

**Calendar No. 554**111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**S. 3073****[Report No. 111-283]**

To amend the Federal Water Pollution Control Act to protect and restore  
the Great Lakes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 4, 2010

Mr. LEVIN (for himself, Mr. VOINOVICH, Ms. KLOBUCHAR, Mr. BROWN of Ohio, Mr. FRANKEN, Ms. STABENOW, Mr. DURBIN, Mr. BURRIS, Mr. CASEY, and Mrs. GILLIBRAND) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

SEPTEMBER 2, 2010

Reported under authority of the order of the Senate of August 5, 2010, by  
Mrs. BOXER, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italie*]

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**A BILL**

To amend the Federal Water Pollution Control Act to protect  
and restore the Great Lakes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Great Lakes Eco-  
3 system Protection Act of 2010”.

4 **SEC. 2. GREAT LAKES PROVISION MODIFICATIONS.**

5 (a) **FINDINGS; PURPOSE.**—Section 118(a) of the  
6 Federal Water Pollution Control Act (33 U.S.C. 1268(a))  
7 is amended—

8 (1) in paragraph (1)—

9 (A) by striking subparagraph (B) and in-  
10 serting the following:

11 “(B) the United States should seek to at-  
12 tain the goals embodied in the Great Lakes  
13 Restoration Initiative Action Plan, the Great  
14 Lakes Regional Collaboration Strategy, and the  
15 Great Lakes Water Quality Agreement; and”;  
16 and

17 (B) in subparagraph (C), by inserting “,  
18 tribal,” after “State”; and

19 (2) by striking paragraph (2) and inserting the  
20 following:

21 “(2) **PURPOSE.**—The purpose of this section is  
22 to achieve the goals established in the Great Lakes  
23 Restoration Initiative Action Plan, the Great Lakes  
24 Regional Collaboration Strategy, and the Great  
25 Lakes Water Quality Agreement through—

1           “(A) improved organization and definition  
2 of mission on the part of the Agency;

3           “(B) the funding of grants for protection,  
4 restoration, and pollution control in the Great  
5 Lakes area; and

6           “(C) improved accountability.”.

7           (b) GREAT LAKES MANAGEMENT.—Section 118(e) of  
8 the Federal Water Pollution Control Act (33 U.S.C.  
9 1268(e)) is amended—

10           (1) in paragraph (1)—

11           (A) in subparagraph (A), by striking “;”  
12 and inserting a semicolon;

13           (B) by striking subparagraph (E);

14           (C) by redesignating subparagraphs (C)  
15 and (D) as subparagraphs (E) and (F), respec-  
16 tively;

17           (D) in subparagraph (E) (as so redesi-  
18 gnated), by adding “and” at the end;

19           (E) in subparagraph (F) (as so redesi-  
20 gnated), by striking “; and” and inserting a pe-  
21 riod; and

22           (F) by inserting after subparagraph (B)  
23 the following:

24           “(C) provide the support described in para-  
25 graph (6);

1           “(D) coordinate with the Great Lakes  
2           Interagency Task Force, as required under  
3           paragraph (7);”;

4           (2) in paragraph (3)(C), by striking “subpara-  
5           graph (e)(1)(C) of this section” and inserting “para-  
6           graph (1)(E)”;

7           (3) by striking paragraph (6) and inserting the  
8           following:

9           “~~(6) GREAT LAKES GOVERNANCE AND MANAGE-~~  
10          ~~MENT.—~~—

11          “(A) GREAT LAKES LEADERSHIP COUN-  
12          CIL.—

13                 “(i) ESTABLISHMENT.—There is es-  
14                 tablished a council, to be known as the  
15                 Great Lakes Leadership Council (referred  
16                 to in this paragraph as the ‘Council’).

17                 “(ii) DUTIES.—The Council shall—

18                         “(I) develop and establish Great  
19                         Lakes protection and restoration pol-  
20                         icy;

21                         “(II) approve long-term goals  
22                         and objectives relating to Great Lakes  
23                         protection and restoration, including  
24                         the Great Lakes Restoration Initia-  
25                         tive;

1           “(III) establish annual priorities  
2           with respect to Great Lakes protec-  
3           tion and restoration, including prior-  
4           ities for the Great Lakes Restoration  
5           Initiative;

6           “(IV) submit to Congress, the  
7           President, and the public reports de-  
8           scribing progress made during the re-  
9           porting period with respect to Great  
10          Lakes protection and restoration;

11          “(V) seek consensus among units  
12          of government and stakeholders re-  
13          garding disputes relating to Great  
14          Lakes protection and restoration;

15          “(VI) determine a process for  
16          participation in relevant international  
17          forums, such as the Great Lakes  
18          Water Quality Agreement; and

19          “(VII) provide input annually re-  
20          garding Federal budget priorities and  
21          levels for Great Lakes protection and  
22          restoration, including the Great Lakes  
23          Restoration Initiative.

