

104TH CONGRESS
2D SESSION

H. R. 3217

[Report No. 104–815, Part I]

To provide for ballast water management to prevent the introduction and spread of nonindigenous species into the waters of the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 29, 1996

Mr. LATOURETTE (for himself, Mr. SAXTON, Ms. LOFGREN, Ms. RIVERS, Ms. KAPTUR, Mr. GILCHREST, Mr. STUPAK, Mr. QUINN, Mr. RAMSTAD, Mr. MILLER of California, Mr. OBERSTAR, Mr. MEEHAN, Mr. FRANKS of New Jersey, Mr. PETRI, Mr. HOKE, Mr. EHLERS, Mr. DINGELL, Mr. ENGLISH of Pennsylvania, and Mrs. MORELLA) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

SEPTEMBER 20, 1996

Additional sponsors: Mr. PALLONE, Mr. HINCHEY, Mr. VENTO, Mr. CARDIN, Mr. FARR of California, Mr. SAWYER, Mr. BROWN of Ohio, Mr. BONIOR, Mr. DELLUMS, Ms. SLAUGHTER, Mr. FLANAGAN, Ms. WOOLSEY, Mr. WALSH, Mr. LIPINSKI, Mr. EVANS, Ms. PELOSI, Mr. FAZIO of California, Mr. MANTON, Mrs. CLAYTON, and Mr. BOEHLERT

SEPTEMBER 20, 1996

Reported from the Committee on Transportation and Infrastructure with an amendment

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

SEPTEMBER 20, 1996

Referred to the Committee on Science for a period ending not later than September 27, 1996 for consideration of such provisions of the amendment recommended by the Committee on Transportation and Infrastructure as fall within the jurisdiction of the Committee on Science pursuant to clause 1(n), rule X

SEPTEMBER 20, 1996

Referral to the Committee on Resources extended for a period ending not later than September 27, 1996

[For text of introduced bill, see copy of bill as introduced on March 29, 1996]

A BILL

To provide for ballast water management to prevent the introduction and spread of nonindigenous species into the waters of the United States, 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 **SECTION 1. SHORT TITLE; REFERENCES.**

4 (a) *IN GENERAL.*—*This Act may be cited as the “Na-*
5 *tional Invasive Species Act of 1996”.*

6 (b) *REFERENCES.*—*Whenever in this Act an amend-*
7 *ment or repeal is expressed in terms of an amendment to*
8 *or repeal of a section or other provision, the reference shall*
9 *be considered to be made to a section or other provision*
10 *of the Nonindigenous Aquatic Nuisance Prevention and*
11 *Control Act of 1990 (16 U.S.C. 4701 et seq.).*

12 **SEC. 2. AMENDMENTS TO THE NONINDIGENOUS AQUATIC**

13 **NUISANCE PREVENTION AND CONTROL ACT**

14 **OF 1990.**

15 (a) *FINDINGS; DEFINITIONS.*—

16 (1) *FINDINGS.*—*Section 1002(a) (16 U.S.C.*
17 *4701(a)) is amended—*

1 (A) by striking paragraphs (2) and (3) and
2 inserting the following new paragraphs:

3 “(2) when environmental conditions are favor-
4 able, nonindigenous species become established and
5 may disrupt the aquatic environment and economy of
6 affected nearshore areas;

7 “(3) the zebra mussel was unintentionally intro-
8 duced into the Great Lakes and has infested—

9 “(A) waters south of the Great Lakes, into
10 a good portion of the Mississippi River drainage;

11 “(B) waters west of the Great Lakes, into
12 the Arkansas River in Oklahoma; and

13 “(C) waters east of the Great Lakes, into the
14 Hudson River and Lake Champlain;”;

15 (B) in paragraph (4)—

16 (i) by inserting “by the zebra mussel
17 and ruffe, round goby, and other nonindige-
18 nous species” after “other species”; and

19 (ii) by striking “and” at the end;

20 (C) in paragraph (5), by striking the period
21 and inserting a semicolon; and

22 (D) by adding at the end the following new
23 paragraphs:

1 “(6) in 1992, the zebra mussel was discovered at
2 the northernmost reaches of the Chesapeake Bay wa-
3 tershed;

4 “(7) the zebra mussel poses an imminent risk of
5 invasion in the main waters of the Chesapeake Bay;

6 “(8) since the Chesapeake Bay is the largest re-
7 cipient of foreign ballast water on the East Coast,
8 there is a risk of further invasions of other nonindige-
9 nous species;

10 “(9) the zebra mussel is only one example of
11 thousands of nonindigenous species that have become
12 established in waters of the United States and may
13 be causing economic and ecological degradation with
14 respect to the natural resources of waters of the Unit-
15 ed States;

16 “(10) since their introduction in the early 1980’s
17 in ballast water discharges, ruffe—

18 “(A) have caused severe declines in popu-
19 lations of other species of fish in Duluth Harbor
20 (in Minnesota and Wisconsin);

21 “(B) have spread to Lake Huron; and

22 “(C) are likely to spread quickly to most
23 other waters in North America if action is not
24 taken promptly to control their spread;

1 “(11) examples of nonindigenous species that, as
2 of the date of enactment of the National Invasive Spe-
3 cies Act of 1996, infest coastal waters of the United
4 States and that have the potential for causing adverse
5 economic and ecological effects include—

6 “(A) the mitten crab (*Eriochei sinensis*)
7 that has become established on the Pacific Coast;

8 “(B) the green crab (*Carcinus maenus*) that
9 has become established in the coastal waters of
10 the Atlantic Ocean;

11 “(C) the brown mussel (*Perna perna*) that
12 has become established along the Gulf of Mexico;
13 and

14 “(D) certain shellfish pathogens;

15 “(12) many aquatic nuisance vegetation species,
16 such as Eurasian watermilfoil, hydrilla, water hya-
17 cinth, and water chestnut, have been introduced to
18 waters of the United States from other parts of the
19 world causing or having a potential to cause adverse
20 environmental, ecological, and economic effects;

21 “(13) if preventive management measures are
22 not taken nationwide to prevent and control of unin-
23 tentionally introduced nonindigenous aquatic species
24 in a timely manner, further introductions and infes-
25 tations of species that are as destructive as, or more

1 *destructive than, the zebra mussel or the ruffe infesta-*
2 *tions may occur;*

3 *“(14) once introduced into waters of the United*
4 *States, aquatic nuisance species are unintentionally*
5 *transported and introduced into inland lakes and riv-*
6 *ers by recreational boaters, commercial barge traffic,*
7 *and a variety of other pathways; and*

8 *“(15) resolving the problems associated with*
9 *aquatic nuisance species will require the participa-*
10 *tion and cooperation of, among others, the Federal*
11 *Government and State governments, and investment*
12 *in the development of prevention technologies.”.*

