

of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

§ 941g. Authorization of appropriations

(a) Authorization

There are authorized to be appropriated to the Director for each of fiscal years 2016 through 2021—

(1) \$6,000,000 to implement fish and wildlife restoration proposals as selected by the Director under section 941c(e) of this title, of which—

(A) not more than the lesser of 33 1/3 percent or \$2,000,000 may be allocated to implement regional projects by the United States Fish and Wildlife Service, as selected by the Director under section 941c(e) of this title; and

(B) the lesser of 5 percent or \$300,000 shall be allocated to the United States Fish and Wildlife Service to cover costs incurred in administering the proposals by any entity; and

(2) \$2,000,000, which shall be allocated for the activities of the Upper Great Lakes Fish and Wildlife Conservation Offices and the Lower Great Lakes Fish and Wildlife Conservation Office under section 941e of this title.

(b) Prohibition on use of funds for Federal acquisition of interests in land

No funds appropriated or used to carry out this chapter may be used for acquisition by the Federal Government of any interest in land.

(Pub. L. 101-537, title I, §1009, Nov. 8, 1990, 104 Stat. 2374; Pub. L. 101-646, title II, §2009, Nov. 29, 1990, 104 Stat. 4778; Pub. L. 104-332, §2(h)(1), (2), Oct. 26, 1996, 110 Stat. 4091; Pub. L. 105-265, §§3(b), 8, Oct. 19, 1998, 112 Stat. 2358, 2361; Pub. L. 109-326, §9, Oct. 11, 2006, 120 Stat. 1766; Pub. L. 114-322, title III, §3901(f), (g), Dec. 16, 2016, 130 Stat. 1850, 1851.)

Editorial Notes

CODIFICATION

Title I of Pub. L. 101-537 and title II of Pub. L. 101-646 enacted substantially identical provisions of subsec. (a), but Pub. L. 101-537 did not enact a subsec. (b). Title II of Pub. L. 101-646 was repealed by Pub. L. 105-265, §3(b).

AMENDMENTS

2016—Pub. L. 114-322, §3901(g), designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

Pub. L. 114-322, §3901(f)(1) substituted “2016 through 2021” for “2007 through 2012” in introductory provisions.

Par. (1). Pub. L. 114-322, §3901(f)(2)(A), substituted “\$6,000,000” for “\$14,000,000” in introductory provisions.

Par. (1)(A). Pub. L. 114-322, §3901(f)(2)(B), substituted “\$2,000,000” for “\$4,600,000”.

Par. (1)(B). Pub. L. 114-322, §3901(f)(2)(C), substituted “\$300,000” for “\$700,000”.

Par. (2). Pub. L. 114-322, §3901(f)(3), substituted “the activities of the Upper Great Lakes Fish and Wildlife Conservation Offices and the Lower Great Lakes Fish and Wildlife Conservation Office under section 941e of this title” for “the activities of the Great Lakes Coordination Office in East Lansing, Michigan, of the Upper Great Lakes Fishery Resources Office, and the Lower Great Lakes Fishery Resources Office under section 941e of this title”.

2006—Pub. L. 109-326 amended section generally, substituting provisions authorizing appropriations for fiscal years 2007 to 2012 for provisions authorizing appropriations for fiscal years 1999 to 2004.

1998—Pub. L. 105-265 amended section generally, substituting provisions authorizing appropriations for fiscal years 1999 to 2004 for provisions authorizing appropriations for fiscal years 1991 to 1994 to conduct a study under section 941c of this title and for fiscal years 1991 to 1995 to establish and operate Great Lakes Coordination and Upper and Lower Great Lakes Fishery Resources Offices.

1996—Pub. L. 104-332 made technical amendment to Pub. L. 101-646, §2009, which enacted this section.

§ 941h. Great Lakes monitoring, assessment, science, and research

(a) Definitions

In this section:

(1) Director

The term “Director” means the Director of the United States Geological Survey.

(2) Great Lakes Basin

The term “Great Lakes Basin” means the air, land, water, and living organisms in the United States within the drainage basin of the Saint Lawrence River at and upstream from the point at which such river and the Great Lakes become the international boundary between Canada and the United States.

(b) Findings

Congress finds the following:

(1) The Great Lakes support a diverse ecosystem, on which the vibrant and economically valuable Great Lakes fisheries depend.

(2) To continue successful fisheries management and coordination, as has occurred since signing of the Convention on Great Lakes Fisheries between the United States and Canada on September 10, 1954, management of the ecosystem and its fisheries require sound, reliable science, and the use of modern scientific technologies.

(3) Fisheries research is necessary to support multi-jurisdictional fishery management decisions and actions regarding recreational and sport fishing, commercial fisheries, tribal harvest, allocation decisions, and fish stocking activities.

(4) President Richard Nixon submitted, and the Congress approved, Reorganization Plan No. 4 (84 Stat. 2090), conferring science activities and management of marine fisheries to the National Oceanic and Atmospheric Administration.