24          “(iii) MEMBERSHIP.—

1           “(I) IN GENERAL.—The member-  
2           ship of the Council shall include—

3                   “(aa) 8 heads of Federal de-  
4                   partments and agencies, to be  
5                   appointed by the President, in-  
6                   cluding—

7                           “(AA) the Adminis-  
8                           trator;

9                           “(BB) the Chief of En-  
10                          gineers;

11                          “(CC) the Secretary of  
12                          the Interior;

13                          “(DD) the Secretary of  
14                          Agriculture;

15                          “(EE) the Secretary of  
16                          Commerce; and

17                          “(FF) the head of the  
18                          department in which the  
19                          Coast Guard is operating;

20                          “(bb) the governors of the  
21                          Great Lake States;

22                          “(cc) 8 representatives of  
23                          tribal governments, to be ap-  
24                          pointed by the Indian tribes lo-

1 eated in the Great Lakes basin;  
2 and

3 “(dd) 8 mayors, including  
4 mayors participating in the Great  
5 Lakes and St. Lawrence Cities  
6 Initiative, to be appointed by the  
7 mayors of areas located in the  
8 Great Lakes basin.

9 “(II) CHAIRPERSON.—The Ad-  
10 ministrator shall serve as chairperson  
11 of the Council.

12 “(III) SECRETARY.—The Direc-  
13 tor of the Program Office shall serve  
14 as secretary of, and provide adminis-  
15 trative support to, the Council.

16 “(IV) OBSERVER MEMBERS.—  
17 The membership of the Council shall  
18 include 1 observer member from each  
19 of—

20 “(aa) the International Joint  
21 Commission;

22 “(bb) the Great Lakes Fish-  
23 ery Commission;

24 “(cc) the Great Lakes Com-  
25 mission; and

1                                   “(dd) Canada.

2                                   “(iv) COMMITTEES.—The Council  
3                                   may establish such committees as the  
4                                   Council determines to be appropriate for  
5                                   issues including—

6                                           “(I) executive issues;

7                                           “(II) science issues;

8                                           “(III) implementation issues; and

9                                           “(IV) funding issues.

10                                   “(v) MEETINGS.—

11                                           “(I) IN GENERAL.—The Council  
12                                           shall meet not less frequently than  
13                                           once each year.

14                                           “(II) OPEN TO PUBLIC.—The  
15                                           meetings of the Council shall be held  
16                                           open to the public.

17                                           “(vi) OPERATION.—The Council shall  
18                                           operate on a consensus basis.

19                                           “(vii) COSTS.—The Agency shall pay  
20                                           the operating costs of the Council.

21                                           “(B) GREAT LAKES MANAGEMENT COM-  
22                                           MITTEE.—

23                                           “(i) ESTABLISHMENT.—There is es-  
24                                           tablished within the Council a committee;



1 to be known as the ‘Great Lakes Manage-  
2 ment Committee’.

3 “(ii) DUTIES.—The Great Lakes  
4 Management Committee shall—

5 “(I) submit reports to the Coun-  
6 cil, including recommendations re-  
7 garding relevant issues;

8 “(II) provide direction for the  
9 planning, assessment, and reporting  
10 efforts of the Council;

11 “(III) monitor and assist in im-  
12 plementation activities relating to  
13 Great Lakes management; and

14 “(IV) engage in ongoing problem  
15 solving regarding Great Lakes man-  
16 agement.

17 “(iii) MEMBERSHIP.—

18 “(I) MEMBERSHIP.—The Great  
19 Lakes Management Committee shall  
20 consist of 11 members, of whom—

21 “(aa) 1 shall be appointed  
22 by each unit of government in-  
23 cluded in the membership of the  
24 Council;

1           “(bb) † shall be appointed  
2 by the Great Lakes Commission;

3           “(cc) † shall be appointed by  
4 the International Joint Commis-  
5 sion;

6           “(dd) † shall be appointed  
7 by the Great Lakes Fishery Com-  
8 mission;

9           “(ee) † shall be a represent-  
10 ative of the environmental com-  
11 munity in the Great Lakes, to be  
12 appointed by the Administrator,  
13 after soliciting advice from that  
14 community;

15           “(ff) † shall be a representa-  
16 tive of the agricultural commu-  
17 nity, to be appointed by the Ad-  
18 ministrator, after soliciting ad-  
19 vice from that community;

20           “(gg) † shall be a represent-  
21 ative of Great Lakes industry, to  
22 be appointed by the Adminis-  
23 trator, after soliciting advice  
24 from that industry;

1           “(hh) † shall be a represent-  
2           ative of the scientific community,  
3           to be appointed by the Adminis-  
4           trator, after soliciting advice  
5           from that community; and

6           “(ii) † shall be a representa-  
7           tive of Canada, who shall serve  
8           as an observer member.