13 (2) *DEFINITIONS.—Section 1003 (16 U.S.C.*
14 *4702) is amended—*

15 (A) *in paragraph (1), by striking “the Com-*
16 *mittee on Public Works and Transportation and*
17 *the Committee on Merchant Marine and Fish-*
18 *eries” and inserting “the Committee on Trans-*
19 *portation and Infrastructure and the Committee*
20 *on Resources”;*

21 (B) *in paragraph (3), by striking “assistant*
22 *Secretary” and inserting “Assistant Secretary”;*

23 (C) *by redesignating paragraphs (9)*
24 *through (15) as paragraphs (12) through (18),*
25 *respectively; and*

1 (D) by inserting after paragraph (8) the fol-
2 lowing:

3 “(9) ‘Great Lakes region’ means the 8 States
4 that border on the Great Lakes;

5 “(10) ‘Indian tribe’ means any Indian tribe,
6 band, nation, or other organized group or community,
7 including any Alaska Native village or regional cor-
8 poration (as defined in or established pursuant to the
9 Alaska Native Claims Settlement Act (43 U.S.C. 1601
10 et seq.)) that is recognized as eligible for the special
11 programs and services provided by the United States
12 to Indians because of their status as Indians;

13 “(11) ‘interstate organization’ means an en-
14 tity—

15 “(A) established by—

16 “(i) an interstate compact that is ap-
17 proved by Congress;

18 “(ii) a Federal statute; or

19 “(iii) a treaty or other international
20 agreement with respect to which the United
21 States is a party; and

22 “(B)(i) that represents 2 or more—

23 “(I) States or political subdivisions
24 thereof; or

25 “(II) Indian tribes; or

1 “(ii) that represents—

2 “(I) 1 or more States or political sub-
3 divisions thereof; and

4 “(II) 1 or more Indian tribes; or

5 “(iii) that represents the Federal Govern-
6 ment and 1 or more foreign governments; and

7 “(C) has jurisdiction over, serves as forum
8 for coordinating, or otherwise has a role or re-
9 sponsibility for the management of, any land or
10 other natural resource;”.

11 (b) *AQUATIC NUISANCE SPECIES CONTROL PRO-*
12 *GRAM.*—

13 (1) *AMENDMENT TO HEADING.*—*The heading to*
14 *subtitle B (16 U.S.C. 4711 et seq.) is amended to read*
15 *as follows:*

16 **“Subtitle B—Prevention of Uninten-**
17 **tional Introductions of Non-**
18 **indigenous Aquatic Species”.**

19 (2) *AQUATIC NUISANCE SPECIES.*—*Section 1101*
20 *(16 U.S.C. 4711) is amended to read as follows:*

21 **“SEC. 1101. AQUATIC NUISANCE SPECIES IN WATERS OF**
22 **THE UNITED STATES.**

23 “(a) *GREAT LAKES GUIDELINES.*—

24 “(1) *IN GENERAL.*—*Not later than 6 months*
25 *after the date of enactment of this Act, the Secretary*

1 *shall issue voluntary guidelines to prevent the intro-*
2 *duction and spread of aquatic nuisance species into*
3 *the Great Lakes through the exchange of ballast water*
4 *of vessels prior to entering those waters.*

5 “(2) *CONTENT OF GUIDELINES.*—*The guidelines*
6 *issued under this subsection shall—*

7 “(A) *ensure to the maximum extent prac-*
8 *ticable that ballast water containing aquatic*
9 *nuisance species is not discharged into the Great*
10 *Lakes;*

11 “(B) *protect the safety of—*

12 “(i) *each vessel; and*

13 “(ii) *the crew and passengers of each*
14 *vessel;*

15 “(C) *take into consideration different vessel*
16 *operating conditions; and*

17 “(D) *be based on the best scientific informa-*
18 *tion available.*

19 “(b) *REGULATIONS.*—

20 “(1) *IN GENERAL.*—*Not later than 2 years after*
21 *the date of enactment of this Act, the Secretary, in*
22 *consultation with the Task Force, shall issue regula-*
23 *tions to prevent the introduction and spread of aquat-*
24 *ic nuisance species into the Great Lakes through the*
25 *ballast water of vessels.*

1 “(2) *CONTENT OF REGULATIONS.*—*The regula-*
2 *tions issued under this subsection shall—*

3 “(A) *apply to all vessels equipped with bal-*
4 *last water tanks that enter a United States port*
5 *on the Great Lakes after operating on the waters*
6 *beyond the exclusive economic zone;*

7 “(B) *require a vessel to—*

8 “(i) *carry out exchange of ballast*
9 *water on the waters beyond the exclusive*
10 *economic zone prior to entry into any port*
11 *within the Great Lakes;*

12 “(ii) *carry out an exchange of ballast*
13 *water in other waters where the exchange*
14 *does not pose a threat of infestation or*
15 *spread of aquatic nuisance species in the*
16 *Great Lakes and other waters of the United*
17 *States, as recommended by the Task Force*
18 *under section 1102(a)(1); or*

19 “(iii) *use environmentally sound alter-*
20 *native ballast water management methods if*
21 *the Secretary determines that such alter-*
22 *native methods are as effective as ballast*
23 *water exchange in preventing and control-*
24 *ling infestations of aquatic nuisance species;*

1 “(C) not affect or supersede any require-
2 ments or prohibitions pertaining to the discharge
3 of ballast water into waters of the United States
4 under the Federal Water Pollution Control Act
5 (33 U.S.C. 1251 et seq.);

6 “(D) provide for sampling procedures to
7 monitor compliance with the requirements of the
8 regulations;

9 “(E) prohibit the operation of a vessel in
10 the Great Lakes if the master of the vessel has
11 not certified to the Secretary or the Secretary’s
12 designee by not later than the departure of that
13 vessel from the first lock in the St. Lawrence
14 Seaway that the vessel has complied with the re-
15 quirements of the regulations;

16 “(F) protect the safety of—

17 “(i) each vessel; and

18 “(ii) the crew and passengers of each
19 vessel;

20 “(G) take into consideration different oper-
21 ating conditions; and

22 “(H) be based on the best scientific informa-
23 tion available.

