

112TH CONGRESS
1ST SESSION

S. 1401

To conserve wild Pacific salmon, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 21, 2011

Ms. CANTWELL (for herself, Ms. MURKOWSKI, Mrs. BOXER, Mr. BEGICH, Mrs. MURRAY, Mr. MERKLEY, MR. WYDEN and Mrs. FEINSTEIN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To conserve wild Pacific salmon, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Pacific Salmon Stronghold Conservation Act of 2011”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Purposes.
- Sec. 3. Definitions.
- Sec. 4. Salmon Stronghold Partnership.
- Sec. 5. Information and assessment.
- Sec. 6. Salmon stronghold watershed grants and technical assistance program.
- Sec. 7. Interagency cooperation.
- Sec. 8. International cooperation.

Sec. 9. Acquisition and transfer of real property interests.
Sec. 10. Administrative provisions.
Sec. 11. Limitations.
Sec. 12. Reports to Congress.

1 **SEC. 2. PURPOSES.**

2 The purposes of this Act are—

3 (1) to expand Federal support and resources
4 for the protection and restoration of the healthiest
5 remaining salmon strongholds in North America to
6 sustain core centers of salmon abundance, produc-
7 tivity, and diversity in order to ensure the long-term
8 viability of salmon populations—

9 (A) in the States of California, Idaho, Or-
10 egon, and Washington, by focusing resources on
11 cooperative, incentive-based efforts to conserve
12 the roughly 20 percent of salmon habitat that
13 supports approximately two-thirds of salmon
14 abundance; and

15 (B) in the State of Alaska, a regional
16 stronghold that produces more than one-third
17 of all salmon, by increasing resources available
18 to public and private organizations working co-
19 operatively to conserve regional core centers of
20 salmon abundance and diversity;

21 (2) to maintain billions of dollars in economic
22 activity and tens of thousands of jobs from salmon

1 related activities that rely on healthy salmon popu-
2 lations and salmon stronghold habitats;

3 (3) to maintain and enhance economic benefits
4 related to fishing or associated with healthy salmon
5 stronghold habitats, including flood protection,
6 recreation, water quantity and quality, carbon se-
7 questration, climate change mitigation and adapta-
8 tion, and other ecosystem services; and

9 (4) to complement and add to existing Federal,
10 State, and local salmon recovery efforts by using
11 sound science to identify and sustain core centers of
12 salmon abundance, productivity, and diversity in the
13 healthiest remaining salmon ecosystems throughout
14 their range.

15 **SEC. 3. DEFINITIONS.**

16 In this Act:

17 (1) ADMINISTRATOR.—The term “Adminis-
18 trator” means the Assistant Administrator for the
19 National Marine Fisheries Service of the National
20 Oceanic and Atmospheric Administration.

21 (2) BOARD.—The term “Board” means the
22 Salmon Stronghold Partnership Board established
23 under section 4.

24 (3) CHARTER.—The term “charter” means the
25 charter of the Board developed under section 4(g).

1 (4) DIRECTOR.—The term “Director” means
2 the Director of the United States Fish and Wildlife
3 Service.

4 (5) ECOSYSTEM SERVICES.—The term “eco-
5 system services” means an ecological benefit gen-
6 erated from a healthy, functioning ecosystem, includ-
7 ing clean water, pollutant filtration, regulation of
8 river flow, prevention of soil erosion, regulation of
9 climate, and fish production.

10 (6) PROGRAM.—Except as otherwise provided,
11 the term “program” means the salmon stronghold
12 watershed grants and technical assistance program
13 established under section 6(a).

14 (7) SALMON.—The term “salmon” means any
15 of the wild anadromous *Oncorhynchus* species that
16 occur in the Western United States, including—

17 (A) chum salmon (*Oncorhynchus keta*);

18 (B) pink salmon (*Oncorhynchus gorbuscha*);

19 (C) sockeye salmon (*Oncorhynchus nerka*);

20 (D) chinook salmon (*Oncorhynchus*
21 *tshawytscha*);

22 (E) coho salmon (*Oncorhynchus kisutch*);

23 and

24 (F) steelhead trout (*Oncorhynchus mykiss*).