(5) Reorganization Plan No. 4 expressly excluded fishery research activities within the Great Lakes from the transfer, retaining management and scientific research duties within the already-established jurisdictions under the 1954 Convention on Great Lakes Fisheries, including those of the Great Lakes Fishery Commission and the Department of the Interior.

(c) Monitoring, assessment, science, and research

(1) In general

The Director may conduct monitoring, assessment, science, and research, in support of the binational fisheries within the Great Lakes Basin.

(2) Specific authorities

The Director shall, under paragraph (1)—

(A) execute a comprehensive, multi-lake, freshwater fisheries science program;

(B) coordinate with and work cooperatively with regional, State, tribal, and local governments; and

(C) consult with other interested entities groups, including academia and relevant Canadian agencies.

(3) Included research

To properly serve the needs of fisheries managers, monitoring, assessment, science, and research under this section may include—

(A) deepwater ecosystem sciences;

(B) biological and food-web components;

(C) fish movement and behavior investigations;

(D) fish population structures;

(E) fish habitat investigations;

(F) invasive species science;

(G) use of existing, new, and experimental biological assessment tools, equipment, vessels, other scientific instrumentation and laboratory capabilities necessary to support fishery management decisions; and

(H) studies to assess impacts on Great Lakes Fishery resources.

(4) Savings clause

Nothing in this section is intended or shall be construed to impede, supersede, or alter the authority of the Great Lakes Fishery Commission, States, and Indian tribes under the Convention on Great Lakes Fisheries between the United States of America and Canada on September 10, 1954, and the Great Lakes Fishery Act of 1956 (16 U.S.C. 931 et seq.).

(d) Authorization of appropriations

For each of fiscal years 2021 through 2025, there is authorized to be appropriated \$15,000,000 to carry out this section.

(Pub. L. 116-94, div. P, title II, §201, Dec. 20, 2019, 133 Stat. 3184.)

Editorial Notes

REFERENCES IN TEXT

Reorganization Plan No. 4, referred to in subsec. (b)(4), (5), probably means Reorganization Plan No. 4 of 1970, which is set out as a note under section 1511 of title 15, Commerce and Trade, and in the Appendix to Title 5, Government Organization and Employees.

The Great Lakes Fishery Act of 1956, referred to in subsec. (c)(4), is act June 4, 1956, ch. 358, 70 Stat. 242, which is classified generally to chapter 15A (§931 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 931 of this title and Tables.

CODIFICATION

Section was enacted as part of the Further Consolidated Appropriations Act, 2020, and not as part of the Great Lakes Fish and Wildlife Restoration Act of 1990 which comprises this chapter.

CHAPTER 15C—GREAT LAKES FISH AND WILDLIFE TISSUE BANK

Sec.	
943.	Tissue bank.
943a.	Data base.

Sec.	
943b.	Definitions.
943c.	Authorization of appropriations.

§ 943. Tissue bank**(a) In general**

The Secretary shall coordinate existing facilities for the storage, preparation, examination, and archiving of tissues from selected Great Lakes fish and wildlife, which shall be known as the “Great Lakes Fish and Wildlife Tissue Bank”.

(b) Guidance

The Secretary shall, in consultation with appropriate Federal and State agencies and the Council of Great Lakes Research Managers, issue guidance, after an opportunity for public review and comment, for Great Lakes fish and wildlife tissue collection, preparation, archiving, quality control procedures, and access that will ensure—

(1) appropriate uniform methods and standards for those activities to provide confidence in Great Lakes fish and wildlife tissue samples used for research;

(2) documentation of procedures used for collecting, preparing, and archiving those samples; and

(3) appropriate scientific use of the tissues in the Great Lakes Fish and Wildlife Tissue Bank.

(Pub. L. 102-440, title II, §202, Oct. 23, 1992, 106 Stat. 2233.)

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 102-440, title II, §201, Oct. 23, 1992, 106 Stat. 2233, provided that: “This title [enacting this chapter] may be cited as ‘The Great Lakes Fish and Wildlife Tissue Bank Act.’”

§ 943a. Data base**(a) Maintenance**

The Secretary shall maintain a central data base which provides an effective means for tracking and assessing relevant reference data on Great Lakes fish and wildlife, including data on tissues collected for and maintained in the Great Lakes Fish and Wildlife Tissue Bank.

(b) Access

The Secretary shall establish criteria, after an opportunity for public review and comment, for access to the data base which provides for appropriate use of the information by the public.

(Pub. L. 102-440, title II, §203, Oct. 23, 1992, 106 Stat. 2233.)

§ 943b. Definitions

In this chapter—

(1) “Secretary” means the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service.

(2) “Great Lakes fish and wildlife” means fauna, fish, and invertebrates dependent on Great Lakes resources, and located within the Great Lakes Basin.

(Pub. L. 102-440, title II, §204, Oct. 23, 1992, 106 Stat. 2233.)