

103^D CONGRESS
1ST SESSION

H. R. 2684

IN THE SENATE OF THE UNITED STATES

NOVEMBER 4 (legislative day, NOVEMBER 2), 1993

Received; read twice and referred to the Committee on Environment and
Public Works

AN ACT

To reauthorize and amend the National Fish and Wildlife
Foundation Establishment 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 **TITLE I—AMENDMENTS TO NA-**
4 **TIONAL FISH AND WILDLIFE**
5 **FOUNDATION ESTABLISH-**
6 **MENT ACT**

7 **SEC. 101. SHORT TITLE.**

8 This title may be cited as the “National Fish and
9 Wildlife Foundation Improvement Act of 1993”.

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

3 Section 2(b) of the National Fish and Wildlife Foun-
4 dation Establishment Act (16 U.S.C. 3701) is amended
5 by inserting “and the National Oceanic and Atmospheric
6 Administration” after “the United States Fish and Wild-
7 life Service”.

8 **SEC. 103. MEMBERSHIP OF BOARD OF DIRECTORS OF**
9 **FOUNDATION.**

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
14 the following: “The Secretary of the Interior shall
15 consult with the Under Secretary of Commerce for
16 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 the
22 enactment of this Act.

23 (b) EXPANSION OF BOARD.—Section 3(a) of the Na-
24 tional Fish and Wildlife Foundation Establishment Act
25 (16 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 in-
4 sserting “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
10 Establishment 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
16 of appointment.

17 (d) COMPLETION OF APPOINTMENTS.—The Sec-
18 retary of the Interior shall appoint the additional members
19 of the Board of Directors of the National Fish and Wild-
20 life Foundation authorized by the amendment made by
21 subsection (a), by not later than 60 days after the date
22 of the enactment of this Act.

23 (e) AUTHORITY OF BOARD NOT AFFECTED.—The
24 authority of the Board of Directors of the National Fish
25 and Wildlife Foundation to take any action otherwise au-

1 thORIZED by law shall not be affected by reason of the Sec-
2 retary of the Interior not having completed the appoint-
3 ment of Directors of the Board of Directors of the Na-
4 tional Fish and Wildlife Foundation pursuant to the
5 amendment made by subsection (b)(1).

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

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

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

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

18 “(c) ADDITIONAL AUTHORIZATION.—The amounts
19 authorized to be appropriated under this section are in
20 addition to any amounts provided or available to the
21 Foundation under any other Federal law.”.

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

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

3 (a) CONVEYANCE AUTHORIZED.—Notwithstanding
4 any other provision of law and within 180 days after the
5 date of the 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
20 under this section shall revert to the United States on any
21 date on which any of the property or interests are used
22 other than for the Ohio fishery resources management
23 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 1993”.

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
12 Brownsville Navigation District at the Port of Browns-
13 ville, Texas, a wetlands policy center which shall be known
14 as the “Brownsville Wetlands Policy Center at the Port
15 of Brownsville, Texas” (in this title referred to as the
16 “Center”). The Center shall be operated and maintained
17 by the Port of Brownsville with programs to be adminis-
18 tered by the University of Texas at Brownsville.

19 (b) MISSION OF THE CENTER.—The primary mission
20 of the Center shall be to utilize the unique wetlands prop-
21 erty at the Port of Brownsville and adjacent waters of
22 South Texas to focus on wetland matters for the purposes
23 of protecting, restoring, and maintaining the Lagoon
24 Ecosystems 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 Univer-
5 sity of Texas at Brownsville, and the designee of the Di-
6 rector of the Fish and Wildlife Service, and shall include
7 as members other representatives considered appropriate
8 by those cochairs.

9 (d) OVERSIGHT OF THE CENTER.—

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

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

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

24 (4) GENERAL ACCOUNTING OFFICE.—The
25 Comptroller General of the United States shall peri-

1 odically submit to the Congress reports on the oper-
2 ations of the 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 activi-
7 ties 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 nego-
14 tiated, and the lease shall be signed by both parties, prior
15 to the disposal of any Federal funds pursuant to this title.
16 The lease shall include a provision authorizing the Direc-
17 tor to terminate the lease at any time.

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

19 As conditions of receiving assistance under this
20 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
2 Center, 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 pro-
5 grams, projects, and activities of the Center.

6 The Board of Directors of the Center shall include in their
7 annual report under section 202(d) a statement of wheth-
8 er these conditions have been met.

