



AMENDMENT NO. _____

Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.

S. 834

To amend the law relating to sport fish restoration and recreational boating safety, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by _____

Viz:

1 Strike all after the enacting clause and insert the following:
2

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Sport Fish Restoration
5 and Recreational Boating Safety Act”.

6 **SEC. 2. AUTHORIZATION OF APPROPRIATIONS.**

7 Section 3 of the Dingell-Johnson Sport Fish Restora-
8 tion Act (16 U.S.C. 777b) is amended by striking “57 per-
9 cent” and inserting “57.42 percent”.

1 **SEC. 3. DIVISION OF ANNUAL APPROPRIATIONS.**

2 (a) IN GENERAL.—Section 4 of the Dingell-Johnson
3 Sport Fish Restoration Act (16 U.S.C. 777c) is amend-
4 ed—

5 (1) in subsection (a)—

6 (A) in the matter preceding paragraph (1),
7 by striking “2014 and for the period beginning
8 on October 1, 2014, and ending on May 31,
9 2015,” and inserting “2023,”;

10 (B) in paragraph (1), by striking “18.5
11 percent” and inserting “18.54 percent”;

12 (C) in paragraph (2), by striking “18.5
13 percent” and inserting “18.04 percent”; and

14 (D) in paragraph (3), by adding at the end
15 “Not more than 25 percent of such amount
16 may be used for capital improvement and infra-
17 structure projects to support facilities that meet
18 state requires for minimizing the introduction
19 of pollutants into the waterways.”;

20 (2) by amending the heading in subsection (b)
21 to read as follows: “SET-ASIDES.—”;

22 (3) in subsection (b)(1)—

23 (A) in subparagraph (A), by striking
24 “2014, and for the period beginning on October
25 1, 2014, and ending on May 31, 2015,” and in-
26 serting “2023,”;

1 (B) in subparagraph (B), by striking
2 clauses (i), (ii), and (iii), and inserting the fol-
3 lowing:

4 “(i) for each of the fiscal years 2016
5 through 2023, 1.8468 percent of total an-
6 nual collections under this Act for such fis-
7 cal year; and

8 “(ii) notwithstanding clause (i), an
9 amount that is less than or equal to
10 \$12,299,000.”; and

11 (C) by adding at the end the following:

12 “(C) SET-ASIDE FOR BOATING SAFETY.—

13 “(i) IN GENERAL.—From the annual
14 appropriation made in accordance with sec-
15 tion 3, for each fiscal year through 2023,
16 the Secretary shall transfer to the Sec-
17 retary of the department in which the
18 Coast Guard is operating—

19 “(I)(aa) 0.3435 percent of total
20 annual collections under this Act to
21 pay the costs of investigations, per-
22 sonnel, and activities related to ad-
23 ministering those programs under sec-
24 tion 4(a)(2) (16 U.S.C. 777c(a)(2));
25 and

1 “(bb) notwithstanding item (aa),
2 an amount that is less than or equal
3 to \$2,300,000; and

4 “(II) \$1,500,000 shall be made
5 available for the National Recreational
6 Boating Survey, that shall be avail-
7 able until expended and may be
8 awarded as a contract or grant by the
9 Secretary.

10 “(ii) LIMITATION.—The amounts
11 specified in clause (i) for a fiscal year may
12 not be included in the amount of the an-
13 nual appropriation distributed under sub-
14 section (a) of this section for the fiscal
15 year.”;

16 (4) in subsection (b)(2)—

17 (A) in subparagraph (A), by striking
18 “under paragraph (1) shall remain available for
19 obligation for use under that paragraph” and
20 inserting “under paragraph (1)(B) shall remain
21 available for obligation for use under paragraph
22 (1)(A)”;

23 (B) in subparagraph (B)—

1 (i) by striking “under paragraph (1)”
2 and inserting “under paragraph (1)(B)”;
3 and

4 (ii) by striking “subsection (e)” and
5 inserting “subsection (e)”;

6 (5) in subsection (e), by striking “57 percent”
7 and inserting “57.42 percent”;

8 (6) in subsection (d), by striking “So much of
9 any sum not allocated” and inserting “Except as
10 otherwise provided in this section, so much of any
11 sum not allocated”; and

12 (7) in subsection (e)—

13 (A) in paragraph (1), by striking “those
14 subsections” and inserting “those paragraphs”;

15 (B) by amending paragraph (2) to read as
16 follows:

17 “(2) MAXIMUM AMOUNT.—For fiscal year
18 2016, the Secretary of the Interior may use not
19 more than \$1,200,000 in accordance with paragraph
20 (1). For each fiscal year thereafter, the maximum
21 amount that the Secretary of the Interior may use
22 in accordance with paragraph (1) shall be deter-
23 mined under paragraph (3).”; and

