

104TH CONGRESS
1ST SESSION

S. 541

To amend the Federal Water Pollution Control Act to coordinate and promote Great Lakes activities, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 10 (legislative day, MARCH 6), 1995

Mr. GLENN (for himself, Mr. DEWINE, Mr. LEVIN, and Mr. FEINGOLD) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend the Federal Water Pollution Control Act to coordinate and promote Great Lakes activities, 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.**

4 This Act may be cited as the “Great Lakes Federal
5 Effectiveness Act”.

6 **SEC. 2. GREAT LAKES RESEARCH COUNCIL.**

7 (a) IN GENERAL.—Section 118 of the Federal Water
8 Pollution Control Act (33 U.S.C. 1268) is amended—

9 (1) in subsection (a)(3)—

1 (A) by striking subparagraph (E) and in-
2 serting the following:

3 “(E) ‘Council’ means the Great Lakes Re-
4 search Council established by subsection
5 (d)(1);”;

6 (B) in subparagraph (I), by striking “and”
7 at the end;

8 (C) in subparagraph (J), by striking the
9 period at the end and inserting “; and”; and

10 (D) by adding at the end the following:

11 “(K) ‘Great Lakes research’ means the ap-
12 plication of scientific or engineering expertise to
13 explain, understand, and predict a physical,
14 chemical, biological, or socioeconomic process,
15 or the interaction of 1 or more of the processes,
16 in the Great Lakes ecosystem.”;

17 (2) by striking subsection (d) and inserting the
18 following:

19 “(d) GREAT LAKES RESEARCH COUNCIL.—

20 “(1) ESTABLISHMENT OF COUNCIL.—There is
21 established a Great Lakes Research Council.

22 “(2) DUTIES OF COUNCIL.—The Council
23 shall—

24 “(A) advise and promote the coordination
25 of Federal Great Lakes research activities to

1 avoid unnecessary duplication and ensure great-
2 er effectiveness in achieving protection of the
3 Great Lakes ecosystem through the goals of the
4 Great Lakes Water Quality Agreement;

5 “(B) not later than 1 year after the date
6 of enactment of this subparagraph and bienni-
7 ally thereafter, after providing opportunity for
8 public review and comment, prepare and pro-
9 vide to interested parties a document that in-
10 cludes—

11 “(i) an assessment of the Great Lakes
12 research activities needed to fulfill the
13 goals of the Great Lakes Water Quality
14 Agreement;

15 “(ii) an assessment of Federal exper-
16 tise and capabilities in the activities needed
17 to fulfill the goals of the Great Lakes
18 Water Quality Agreement, including an in-
19 ventory of Federal Great Lakes research
20 programs, projects, facilities, and person-
21 nel; and

22 “(iii) recommendations for long-term
23 and short-term priorities for Federal Great
24 Lakes research, based on a comparison of
25 the assessment conducted under clause (i)

1 and the assessment conducted under clause
2 (ii);

3 “(C) identify topics for and participate in
4 meetings, workshops, symposia, and conferences
5 on Great Lakes research issues;

6 “(D) make recommendations for the uni-
7 form collection of data for enhancing Great
8 Lakes research and management protocols re-
9 lating to the Great Lakes ecosystem;

10 “(E) advise and cooperate in—

11 “(i) improving the compatible integra-
12 tion of multimedia data concerning the
13 Great Lakes ecosystem; and

14 “(ii) any effort to establish a com-
15 prehensive multimedia data base for the
16 Great Lakes ecosystem; and

17 “(F) ensure that the results, findings, and
18 information regarding Great Lakes research
19 programs conducted or sponsored by the Fed-
20 eral Government are disseminated in a timely
21 manner, and in useful forms, to interested per-
22 sons, using to the maximum extent practicable
23 mechanisms in existence on the date of the dis-
24 semination, such as the Great Lakes Research

1 Inventory prepared by the International Joint
2 Commission.

3 “(3) MEMBERSHIP.—

4 “(A) IN GENERAL.—The Council shall con-
5 sist of 1 research manager with extensive
6 knowledge of, and scientific expertise and expe-
7 rience in, the Great Lakes ecosystem from each
8 of the following agencies and instrumentalities:

9 “(i) The Agency.

