

rector determines that the authorization for the project does not require a non-Federal cost-share.

(4) Exclusion of Federal funds from non-Federal share

The Director may not consider the expenditure, directly or indirectly, of Federal funds received by any entity to be a contribution by a non-Federal source for purposes of this subsection.

(5) Effect on certain Indian tribes

Nothing in this subsection affects an Indian tribe affected by an alternative applicable cost sharing requirement under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).¹

(Pub. L. 101-537, title I, §1005, Nov. 8, 1990, 104 Stat. 2372; Pub. L. 101-646, title II, §2005, Nov. 29, 1990, 104 Stat. 4775; Pub. L. 104-332, §2(h)(1), Oct. 26, 1996, 110 Stat. 4091; Pub. L. 105-265, §3(b), 6, Oct. 19, 1998, 112 Stat. 2358, 2359; Pub. L. 109-326, §4, Oct. 11, 2006, 120 Stat. 1762; Pub. L. 114-322, title III, §3901(c), Dec. 16, 2016, 130 Stat. 1848.)

REFERENCES IN TEXT

The Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990, referred to in subsec. (b)(2)(B)(iv), is title I of Pub. L. 101-646, Nov. 29, 1990, 104 Stat. 4761, which is classified principally to chapter 67 (§4701 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 4701 of this title and Tables.

Executive Order 13340, referred to in subsec. (b)(2)(B)(vi), is Ex. Ord. No. 13340, May 18, 2004, 69 F.R. 29043, which is set out as a note under section 1268 of Title 33, Navigation and Navigable Waters.

The Indian Self-Determination and Education Assistance Act, referred to in subsec. (e)(5), is Pub. L. 93-638, Jan. 4, 1975, 88 Stat. 2203, which was classified principally to subchapter II (§450 et seq.) of chapter 14 of Title 25, Indians, prior to editorial reclassification as chapter 46 (§5301 et seq.) of Title 25. For complete classification of this Act to the Code, see Short Title note set out under section 5301 of Title 25 and Tables.

CODIFICATION

Title I of Pub. L. 101-537 and title II of Pub. L. 101-646 enacted substantially identical sections. Title II of Pub. L. 101-646 was repealed by Pub. L. 105-265, §3(b).

AMENDMENTS

2016—Subsec. (b)(2)(B)(vii), (viii). Pub. L. 114-322, §3901(c)(1), added cls. (vii) and (viii).

Subsec. (c)(2)(C). Pub. L. 114-322, §3901(c)(2), struck out “Great Lakes Coordinator of the” before “United States Fish and Wildlife Service”.

Subsec. (e)(1). Pub. L. 114-322, §3901(c)(3)(A), designated existing provisions as subpar. (A) and inserted heading, substituted “Except as provided in paragraphs (3) and (5) and subject to paragraph (2), not less than 25 percent of the cost of implementing a proposal or regional project” for “Except as provided in paragraphs (2) and (4), not less than 25 percent of the cost of implementing a proposal”, and added subpar. (B).

Subsec. (e)(2) to (5). Pub. L. 114-322, §3901(c)(3)(B), (C), added par. (2) and redesignated former pars. (2) to (4) as (3) to (5), respectively.

2006—Pub. L. 109-326 amended section generally. Prior to amendment, section related to identification, review, and implementation of proposals.

1998—Pub. L. 105-265 amended section generally, substituting present provisions for provisions requiring a

Great Lakes fishery resources restoration study and development of proposals for implementing recommendations.

1996—Pub. L. 104-332 made technical amendment to Pub. L. 101-646, §2005, which enacted this section.

§ 941d. Goals of United States Fish and Wildlife Service programs related to Great Lakes fish and wildlife resources

In administering programs of the United States Fish and Wildlife Service related to the Great Lakes Basin, the Director shall seek to achieve the following goals:

(1) Restoring and maintaining self-sustaining fish and wildlife resources.

(2) Minimizing the impacts of contaminants on fishery and wildlife resources.