24 (C) by adding at the end the following:

1 “(3) ANNUAL ADJUSTED MAXIMUM AMOUNT.—
2 The maximum amount referred to in paragraph (2)
3 for fiscal year 2016 and each fiscal year thereafter
4 shall be the sum of—

5 “(A) the available maximum amount for
6 the preceding fiscal year; and

7 “(B) the amount determined by multi-
8 plying—

9 “(i) the available maximum amount
10 for the preceding fiscal year; and

11 “(ii) the change, relative to the pre-
12 ceding fiscal year, in the Consumer Price
13 Index for All Urban Consumers published
14 by the Department of Labor.”.

15 (b) CONFORMING AMENDMENT.—Section 9 of the
16 Dingell-Johnson Sport Fish Restoration Act (16 U.S.C.
17 777h) is amended—

18 (1) in subsection (a), by striking “section 4(b)”
19 and inserting “section 4(b)(1)(B)”; and

20 (2) in subsection (b)(1), by striking “section
21 4(b)” and inserting “section 4(b)(1)(B)”.

1 **SEC. 4. EXTENSION OF EXCEPTION TO LIMITATION ON**
2 **TRANSFERS TO FUND.**

3 Section 9504(d)(2) of the Internal Revenue Code of
4 1986 is amended by striking “June 1, 2015,” and insert-
5 ing “October 1, 2023,”.

6 **SEC. 5. RECREATIONAL BOATING SAFETY ALLOCATIONS.**

7 Section 13104 of title 46, United States Code, is
8 amended by striking subsection (c).

9 **SEC. 6. RECREATIONAL BOATING SAFETY.**

10 Section 13107 of title 46, United States Code, is
11 amended—

12 (1) in subsection (a)—

13 (A) in paragraph (1), by striking “(1) Sub-
14 ject to paragraph (2) and subsection (c),” and
15 inserting “Subject to subsection (c),”; and

16 (B) by striking paragraph (2); and

17 (2) in subsection (c)(1), by striking “title,” and
18 all that follows through the end and inserting
19 “title—

20 “(A) including the funding of the National
21 Boating Safety Advisory Council established
22 under section 13110 of this title and the au-
23 thorized activities of the Council, including
24 travel for the council; and

25 “(B) of the funds referred to in paragraph
26 (1), not less than \$2,500,000 shall be available

1 to the Secretary only to ensure compliance with
2 chapter 43 of this title.”.

3 **SEC. 7. NATIONAL BOATING SAFETY ADVISORY COUNCIL.**

4 Section 13110(e) of title 46, United States Code, is
5 amended by striking “2020” and inserting “2023”.

6 **SEC. 8. PLAN EVALUATION.**

7 Section 303(a)(7) of the Coastal Wetlands Planning,
8 Protection and Restoration Act (16 U.S.C. 3952) is
9 amended by inserting “and improvements made to the
10 quality of fish and wildlife habitat conditions” after “en-
11 hancing coastal wetlands”.

12 **SEC. 9. REPORT TO CONGRESS.**

13 The Director of the United States Fish and Wildlife
14 Service shall annually evaluate and report on the adminis-
15 trative services of such Service for the trust fund to the
16 States and the sportfishing community, including the fol-
17 lowing categories of information:

18 (1) The percent of grant actions completed
19 within 45 days of receipt, average number of days
20 to process new grants, and average number of days
21 to process grant amendments.

22 (2) Which wildlife and sport fish restoration
23 policies are currently being updated, the start time
24 for each update, and the anticipated completion
25 time.

1 (3) The number of Federal assistance work-
2 shops held with States and such Service in efforts to
3 communicate fiscal policies and procedures with the
4 State agencies.

5 (4) The response time to States based on initial
6 notification or assistance requests initiated by a
7 State.

8 (5) The number of States with unresolved rec-
9 onciliation of land records ~~is still needed~~ and number
10 of corrective action plans with open actions.

11 (6) The number of employees of such Service
12 with grants management training and outstanding
13 training requirements and the percent of State fish
14 and wildlife staff to have received training from
15 Wildlife and Sport Fish Restoration Fund Program
16 of such Service.

17 (7) The number of full-time equivalents contrib-
18 uting to grant processing and related grant manage-
19 ment in each region.

20 (8) The number of in-field state project reviews
21 and site visits by the Wildlife and Sport Fish Res-
22 toration Fund Program.

23 (9) The number of audits per year originating
24 from such Service and response time to related ac-
25 tions and correspondence.