
17 *Brownsville with programs to be administered by the Uni-*
18 *versity of Texas at Brownsville.*

19 (b) *MISSION OF THE CENTER.*—*The primary mission*
20 *of the Center shall be to utilize the unique wetlands property*
21 *at the Port of Brownsville and adjacent waters of South*
22 *Texas to focus on wetland matters for the purposes of pro-*
23 *tecting, restoring, and maintaining the Lagoon Ecosystems*
24 *of the Western Gulf of Mexico Region.*

1 (c) *BOARD OF DIRECTORS.*—The Center shall be gov-
2 erned by a Board of Directors to oversee the management
3 and financial affairs of the Center. The Board of Directors
4 shall be cochaired by the Port of Brownsville, the University
5 of Texas at Brownsville, and the designee of the Director
6 of the Fish and Wildlife Service, and shall include as mem-
7 bers other representatives considered appropriate by those
8 cochairs.

9 (d) *OVERSIGHT OF THE CENTER.*—

10 (1) *ANNUAL REPORT.*—The Board of Directors of
11 the Center shall prepare an annual report and submit
12 the report through the Director of the United States
13 Fish and Wildlife Service to Congress.

14 (2) *CONTENTS.*—Annual reports under this sub-
15 section shall cover the programs, projects, activities,
16 and accomplishments of the Center. The reports shall
17 include a review of the budget of the Center, including
18 all sources of funding received to carry out Center op-
19 erations.

20 (3) *AVAILABILITY OF INFORMATION.*—The Board
21 of Directors of the Center shall make available all per-
22 tinent information and records to allow preparation
23 of annual reports under this subsection.

24 (4) *GENERAL ACCOUNTING OFFICE.*—The Comp-
25 troller General of the United States shall periodically

1 *submit to Congress reports on the operations of the*
2 *Center.*

3 **SEC. 203. GRANTS.**

4 *The Director of the United States Fish and Wildlife*
5 *Service shall, subject to the availability of appropriations,*
6 *make grants to the Center for use for carrying out activities*
7 *of the Center.*

8 **SEC. 204. LEASE.**

9 *The Director of the United States Fish and Wildlife*
10 *Service, subject to the availability of appropriations, may*
11 *enter into a long-term lease with the Port of Brownsville*
12 *for use by the Center of wetlands property owned by the*
13 *Port of Brownsville. Terms of the lease shall be negotiated,*
14 *and the lease shall be signed by both parties, prior to the*
15 *disposal of any Federal funds pursuant to this title. The*
16 *lease shall include a provision authorizing the Director to*
17 *terminate the lease at any time.*

18 **SEC. 205. OTHER REQUIREMENTS.**

19 *(a) IN GENERAL.—As conditions of receiving assist-*
20 *ance under this title—*

21 *(1) the University of Texas at Brownsville shall*
22 *make available to the Center for fiscal years 1994,*
23 *1995, 1996, and 1997—*

24 *(A) administrative office space;*

25 *(B) classroom space; and*

1 (C) other in-kind contributions for the Cen-
2 ter, including overhead and personnel; and

3 (2) the Port of Brownsville shall make available
4 up to 7,000 acres of Port Property for the programs,
5 projects, and activities of the Center.

6 (b) ANNUAL REPORT.—The Board of Directors of the
7 Center shall include in the annual report of the Board
8 under section 202(d) a statement of whether the conditions
9 referred to in subsection (a) have been met.

10 **SEC. 206. AUTHORIZATION OF APPROPRIATIONS.**

11 There are authorized to be appropriated to the United
12 States Fish and Wildlife Service \$5,000,000 for fiscal year
13 1994, \$4,000,000 for fiscal year 1995, \$4,000,000 for fiscal
14 year 1996, and such sums as may be necessary for fiscal
15 year 1997, for making grants to the Center under section
16 203, including for use for the establishment, operation,
17 maintenance, and management of the Center.

18 **SEC. 207. RELATIONSHIP OF CENTER WITH THE CENTER**
19 **FOR ENVIRONMENTAL STUDIES AND SERV-**
20 **ICES, CORPUS CHRISTI, TEXAS.**

21 None of the funds appropriated pursuant to this title
22 may be used to relocate any of the administrative oper-
23 ations of the United States Fish and Wildlife Service from
24 the Center for Environmental Studies and Services Build-
25 ing on the campus of Corpus Christi State University, to

- 1 *the Brownsville Wetlands Policy Center at the Port of*
- 2 *Brownsville, Texas, established pursuant to this title.*

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