9           “(H) CHAIRPERSON.—The senior  
10          advisor on Great Lakes of the Agency  
11          (or a designee) shall serve as chair-  
12          person of the Great Lakes Manage-  
13          ment Committee.

14          “(III) SECRETARY.—The Direc-  
15          tor of the Program Office shall serve  
16          as secretary of, and provide adminis-  
17          trative support to, the Great Lakes  
18          Management Committee.

19          “(iv) MEETINGS.—

20          “(I) IN GENERAL.—The Great  
21          Lakes Management Committee shall  
22          meet not less frequently than once  
23          each quarter.

24          “(II) OPEN TO PUBLIC.—

1                   “(aa) IN GENERAL.—Sub-  
2                   ject to item (bb), the meetings of  
3                   the Great Lakes Management  
4                   Committee shall be held open to  
5                   the public.

6                   “(bb) EXECUTIVE SES-  
7                   SIONS.—The Great Lakes Man-  
8                   agement Committee may hold ex-  
9                   ecutive sessions that are closed to  
10                  the public.

11                  “(v) OPERATION.—The Great Lakes  
12                  Management Committee shall operate on a  
13                  consensus basis.

14                  “(vi) COSTS.—The Agency shall pay  
15                  the operating costs of the Great Lakes  
16                  Management Committee.”;

17                  (4) by striking paragraph (7) and inserting the  
18                  following:

19                  “(7) GREAT LAKES INTERAGENCY TASK  
20                  FORCE.—

21                  “(A) ESTABLISHMENT.—There is estab-  
22                  lished a task force, to be known as the ‘Great  
23                  Lakes Interagency Task Force’.

24                  “(B) COORDINATION.—The Program Of-  
25                  fice shall coordinate, to the maximum extent

1 practicable, with the Great Lakes Interagency  
2 Task Force established by subparagraph (A).”;  
3 (5) in paragraph (8)—

4 (A) by redesignating subparagraphs (A)  
5 through (C) as clauses (i) through (iii), respec-  
6 tively, and indenting the clauses appropriately;

7 (B) by striking “The Administrator” and  
8 inserting the following:

9 “(A) IN GENERAL.—The Administrator”;

10 and

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

12 “(B) ANNUAL REPORTS.—Not later than  
13 30 days after the date of publication of the  
14 budget for a fiscal year, the Administrator shall  
15 submit to Congress a report that describes—

16 “(i) with respect to each organiza-  
17 tional element of the Agency referred to in  
18 subparagraph (A)—

19 “(I) the budget of the element  
20 for Great Lakes restoration activities  
21 for the applicable fiscal year;

22 “(II) each Great Lakes restora-  
23 tion activity to be carried out by the  
24 element during the applicable fiscal  
25 year; and

1                   “(III) the means by which  
2                   progress made on those activities will  
3                   be evaluated; and

4                   “(ii) with respect to each rec-  
5                   ommendation submitted by the Great  
6                   Lakes Leadership Council during the pre-  
7                   ceding fiscal year; the reasons why the Ad-  
8                   ministrators approved or disapproved the  
9                   recommendation.”;

10                   (6) in paragraph (12)(H), by striking clause (i)  
11                   and inserting the following:

12                   “(i) AUTHORIZATION.—In addition to  
13                   other amounts authorized to be appro-  
14                   priated pursuant to this section, there are  
15                   authorized to be appropriated to carry out  
16                   this paragraph—

17                   “(I) \$50,000,000 for each of fis-  
18                   cal years 2004 through 2010; and

19                   “(II) \$150,000,000 for each of  
20                   fiscal years 2011 through 2015.”; and

21                   (7) by adding at the end the following:

22                   “(14) GREAT LAKES RESTORATION INITIA-  
23                   TIVE.—

24                   “(A) FINDINGS.—Congress finds that—

1           “(i) the goal of the Great Lakes pro-  
2           gram of the Agency is to restore and main-  
3           tain the chemical, physical, and biological  
4           integrity of the Great Lakes basin eco-  
5           system; and

