

(C) Observer

The Great Lakes Coordinator of the United States Fish and Wildlife Service shall participate as an observer of the Committee.

(D) Recusal

A member of the Committee shall recuse himself or herself from consideration of proposals that the member, or the entity that the member represents, has submitted.

(3) Functions

The Committee shall at least annually—

(A) review proposals developed in accordance with subsection (b) of this section to assess their effectiveness and appropriateness in fulfilling the purposes of this chapter; and

(B) recommend to the Director any of those proposals that should be funded and implemented under this section.

(d) Implementation of proposals

After considering recommendations of the Committee and the goals specified in section 941d of this title, the Director shall select proposals to be implemented and, subject to the availability of appropriations and subsection (e) of this section, fund implementation of the proposals. In selecting and funding proposals, the Director shall take into account the effectiveness and appropriateness of the proposals in fulfilling the purposes of other laws applicable to restoration of the fishery resources and habitat of the Great Lakes Basin.

(e) Cost-sharing**(1) In general**

Not less than 25 percent of the cost of implementing a proposal selected under subsection (d) of this section (not including the cost of establishing sea lamprey barriers) shall be paid in cash or in-kind contributions by non-Federal sources.

(2) Exclusion of Federal funds from non-Federal share

The Director may not consider the expenditure, directly or indirectly, of Federal funds received by a State or local government to be a contribution by a non-Federal source for purposes of this subsection.

(Pub. L. 101-537, title I, §1005, Nov. 8, 1990, 104 Stat. 2372; Pub. L. 101-646, title II, §2005, Nov. 29, 1990, 104 Stat. 4775; Pub. L. 104-332, §2(h)(1), Oct. 26, 1996, 110 Stat. 4091; Pub. L. 105-265, §§3(b), 6, Oct. 19, 1998, 112 Stat. 2358, 2359.)

REFERENCES IN TEXT

The Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990, referred to in subsec. (b)(2), is title I of Pub. L. 101-646, Nov. 29, 1990, 104 Stat. 4761, which is classified principally to chapter 67 (§4701 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 4701 of this title and Tables.

CODIFICATION

Title I of Pub. L. 101-537 and title II of Pub. L. 101-646 enacted substantially identical sections. Title II of Pub. L. 101-646 was repealed by Pub. L. 105-265, §3(b).

AMENDMENTS

1998—Pub. L. 105-265 amended section generally, substituting present provisions for provisions requiring a

Great Lakes fishery resources restoration study and development of proposals for implementing recommendations.

1996—Pub. L. 104-332 made technical amendment to Pub. L. 101-646, §2005, which enacted this section.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 941b, 941f, 941g of this title.

§ 941d. Goals of United States Fish and Wildlife Service programs related to Great Lakes fish and wildlife resources

In administering programs of the United States Fish and Wildlife Service related to the Great Lakes Basin, the Director shall seek to achieve the following goals:

(1) Restoring and maintaining self-sustaining fishery resource populations.

(2) Minimizing the impacts of contaminants on fishery and wildlife resources.

(3) Protecting, maintaining, and, where degraded and destroyed, restoring fish and wildlife habitat, including the enhancement and creation of wetlands that result in a net gain in the amount of those habitats.

(4) Stopping illegal activities adversely impacting fishery and wildlife resources.

(5) Restoring threatened and endangered species to viable, self-sustaining levels.

(6) Protecting, managing, and conserving migratory birds.

(Pub. L. 101-537, title I, §1006, Nov. 8, 1990, 104 Stat. 2373; Pub. L. 101-646, title II, §2006, Nov. 29, 1990, 104 Stat. 4777; Pub. L. 104-332, §2(h)(1), Oct. 26, 1996, 110 Stat. 4091; Pub. L. 105-265, §3(b), Oct. 19, 1998, 112 Stat. 2358.)

CODIFICATION

Title I of Pub. L. 101-537 and title II of Pub. L. 101-646 enacted identical sections. Title II of Pub. L. 101-646 was repealed by Pub. L. 105-265.

AMENDMENTS

1996—Pub. L. 104-332 made technical amendment to Pub. L. 101-646, §2006, which enacted this section.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 941c, 941f of this title.

§ 941e. Establishment of offices**(a) Great Lakes Coordination Office**

The Director shall establish a centrally located facility for the coordination of all United States Fish and Wildlife Service activities in the Great Lakes Basin, to be known as the “Great Lakes Coordination Office”. The functional responsibilities of the Great Lakes Coordination Office shall include intra- and inter-agency coordination, information distribution, and public awareness outreach. The Great Lakes Coordination Office shall include all administrative and technical support necessary to carry out its responsibilities.

(b) Lower Great Lakes Fishery Resources Office

The Director shall establish an office with necessary administrative and technical support services to carry out all United States Fish and Wildlife Service operational activities related to

fishery resource protection, restoration, maintenance, and enhancement in the lower Great Lakes. The office shall be known as the “Lower Great Lakes Fishery Resources Office”, and shall be centrally located in the lower Great Lakes so as to facilitate fishery resource restoration and enhancement activities relating to the lower Great Lakes.