(3) Protecting, maintaining, and, where degraded and destroyed, restoring fish and wildlife habitat, including the enhancement and creation of wetlands that result in a net gain in the amount of those habitats.

(4) Stopping illegal activities adversely impacting fishery and wildlife resources.

(5) Restoring threatened and endangered species to viable, self-sustaining levels.

(6) Protecting, managing, and conserving migratory birds.

(Pub. L. 101-537, title I, §1006, Nov. 8, 1990, 104 Stat. 2373; Pub. L. 101-646, title II, §2006, Nov. 29, 1990, 104 Stat. 4777; Pub. L. 104-332, §2(h)(1), Oct. 26, 1996, 110 Stat. 4091; Pub. L. 105-265, §3(b), Oct. 19, 1998, 112 Stat. 2358; Pub. L. 109-326, §5, Oct. 11, 2006, 120 Stat. 1764.)

CODIFICATION

Title I of Pub. L. 101-537 and title II of Pub. L. 101-646 enacted identical sections. Title II of Pub. L. 101-646 was repealed by Pub. L. 105-265.

AMENDMENTS

2006—Par. (1). Pub. L. 109-326 added par. (1) and struck out former par. (1) which read as follows: “Restoring and maintaining self-sustaining fishery resource populations.”

1996—Pub. L. 104-332 made technical amendment to Pub. L. 101-646, §2006, which enacted this section.

§ 941e. Establishment of offices

(a) Lower Great Lakes Fish and Wildlife Conservation Office

(1) In general

The Director shall establish an office with necessary administrative and technical support services to carry out all United States Fish and Wildlife Service operational activities related to fishery resource protection, restoration, maintenance, and enhancement in the lower Great Lakes.

(2) Name and location

The office shall be known as the “Lower Great Lakes Fish and Wildlife Conservation Office”, and shall be centrally located in the lower Great Lakes so as to facilitate fishery resource restoration and enhancement activities relating to the lower Great Lakes.

(3) Responsibilities

The responsibilities of the Lower Great Lakes Fish and Wildlife Conservation Office

¹ See References in Text note below.

shall include operational activities of the United States Fish and Wildlife Service related to fishery resource protection, restoration, maintenance, and enhancement in the Lower Great Lakes.

(b) Upper Great Lakes Fish and Wildlife Conservation Offices

(1) In general

The Director shall establish one or more offices with necessary administrative and technical support services to carry out United States Fish and Wildlife Service operational activities related to fishery resource protection, restoration, maintenance, and enhancement in the upper Great Lakes.

(2) Name and location

Each of the offices shall be known as an “Upper Great Lakes Fish and Wildlife Conservation Office”, and shall be appropriately located so as to facilitate fishery resource activities in the upper Great Lakes.

(3) Responsibilities

The responsibilities of the Upper Great Lakes Fish and Wildlife Conservation Offices shall include operational activities of the United States Fish and Wildlife Service related to fishery resource protection, restoration, maintenance, and enhancement in the Upper Great Lakes.

(Pub. L. 101-537, title I, §1007, Nov. 8, 1990, 104 Stat. 2374; Pub. L. 101-646, title II, §2007, Nov. 29, 1990, 104 Stat. 4777; Pub. L. 104-332, §2(h)(1), Oct. 26, 1996, 110 Stat. 4091; Pub. L. 105-265, §3(b), Oct. 19, 1998, 112 Stat. 2358; Pub. L. 109-326, §6, Oct. 11, 2006, 120 Stat. 1764; Pub. L. 114-322, title III, §3901(d), Dec. 16, 2016, 130 Stat. 1850.)

CODIFICATION

Title I of Pub. L. 101-537 and title II of Pub. L. 101-646 enacted substantially identical sections. Title II of Pub. L. 101-646 was repealed by Pub. L. 105-265.

AMENDMENTS

2016—Subsec. (a). Pub. L. 114-322, §3901(d)(3), (4), redesignated subsec. (b) as (a) and struck out former subsec. (a) which related to establishment of the Great Lakes Coordination Office.

