

## Calendar No. 365

108TH CONGRESS }  
*1st Session* }

SENATE

{ REPORT  
108-186

---

---

### DINGELL-JOHNSON SPORT FISH RESTORATION ACT ONE- YEAR REAUTHORIZATION

---

NOVEMBER 5, 2003.—Ordered to be printed

---

Mr. INHOFE, from the Committee on Environment and Public  
Works, submitted the following

### REPORT

[to accompany S. 1669]

[Including cost estimate of the Congressional Budget Office]

The Committee on Environment and Public Works, to which was referred a bill (S. 1669) to reauthorize the Dingell-Johnson Sport Fish Restoration Act, having considered the same, reports favorably thereon and recommends that the bill do pass.

#### GENERAL STATEMENT AND BACKGROUND

The Sport Fish Restoration Program was created in 1950 with the passage of the Dingell-Johnson Act. The Act placed a 10 percent excise tax on some fishing tackle and the moneys were apportioned to the States for use in sport fish restoration projects. The Dingell-Johnson Act was expanded with the Wallop-Breaux Amendments in 1984, which augmented the excise taxes and import duties on fishing equipment, recreational boats and motorboat fuel. They also established the Aquatic Resources Trust Fund.

In The Surface Transportation Extension Act of 2003 reauthorized the programs within the Dingell-Johnson Act for 5 months (through February 29, 2003). According to the U.S. Fish and Wildlife Service (USFWS) and the Coast Guard, the 5 month extension (as opposed to a year) will cause tremendous problems for the State grant recipients.

Not only are there the anticipated administrative problems with the State matching dollars for a 5-month reauthorization, the complex distribution of funding for the program would cause additional

hardships resulting in disruptions in the State programs as well as anticipated losses in funding.

It is important to note that the funding for the Sport Fish Restoration Program comes from moneys deposited into the Aquatic Resources Trust Fund during fiscal year 2003. Additionally, prior to the 1984 Wallop-Breaux Amendments, the Dingell-Johnson Fish Restoration Act was not reauthorized in the Federal aid highway legislation.

#### OBJECTIVE OF THE LEGISLATION

The legislation, S. 1669, would reauthorize the Title 16 programs of the Dingell-Johnson Sport Fish Restoration Act for 1 year (fiscal year 2004). This would allow the States to continue the various FWS programs without interruption or loss of funding.

#### SECTION-BY-SECTION ANALYSIS

##### *Section 1. Federal Aid in Sport Fish Restoration and Management*

This section amends the Title 16 programs of the Dingell-Johnson Sport Fish Restoration Act. It reauthorizes these programs for \$10,000,000 for fiscal year 2004. Additionally, it makes a technical correction by striking the Secretary of Transportation and replacing it with the Secretary of Homeland Security. This is necessary as the United States Coast Guard is now under the jurisdiction of the Department of Homeland Security.

#### LEGISLATIVE HISTORY

S. 1669, the 1-year reauthorization of the Dingell-Johnson Sport Fish Restoration Act was introduced by Senator Inhofe on September 26, 2003. The bill was referred to the Committee on Environment and Public Works.

#### ROLLCALL VOTES

The Committee on Environment and Public Works met to consider S. 1669 on October 15, 2003. The committee favorably reported the bill by voice vote.

#### REGULATORY IMPACT STATEMENT

In compliance of section 11(b) of rule XXVI of the Standing Rules of the Senate, the committee finds that S. 1669 does not create any additional regulatory burdens, nor will it cause any adverse impact on the personal privacy of individuals.

#### MANDATES ASSESSMENT

In compliance with the Unfunded Mandates Reform Act of 1995 (Public Law 104B4), the committee finds that S. 1669 would impose no Federal intergovernmental unfunded mandates on State, local, or tribal governments.

#### COST OF LEGISLATION

Section 403 of the Congressional Budget and Impoundment Control Act requires that a statement of the cost of the reported bill,

prepared by the Congressional Budget Office, be included in the report. That statement follows:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, October 23, 2003.*

Hon. JAMES M. INHOFE, *Chairman,*  
*Committee on Environment and Public Works,*  
*U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 1669, a bill to reauthorize the Dingell-Johnson Sport Fish Restoration Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis who can be reached at 226-2860.

Sincerely,

DOUGLAS HOLTZ-EAKIN

*S. 1669, A bill to reauthorize the Dingell-Johnson Sport Fish Restoration Act, as ordered reported by the Senate Committee on Environment and Public Works on October 15, 2003*

S. 1669 would amend the Dingell-Johnson Sport Fish Restoration Act to allocate fiscal year 2004 budget authority for certain programs carried out by the U.S. Fish and Wildlife Service and the U.S. Coast Guard. CBO estimates that enacting this bill would have no effect on the Federal budget.

The programs that S. 1669 would reauthorize are financed by a permanent, indefinite appropriation from the Aquatic Resources Trust Fund (ARTF). Each year, amounts deposited in that fund from excise taxes, customs duties, and interest income become available in the following year for a variety of conservation and restoration projects. Enacting S. 1669 would change the allocation of budget authority for fiscal year 2004 (roughly \$440 million) among the different programs financed by the ARTF, but would not provide additional budget authority or affect the timing or level of spending from the fund. In the absence of this legislation, \$92 million would be allocated to other ARTF programs that do not expire.

S. 1669 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on State, local, or tribal governments.

The CBO staff contact for this estimate is Deborah Reis. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

CHANGES TO EXISTING LAW

Section 12 of rule XXVI of the Standing Rules of the Senate requires the committee to publish changes in existing law made by the bill as reported. Passage of this bill will make changes to existing law.