6           “(ii) in 2010, the Agency, in coordina-  
7           tion with Federal partners, will commence  
8           implementation of a new Great Lakes Res-  
9           toration Initiative (referred to in this para-  
10          graph as the ‘Initiative’), which will—

11           “(I) identify programs and  
12          projects that are strategically selected  
13          to target the most significant environ-  
14          mental problems in the Great Lakes  
15          ecosystem;

16          “(II) be based on the work of—

17           “(aa) the Great Lakes Inter-  
18          agency Task Force established by  
19          paragraph (7)(A); and

20           “(bb) the stakeholders and  
21          nongovernmental partners of the  
22          Great Lakes Leadership Council;  
23          and

24          “(III) represent the commitment  
25          of the Federal Government to signifi-

1                   eantly advancing Great Lakes protec-  
2                   tion and restoration.

3                   “(B) PRIORITY.—The Initiative shall give  
4                   priority to work done by non-Federal partners  
5                   using funding made available for the Great  
6                   Lakes for—

7                   “(i) the remediation of toxic sub-  
8                   stances in Areas of Concern;

9                   “(ii)(I) the prevention of invasive spe-  
10                  cies; and

11                  “(II) the mitigation and restoration of  
12                  the impacts of invasive species;

13                  “(iii)(I) the protection and restoration  
14                  of nearshore health; and

15                  “(II) the prevention of nonpoint  
16                  source pollution;

17                  “(iv) habitat and wildlife protection  
18                  and restoration; and

19                  “(v) accountability, monitoring, eval-  
20                  uation, communication, and partnership  
21                  activities.

22                  “(C) PROJECTS.—Pursuant to the Initia-  
23                  tive, the Agency shall consult with Federal  
24                  partners and take into consideration the rec-  
25                  ommendations of the Council to select the best



1 combination of programs and projects for Great  
2 Lakes protection and restoration using prin-  
3 ciples and criteria such as—

4 “(i) the ability to achieve strategic  
5 and measurable environmental outcomes;

6 “(ii) the feasibility of—

7 “(I) prompt implementation;

8 “(II) timely achievement of re-  
9 sults; and

10 “(III) the ability to leverage re-  
11 sources; and

12 “(iii) opportunities for interagency  
13 and interorganizational coordination and  
14 collaboration.

15 “(D) IMPLEMENTATION OF PROJECTS.—

16 “(i) IN GENERAL.—Funds made avail-  
17 able to carry out the Initiative shall be  
18 used to strategically implement—

19 “(I) Federal projects; and

20 “(II) projects carried out in co-  
21 ordination with States, Indian tribes,  
22 municipalities, institutions of higher  
23 education, and other organizations.

24 “(ii) TRANSFER OF FUNDS.—Of  
25 amounts made available for environmental

1 programs and management for the Great  
2 Lakes Initiative, the Administrator may—

3 “(I) transfer not more than  
4 \$475,000,000 to the head of any Fed-  
5 eral department or agency, with the  
6 concurrence of the department or  
7 agency head, to carry out activities to  
8 support the Great Lakes Restoration  
9 Initiative and the Great Lakes Water  
10 Quality Agreement of 1978;

11 “(II) enter into an interagency  
12 agreement with the head of any Fed-  
13 eral department or agency to carry  
14 out activities described in subclaus  
15 (I); and

16 “(III) make grants to govern-  
17 mental entities, nonprofit organiza-  
18 tions, institutions, and individuals for  
19 planning, research, monitoring, out-  
20 reach, and implementation relating to  
21 the activities described in subclaus  
22 (I).

23 “(E) SCOPE.—

1           “(i) IN GENERAL.—Projects shall be  
2 carried out pursuant to the Initiative on  
3 multiple levels, including—

4                   “(I) local;

5                   “(II) Great Lake-wide; and

6                   “(III) Great Lakes basin-wide.

7           “(ii) LIMITATION.—No funds made  
8 available to carry out the Initiative may be  
9 used for any water infrastructure activity  
10 that is carried out using funds made avail-  
11 able under the clean water or drinking  
12 water State revolving fund program.

13           “(F) ACTIVITIES BY OTHER FEDERAL  
14 AGENCIES.—Each relevant Federal department  
15 and agency shall, to the maximum extent prac-  
16 ticable—

17                   “(i) maintain the base level of funding  
18 for the Great Lakes activities of the agen-  
19 cy; and

20                   “(ii) identify new activities and  
21 projects to support the environmental goals  
22 of the Initiative.