24 “(3) *ADDITIONAL REGULATIONS.*—In addition to
25 promulgating regulations under paragraph (1), the

1 *Secretary, in consultation with the Task Force, shall,*
2 *not later than November 4, 1994, issue regulations to*
3 *prevent the introduction and spread of aquatic nui-*
4 *sance species into the Great Lakes through ballast*
5 *water carried on vessels that enter a United States*
6 *port on the Hudson River north of the George Wash-*
7 *ington Bridge.*

8 “(4) *EDUCATION AND TECHNICAL ASSISTANCE*
9 *PROGRAMS.—The Secretary may carry out education*
10 *and technical assistance programs and other measures*
11 *to encourage compliance with the guidelines issued*
12 *under this subsection.*

13 “(c) *VOLUNTARY NATIONAL GUIDELINES.—*

14 “(1) *IN GENERAL.—Not later than 1 year after*
15 *the date of enactment of the National Invasive Species*
16 *Act of 1996, and after providing notice and an oppor-*
17 *tunity for public comment, the Secretary shall issue*
18 *voluntary guidelines to prevent the introduction and*
19 *spread of nonindigenous species in waters of the Unit-*
20 *ed States by ballast water operations and other oper-*
21 *ations of vessels equipped with ballast water tanks.*

22 “(2) *CONTENT OF GUIDELINES.—The voluntary*
23 *guidelines issued under this subsection shall—*

24 “(A) *ensure to the maximum extent prac-*
25 *ticable that aquatic nuisance species are not dis-*

1 *charged into waters of the United States from*
2 *vessels;*

3 “(B) *apply to all vessels equipped with bal-*
4 *last water tanks that operate in waters of the*
5 *United States;*

6 “(C) *direct a vessel that is carrying ballast*
7 *water into waters of the United States after op-*
8 *erating beyond the exclusive economic zone to—*

9 “(i) *carry out the exchange of ballast*
10 *water of the vessel in waters beyond the ex-*
11 *clusive economic zone;*

12 “(ii) *exchange the ballast water of the*
13 *vessel in other waters where the exchange*
14 *does not pose a threat of infestation or*
15 *spread of nonindigenous species in waters of*
16 *the United States, as recommended by the*
17 *Task Force under section 1102(a)(1); or*

18 “(iii) *use environmentally sound alter-*
19 *native ballast water management methods,*
20 *including modification of the vessel ballast*
21 *tanks and intake systems, if the Secretary*
22 *determines that such alternative methods*
23 *are at least as effective as ballast water ex-*
24 *change in preventing and controlling infes-*
25 *tations of aquatic nuisance species;*

1 “(D) direct vessels to carry out management
2 practices that the Secretary determines to be nec-
3 essary to reduce the probability of unintentional
4 nonindigenous species transfer resulting from—

5 “(i) ship operations other than ballast
6 discharge; and

7 “(ii) ballasting practices of vessels that
8 enter waters of the United States with no
9 ballast on board;

10 “(E) provide for the keeping of records that
11 shall be submitted to the Secretary, as prescribed
12 by the guidelines, and that shall be maintained
13 on board each vessel and made available for in-
14 spection, upon request of the Secretary and in a
15 manner consistent with subsection (h), in order
16 to enable the Secretary to determine compliance
17 with the guidelines, including—

18 “(i) with respect to each ballast water
19 exchange referred to in clause (ii), reporting
20 on the precise location and thoroughness of
21 the exchange; and

22 “(ii) any other information that the
23 Secretary considers necessary to assess the
24 rate of effective compliance with the guide-
25 lines;

1 “(F) provide for sampling procedures to
2 monitor compliance with the guidelines;

3 “(G) protect the safety of—

4 “(i) each vessel; and

5 “(ii) the crew and passengers of each
6 vessel;

7 “(H) take into consideration—

8 “(i) variations in the characteristics of
9 point of origin and receiving water bodies;

10 “(ii) variations in the ecological condi-
11 tions of waters and coastal areas of the
12 United States; and

13 “(iii) different operating conditions;

14 “(I) be based on the best scientific informa-
15 tion available; and

16 “(J) not affect or supersede any require-
17 ments or prohibitions pertaining to the discharge
18 of ballast water into waters of the United States
19 under the Federal Water Pollution Control Act
20 (33 U.S.C. 1251 et seq.).

21 “(3) *EDUCATION AND TECHNICAL ASSISTANCE*
22 *PROGRAMS.*—Not later than 1 year after the date of
23 enactment of the National Invasive Species Act of
24 1996, the Secretary shall carry out education and
25 technical assistance programs and other measures to

1 *encourage compliance with the guidelines issued*
2 *under this subsection.*

3 *“(d) PERIODIC REVIEW AND REVISION.—*

4 *“(1) IN GENERAL.—Not later than 3 years after*
5 *the date of enactment of the National Invasive Species*
6 *Act of 1996, and not less frequently than every 3*
7 *years thereafter, the Secretary shall, in accordance*
8 *with criteria developed by the Task Force under para-*
9 *graph (3)—*

10 *“(A) assess the compliance by vessels with*
11 *the voluntary guidelines issued under subsection*
12 *(c) and the regulations promulgated under this*
13 *Act;*

14 *“(B) establish the rate of compliance that is*
15 *based on the assessment under subparagraph (A);*

16 *“(C) assess the effectiveness of the voluntary*
17 *guidelines and regulations referred to in sub-*
18 *paragraph (A) in reducing the introduction and*
19 *spread of aquatic nuisance species by vessels;*
20 *and*

21 *“(D) as necessary, on the basis of the best*
22 *scientific information available—*

23 *“(i) revise the guidelines and regula-*
24 *tions referred to in subparagraph (A);*

1 “(ii) promulgate additional regulations
2 pursuant to subsection (e)(1); or

3 “(iii) carry out each of clauses (i) and
4 (ii).

5 “(2) *SPECIAL REVIEW AND REVISION.*—Not later
6 than 90 days after the Task Force makes a request to
7 the Secretary for a special review and revision for
8 coastal and inland waterways designated by the Task
9 Force, the Secretary shall—

10 “(A) conduct a special review of guidelines
11 and regulations applicable to those waterways in
12 accordance with the review procedures under
13 paragraph (1); and

14 “(B) as necessary, in the same manner as
15 provided under paragraph (1)(D)—

16 “(i) revise those guidelines;

17 “(ii) promulgate additional regulations
18 pursuant to subsection (e)(1); or

19 “(iii) carry out each of clauses (i) and
20 (ii).

21 “(3) *CRITERIA FOR EFFECTIVENESS.*—Not later
22 than 18 months after the date of enactment of the Na-
23 tional Invasive Species Act of 1996, the Task Force
24 shall submit to the Secretary criteria for determining

1 *the adequacy and effectiveness of the voluntary guide-*
2 *lines issued under subsection (c).*

3 “(e) *AUTHORITY OF SECRETARY.*—

4 “(1) *GENERAL REGULATIONS.*—*If, on the basis of*
5 *a periodic review conducted under subsection (d)(1)*
6 *or a special review conducted under subsection (d)(2),*
7 *the Secretary determines that—*

8 “(A) *the rate of effective compliance (as de-*
9 *termined by the Secretary) with the guidelines*
10 *issued pursuant to subsection (c) is inadequate;*
11 *or*

12 “(B) *the reporting by vessels pursuant to*
13 *those guidelines is not adequate for the Secretary*
14 *to assess the compliance with those guidelines*
15 *and provide a rate of compliance of vessels, in-*
16 *cluding the assessment of the rate of compliance*
17 *of vessels under subsection (d)(2),*

18 *the Secretary shall promptly promulgate regulations*
19 *that meet the requirements of paragraph (2).*

20 “(2) *REQUIREMENTS FOR REGULATIONS.*—*The*
21 *regulations promulgated by the Secretary under para-*
22 *graph (1)—*

23 “(A) *shall—*

1 “(i) make mandatory the requirements
2 included in the voluntary guidelines issued
3 under subsection (c); and

4 “(ii) provide for the enforcement of the
5 regulations; and

6 “(B) may be regional in scope.