10 “(ii) The National Oceanic and At-
11 mospheric Administration.

12 “(iii) The National Biological Service.

13 “(iv) The United States Fish and
14 Wildlife Service.

15 “(v) Any other Federal agency or in-
16 strumentality that expends \$1,000,000 or
17 more for a fiscal year on Great Lakes re-
18 search.

19 “(vi) Any other Federal agency or in-
20 strumentality that a majority of the Coun-
21 cil membership determines should be rep-
22 resented on the Council.

23 “(B) NONVOTING MEMBERS.—At the re-
24 quest of a majority of the Council membership,
25 any person who is a representative of a Federal

1 agency or instrumentality not described in sub-
2 paragraph (A) or any person who is not a Fed-
3 eral employee may serve as a nonvoting member
4 of the Council.

5 “(4) CHAIRPERSON.—The chairperson of the
6 Council shall be a member of the Council from an
7 agency specified in clause (i), (ii), or (iii) of para-
8 graph (3)(A) who is elected by a majority vote of the
9 members of the Council. The chairperson shall serve
10 as chairperson for a period of 2 years. A member of
11 the Council may not serve as chairperson for more
12 than 2 consecutive terms.

13 “(5) EXPENSES.—While performing official du-
14 ties as a member of the Council, a member shall be
15 allowed travel or transportation expenses under sec-
16 tion 5703 of title 5, United States Code.

17 “(6) INTERAGENCY COOPERATION.—The head
18 of each Federal agency or instrumentality that is
19 represented on the Council—

20 “(A) shall cooperate with the Council in
21 implementing the recommendations developed
22 under paragraph (2);

23 “(B) may, on written request of the chair-
24 person of the Council, make available, on a re-
25 imburseable basis or otherwise, such personnel,

1 services, or facilities as may be necessary to as-
2 sist the Council in carrying out the duties of
3 the Council under this section; and

4 “(C) shall, on written request from the
5 chairperson, furnish data or information nec-
6 essary to carry out the duties of the Council
7 under this section.

8 “(7) INTERNATIONAL COOPERATION.—The
9 Council shall cooperate, to the maximum extent
10 practicable, with the research coordination efforts of
11 the Council of Great Lakes Research Managers of
12 the International Joint Commission.

13 “(8) REIMBURSEMENT FOR REQUESTED ACTIVI-
14 TIES.—Each Federal agency or instrumentality rep-
15 resented on the Council may reimburse another Fed-
16 eral agency or instrumentality or a non-Federal en-
17 tity for costs associated with activities authorized
18 under this subsection that are carried out by the
19 other agency, instrumentality, or entity at the re-
20 quest of the Council.

21 “(9) FEDERAL ADVISORY COMMITTEE ACT.—
22 The Federal Advisory Committee Act (5 U.S.C.
23 App.) shall not apply to the Council.

24 “(10) EFFECT ON OTHER LAW.—Nothing in
25 this subsection affects the authority of any Federal

1 agency or instrumentality, under any law, to under-
2 take Great Lakes research activities.”;

3 (3) in subsection (e)—

4 (A) in paragraph (1), by striking “the Pro-
5 gram Office and the Research Office shall pre-
6 pare a joint research plan” and inserting “the
7 Program Office, in consultation with the Coun-
8 cil, shall prepare a research plan”; and

9 (B) in paragraph (3)(A), by striking “the
10 Research Office, the Agency for Toxic Sub-
11 stances and Disease Registry, and Great Lakes
12 States” and inserting “the Council, the Agency
13 for Toxic Substances and Disease Registry, and
14 Great Lakes States,”; and

15 (4) in subsection (h)—

16 (A) in paragraph (1), by adding “and” at
17 the end;

18 (B) in paragraph (2), by striking “; and”
19 and inserting a period; and

20 (C) by striking paragraph (3).

21 (b) CONFORMING AMENDMENT.—The second sen-
22 tence of section 403(a) of the Marine Protection, Re-
23 search, and Sanctuaries Act of 1972 (16 U.S.C. 1447b(a))
24 is amended by striking “Great Lakes Research Office au-

- 1 thorized under” and inserting “Great Lakes Research
- 2 Council established by”.