23           “(G) FUNDING.—

24                   “(i) AUTHORIZATION OF APPROPRIA-  
25 TIONS.—There is authorized to be appro-

1            appropriated to carry out the Initiative  
 2            \$475,000,000 for each of fiscal years 2011  
 3            through 2016.

4            “(ii) PARTNERSHIPS.—Of the  
 5            amounts made available to carry out the  
 6            Initiative, the Administrator shall transfer  
 7            expeditiously to the Federal partners of the  
 8            Initiative such sums as are necessary for  
 9            subsequent use and distribution by the  
 10           Federal partners in accordance with this  
 11           section.”.

12           (c) AUTHORIZATION OF APPROPRIATIONS.—Section  
 13 118 of the Federal Water Pollution Control Act (33  
 14 U.S.C. 1268) is amended by striking subsection (h) and  
 15 inserting the following:

16           “(h) AUTHORIZATION OF APPROPRIATIONS FOR PRO-  
 17 GRAM OFFICE.—There is authorized to be appropriated  
 18 to the Administrator to carry out this section \$25,000,000  
 19 for each of fiscal years 2011 through 2016.”.

20           (d) EFFECT OF SECTION.—Nothing in this section  
 21 or an amendment made by this section affects—

22           (1) the jurisdiction, powers, or prerogatives  
 23           of—

24           (A) any department, agency, or officer  
 25           of—

- 1 (i) the Federal Government; or  
 2 (ii) any State or tribal government; or  
 3 ~~(B) any international body established by~~  
 4 ~~treaty with authority relating to the Great~~  
 5 ~~Lakes (as defined in section 118(a)(3) of the~~  
 6 ~~Federal Water Pollution Control Act (33 U.S.C.~~  
 7 ~~1268(a)(3))); or~~  
 8 ~~(2) any other Federal or State authority that is~~  
 9 ~~being used or may be used to facilitate the cleanup~~  
 10 ~~and protection of the Great Lakes (as so defined).~~

11 **SECTION 1. SHORT TITLE.**

12 *This Act may be cited as the “Great Lakes Ecosystem*  
 13 *Protection Act of 2010”.*

14 **SEC. 2. GREAT LAKES PROVISION MODIFICATIONS.**

15 *(a) FINDINGS; PURPOSE.—Section 118(a) of the Fed-*  
 16 *eral Water Pollution Control Act (33 U.S.C. 1268(a)) is*  
 17 *amended—*

18 *(1) in paragraph (1)—*

19 *(A) by striking subparagraph (B) and in-*  
 20 *serting the following:*

21 *“(B) the United States should seek to attain*  
 22 *the goals embodied in the Great Lakes Restora-*  
 23 *tion Initiative Action Plan, the Great Lakes Re-*  
 24 *gional Collaboration Strategy, and the Great*  
 25 *Lakes Water Quality Agreement; and”;* and

1           (B) in subparagraph (C), by inserting “,  
2           tribal,” after “State”;

3           (2) by striking paragraph (2) and inserting the  
4           following:

5           “(2) *PURPOSE.*—*The purpose of this section is to*  
6           *achieve the goals established in the Great Lakes Res-*  
7           *toration Initiative Action Plan, the Great Lakes Re-*  
8           *gional Collaboration Strategy, and the Great Lakes*  
9           *Water Quality Agreement through—*

10           “(A) *improved organization and definition*  
11           *of mission on the part of the Agency;*

12           “(B) *the funding of grants, contracts, and*  
13           *interagency agreements for protection, restora-*  
14           *tion, and pollution control in the Great Lakes*  
15           *area; and*

16           “(C) *improved accountability.*”; and

17           (3) in paragraph (3), by striking subparagraph  
18           (H) and inserting the following:

19           “(H) ‘*Great Lakes Water Quality Agree-*  
20           *ment*’ means the bilateral ‘*Agreement on Great*  
21           *Lakes water quality, 1978*’ between the United  
22           *States and Canada, signed at Ottawa on Novem-*  
23           *ber 22, 1978 (30 U.S.T. 1383; TIAS 9257),*  
24           *amended October 16, 1983 (TIAS 10798) and*  
25           *November 18, 1987 (TIAS 11551);”.*

1           (b) *GREAT LAKES MANAGEMENT*.—Section 118(c) of  
2 *the Federal Water Pollution Control Act (33 U.S.C.*  
3 *1268(c)) is amended—*

4           (1) *in paragraph (1)—*

5                 (A) *in subparagraph (A), by striking “;”*  
6 *and inserting a semicolon;*