7 “(f) SANCTIONS.—

8 “(1) CIVIL PENALTIES.—Any person who violates
9 a regulation promulgated under subsection (b) or (e)
10 shall be liable for a civil penalty in an amount not
11 to exceed \$25,000. Each day of a continuing violation
12 constitutes a separate violation. A vessel operated in
13 violation of the regulations is liable in rem for any
14 civil penalty assessed under this subsection for that
15 violation.

16 “(2) CRIMINAL PENALTIES.—Any person who
17 knowingly violates the regulations promulgated under
18 subsection (b) or (e) is guilty of a class C felony.

19 “(3) REVOCATION OF CLEARANCE.—Upon request
20 of the Secretary, the Secretary of the Treasury shall
21 withhold or revoke the clearance of a vessel required
22 by section 4197 of the Revised Statutes (46 U.S.C.
23 App. 91), if the owner or operator of that vessel is in
24 violation of the regulations issued under subsection
25 (b) or (e).

1 “(g) *COORDINATION WITH OTHER AGENCIES.*—In
2 *carrying out the programs under this section, the Secretary*
3 *is encouraged to use, to the maximum extent practicable,*
4 *the expertise, facilities, members, or personnel of established*
5 *agencies and organizations that have routine contact with*
6 *vessels, including the Animal and Plant Health Inspection*
7 *Service of the Department of Agriculture, the National*
8 *Cargo Bureau, port administrations, and ship pilots’ asso-*
9 *ciations.*

10 “(h) *CONSULTATION WITH CANADA, MEXICO, AND*
11 *OTHER FOREIGN GOVERNMENTS.*—In developing the guide-
12 *lines issued and regulations promulgated under this section,*
13 *the Secretary is encouraged to consult with the Government*
14 *of Canada, the Government of Mexico, and any other gov-*
15 *ernment of a foreign country that the Secretary, in con-*
16 *sultation with the Task Force, determines to be necessary*
17 *to develop and implement an effective international pro-*
18 *gram for preventing the unintentional introduction and*
19 *spread of nonindigenous species.*

20 “(i) *INTERNATIONAL COOPERATION.*—The Secretary,
21 *in cooperation with the International Maritime Organiza-*
22 *tion of the United Nations and the Commission on Envi-*
23 *ronmental Cooperation established pursuant to the North*
24 *American Free Trade Agreement, is encouraged to enter*
25 *into negotiations with the governments of foreign countries*

1 *to develop and implement an effective international pro-*
 2 *gram for preventing the unintentional introduction and*
 3 *spread of nonindigenous species.”.*

4 (c) *NATIONAL BALLAST WATER MANAGEMENT INFOR-*
 5 *MATION.*—*Section 1102 (16 U.S.C. 4712) is amended—*

6 (1) *by striking the section heading and inserting*
 7 *the following:*

8 **“SEC. 1102. NATIONAL BALLAST WATER MANAGEMENT IN-**
 9 **FORMATION.”;**

10 (2) *in subsection (a)—*

11 (A) *in paragraphs (1) and (2), by inserting*
 12 *“, in cooperation with the Secretary,” before*
 13 *“shall conduct” each place it appears;*

14 (B) *in paragraph (2), by inserting “Lake*
 15 *Champlain and other” after “economic uses of”;*

16 (3) *by striking subsection (b) and inserting the*
 17 *following:*

18 **“(b) ECOLOGICAL AND BALLAST DISCHARGE SUR-**
 19 **VEYS.—**

20 **“(1) ECOLOGICAL SURVEYS.—**

21 **“(A) IN GENERAL.—***The Task Force, in co-*
 22 *operation with the Secretary, shall conduct eco-*
 23 *logical surveys of the Chesapeake Bay, San*
 24 *Francisco Bay, and Honolulu Harbor and, as*
 25 *necessary, of other estuaries of national signifi-*

1 *cance and other waters that the Task Force de-*
2 *termines—*

3 *“(i) to be highly susceptible to invasion*
4 *by aquatic nuisance species resulting from*
5 *ballast water operations and other oper-*
6 *ations of vessels; and*

7 *“(ii) to require further study.*

8 *“(B) REQUIREMENTS FOR SURVEYS.—In*
9 *conducting the surveys under this paragraph, the*
10 *Task Force shall, with respect to each such sur-*
11 *vey—*

12 *“(i) examine the attributes and pat-*
13 *terns of invasions of aquatic nuisance spe-*
14 *cies; and*

15 *“(ii) provide an estimate of the effec-*
16 *tiveness of ballast water management and*
17 *other vessel management guidelines issued*
18 *and regulations promulgated under this*
19 *subtitle in abating invasions of aquatic nui-*
20 *sance species in the waters that are the sub-*
21 *ject of the survey.*

22 *“(2) BALLAST DISCHARGE SURVEYS.—*

23 *“(A) IN GENERAL.—The Secretary, in co-*
24 *operation with the Task Force, shall conduct sur-*
25 *veys of ballast discharge rates and practices in*

1 *the waters referred to in paragraph (1)(A) on the*
2 *basis of the criteria under clauses (i) and (ii) of*
3 *such paragraph.*

4 “(B) *REQUIREMENTS FOR SURVEYS.—In*
5 *conducting the surveys under this paragraph, the*
6 *Secretary shall—*

7 “(i) *examine the rate of, and trends in,*
8 *ballast water discharge in the waters that*
9 *are the subject of the survey; and*

10 “(ii) *assess the effectiveness of vol-*
11 *untary guidelines issued, and regulations*
12 *promulgated, under this subtitle in altering*
13 *ballast discharge practices to reduce the*
14 *probability of accidental introductions of*
15 *aquatic nuisance species.”; and*

16 (4) *by adding at the end the following new sub-*
17 *sections:*

18 “(e) *REGIONAL RESEARCH GRANTS.—Out of amounts*
19 *appropriated to carry out this subsection for a fiscal year,*
20 *the Secretary of the Smithsonian Institution shall—*

21 “(1) *award not to exceed \$750,000 to the Ches-*
22 *apeake Research Consortium to fund research on*
23 *aquatic nuisance species prevention and control in*
24 *the Chesapeake Bay through competitive grants to*
25 *universities and research institutions;*

1 “(2) award not to exceed \$500,000 to the Louisi-
2 ana Universities Marine Consortium to fund research
3 on aquatic nuisance species prevention and control in
4 the Gulf of Mexico through competitive grants to uni-
5 versities and research institutions;

6 “(3) make available not to exceed \$500,000 to
7 fund research on aquatic nuisance species prevention
8 and control for the Pacific Coast through competitive
9 grants to universities and research institutions; and

10 “(4) make available not to exceed \$500,000 to
11 fund research on aquatic nuisance species prevention
12 and control for the Atlantic Coast through competitive
13 grants to universities and research institutions.

