

109TH CONGRESS  
2D SESSION

# H. R. 5381

To establish a volunteer program and promote community partnerships for the benefit of national fish hatcheries and fisheries program offices.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 11, 2006

Mr. SAXTON (for himself and Mr. KIND) introduced the following bill; which was referred to the Committee on Resources

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## A BILL

To establish a volunteer program and promote community partnerships for the benefit of national fish hatcheries and fisheries program offices.

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 “National Fish Hatch-  
5       ery System Volunteer Act of 2006”.

6       **SEC. 2. FINDINGS AND PURPOSES.**

7       (a) FINDINGS.—Congress finds the following:

8               (1) The National Fish Hatchery System (in this  
9       Act referred to as the “System”)—

1 (A) consists of more than 60 hatcheries,  
2 seven fish technology centers, 9 fish health cen-  
3 ters, and other fisheries program offices;

4 (B) plays an integral role in the recovery  
5 of more than 50 threatened species and endan-  
6 gered species and the restoration of over 100  
7 native species;

8 (C) provides healthy fish populations that  
9 support recreational fishing opportunities, many  
10 of which are related to Federal water control  
11 structures; and

12 (D) works with over 250 partners to help  
13 mitigate the impacts of aquatic habitat loss and  
14 invasive species.

15 (2) The System faces many challenges, includ-  
16 ing aging facilities, some of which date back to the  
17 late 1800s, and maintenance of intensive infrastruc-  
18 tures such as wells, pumps, valves, pipes, filters,  
19 heaters, chillers, and treatment systems that must  
20 keep clean water moving 24 hours a day, 365 days  
21 a year.

22 (3) By encouraging volunteer programs and do-  
23 nations and fostering non-Federal partnerships with  
24 hatchery facilities, Federal funding for the hatch-  
25 eries can be supplemented.

1           (4) By encouraging hatchery educational pro-  
2       grams, public awareness of the resources of the Sys-  
3       tem and public participation in the conservation of  
4       aquatic resources can be promoted.

5       (b) PURPOSES.—The purposes of this Act are the fol-  
6       lowing:

7           (1) To encourage the use of volunteers to assist  
8       the United States Fish and Wildlife Service in the  
9       management of hatcheries within the System.

10          (2) To facilitate partnerships between the Sys-  
11       tem and non-Federal entities to promote public  
12       awareness of the resources of the System and public  
13       participation in the conservation of those resources.

14          (3) To encourage donations and other contribu-  
15       tions by individuals and organizations to the System.

16       **SEC. 3. GIFTS TO SYSTEM AND PARTICULAR NATIONAL**  
17       **FISH HATCHERIES.**

18       (a) AUTHORIZATION OF GIFTS, DEVISES, AND BE-  
19       QUESTS FOR SYSTEM.—In furtherance of the purposes of  
20       this Act, the Secretary of the Interior may accept any  
21       gifts, devises, or bequests of real and personal property,  
22       or proceeds therefrom, or interests therein, for the benefit  
23       of the National Fish Hatchery System. Such acceptance  
24       may be subject to the terms of any restrictive or affirma-  
25       tive covenant, or condition of servitude, if such terms are

1 deemed by the Secretary to be in accordance with law and  
2 compatible with the purpose for which acceptance is  
3 sought.

4 (b) USE OF GIFTS, DEVISES, AND BEQUESTS.—

5 (1) IN GENERAL.—Any gifts and bequests of  
6 money and proceeds from the sales of other property  
7 received as gifts or bequests pursuant to this sub-  
8 section shall be deposited in a separate account in  
9 the Treasury and may be expended without further  
10 appropriation by the Secretary for the benefit of the  
11 System programs administered by the United States  
12 Fish and Wildlife Service.

13 (2) GIFTS, DEVISES, AND BEQUESTS FOR PAR-  
14 TICULAR FACILITIES.—

15 (A) DISBURSAL.—Any gift, devise, or be-  
16 quest made for the benefit of a facility of the  
17 System shall be disbursed only for the benefit  
18 of that facility and without further appropria-  
19 tions.

20 (B) MATCHING.—Subject to the avail-  
21 ability of appropriations and the requirements  
22 of the Fish and Wildlife Coordination Act (16  
23 U.S.C 661 et seq.) and other applicable law, the  
24 Secretary may provide funds to match gifts, de-  
25 vises, and bequests made for the benefit of a fa-

1           cility of the System. With respect to each gift,  
2           devise, or bequest, the amount of Federal funds  
3           may not exceed the amount (or, in the case of  
4           property or in-kind services, the fair market  
5           value) of the gift, devise, or bequest.

