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{ REPORT
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THE CONNECTICUT RIVER ATLANTIC SALMON COMMISSION

OCTOBER 1, 2001.—Ordered to be printed

Mr. LEAHY, from the Committee on the Judiciary, submitted the
following

REPORT

[To accompany S. 703]

The Committee on the Judiciary, to which was referred the bill (S. 703) to extend the effective period of the consent of Congress to the interstate compact relating to the restoration of Atlantic salmon to the Connecticut River Basin and creating the Connecticut River Atlantic Salmon Commission, and for other purposes, having considered the same, reports favorably thereon, and recommends that the bill do pass.

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I. PURPOSE

The purpose of S. 703 is to extend by 20 years the effective period of the consent of Congress to the interstate compact relating to the restoration of Atlantic salmon to the Connecticut River Basin and extending the Connecticut River Atlantic Salmon Commission, and to authorize to be appropriated Federal funding for the Commission at a level of \$9 million annually until 2010.

II. LEGISLATIVE HISTORY

Senate bill 703 was introduced on April 5, 2001, by Senator Bob Smith of New Hampshire. Original cosponsors include Senators Gregg, Kerry, Kennedy, Dodd, Lieberman, Leahy and Jeffords. The bill was referred to the Committee on the Judiciary. Given the non-controversial contents of S. 703 and its basis and purpose, the Committee elected not to conduct any hearings on the matter. The Judiciary Committee met in executive session on September 6, 2001, to consider the bill. A reporting quorum being present, the bill was approved by voice vote and ordered favorably reported to the Senate.

The House companion bill (H.R. 2062) was introduced by Massachusetts Representative John Olver on June 5, 2001. Original cosponsors of H.R. 2062 include Representatives Simmons, Neal, Bass, Sanders, Larson, DeLauro, Maloney, Johnson, and Shays. H.R. 2062 was referred to the House Resources Committee and the House Judiciary Committee. On July 19, 2001, a motion to favorably report H.R. 2062, with an amendment reducing the authorization of appropriations from \$9,000,000 to \$5,000,000, was approved by the Fisheries, Conservation, Wildlife and Oceans Subcommittee of the House Resources Committee. The House Judiciary Committee referred H.R. 2062 to its Commercial and Administrative Law Subcommittee and requested Executive Comment from the Department of the Interior.

III. DISCUSSION

The history of the Connecticut River shows that it was once the longest Atlantic salmon spawning run in the United States. Yet, throughout the 1700's, as population and pollution pressures increased throughout the watershed, native Atlantic salmon stocks declined precipitously, virtually disappearing from the Connecticut River and its tributaries in the 1800's.

After passage of the Clean Water Act in 1974 and the slow, but successful, return of swimmable and fishable waters throughout the river, all four States began coordinating their efforts to restore the Connecticut River and bring back the economic and environmental resource of the Atlantic salmon population—a premier sport fish and critical species in the rehabilitation of the larger river ecosystem. Early restoration efforts included the construction and maintenance of fish passages and salmon hatcheries, research and monitoring of salmon fry and other migratory fish hatchlings, and active education and outreach to the public.

In 1983, Congress passed legislation mandating the restoration of Atlantic salmon to the Connecticut River—a 400 mile long river extending through the States of Vermont, New Hampshire, Massachusetts, and Connecticut. To do this, Congress also created the Connecticut River Atlantic Salmon Commission (CRASC), an inter-governmental and interstate commission with members including representatives from each of the four member States' fish and game agencies, State environmental agencies, the U.S. Fish and Wildlife Service (USFWS), the National Marine Fisheries Service, and the public. The CRASC was authorized for a period of 20 years. According to the USFWS, Federal agencies currently spend a total of about \$1 million annually for activities related to the

CRASC. According to the agency, if appropriated, additional funds proposed by S. 703 would enable the commission to expand its activities and would be used to hire additional staff, restore salmon habitat, and upgrade infrastructure along the Connecticut River.

Without enactment of S. 703, the Connecticut River Atlantic Salmon Commission authorization and the interstate agreement will expire in 2003. This will leave several critical fisheries and water quality programs—for Atlantic salmon as well as several other species of migratory fish—underfunded and without needed interstate coordination and support. CRASC programs in all four States play a key role in migratory fisheries management throughout the Connecticut River watershed by providing hatchery production, adult salmon holding facilities, and cooperative assistance to State natural resource management agencies. The success of CRASC and its migratory fish restoration programs are apparent to all four State and local officials, yet there is much more to be done. The States have collectively urged Congress to recommit itself to this interstate and intergovernmental watershed program by reauthorizing and extending the agreement an additional 20 years.

IV. VOTE OF THE COMMITTEE

The Senate Committee on the Judiciary, with a quorum present met on Thursday, September 6, 2001, to consider S. 703. The Committee considered S. 703 and approved the bill, by voice vote, with no objection noted, and ordered the bill to be reported favorably to the Senate, with a recommendation that the bill do pass.