1 (8) SALMON STRONGHOLD.—The term “salmon
2 stronghold” means status conferred to a defined
3 geographical unit which meets biological criteria for
4 abundance, productivity, diversity (genetic and life
5 history), habitat quality, or other biological at-
6 tributes important to sustaining viable populations
7 of salmon throughout their range, as defined by the
8 Board under section 4(g)(3).

9 (9) SALMON STRONGHOLD PARTNERSHIP.—The
10 term “Salmon Stronghold Partnership” means the
11 Salmon Stronghold Partnership established under
12 section 4(a)(1).

13 (10) SECRETARY.—Except as otherwise pro-
14 vided, the term “Secretary” means the Secretary of
15 Commerce.

16 **SEC. 4. SALMON STRONGHOLD PARTNERSHIP.**

17 (a) IN GENERAL.—

18 (1) ESTABLISHMENT.—The Secretary shall es-
19 tablish a Salmon Stronghold Partnership that is a
20 cooperative, incentive-based, public-private partner-
21 ship among appropriate Federal, State, tribal, and
22 local governments, private landowners, and non-
23 governmental organizations working across political
24 boundaries, government jurisdictions, and land own-
25 erships to identify and conserve salmon strongholds.

1 (2) MEMBERSHIP.—To the extent possible, the
2 membership of the Salmon Stronghold Partnership
3 shall include each entity described under subsection
4 (b).

5 (3) LEADERSHIP.—The Salmon Stronghold
6 Partnership shall be managed by a Board estab-
7 lished by the Secretary to be known as the Salmon
8 Stronghold Partnership Board.

9 (b) SALMON STRONGHOLD PARTNERSHIP BOARD.—

10 (1) IN GENERAL.—The Board shall consist of
11 representatives with strong scientific or technical
12 credentials and expertise as follows:

13 (A) One representative from each of—

14 (i) the National Marine Fisheries
15 Service, as appointed by the Administrator;

16 (ii) the United States Fish and Wild-
17 life Service, as appointed by the Director;

18 (iii) the Forest Service, as appointed
19 by the Chief of the Forest Service;

20 (iv) the Environmental Protection
21 Agency, as appointed by the Administrator
22 of the Environmental Protection Agency;

23 (v) the Bonneville Power Administra-
24 tion, as appointed by the Administrator of
25 the Bonneville Power Administration;

1 (vi) the Bureau of Land Management,
2 as appointed by the Director of the Bureau
3 of Land Management; and

4 (vii) the Northwest Power and Con-
5 servation Council, as appointed by the
6 Northwest Power and Conservation Coun-
7 cil.

8 (B) One representative from the natural
9 resources staff of the office of the Governor or
10 of an appropriate natural resource agency of a
11 State, as appointed by the Governor, from each
12 of the States of—

- 13 (i) Alaska;
14 (ii) California;
15 (iii) Idaho;
16 (iv) Oregon; and
17 (v) Washington.

18 (C) Not less than 3 and not more than 5
19 representatives from Indian tribes or tribal
20 commissions located within the range of a salm-
21 on species, as appointed by such Indian tribes
22 or tribal commissions, in consultation with the
23 Board.

24 (D) One representative from each of 3
25 non-governmental organizations with salmon

1 conservation and management expertise, as se-
2 lected by the Board.

3 (E) One national or regional representative
4 from an association of counties, as selected by
5 the Board.

6 (2) FAILURE TO APPOINT.—If a representative
7 described in subparagraph (B), (C), (D), or (E) of
8 paragraph (1) is not appointed to the Board or oth-
9 erwise fails to participate in the Board, the Board
10 shall carry out its functions until such representative
11 is appointed or joins in such participation.

12 (c) MEETINGS.—

13 (1) FREQUENCY.—Not less frequently than 3
14 times each year, the Board shall meet to provide op-
15 portunities for input from a broader set of stake-
16 holders.

17 (2) NOTICE.—Prior to each meeting, the Board
18 shall give timely notice of the meeting to the public,
19 the government of each county, and tribal govern-
20 ments in which a salmon stronghold is identified by
21 the Board.

22 (d) BOARD CONSULTATION.—The Board shall seek
23 expertise from fisheries experts, as appropriate.

1 (e) CHAIRPERSON.—The Board shall nominate and
2 select a Chairperson from among the members of the
3 Board.

4 (f) COMMITTEE.—The Board shall establish a stand-
5 ing science advisory committee to assist the Board in the
6 development, collection, evaluation, and peer review of sta-
7 tistical, biological, economic, social, and other scientific in-
8 formation.