(c) Upper Great Lakes Fishery Resources Offices

The Director shall establish one or more offices with necessary administrative and technical support services to carry out United States Fish and Wildlife Service operational activities related to fishery resource protection, restoration, maintenance, and enhancement in the upper Great Lakes. Each of the offices shall be known as an “Upper Great Lakes Fishery Resources Office”, and shall be appropriately located so as to facilitate fishery resource activities in the upper Great Lakes.

(Pub. L. 101-537, title I, §1007, Nov. 8, 1990, 104 Stat. 2374; Pub. L. 101-646, title II, §2007, Nov. 29, 1990, 104 Stat. 4777; Pub. L. 104-332, §2(h)(1), Oct. 26, 1996, 110 Stat. 4091; Pub. L. 105-265, §3(b), Oct. 19, 1998, 112 Stat. 2358.)

CODIFICATION

Title I of Pub. L. 101-537 and title II of Pub. L. 101-646 enacted substantially identical sections. Title II of Pub. L. 101-646 was repealed by Pub. L. 105-265.

AMENDMENTS

1996—Pub. L. 104-332 made technical amendment to Pub. L. 101-646, §2007, which enacted this section.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 941g of this title.

§ 941f. Reports to Congress

On December 31, 2002, the Director shall submit to the Committee on Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that describes—

- (1) actions taken to solicit and review proposals under section 941c of this title;
- (2) the results of proposals implemented under section 941c of this title; and
- (3) progress toward the accomplishment of the goals specified in section 941d of this title.

(Pub. L. 101-537, title I, §1008, Nov. 8, 1990, 104 Stat. 2374; Pub. L. 101-646, title II, §2008, Nov. 29, 1990, 104 Stat. 4777; Pub. L. 104-332, §2(h)(1), Oct. 26, 1996, 110 Stat. 4091; Pub. L. 105-265, §3(b), 7, Oct. 19, 1998, 112 Stat. 2358, 2361.)

CODIFICATION

Title I of Pub. L. 101-537 and title II of Pub. L. 101-646 enacted substantially identical sections. Title II of Pub. L. 101-646 was repealed by Pub. L. 105-265, §3(b).

AMENDMENTS

1998—Pub. L. 105-265 amended section generally, substituting present provisions for provisions which had required report not later than 1 year after date of enactment and annually thereafter.

1996—Pub. L. 104-332 made technical amendment to Pub. L. 101-646, §2008, which enacted this section.

§ 941g. Authorization of appropriations

There are authorized to be appropriated to the Director—

(1) for the activities of the Great Lakes Coordination Office in East Lansing, Michigan, of the Upper Great Lakes Fishery Resources Office, and of the Lower Great Lakes Fishery Resources Office under section 941e of this title, \$3,500,000 for each of fiscal years 1999 through 2004; and

(2) for implementation of fish and wildlife restoration proposals selected by the Director under section 941c(d) of this title, \$4,500,000 for each of fiscal years 1999 through 2004, of which no funds shall be available for costs incurred in administering the proposals.

(Pub. L. 101-537, title I, §1009, Nov. 8, 1990, 104 Stat. 2374; Pub. L. 101-646, title II, §2009, Nov. 29, 1990, 104 Stat. 4778; Pub. L. 104-332, §2(h)(1), (2), Oct. 26, 1996, 110 Stat. 4091; Pub. L. 105-265, §3(b), 8, Oct. 19, 1998, 112 Stat. 2358, 2361.)

CODIFICATION

Title I of Pub. L. 101-537 and title II of Pub. L. 101-646 enacted substantially identical provisions of subsec. (a), but Pub. L. 101-537 did not enact a subsec. (b). Title II of Pub. L. 101-646 was repealed by Pub. L. 105-265, §3(b).

AMENDMENTS

1998—Pub. L. 105-265 amended section generally, substituting present provisions for provisions which had authorized appropriations for each of the fiscal years 1991 through 1994 to conduct study under section 941c of this title and for each of the fiscal years 1991 through 1995 to establish and operate Great Lakes Coordination and Upper and Lower Great Lakes Fishery Resources Offices.

1996—Pub. L. 104-332 made technical amendment to Pub. L. 101-646, §2009, which enacted this section.

CHAPTER 15C—GREAT LAKES FISH AND WILDLIFE TISSUE BANK

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§ 943. Tissue bank

(a) In general

The Secretary shall coordinate existing facilities for the storage, preparation, examination, and archiving of tissues from selected Great Lakes fish and wildlife, which shall be known as the “Great Lakes Fish and Wildlife Tissue Bank”.

(b) Guidance

The Secretary shall, in consultation with appropriate Federal and State agencies and the Council of Great Lakes Research Managers, issue guidance, after an opportunity for public review and comment, for Great Lakes fish and wildlife tissue collection, preparation, archiving, quality control procedures, and access that will ensure—

- (1) appropriate uniform methods and standards for those activities to provide confidence in Great Lakes fish and wildlife tissue samples used for research;