14 “(f) NATIONAL BALLAST INFORMATION CLEARING-
15 HOUSE.—

16 “(1) IN GENERAL.—The Secretary shall develop
17 and maintain, in consultation with the Task Force
18 and the Smithsonian Institution (acting through the
19 Smithsonian Environmental Research Center), a
20 clearinghouse of national data concerning—

21 “(A) ballasting practices;

22 “(B) compliance with the guidelines issued
23 pursuant to section 1101(c); and

24 “(C) any other information obtained by the
25 Task Force under subsection (b).

1 “(2) *REPORT.*—*In consultation with the Task*
2 *Force and the Smithsonian Institution (acting*
3 *through the Smithsonian Environmental Research*
4 *Center), the Secretary shall prepare and submit to the*
5 *Task Force and the appropriate Committees, on a bi-*
6 *annual basis, a report that synthesizes and analyzes*
7 *the data referred to in paragraph (1) relating to—*

8 “(A) *ballast water delivery and manage-*
9 *ment; and*

10 “(B) *invasions of aquatic nuisance species*
11 *resulting from ballast water.”.*

12 (d) *ARMED SERVICES BALLAST WATER PROGRAM;*
13 *BALLAST WATER MANAGEMENT DEMONSTRATION PRO-*
14 *GRAM.*—*Subtitle B (16 U.S.C. 4701 et seq.) is amended by*
15 *adding at the end the following new sections:*

16 **“SEC. 1103. ARMED SERVICES BALLAST WATER PROGRAMS.**

17 “(a) *DEPARTMENT OF DEFENSE VESSELS.*—*Subject to*
18 *operational conditions, the Secretary of Defense, in con-*
19 *sultation with the Secretary, the Task Force, and the Inter-*
20 *national Maritime Organization, shall implement a ballast*
21 *water management program for seagoing vessels of the De-*
22 *partment of Defense to minimize the risk of introduction*
23 *of nonindigenous species from releases of ballast water.*

24 “(b) *COAST GUARD VESSELS.*—*Subject to operational*
25 *conditions, the Secretary, in consultation with the Task*

1 *Force and the International Maritime Organization, shall*
2 *implement a ballast water management program for sea-*
3 *going vessels of the Coast Guard to minimize the risk of*
4 *introduction of nonindigenous species from releases of bal-*
5 *last water.*

6 **“SEC. 1104. BALLAST WATER MANAGEMENT DEMONSTRATION PROGRAM.**
7

8 *“(a) TECHNOLOGIES AND PRACTICES DEFINED.—For*
9 *purposes of this section, the term ‘technologies and prac-*
10 *tices’ means those technologies and practices that—*

11 *“(1) may be retrofitted—*

12 *“(A) on existing vessels or incorporated in*
13 *new vessel designs; and*

14 *“(B) on existing land-based ballast water*
15 *treatment facilities;*

16 *“(2) may be designed into new water treatment*
17 *facilities;*

18 *“(3) are operationally practical;*

19 *“(4) are safe for a vessel and crew;*

20 *“(5) are environmentally sound;*

21 *“(6) are cost-effective;*

22 *“(7) a vessel operator is capable of monitoring;*

23 *and*

24 *“(8) are effective against a broad range of aquat-*
25 *ic nuisance species.*

1 “(b) *DEMONSTRATION PROGRAM.*—

2 “(1) *IN GENERAL.*—*During the 18-month period*
3 *beginning on the date that funds are made available*
4 *by appropriations pursuant to section 1301(e), the*
5 *Secretary of the Interior, with the concurrence of and*
6 *in cooperation with the Secretary, shall conduct a*
7 *ballast water management demonstration program to*
8 *demonstrate technologies and practices to prevent*
9 *aquatic nonindigenous species from being introduced*
10 *into and spread through ballast water in the Great*
11 *Lakes and other waters of the United States.*

12 “(2) *LOCATION.*—*The installation and construc-*
13 *tion of the technologies and practices used in the dem-*
14 *onstration program conducted under this subsection*
15 *shall be performed in the United States.*

16 “(3) *VESSEL SELECTION.*—*In demonstrating*
17 *technologies and practices on vessels under this sub-*
18 *section, the Secretary of the Interior, shall—*

19 “(A) *use only vessels that—*

20 “(i) *are approved by the Secretary;*

21 “(ii) *have ballast systems conducive to*
22 *testing aboard-vessel or land-based tech-*
23 *nologies and practices applicable to a sig-*
24 *nificant number of merchant vessels; and*

25 “(iii) *are—*

1 “(I) publicly or privately owned;
2 and

3 “(II) in active use for trade or
4 other cargo shipment purposes during
5 the demonstration;

6 “(B) select vessels for participation in the
7 program by giving priority consideration—

8 “(i) first, to vessels documented under
9 chapter 121 of title 46, United States Code;

10 “(ii) second, to vessels that are a ma-
11 jority owned by citizens of the United
12 States, as determined by the Secretary; and

13 “(iii) third, to any other vessels that
14 regularly call on ports in the United States;
15 and

16 “(C) seek to use a variety of vessel types, in-
17 cluding vessels that—

18 “(i) call on ports in the United States
19 and on the Great Lakes; and

20 “(ii) are operated along major coasts of
21 the United States and inland waterways,
22 including the San Francisco Bay and
23 Chesapeake Bay.

24 “(4) SELECTION OF TECHNOLOGIES AND PRAC-
25 TICES.—In selecting technologies and practices for

1 *demonstration under this subsection, the Secretary of*
2 *the Interior shall give priority consideration to tech-*
3 *nologies and practices identified as promising by the*
4 *National Research Council Marine Board of the Na-*
5 *tional Academy of Sciences in its report on ships'*
6 *ballast operations issued in July 1996.*

7 “(5) *REPORT.*—Not later than 3 years after the
8 *date of enactment of the National Invasive Species*
9 *Act of 1996, the Secretary of the Interior shall pre-*
10 *pare and submit a report to the appropriate Commit-*
11 *tees on the demonstration program conducted pursu-*
12 *ant to this section. The report shall include findings*
13 *and recommendations of the Secretary of the Interior*
14 *concerning technologies and practices.*

15 “(c) *AUTHORITIES; CONSULTATION AND COOPERATION*
16 *WITH INTERNATIONAL MARITIME ORGANIZATION AND*
17 *TASK FORCE.*—

18 “(1) *AUTHORITIES.*—In conducting the dem-
19 *onstration program under subsection (b), the Sec-*
20 *retary of the Interior may—*

21 “(A) *enter into cooperative agreements with*
22 *appropriate officials of other agencies of the Fed-*
23 *eral Government, agencies of States and political*
24 *subdivisions thereof, and private entities;*

1 “(B) accept funds, facilities, equipment, or
2 personnel from other Federal agencies; and

3 “(C) accept donations of property and serv-
4 ices.