9 (g) CHARTER.—The Board shall develop a written
10 charter that—

11 (1) provides for the members of the Board de-
12 scribed in subsection (b);

13 (2) may be signed by a broad range of partners,
14 to reflect a shared understanding of the purposes,
15 intent, and governance framework of the Salmon
16 Stronghold Partnership; and

17 (3) includes—

18 (A) the defining criteria for a salmon
19 stronghold;

20 (B) the process for identifying salmon
21 strongholds; and

22 (C) the process for reviewing and awarding
23 grants under the program, including—

24 (i) the number of years for which such
25 a grant may be awarded;

1 (ii) the process for renewing such a
2 grant;

3 (iii) the eligibility requirements for
4 such a grant;

5 (iv) the reporting requirements for
6 projects awarded such a grant; and

7 (v) the criteria for evaluating the suc-
8 cess of a project carried out with such a
9 grant.

10 (h) FEDERAL ADVISORY COMMITTEE ACT.—The
11 Federal Advisory Committee Act (5 U.S.C. App.) shall not
12 apply to the Board.

13 **SEC. 5. INFORMATION AND ASSESSMENT.**

14 The Administrator shall carry out specific informa-
15 tion and assessment functions associated with salmon
16 strongholds, in coordination with other regional salmon ef-
17 forts, including—

18 (1) triennial assessment of status and trends in
19 salmon strongholds;

20 (2) geographic information system and mapping
21 support to facilitate conservation planning;

22 (3) projections of climate change impacts on
23 habitats and life history stages of salmon;

24 (4) development and application of models and
25 other tools to identify salmon conservation actions

1 projected to have the greatest positive impacts on
 2 salmon abundance, productivity, or diversity within
 3 salmon strongholds; and

4 (5) measurement of the effectiveness of the
 5 Salmon Stronghold Partnership activities.

6 **SEC. 6. SALMON STRONGHOLD WATERSHED GRANTS AND**
 7 **TECHNICAL ASSISTANCE PROGRAM.**

8 (a) IN GENERAL.—The Administrator, in consulta-
 9 tion with the Director, shall establish a salmon stronghold
 10 watershed grants and technical assistance program, as de-
 11 scribed in this section.

12 (b) PURPOSE.—The purpose of the program shall be
 13 to support salmon stronghold protection and restoration
 14 activities, including—

15 (1) to fund the administration of the Salmon
 16 Stronghold Partnership in carrying out the charter;

17 (2) to encourage cooperation among the entities
 18 represented on the Board, local authorities, and pri-
 19 vate entities to establish a network of salmon strong-
 20 holds, and assist locally in specific actions that sup-
 21 port the Salmon Stronghold Partnership;

22 (3) to support entities represented on the
 23 Board—

24 (A) to develop strategies focusing on salm-
 25 on conservation actions projected to have the

1 greatest positive impacts on abundance, produc-
2 tivity, or diversity in salmon strongholds; and

3 (B) to provide financial assistance to the
4 Salmon Stronghold Partnership to increase
5 local economic opportunities and resources for
6 actions or practices that provide long-term or
7 permanent conservation and that maintain key
8 ecosystem services in salmon strongholds;

9 (4) to maintain a forum to share best practices
10 and approaches, employ consistent and comparable
11 metrics, forecast and address climate impacts, and
12 monitor, evaluate, and report regional status and
13 trends of salmon ecosystems in coordination with re-
14 lated regional and State efforts;

15 (5) to carry out activities and existing conserva-
16 tion programs in, and across, salmon strongholds on
17 a regional scale to achieve the goals of the Salmon
18 Stronghold Partnership;

19 (6) to accelerate the implementation of recovery
20 plans in salmon strongholds that have salmon popu-
21 lations listed as threatened or endangered under the
22 Endangered Species Act of 1973 (16 U.S.C. 1531 et
23 seq.); and

1 (7) to develop and make information available
2 to the public pertaining to the Salmon Stronghold
3 Partnership.