7                 (B) *by striking subparagraph (E);*

8                 (C) *by redesignating subparagraphs (C)*  
9 *and (D) as subparagraphs (E) and (F), respec-*  
10 *tively;*

11                 (D) *in subparagraph (E) (as so redesign-*  
12 *ated), by adding “and” at the end;*

13                 (E) *in subparagraph (F) (as so redesign-*  
14 *ated), by striking “; and” and inserting a pe-*  
15 *riod; and*

16                 (F) *by inserting after subparagraph (B) the*  
17 *following:*

18                     “(C) *provide the support described in para-*  
19 *graph (6);*

20                     “(D) *coordinate with the Great Lakes Inter-*  
21 *agency Task Force, as required under paragraph*  
22 *(8);”;*

23           (2) *in paragraph (3)(C), by striking “subpara-*  
24 *graph (c)(1)(C) of this section” and inserting “para-*  
25 *graph (1)(E)”;*

1           (3) *by striking paragraph (6) and inserting the*  
2 *following:*

3           “(6) *GREAT LAKES GOVERNANCE AND MANAGE-*  
4 *MENT.—*

5           “(A) *GREAT LAKES LEADERSHIP COUN-*  
6 *CIL.—*

7           “(i) *ESTABLISHMENT.—There is estab-*  
8 *lished a council, to be known as the Great*  
9 *Lakes Leadership Council (referred to in*  
10 *this paragraph as the ‘Council’).*

11          “(ii) *DUTIES.—The Council shall—*

12           “(I) *not later than 1 year after*  
13 *the date of establishment of the Council*  
14 *and every 5 years thereafter—*

15           “(aa) *review the Great Lakes*  
16 *Regional Collaboration Strategy;*  
17 *and*

18           “(bb) *if the Council deter-*  
19 *mines revisions are necessary, re-*  
20 *visе the Strategy to reflect the*  
21 *most comprehensive scientific in-*  
22 *formation available and ensure*  
23 *the Great Lakes Restoration Ini-*  
24 *tiative Action Plan reflects those*  
25 *revisions;*



1           “(II) establish annual priorities  
2           with respect to Great Lakes protection  
3           and restoration, including priorities  
4           for the Great Lakes Restoration Initia-  
5           tive;

6           “(III) submit to Congress, the  
7           President, and the public an annual  
8           report describing progress made during  
9           the reporting period with respect to  
10          Great Lakes protection and restoration;

11          “(IV) make recommendations to  
12          the Administrator and the Secretary of  
13          State regarding—

14                 “(aa) a process for participa-  
15                 tion in relevant international fo-  
16                 rums, such as the Great Lakes  
17                 Water Quality Agreement; and

18                 “(bb) whether any existing  
19                 advisory committees are duplica-  
20                 tive and should be replaced; and

21          “(V) make recommendations to  
22          Congress and the President for stream-  
23          lining the work of existing advisory  
24          and coordinating committees (such as  
25          the Great Lakes Regional Collaboration

1                   *and the United States Policy Com-*  
2                   *mittee), including a recommendation*  
3                   *for eliminating any such entity if the*  
4                   *work of the entity—*

5                   “(aa) *is duplicative; or*

6                   “(bb) *complicates the protec-*  
7                   *tion and restoration of the Great*  
8                   *Lakes.*

9                   “(iii) *BUDGET PRIORITIES AND FUND-*  
10                  *ING LEVELS.—Non-Federal members of the*  
11                  *Council shall provide input annually to the*  
12                  *Council and the Great Lakes Interagency*  
13                  *Task Force on Federal budget priorities and*  
14                  *funding levels for Great Lakes protection*  
15                  *and restoration, including the Great Lakes*  
16                  *Restoration Initiative.*

17                  “(iv) *MEMBERSHIP.—*

18                  “(I) *IN GENERAL.—The member-*  
19                  *ship of the Council shall include—*

20                  “(aa) *8 heads of Federal de-*  
21                  *partments and agencies that par-*  
22                  *ticipate in the Great Lakes Inter-*  
23                  *agency Task Force established*  
24                  *under paragraph (8), to be ap-*  
25                  *pointed by the President and peri-*

1 *odically rotated as the President*  
2 *determines to be appropriate, in-*  
3 *cluding—*