5 “(2) CONSULTATION AND COOPERATION.—The
6 Secretary of the Interior shall consult and cooperate
7 with the International Maritime Organization and
8 the Task Force in carrying out this section.”.

9 (e) AMENDMENTS TO SUBTITLE C.—

10 (1) SUBTITLE HEADING.—The heading to sub-
11 title C (16 U.S.C. 4721 et seq.) is amended to read
12 as follows:

13 **“Subtitle C—Prevention and Con-**
14 **trol of Aquatic Nuisance Species**
15 **Dispersal”.**

16 (2) TASK FORCE.—Section 1201 (16 U.S.C.
17 4721) is amended—

18 (A) in subsection (b)—

19 (i) by striking “and” at the end of
20 paragraph (5);

21 (ii) by redesignating paragraph (6) as
22 paragraph (7); and

23 (iii) by inserting after paragraph (5)
24 the following new paragraph:

25 “(6) the Secretary of Agriculture; and”; and

1 (B) in subsection (c), by inserting “the
2 Chesapeake Bay Program,” before “and State
3 agencies”.

4 (3) *RESEARCH PROGRAM.*—Section 1202 (16
5 *U.S.C. 4722*) is amended—

6 (A) in subsection (f)(1)(A), by inserting
7 “and impacts” after “economic risks”; and

8 (B) in subsection (i)—

9 (i) in paragraph (1)—

10 (I) by striking “(1) *IN GEN-*
11 *ERAL.—The Task Force*” and inserting
12 the following:

13 “(1) *ZEBRA MUSSEL.*—

14 “(A) *IN GENERAL.—The Task Force*”;

15 (II) by striking “(A) research”
16 and inserting the following:

17 “(i) research”;

18 (III) by striking “(B) tracking”
19 and inserting the following:

20 “(ii) tracking”;

21 (IV) by striking “(C) develop-
22 ment” and inserting the following:

23 “(iii) development”; and

24 (V) by striking “(D) provision”
25 and inserting the following:

1 “(iv) provision”;

2 (ii) in paragraph (2), by striking “(2)

3 *PUBLIC FACILITY RESEARCH AND DEVELOP-*
4 *MENT.—*” and inserting the following:

5 “(B) *PUBLIC FACILITY RESEARCH AND DE-*
6 *VELOPMENT.—*”;

7 (iii) in subparagraph (B) of para-
8 graph (1), as so redesignated, by striking
9 the first sentence and inserting the follow-
10 ing: “The Assistant Secretary, in consulta-
11 tion with the Task Force, shall develop a
12 program of research, technology develop-
13 ment, and demonstration for the environ-
14 mentally sound control of zebra mussels in
15 and around public facilities.”;

16 (iv) in paragraph (1), by adding after
17 subparagraph (B), as so redesignated, the
18 following new subparagraph:

19 “(C) *VOLUNTARY GUIDELINES.—*Not later
20 than 1 year after the date of enactment of this
21 subparagraph, the Task Force shall develop and
22 submit to the Secretary voluntary guidelines for
23 controlling the spread of the zebra mussel and, if
24 appropriate, other aquatic nuisance species
25 through recreational activities, including boating

1 *and fishing. Not later than 4 months after the*
2 *date of such submission, and after providing no-*
3 *tice and an opportunity for public comment, the*
4 *Secretary shall issue voluntary guidelines that*
5 *are based on the guidelines developed by the Task*
6 *Force under this subparagraph.”; and*

7 *(v) by adding at the end the following*
8 *new paragraphs:*

9 “(2) *DISPERSAL CONTAINMENT ANALYSIS.—*

10 “(A) *RESEARCH.—The Administrator of the*
11 *Environmental Protection Agency, in coopera-*
12 *tion with the National Science Foundation and*
13 *the Task Force, shall provide research grants on*
14 *a competitive basis for projects that—*

15 “(i) *identify environmentally sound*
16 *methods for controlling the dispersal of*
17 *aquatic nuisance species, such as the zebra*
18 *mussel; and*

19 “(ii) *adhere to research protocols devel-*
20 *oped pursuant to subsection (f)(2).*

21 “(B) *AUTHORIZATION OF APPROPRIA-*
22 *TIONS.—There are authorized to be appropriated*
23 *to the Environmental Protection Agency to carry*
24 *out this paragraph, \$500,000.*

25 “(3) *DISPERSAL BARRIER DEMONSTRATION.—*

1 “(A) *IN GENERAL.*—*The Assistant Sec-*
2 *retary, in consultation with the Task Force, shall*
3 *investigate and identify environmentally sound*
4 *methods for preventing and reducing the disper-*
5 *sal of aquatic nuisance species between the Great*
6 *Lakes-Saint Lawrence drainage and the Mis-*
7 *issippi River drainage through the Chicago*
8 *River Ship and Sanitary Canal, including any*
9 *of those methods that could be incorporated into*
10 *the operation or construction of the lock system*
11 *of the Chicago River Ship and Sanitary Canal.*

12 “(B) *REPORT.*—*Not later than 18 months*
13 *after the date of enactment of this paragraph, the*
14 *Assistant Secretary shall issue a report to the*
15 *appropriate Committees that includes rec-*
16 *ommendations concerning—*

17 “(i) *which of the methods that are*
18 *identified under the study conducted under*
19 *this paragraph are most promising with re-*
20 *spect to preventing and reducing the disper-*
21 *sal of aquatic nuisance species; and*

22 “(ii) *ways to incorporate those methods*
23 *into ongoing operations of the United States*
24 *Army Corps of Engineers that are con-*

1 *ducted at the Chicago River Ship and Sani-*
2 *tary Canal.*

3 “(C) *AUTHORIZATION OF APPROPRIA-*
4 *TIONS.—There are authorized to be appropriated*
5 *to the Department of the Army, to carry out this*
6 *paragraph, \$750,000.*

7 “(4) *CONTRIBUTIONS.—To the extent allowable*
8 *by law, in carrying out the studies under paragraphs*
9 *(2) and (3), the Administrator of the Environmental*
10 *Protection Agency and the Secretary of the Army*
11 *may enter into an agreement with an interested party*
12 *under which that party provides in kind or monetary*
13 *contributions for the study.*