V. SECTION-BY-SECTION ANALYSIS

Section 1.—Connecticut River Atlantic Salmon Compact. This section extends by 20 years the effective period of the consent of Congress to the interstate compact relating to the restoration of Atlantic salmon to the Connecticut River Basin and extending the Connecticut River Atlantic Salmon Commission, and authorize to be appropriated Federal funding for the Commission at a level of \$9 million annually until 2010.

VI. COST ESTIMATE

In compliance with paragraph 11(a) of rule XXVI of the standing Rules of the Senate, the Committee sets forth, with respect to the bill, S. 703, the following estimate and comparison prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 18, 2001.

Hon. PATRICK J. LEAHY,
Chairman, Committee on the Judiciary,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 703, a bill to extend the effective period of the consent of Congress to the interstate compact relating to the restoration of Atlantic salmon to the Connecticut

River Basin and creating the Connecticut River Atlantic Salmon Commission, and for other purposes.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Megan Carroll, who can be reached at 226–2860.

Sincerely,

DAN L. CRIPPEN, *Director*.

Enclosure.

CONGRESSIONAL BUDGET OFFICE—COST ESTIMATE

S. 703—The Connecticut River Atlantic Salmon Compact

Summary

CBO estimates that implementing S. 703 would cost \$3 million in 2002 and \$37 million over the 2002–2006 period, assuming appropriation of the authorized amounts. The bill would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. S. 703 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

Under Public Law 98–138, the Congress consented to an interstate compact that established the Connecticut River Atlantic Salmon Commission, an interagency, multistate cooperative organization created to restore Atlantic salmon to the Connecticut River. S. 703 would extend by 20 years the effective period of Congressional consent to the compact and would authorize the appropriation of \$9 million a year during that period for the commission.

Estimated cost to the Federal Government

The estimated budgetary impact of S. 703 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and environment).

SPENDING SUBJECT TO APPROPRIATION

[By fiscal year, in millions of dollars]

	2001	2002	2003	2004	2005	2006
Spending under current law.						
Budget authority ¹	1	0	0	0	0	0
Estimated outlays	1	0	0	0	0	0
Proposed changes.						
Authorization level	0	9	9	9	9	9
Estimated outlays	0	3	7	9	9	9
Spending under S. 703.						
Authorization level ¹	1	9	9	9	9	9
Estimated Outlays	1	3	7	9	9	9

¹ The 2001 level is the amount appropriated that year for activities related to the Connecticut River Atlantic Salmon Commission.

Basis of estimate

For this estimate, CBO assumes that S. 703 will be enacted near the start of fiscal year 2002 and that authorized amounts will be provided near the start of each fiscal year.

According to the U.S. Fish and Wildlife Service, federal agencies currently spend a total of about \$1 million annually for activities related to the Connecticut River Atlantic Salmon Commission. Ac-

ording to the agency, additional funds proposed by S. 703 would enable the commission to expand its activities and would be used to hire additional staff, restore salmon habitat, and upgrade infrastructure. CBO estimates that outlays for these activities would total \$3 million in 2002 and \$37 million over the next five years.

Pay-as-you-go considerations: None.

Intergovernmental and private-sector impact

S. 703 contains no intergovernmental or private-sector mandates as defined in UMRA and would impose no costs on state, local, or tribal governments.

Estimate prepared by: Federal Costs: Megan Carroll (226–2860); Impact on State, Local, and Tribal Governments: Marjorie Miller (225–3220); Impact on the Private Sector: Lauren Marks (226–2940).

Estimate approved by: Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

VII. REGULATORY IMPACT STATEMENT

In compliance with paragraph 11(b)(1), rule XXVI of the Standing Rules of the Senate, the Committee, after due consideration, concludes that S. 703 will not have significant regulatory impact.

VIII. CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by S. 703, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, and existing law in which no change is proposed is shown in roman):

(PUBLIC LAW 98-138 (97 STAT. 866 AND 870))

SEC. 3. The consent of the Congress granted by the first section of this Act to the compact referred to in that section—

(1) shall become effective only if none of the States that are members of the compact has in effect a statute providing for withdrawal from the compact or if all such States have agreed by statute to the same provisions for withdrawal from the compact; and

(2) shall be effective for a period of **[twenty years]** *40 years* years beginning on the date the consent of the Congress becomes effective under paragraph (1).

SEC. 4. Nothing contained in the compact approved by the first section of this Act shall be construed as impairing or in any manner affecting any right or jurisdiction of the United States in and over the region which forms the subject of that compact.

SEC. 5. The right to alter, amend, or repeal this Act is expressly reserved.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Secretary of the Interior to carry out the activities of the Connecticut River Atlantic Salmon Commission \$9,000,000 for each of fiscal years 2002 through 2010.

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