6 **SEC. 4. VOLUNTEER ENHANCEMENT PILOT PROJECTS.**

7           (a) IN GENERAL.—Subject to the availability of ap-  
8           propriations, the Secretary of the Interior shall carry out  
9           a pilot project at 1 or more facilities of the System. Each  
10          pilot project shall provide for a volunteer coordinator for  
11          the hatchery facility. The volunteer coordinator shall be  
12          responsible for recruiting, training, and supervising volun-  
13          teers. The volunteer coordinator may be responsible for  
14          assisting partner organizations in developing projects and  
15          programs under cooperative agreements under section  
16          7(d) of the Fish and Wildlife Act of 1956 (16 U.S.C.  
17          742f(d)) and coordinating volunteer activities with partner  
18          organizations to carry out the projects and programs.

19          (b) REPORT.—Not later than 3 years after the date  
20          of the enactment of this Act, the Secretary shall a report  
21          to the Committee on Resources of the House of Represent-  
22          atives and the Committee on Environment and Public  
23          Works of the Senate evaluating and making recommenda-  
24          tions regarding the pilot projects.

1 (c) AUTHORIZATION OF APPROPRIATIONS.—There is  
2 authorized to be appropriated to carry out this section  
3 \$150,000 for each of fiscal years 2007 through 2011.

4 **SEC. 5. COMMUNITY PARTNERSHIP ENHANCEMENT.**

5 (a) PROJECTS AND PROGRAMS.—Subject to the re-  
6 quirements of the Fish and Wildlife Coordination Act (16  
7 U.S.C. 661 et seq.) and other applicable law, and such  
8 terms and conditions as the Secretary of the Interior de-  
9 termines to be appropriate, the Secretary may approve  
10 projects and programs for a facility of the System that—

11 (1) promote the stewardship of resources of the  
12 hatchery through habitat maintenance, restoration,  
13 and improvement, biological monitoring, or research;

14 (2) support the operation and maintenance of  
15 the hatchery through constructing, operating, main-  
16 taining, or improving the facilities and services of  
17 the hatchery;

18 (3) increase the awareness and understanding  
19 of the hatchery and the System, through the devel-  
20 opment, publication, or distribution of educational  
21 materials and products;

22 (4) advance education concerning the purposes  
23 of the hatchery and the mission of the System,  
24 through the use of the hatchery as an outdoor class-

1 room and development of other educational pro-  
2 grams; or

3 (5) contribute financial resources to the hatch-  
4 ery, under the terms that require that the net reve-  
5 nues be used exclusively for the benefit of the hatch-  
6 ery, through donation of net revenues from the sale  
7 of educational materials and products and through  
8 encouragement of gifts, devises, and bequests.

9 (b) TREASURY ACCOUNT.—Amounts received by the  
10 Secretary of the Interior as a result of projects and pro-  
11 grams under subsection (a) shall be deposited in a sepa-  
12 rate account in the Treasury. Amounts in the account that  
13 are attributable to activities at a particular facility of the  
14 System shall be available to the Secretary of the Interior,  
15 without further appropriation, to pay the costs of inci-  
16 dental expenses related to volunteer activities, and to carry  
17 out cooperative agreements for the hatchery facility.

18 **SEC. 6. HATCHERY EDUCATION PROGRAM DEVELOPMENT.**

19 (a) GUIDANCE.—Not later than 1 year after the date  
20 of enactment of this Act, the Secretary of the Interior  
21 shall develop guidance for the hatchery education pro-  
22 grams to further the mission of the System and the pur-  
23 poses of individual hatcheries through—

24 (1) providing outdoor classroom opportunities  
25 for students on fish hatcheries that combine edu-

1        cational curricula with the personal experiences of  
2        students relating to fish, aquatic species, and their  
3        habitat, and to the cultural and historical resources  
4        of the hatcheries;

5            (2) promoting understanding and conservation  
6        of fish, aquatic species, and the cultural and histor-  
7        ical resources of the hatcheries; and

8            (3) improving scientific literacy in conjunction  
9        with both formal and nonformal education programs.

10        (b) HATCHERY PROGRAMS.—Based on the guidance  
11        developed under subsection (a), the Secretary of the Inte-  
12        rior may, with assistance from the Fish and Wildlife Man-  
13        agement Assistance Program, develop or enhance hatchery  
14        educational programs as appropriate, based on the re-  
15        sources of individual hatcheries and the opportunities  
16        available for such programs in State, local, and private  
17        schools. In developing and implementing each program,  
18        the Secretary should cooperate with State and local edu-  
19        cation authorities, and may cooperate with partner organi-  
20        zations in accordance with subsection (d).

21        **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

22        There is authorized to be appropriated to the Sec-  
23        retary of the Interior to carry out this Act \$200,000 for  
24        each of fiscal years 2007 through 2010.

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