14 “(5) *TECHNICAL ASSISTANCE.—The Great Lakes*
15 *Environmental Research Laboratory of the National*
16 *Oceanic and Atmospheric Administration shall pro-*
17 *vide technical assistance to the Lake Champlain Re-*
18 *search Consortium to assist in the research conducted*
19 *by that consortium pursuant to this subsection.”.*

20 “(4) *IMPLEMENTATION.—Section 1202(j)(1) (16*
21 *U.S.C. 4722(j)(1)) is amended by striking “Not later*
22 *than 18 months after the date of the enactment of this*
23 *Act, the Director” and inserting “The Director, the*
24 *Secretary,”.*

1 (5) *REGIONAL COORDINATION.*—Section 1203 (16
2 *U.S.C. 4723*) is amended—

3 (A) by striking the section heading and in-
4 serting the following:

5 **“SEC. 1203. REGIONAL COORDINATION.”;**

6 (B) in subsection (a)—

7 (i) by striking “(a) *IN GENERAL.*—
8 Not” and inserting the following:

9 “(a) *GREAT LAKES PANEL.*—

10 “(1) *IN GENERAL.*—Not”;

11 (ii) by striking “(1) identify” and in-
12 serting the following:

13 “(A) identify”;

14 (iii) by striking “(2) make” and in-
15 serting the following:

16 “(B) make”;

17 (iv) by striking “(3) assist” and insert-
18 ing the following:

19 “(C) assist”;

20 (v) by striking “(4) coordinate” and
21 inserting the following:

22 “(D) coordinate”;

23 (vi) by striking “(5) provide” and in-
24 serting the following:

25 “(E) provide”;

1 (vii) by striking “(6) submit” and in-
2 serting the following:

3 “(F) submit”;

4 (viii) in paragraph (1), as so redesign-
5 nated—

6 (I) in the matter preceding sub-
7 paragraph (A), by inserting “region”
8 before “representatives”; and

9 (II) in subparagraphs (A) through
10 (F), by striking “Great Lakes” each
11 place it appears and inserting “Great
12 Lakes region”;

13 (C) by striking “(b) CONSULTATION.—The
14 Task Force” and inserting the following:

15 “(2) CONSULTATION.—The Task Force”;

16 (D) by striking “(c) CANADIAN PARTICIPA-
17 TION.—The panel” and inserting the following:

18 “(3) CANADIAN PARTICIPATION.—The panel”;

19 (E) in paragraphs (2) and (3) of subsection
20 (a), as so redesignated, by striking “this section”
21 and inserting “this subsection”; and

22 (F) by adding at the end the following new
23 subsections:

24 “(b) WESTERN REGIONAL PANEL.—Not later than 30
25 days after the date of enactment of the National Invasive

1 *Species Act of 1996, the Task Force shall request a Western*
2 *regional panel, comprised of Western region representatives*
3 *from Federal, State, and local agencies and from private*
4 *environmental and commercial interests, to—*

5 “(1) *identify priorities for the Western region*
6 *with respect to aquatic nuisance species;*

7 “(2) *make recommendations to the Task Force*
8 *regarding an education, monitoring (including in-*
9 *spection), prevention, and control program to prevent*
10 *the spread of the zebra mussel west of the 100th Me-*
11 *ridian pursuant to section 1202(i) of this Act;*

12 “(3) *coordinate, where possible, other aquatic*
13 *nuisance species program activities in the Western re-*
14 *gion that are not conducted pursuant to this Act;*

15 “(4) *develop an emergency response strategy for*
16 *Federal, State, and local entities for stemming new*
17 *invasions of aquatic nuisance species in the region;*

18 “(5) *provide advice to public and private indi-*
19 *viduals and entities concerning methods of preventing*
20 *and controlling aquatic nuisance species infestations;*
21 *and*

22 “(6) *submit annually a report to the Task Force*
23 *describing activities within the Western region related*
24 *to aquatic nuisance species prevention, research, and*
25 *control.*

1 “(c) *ADDITIONAL REGIONAL PANELS.—The Task*
2 *Force shall—*

3 “(1) *encourage the development and use of re-*
4 *gional panels and other similar entities in regions in*
5 *addition to the Great Lakes and Western regions (in-*
6 *cluding providing financial assistance for the develop-*
7 *ment and use of such entities) to carry out, with re-*
8 *spect to those regions, activities that are similar to*
9 *the activities described in subsections (a) and (b); and*
10 “(2) *cooperate with regional panels and similar*
11 *entities that carry out the activities described in*
12 *paragraph (1).”.*

13 (6) *STATE OR INTERSTATE WATERSHED AQUATIC*
14 *NUISANCE SPECIES MANAGEMENT PLAN.—Section*
15 *1204 (16 U.S.C. 4724) is amended—*

16 (A) *in subsection (a)—*
17 (i) *by striking the subsection designa-*
18 *tion and heading and inserting the follow-*
19 *ing:*

20 “(a) *STATE OR INTERSTATE INVASIVE SPECIES MAN-*
21 *AGEMENT PLANS.—”;*

22 (ii) *in paragraph (1)—*
23 (I) *by striking the matter preced-*
24 *ing subparagraph (A) and inserting*
25 *the following:*

1 “(1) *IN GENERAL.*—After providing notice and
2 *opportunity for public comment, the Governor of each*
3 *State may prepare and submit, or the Governors of*
4 *the States and the governments of the Indian tribes*
5 *involved in an interstate organization, may jointly*
6 *prepare and submit—”;*

7 *(II) in subparagraph (A), by*
8 *striking “technical and financial as-*
9 *sistance” and inserting “technical, en-*
10 *forcement, or financial assistance (or*
11 *any combination thereof)”;* and

12 *(III) in subparagraphs (A) and*
13 *(B), by inserting “or within the inter-*
14 *state region involved” after “within the*
15 *State” each place it appears;*

16 *(iii) in paragraph (2)—*

17 *(I) in subparagraph (B), by strik-*
18 *ing “and” at the end of the subpara-*
19 *graph;*

20 *(II) by redesignating subpara-*
21 *graph (C) as subparagraph (D);*

22 *(III) by inserting after subpara-*
23 *graph (B) the following:*

24 *“(C) identify any authority that the State*
25 *(or any State or Indian tribe involved in the*

1 interstate organization) does not have at the
2 time of the development of the plan that may be
3 necessary for the State (or any State or Indian
4 tribe involved in the interstate organization) to
5 protect public health, property, and the environ-
6 ment from harm by aquatic nuisance species;
7 and”;

8 (IV) in subparagraph (D), as so
9 redesignated, by inserting “, and ena-
10 bling legislation” before the period;