4 *“(AA) the Adminis-*  
5 *trator;*

6 *“(BB) the Chief of En-*  
7 *gineers;*

8 *“(CC) the Secretary of*  
9 *the Interior;*

10 *“(DD) the Secretary of*  
11 *Agriculture;*

12 *“(EE) the Secretary of*  
13 *Commerce;*

14 *“(FF) the Secretary of*  
15 *Energy; and*

16 *“(GG) the Secretary of*  
17 *State;*

18 *“(bb) the governors of the*  
19 *Great Lake States;*

20 *“(cc) 8 representatives of*  
21 *tribal governments, to be ap-*  
22 *pointed—*

23 *“(AA) by the Indian*  
24 *tribes located in the Great*

1                   *Lakes basin in the United*  
2                   *States; and*

3                   “*(BB) to the maximum*  
4                   *extent practicable, in a man-*  
5                   *ner that ensures that the*  
6                   *tribal governments are geo-*  
7                   *graphically representative of*  
8                   *the Great Lakes basin; and*

9                   “*(dd) 8 mayors, including*  
10                  *mayors participating in the Great*  
11                  *Lakes and St. Lawrence Cities*  
12                  *Initiative, to be appointed—*

13                  “*(AA) by the mayors of*  
14                  *areas located in the Great*  
15                  *Lakes basin in the United*  
16                  *States; and*

17                  “*(BB) to the maximum*  
18                  *extent practicable, in a man-*  
19                  *ner that ensures that the*  
20                  *mayors are geographically*  
21                  *representative of the Great*  
22                  *Lakes basin.*

23                  “*(II) CHAIRPERSON.—The Ad-*  
24                  *ministrator shall serve as chairperson*  
25                  *of the Council.*

1                   “(III) *SECRETARY.*—*The Director*  
2                   *of the Program Office shall serve as*  
3                   *secretary of, and provide administra-*  
4                   *tive support to, the Council.*

5                   “(IV) *OBSERVER MEMBERS.*—*The*  
6                   *membership of the Council—*

7                   “(aa) *shall include 1 observer*  
8                   *member from each of—*

9                   “(AA) *the International*  
10                   *Joint Commission;*

11                   “(BB) *the Great Lakes*  
12                   *Fishery Commission; and*

13                   “(CC) *the Great Lakes*  
14                   *Commission; and*

15                   “(bb) *may include 1 observer*  
16                   *member from Canada.*

17                   “(v) *COMMITTEES.*—*The Council may*  
18                   *establish such committees (including the*  
19                   *Great Lakes Advisory Committee, in accord-*  
20                   *ance with subparagraph (B)(i)) as the*  
21                   *Council determines to be appropriate for*  
22                   *issues including—*

23                   “(I) *executive issues;*

24                   “(II) *science issues;*

25                   “(III) *implementation issues; and*

1                   “(IV) *funding issues.*

2                   “(vi) *MEETINGS.—*

3                   “(I) *IN GENERAL.—The Council*  
4                   *shall meet not less frequently than once*  
5                   *each year.*

6                   “(II) *OPEN TO PUBLIC.—The*  
7                   *meetings of the Council shall be held*  
8                   *open to the public.*

9                   “(vii) *OPERATION.—The Council shall*  
10                  *operate on a consensus basis.*

11                  “(viii) *COSTS.—The Agency shall pay*  
12                  *the operating costs of the Council.*

13                  “(B) *GREAT LAKES ADVISORY COM-*  
14                  *MITTEE.—*

15                  “(i) *ESTABLISHMENT.—The Council*  
16                  *shall establish a committee, to be known as*  
17                  *the ‘Great Lakes Advisory Committee’.*

18                  “(ii) *DUTIES.—The Great Lakes Advi-*  
19                  *sory Committee shall—*

20                  “(I) *submit reports and informa-*  
21                  *tion to the Council, including rec-*  
22                  *ommendations regarding issues rel-*  
23                  *evant to the planning, assessment, and*  
24                  *reporting duties of the Council; and*

1                   “(II) *provide advice to the Coun-*  
2                   *cil on—*

3                   “(aa) *monitoring implemen-*  
4                   *tation activities relating to Great*  
5                   *Lakes management; and*

6                   “(bb) *other relevant Great*  
7                   *Lakes issues.*

8                   “(iii) *MEMBERSHIP.—*

9                   “(I) *MEMBERSHIP.—The Great*  
10                  *Lakes Advisory Committee shall consist*  
11                  *of—*

12                  “(aa) *4 members rep-*  
13                  *resenting the membership of the*  
14                  *Council, of which 1 member shall*  
15                  *be appointed by each unit of gov-*  
16                  *ernment (including Federal agen-*  
17                  *cies, States, units of local govern-*  
18                  *ment, and Indian tribes) included*  
19                  *in the membership of the Council;*