9 **SEC. 206. AUTHORIZATION OF APPROPRIATIONS.**

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

3 **TITLE III—WALTER B. JONES**
4 **CENTER FOR THE SOUNDS AT**
5 **THE POCOSIN LAKES NA-**
6 **TIONAL WILDLIFE REFUGE**

7 **SEC. 301. FINDINGS.**

8 The Congress finds the following:

9 (1) The Pocosin Lakes National Wildlife Ref-
10 uge, located in northeastern North Carolina, pro-
11 vides unique opportunities for observing and inter-
12 preting the biological richness of the region's estu-
13 aries and wetlands.

14 (2) Although there are 10 national wildlife ref-
15 uges in eastern North Carolina, not one has an edu-
16 cational or interpretative center for visitors.

17 (3) The State of North Carolina, Tyrrell Coun-
18 ty, the town of Columbia, the Conservation Fund,
19 and private citizens have proposed to enter into a
20 partnership with the United States Fish and Wildlife
21 Service to establish an educational and interpretative
22 facility to be known as the Center for the Sounds.

23 (4) Establishment of the Center for the Sounds
24 would bestow economic benefits upon Tyrrell County
25 and the town of Columbia.

1 (5) The Federal Government has designated the
2 Albemarle-Pamlico estuary system of northeastern
3 North Carolina as an estuary of national concern.

4 (6) Throughout his congressional career, the
5 Honorable Walter B. Jones was a strong supporter
6 of the National Wildlife Refuge System.

7 (7) During his years of service in the House of
8 Representatives, Walter B. Jones supported the es-
9 tablishment and expansion of National Wildlife Ref-
10 uges in eastern North Carolina; these include 6 new
11 National Wildlife Refuges established in his district,
12 including the Alligator River National Wildlife Ref-
13 uge and the Pocosin Lakes National Wildlife Refuge,
14 which are respectively the third largest and fifth
15 largest National Wildlife Refuges east of the Mis-
16 sissippi River.

17 (8) Walter B. Jones helped increase refuge
18 acreage in his district by over 303,000 acres, thus
19 ensuring the protection of these lands for wildlife
20 habitat and public recreation.

21 (9) Walter B. Jones' support for reintroducing
22 endangered red wolves into the wild at Alligator
23 River National Wildlife Refuge was a major factor
24 in securing public acceptance of, and support for,

1 this first successful effort to reintroduce endangered
2 predators into formerly occupied habitat.

3 (10) Walter B. Jones devoted much of his con-
4 gressional career, including his years as Chairman of
5 the Merchant Marine and Fisheries Committee, to
6 the conservation of fish and wildlife, for the benefit
7 of the Nation and the people of North Carolina.

8 (11) Walter B. Jones should most appropriately
9 be recognized for his work on behalf of fish and
10 wildlife conservation by having the Center for the
11 Sounds at the Pocosin Lakes National Wildlife Ref-
12 uge System named in his honor.

13 **SEC. 302. AUTHORITY TO CONSTRUCT AND OPERATE FA-**
14 **CILITY.**

15 The Secretary of the Interior may, subject to the
16 availability of appropriations, construct and operate a fa-
17 cility at the Pocosin Lakes National Wildlife Refuge in
18 Tyrrell County, North Carolina, which shall be known as
19 the “Walter B. Jones Center for the Sounds”, for the fol-
20 lowing purposes:

21 (1) Providing public opportunities, facilities,
22 and resources to study the natural history and natu-
23 ral resources of northeastern North Carolina.

24 (2) Offering a variety of environmental edu-
25 cational programs and interpretive exhibits.

1 (3) Fostering an awareness and understanding
2 of the interactions among wildlife, estuarine and
3 wetland ecosystems, and human activities.

4 (4) Providing office space and facilities for ref-
5 uge administration, research, education, and related
6 activities.

7 **SEC. 303. DESIGN.**

8 The Secretary of the Interior shall ensure that the
9 design, size, and location of a facility constructed under
10 this title are consistent with the cultural and natural his-
11 tory of the area with which the facility will be concerned.

12 **SEC. 304. COST SHARING.**

13 The Secretary of the Interior may accept contribu-
14 tions of funds from non-Federal sources to pay the costs
15 of operating and maintaining the facility authorized under
16 this title, and shall take appropriate steps to seek to ob-
17 tain such contributions.

18 **SEC. 305. REPORT.**

19 Not later than 6 months after the date of the enact-
20 ment of this Act, the Secretary of the Interior shall submit
21 a report to the Congress on progress made in designing
22 and constructing a facility under this title, including steps
23 taken under section 304 to obtain contributions and any

1 such contributions that have been pledged to or received
2 by the United States.

Passed the House of Representatives November 3,
1993.

Attest: DONNALD K. ANDERSON,
Clerk.