

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2684

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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

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## 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           serting “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.*