4 (c) SELECTION.—Projects that will be carried out
5 with assistance from the program shall be selected and
6 administered as follows:

7 (1) SITE-BASED PROJECTS.—A project that will
8 be carried out with assistance from the program
9 within 1 State shall be selected as follows:

10 (A) STATE SELECTION.—If a State has a
11 competitive grant process relating to salmon
12 conservation in effect as of the date of enact-
13 ment of this Act and has a proven record of im-
14 plementing an efficient, cost-effective, and com-
15 petitive grant program for salmon conservation
16 or has a viable plan to provide accountability
17 under the program—

18 (i) the National Fish and Wildlife
19 Foundation, in consultation with the
20 Board, shall provide program funds to the
21 State; and

22 (ii) the State shall select and admin-
23 ister projects to be carried out in such
24 State, in accordance with subsection (d).

1 (B) NATIONAL FISH AND WILDLIFE FOUN-
2 DATION SELECTION.—If a State does not meet
3 the criteria described in subparagraph (A)—

4 (i) the Administrator, in consultation
5 with the Director, shall provide funds to
6 the National Fish and Wildlife Founda-
7 tion; and

8 (ii) the National Fish and Wildlife
9 Foundation, in consultation with the
10 Board, shall select and administer projects
11 to be carried out in such State, in accord-
12 ance with subsection (d).

13 (2) MULTISITE AND PROGRAMMATIC INITIA-
14 TIVES.—For a project that will be carried out with
15 assistance from the program in more than 1 State
16 or that is a programmatic initiative that affects
17 more than 1 State—

18 (A) the Administrator, in consultation with
19 the Director, shall provide funds to the Na-
20 tional Fish and Wildlife Foundation; and

21 (B) the National Fish and Wildlife Foun-
22 dation, in consultation with the Board, shall se-
23 lect and administer such projects to be carried
24 out, in accordance with subsection (d).

25 (d) CRITERIA FOR APPROVAL.—

1 (1) CRITERIA DEVELOPED BY THE BOARD.—

2 (A) REQUIREMENT TO DEVELOP.—The
3 Board shall develop and provide criteria for the
4 prioritization of projects funded under the pro-
5 gram in a manner that enables projects to be
6 individually ranked in sequential order by the
7 magnitude of the project’s positive impacts on
8 salmon abundance, productivity, or diversity.

9 (B) SPECIFIC REQUIREMENTS.—The cri-
10 teria required by subparagraph (A) shall re-
11 quire that a project that receives assistance
12 under the program—

13 (i) contributes to the conservation of
14 salmon;

15 (ii) meets the criteria for eligibility es-
16 tablished in the charter;

17 (iii)(I) addresses a factor limiting or
18 threatening to limit abundance, produc-
19 tivity, diversity, habitat quality, or other
20 biological attributes important to sus-
21 taining viable salmon populations within a
22 salmon stronghold; or

23 (II) is a programmatic action that
24 supports the Salmon Stronghold Partner-
25 ship;

1 (iv) addresses limiting factors to
2 healthy ecosystem processes or sustainable
3 fisheries management;

4 (v) has the potential for conservation
5 benefits and broadly applicable results; and

6 (vi) meets the requirements for—

7 (I) cost sharing described in sub-
8 section (e); and

9 (II) the limitation on administra-
10 tive expenses described in subsection
11 (f).

12 (C) SCHEDULE FOR DEVELOPMENT.—The
13 Board shall—

14 (i) develop and provide the criteria re-
15 quired by subparagraph (A) prior to the
16 initial solicitation of projects under the
17 program; and

18 (ii) revise such criteria not less often
19 than once each year.

20 (e) COST SHARING.—

21 (1) FEDERAL SHARE.—

22 (A) NON-FEDERAL LAND.—For any fiscal
23 year, the Federal share of the cost of a project
24 that receives assistance under the program and
25 that is carried out on land that is not owned by

1 the United States shall not exceed 50 percent
2 of the total cost of the project.

3 (B) FEDERAL LAND.—For any fiscal year,
4 the Federal share of the cost of a project that
5 receives assistance under the program and that
6 is carried out on land that is owned by the
7 United States may be up to 100 percent of the
8 total cost of the project.

9 (2) NON-FEDERAL SHARE.—

10 (A) IN GENERAL.—Subject to subpara-
11 graph (B), the non-Federal share of the cost of
12 a project that receives assistance under the pro-
13 gram may not be derived from Federal grant
14 programs, but may include in-kind contribu-
15 tions.