11 (iv) in paragraph (3)—

12 (I) in subparagraph (A)—

13 (aa) by inserting “or inter-
14 state organization” after “the
15 State”; and

16 (bb) by inserting “Indian
17 tribes,” after “local governments
18 and regional entities,”; and

19 (II) in subparagraph (B), by in-
20 serting “or the appropriate official of
21 an interstate organization” after “a
22 State”; and

23 (v) in paragraph (4), by inserting “or
24 the interstate organization” after “the Gov-
25 ernor”;

1 (B) in subsection (b)(1)—

2 (i) by striking “or the Assistant Sec-
3 retary, as appropriate under subsection
4 (a),”; and

5 (ii) by striking “approved management
6 plans” and inserting “management plans
7 approved under subsection (a)”; and

8 (C) by adding at the end the following new
9 subsection:

10 “(c) *ENFORCEMENT ASSISTANCE.*—Upon request of a
11 State or Indian tribe, the Director or the Under Secretary,
12 to the extent allowable by law and in a manner consistent
13 with section 141 of title 14, United States Code, may pro-
14 vide assistance to a State or Indian tribe in enforcing an
15 approved State or interstate invasive species management
16 plan.”.

17 (f) *AUTHORIZATIONS OF APPROPRIATIONS.*—Section
18 1301 (16 U.S.C. 4741) is amended—

19 (1) in subsection (a)—

20 (A) by striking “and” at the end of para-
21 graph (2);

22 (B) by striking paragraph (3) and inserting
23 the following;

24 “(3) to the Secretary to carry out section 1101—

1 “(A) \$2,000,000 for each of fiscal years
2 1997 and 1998; and

3 “(B) \$3,000,000 for each of fiscal years
4 1999 through 2002;” and

5 (C) by adding at the end the following new
6 paragraphs:

7 “(4) for each of fiscal years 1997 through 2002,
8 to carry out paragraphs (1) and (2) of section
9 1102(b)—

10 “(A) \$1,000,000 to the Department of the
11 Interior, to be used by the Director; and

12 “(B) \$1,000,000 to the Secretary; and

13 “(5) for each of fiscal years 1997 through 2002—

14 “(A) \$2,250,000 to the Secretary of the
15 Smithsonian Institution to carry out section
16 1102(e); and

17 “(B) \$500,000 to the Secretary to carry out
18 section 1102(f).”;

19 (2) in subsection (b)—

20 (A) in the matter preceding paragraph (1),
21 by striking “1991, 1992, 1993, 1994, and 1995”
22 and inserting “1997 through 2002”; and

23 (B) by striking paragraphs (1) through (7)
24 and inserting the following:

1 “(1) \$6,000,000 to the Department of the Inte-
2 rior, to be used by the Director to carry out sections
3 1202 and 1209;

4 “(2) \$1,000,000 to the Department of Commerce,
5 to be used by the Under Secretary to carry out section
6 1202;

7 “(3) \$1,625,000 to fund aquatic nuisance species
8 prevention and control research under section 1202(i)
9 at the Great Lakes Environmental Research Labora-
10 tory of the National Oceanic and Atmospheric Ad-
11 ministration and the Lake Champlain Research Con-
12 sortium, of which \$500,000 shall be used by the Lake
13 Champlain Research Consortium;

14 “(4) \$5,000,000 for competitive grants for uni-
15 versity research on aquatic nuisance species under
16 section 1202(f)(3) as follows:

17 “(A) \$4,000,000 to fund grants under sec-
18 tion 206 of the National Sea Grant College Pro-
19 gram Act (33 U.S.C. 1121 et seq.) and grants to
20 colleges for the benefit of agriculture and the me-
21 chanic arts referred to in the first section of the
22 Act of August 30, 1890 (26 Stat. 417, chapter
23 841; 7 U.S.C. 322); and

24 “(B) \$1,000,000 to fund grants through the
25 Cooperative Fisheries and Wildlife Research

1 *Unit Program of the United States Fish and*
2 *Wildlife Service;*

3 “(5) \$3,000,000 to the Department of the Army,
4 to be used by the Assistant Secretary to carry out sec-
5 tion 1202(i)(1)(B); and

6 “(6) \$300,000 to the Department of the Interior,
7 to be used by the Director to fund regional panels and
8 similar entities under section 1203, of which \$100,000
9 shall be used to fund activities of the Great Lakes
10 Commission.”;

11 (3) by striking subsection (c) and inserting the
12 following:

13 “(c) *GRANTS FOR STATE MANAGEMENT PROGRAMS.—*
14 *There are authorized to be appropriated for each of fiscal*
15 *years 1997 through 2002 \$4,000,000 to the Department of*
16 *the Interior, to be used by the Director for making grants*
17 *under section 1204, of which \$1,500,000 shall be used by*
18 *the Director, in consultation with the Assistant Secretary,*
19 *for management of aquatic nuisance vegetation species.”;*
20 and

21 (4) by adding at the end the following new sub-
22 section:

23 “(e) *BALLAST WATER MANAGEMENT DEMONSTRATION*
24 *PROGRAM.—There are authorized to be appropriated to the*

1 *Department of the Interior \$2,500,000 to carry out section*
2 *1104.”.*

3 (g) *TECHNICAL CORRECTIONS.—Public Law 101–646*
4 *(16 U.S.C. 4701 et seq.) is amended—*

5 (1) *in titles I, II, and IV, by striking the*
6 *quotation marks at the beginning of any title, sub-*
7 *title, section, subsection, paragraph, subparagraph,*
8 *clause, subclause, or undesignated provision;*

9 (2) *at the end of titles II and IV, by striking the*
10 *closing quotation marks and the final period; and*

11 (3) *in section 1003—*

12 (A) *by striking each single opening*
13 *quotation mark and inserting double opening*
14 *quotation marks; and*

15 (B) *by striking each single closing quotation*
16 *mark and inserting double closing quotations*
17 *marks.*

18 **SEC. 3. STATUTORY CONSTRUCTION.**

19 *Nothing in this Act or the amendments made by this*
20 *Act is intended to affect the authorities and responsibilities*
21 *of the Great Lakes Fishery Commission established under*
22 *article II of the Convention on Great Lakes Fisheries be-*
23 *tween the United States of America and Canada, signed*
24 *at Washington on September 10, 1954 (hereafter in this sec-*
25 *tion referred to as the “Convention”), including the authori-*

1 *ties and responsibilities of the Great Lakes Fishery Com-*
2 *mission—*

3 (1) *for developing and implementing a com-*
4 *prehensive program for eradicating or minimizing*
5 *populations of sea lamprey in the Great Lakes water-*
6 *shed; and*

7 (2) *carrying out the duties of the Commission*
8 *specified in the Convention (including any amend-*
9 *ment thereto) and the Great Lakes Fishery Act of*
10 *1956 (16 U.S.C. 931 et seq.).*

○