Subsec. (b). Pub. L. 114-322, §3901(d)(4), redesignated subsec. (c) as (b). Former subsec. (b) redesignated (a).

Pub. L. 114-322, §3901(d)(1), substituted “Fish and Wildlife Conservation” for “Fishery Resources” in heading and in pars. (2) and (3).

Subsec. (c). Pub. L. 114-322, §3901(d)(4), redesignated subsec. (c) as (b).

Pub. L. 114-322, §3901(d)(2), substituted “Fish and Wildlife Conservation” for “Fishery Resources” in heading and in pars. (2) and (3).

2006—Subsec. (a). Pub. L. 109-326, §6(1), added subsec. (a) and struck out former subsec. (a). Text read as follows: “The Director shall establish a centrally located facility for the coordination of all United States Fish and Wildlife Service activities in the Great Lakes Basin, to be known as the ‘Great Lakes Coordination Office’. The functional responsibilities of the Great Lakes Coordination Office shall include intra- and interagency coordination, information distribution, and public awareness outreach. The Great Lakes Coordination Office shall include all administrative and technical support necessary to carry out its responsibilities.”

Subsec. (b). Pub. L. 109-326, §6(2), designated first and second sentences of subsec. (b) as pars. (1) and (2), respectively, inserted headings, and added par. (3).

Subsec. (c). Pub. L. 109-326, §6(3), designated first and second sentences of subsec. (c) as pars. (1) and (2), respectively, inserted headings, and added par. (3).

1996—Pub. L. 104-332 made technical amendment to Pub. L. 101-646, §2007, which enacted this section.

§ 941f. Reports

(a) In general

Not later than December 31, 2021, the Director shall submit to the Committee on Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that describes—

(1) actions taken to solicit and review proposals under section 941c of this title;

(2) the results of proposals implemented under section 941c of this title; and

(3) progress toward the accomplishment of the goals specified in section 941d of this title.

(b) Public access to data

For each of fiscal years 2016 through 2020, the Director shall make available through a public access website of the Department information that describes—

(1) actions taken to solicit and review proposals under section 941c of this title;

(2) the results of proposals implemented under section 941c of this title;

(3) progress toward the accomplishment of the goals specified in section 941d of this title;

(4) the priorities proposed for funding in the annual budget process under this chapter; and

(5) actions taken in support of the Great Lakes Restoration Initiative Action Plan based on the recommendations of the Great Lakes Regional Collaboration authorized under Executive Order 13340 (69 Fed. Reg. 29043; relating to the Great Lakes Interagency Task Force).

(c) Continued monitoring and assessment of study findings and recommendations

The Director—

(1) shall continue to monitor the status, and the assessment, management, and restoration needs, of the fish and wildlife resources of the Great Lakes Basin; and

(2) may reassess and update, as necessary, the findings and recommendations of the Report.

(Pub. L. 101-537, title I, §1008, Nov. 8, 1990, 104 Stat. 2374; Pub. L. 101-646, title II, §2008, Nov. 29, 1990, 104 Stat. 4777; Pub. L. 104-332, §2(h)(1), Oct. 26, 1996, 110 Stat. 4091; Pub. L. 105-265, §§3(b), 7, Oct. 19, 1998, 112 Stat. 2358, 2361; Pub. L. 109-326, §7, Oct. 11, 2006, 120 Stat. 1765; Pub. L. 114-322, title III, §3901(e), Dec. 16, 2016, 130 Stat. 1850.)

REFERENCES IN TEXT

Executive Order 13340, referred to in subsec. (b)(5), is Ex. Ord. No. 13340, May 18, 2004, 69 F.R. 29043, which is set out as a note under section 1268 of Title 33, Navigation and Navigable Waters.

CODIFICATION

Title I of Pub. L. 101-537 and title II of Pub. L. 101-646 enacted substantially identical sections. Title II of Pub. L. 101-646 was repealed by Pub. L. 105-265, §3(b).

AMENDMENTS

2016—Subsec. (a). Pub. L. 114-322, §3901(e)(1), substituted “2021” for “2011” in introductory provisions.