16 (B) BONNEVILLE POWER ADMINISTRA-
17 TION.—Any amounts provided by the Bonneville
18 Power Administration directly or through a
19 grant to another entity used to carry out a
20 project that receives assistance under the pro-
21 gram shall be credited toward the non-Federal
22 share of the cost of the project.

23 (f) ADMINISTRATIVE EXPENSES.—

24 (1) LIMIT ON STATE AND NATIONAL FISH AND
25 WILDLIFE FOUNDATION EXPENDITURES.—Of the

1 amount available to a State or the National Fish
2 and Wildlife Foundation under the program for each
3 fiscal year, such State and the National Fish and
4 Wildlife Foundation shall not expend more than 5
5 percent of such amount for administrative and re-
6 porting expenses necessary to carry out this section.

7 (2) LIMIT ON NATIONAL OCEANIC AND ATMOS-
8 PHERIC ADMINISTRATION EXPENDITURES.—Of the
9 amount available to the National Oceanic and At-
10 mospheric Administration under the program for
11 each fiscal year, the National Oceanic and Atmos-
12 pheric Administration shall not expend more than 5
13 percent of such amount for administrative and re-
14 porting expenses necessary to carry out this section.

15 (g) REPORTS.—

16 (1) REPORTS TO STATES OR NFWF.—Each per-
17 son who receives assistance through a State or the
18 National Fish and Wildlife Foundation under the
19 program for a project shall provide periodic reports
20 to the State or the National Fish and Wildlife Foun-
21 dation, as appropriate, that include the information
22 required by the State or the National Fish and
23 Wildlife Foundation to evaluate the progress and
24 success of the project.

1 (2) REPORTS TO THE ADMINISTRATION.—Not
2 less frequently than once every 3 years, each State
3 that is provided program funds under subsection
4 (c)(1)(A) and the National Fish and Wildlife Foun-
5 dation shall provide reports to the Administrator
6 that include the information required by the Admin-
7 istrator to evaluate the implementation of the pro-
8 gram.

9 **SEC. 7. INTERAGENCY COOPERATION.**

10 The head of each Federal agency or department re-
11 sponsible for acquiring, managing, or disposing of Federal
12 land that is within a salmon stronghold shall, to the extent
13 consistent with the mission of the agency or department
14 and existing law, cooperate with the Administrator and the
15 Director—

16 (1) to conserve the salmon strongholds; and
17 (2) to effectively coordinate and streamline
18 Salmon Stronghold Partnership activities and deliv-
19 ery of overlapping, incentive-based programs that af-
20 fect the salmon stronghold.

21 **SEC. 8. INTERNATIONAL COOPERATION.**

22 (a) AUTHORITY TO COOPERATE.—The Adminis-
23 trator and the Board may share status and trends data,
24 innovative conservation strategies, conservation planning
25 methodologies, and other information with North Pacific

1 countries, including Canada, Japan, Russia, and South
2 Korea, and appropriate international entities to promote
3 conservation of salmon and salmon habitat.

4 (b) SENSE OF CONGRESS.—It is the sense of Con-
5 gress that the Administrator and the Board, or entities
6 that are members of the Board, should and are encour-
7 aged to provide information to North Pacific countries, in-
8 cluding Canada, Japan, Russia, and South Korea, and ap-
9 propriate international entities to support the development
10 of a network of salmon strongholds across the nations of
11 the North Pacific.

12 **SEC. 9. ACQUISITION AND TRANSFER OF REAL PROPERTY**
13 **INTERESTS.**

14 (a) USE OF REAL PROPERTY.—No project that will
15 result in the acquisition by the Secretary or the Secretary
16 of the Interior of any land or interest in land, in whole
17 or in part, may receive funds under this Act unless the
18 project is consistent with the purposes of this Act.

19 (b) PRIVATE PROPERTY PROTECTION.—No Federal
20 funds made available to carry out this Act may be used
21 to acquire any real property or any interest in any real
22 property without the written consent of each owner of the
23 property or interest in property.

24 (c) TRANSFER OF REAL PROPERTY.—No land or in-
25 terest in land, acquired in whole or in part by the Sec-

1 reary of the Interior with Federal funds made available
2 under this Act to carry out a salmon stronghold conserva-
3 tion project may be transferred to a State, other public
4 agency, or other entity unless—

5 (1) the Secretary of the Interior determines
6 that the State, agency, or entity is committed to
7 manage, in accordance with this Act and the pur-
8 poses of this Act, the property being transferred;
9 and

10 (2) the deed or other instrument of transfer
11 contains provisions for the reversion of the title to
12 the property to the United States if the State, agen-
13 cy, or entity fails to manage the property in accord-
14 ance with this Act and the purposes of this Act.

15 (d) REQUIREMENT.—Any real property interest con-
16 veyed under subsection (c) shall be subject to such terms
17 and conditions as will ensure, to the maximum extent
18 practicable, that the interest will be administered in ac-
19 cordance with this Act and the purposes of this Act.

20 **SEC. 10. ADMINISTRATIVE PROVISIONS.**

21 (a) CONTRACTS, GRANTS, AND TRANSFERS OF
22 FUNDS.—In carrying out this Act, the Secretary may—

23 (1) consistent with a recommendation of the
24 Board and notwithstanding sections 6304 and 6305
25 of title 31, United States Code, and the Federal Fi-

1 nancial Assistance Management Improvement Act of
2 1999 (31 U.S.C. 6101 note), enter into cooperative
3 agreements, contracts, and grants;

4 (2) notwithstanding any other provision of law,
5 apply for, accept, and use grants from any person to
6 carry out the purposes of this Act; and

7 (3) make funds available to any Federal agency
8 or department to be used by the agency or depart-
9 ment to award financial assistance for any salmon
10 stronghold protection, restoration, or enhancement
11 project that the Secretary determines to be con-
12 sistent with this Act.

13 (b) DONATIONS.—

14 (1) IN GENERAL.—The Secretary may—

15 (A) enter into an agreement with any orga-
16 nization described in section 501(c)(3) of the
17 Internal Revenue Code of 1986 to authorize the
18 organization to carry out activities under this
19 Act; and

20 (B) accept donations of funds or services
21 for use in carrying out this Act.

22 (2) PROPERTY.—The Secretary of the Interior
23 may accept donations of property for use in carrying
24 out this Act.

1 (3) USE OF DONATIONS.—Donations accepted
2 under this section—

3 (A) shall be considered to be gifts or be-
4 quests to, or for the use of, the United States;
5 and

6 (B) may be used directly by the Secretary
7 (or, in the case of donated property under para-
8 graph (2), the Secretary of the Interior) or pro-
9 vided to other Federal agencies or departments
10 through interagency agreements.

11 (c) INTERAGENCY FINANCING.—The Secretary may
12 participate in interagency financing, including receiving
13 appropriated funds from other agencies or departments to
14 carry out this Act.

15 (d) STAFF.—Subject to the availability of appropria-
16 tions, the Administrator may hire such additional full-time
17 employees as are necessary to carry out this Act.

18 **SEC. 11. LIMITATIONS.**

19 Nothing in this Act may be construed—

20 (1) to create a reserved water right, express or
21 implied, in the United States for any purpose, or af-
22 fect the management or priority of water rights
23 under State law;

24 (2) to affect existing water rights under Federal
25 or State law;

1 (3) to affect any Federal or State law in exist-
2 ence on the date of enactment of this Act regarding
3 water quality or water quantity;

4 (4) to affect the authority, jurisdiction, or re-
5 sponsibility of any agency or department of the
6 United States or of a State to manage, control, or
7 regulate fish and resident wildlife under a Federal or
8 State law or regulation;

9 (5) to authorize the Secretary or the Secretary
10 of the Interior to control or regulate hunting or fish-
11 ing under State law;

12 (6) to abrogate, abridge, affect, modify, super-
13 sede, or otherwise alter any right of a federally rec-
14 ognized Indian tribe under any applicable Federal or
15 tribal law or regulation; or

16 (7) to diminish or affect the ability of the Sec-
17 retary or the Secretary of the Interior to join the ad-
18 judication of rights to the use of water pursuant to
19 subsections (a), (b), or (c) of section 208 of the De-
20 partment of Justice Appropriation Act, 1953 (43
21 U.S.C. 666).

22 **SEC. 12. REPORTS TO CONGRESS.**

23 Not less frequently than once every 3 years, the Ad-
24 ministrators, in consultation with the Director, shall submit
25 to Congress a report describing the activities carried out

- 1 under this Act, including the recommendations of the Ad-
- 2 ministrator, if any, for legislation relating to the Salmon
- 3 Stronghold Partnership.

○