20                  “(bb) *1 member who shall be*  
21                  *appointed by the Great Lakes*  
22                  *Commission;*

23                  “(cc) *1 member who shall be*  
24                  *appointed by the International*  
25                  *Joint Commission;*

1           “(dd) 1 member who shall be  
2 appointed by the Great Lakes  
3 Fishery Commission;

4           “(ee) 1 member who shall be  
5 a representative of the environ-  
6 mental community in the Great  
7 Lakes, to be appointed by the Ad-  
8 ministrator, after soliciting advice  
9 from that community;

10           “(ff) 1 member who shall be  
11 a representative of the agricul-  
12 tural community, to be appointed  
13 by the Administrator, after solici-  
14 ting advice from that commu-  
15 nity;

16           “(gg) 1 member who shall be  
17 a representative of Great Lakes  
18 industry, to be appointed by the  
19 Administrator, after soliciting ad-  
20 vice from that industry;

21           “(hh) 1 member who shall be  
22 a representative of the scientific  
23 community, to be appointed by  
24 the Administrator, after soliciting  
25 advice from that community; and



1           “(i) if the member is ap-  
2           pointed under subparagraph  
3           (A)(iv)(IV)(bb), 1 member who  
4           shall be a representative of Can-  
5           ada, as an observer member.

6           “(II) CHAIRPERSON.—The Ad-  
7           ministrators (or a designee) shall serve  
8           as chairperson of the Great Lakes Ad-  
9           visory Committee.

10          “(III) SECRETARY.—The Director  
11          of the Program Office (or a designee)  
12          shall serve as secretary of, and provide  
13          administrative support to, the Great  
14          Lakes Advisory Committee.

15          “(iv) MEETINGS.—

16          “(I) IN GENERAL.—The Great  
17          Lakes Advisory Committee shall meet  
18          not less frequently than every 180  
19          days.

20          “(II) OPEN TO PUBLIC.—

21          “(aa) IN GENERAL.—Subject  
22          to item (bb), the meetings of the  
23          Great Lakes Advisory Committee  
24          shall be held open to the public.

1                   “(bb) *EXECUTIVE SES-*  
2                   *SIONS.—The Great Lakes Advi-*  
3                   *sory Committee may hold execu-*  
4                   *tive sessions that are closed to the*  
5                   *public.*

6                   “(v) *OPERATION.—The Great Lakes*  
7                   *Advisory Committee shall operate on a con-*  
8                   *sensus basis.*

9                   “(vi) *COSTS.—The Agency shall pay*  
10                  *the operating costs of the Great Lakes Advi-*  
11                  *sory Committee.”;*

12                  (4) *by striking paragraph (7) and inserting the*  
13                  *following:*

14                  “(7) *GREAT LAKES RESTORATION INITIATIVE.—*

15                  “(A) *FINDINGS.—Congress finds that—*

16                  “(i) *the goal of the Great Lakes pro-*  
17                  *gram of the Agency is to restore and main-*  
18                  *tain the chemical, physical, and biological*  
19                  *integrity of the Great Lakes basin eco-*  
20                  *system; and*

21                  “(ii) *in 2010, the Agency, in coordina-*  
22                  *tion with Federal partners, will commence*  
23                  *implementation of a new Great Lakes Res-*  
24                  *toration Initiative (referred to in this para-*  
25                  *graph as the ‘Initiative’), which will—*

1           “(I) identify programs and  
2 projects that are strategically selected  
3 to target the most significant environ-  
4 mental problems in the Great Lakes  
5 ecosystem;

6           “(II) be based on the work of—

7           “(aa) the Great Lakes Inter-  
8 agency Task Force established by  
9 paragraph (8)(A); and

10           “(bb) the Great Lakes Lead-  
11 ership Council, stakeholders, and  
12 nongovernmental partners; and

13           “(III) represent the commitment  
14 of the Federal Government to signifi-  
15 cantly advancing Great Lakes protec-  
16 tion and restoration.

17           “(B) PRIORITY.—The Initiative shall give  
18 priority to work done by non-Federal partners  
19 using funding made available for the Great  
20 Lakes for priority areas for each fiscal year, such  
21 as—

22           “(i) the remediation of toxic substances  
23 and areas of concern;

24           “(ii)(I) the prevention of invasive spe-  
25 cies; and

1                   “(II) the mitigation and restoration of  
2                   the impacts of invasive species;

3                   “(iii)(I) the protection and restoration  
4                   of nearshore health; and

5                   “(II) the prevention of nonpoint source  
6                   pollution;

7                   “(iv) habitat and wildlife protection  
8                   and restoration;

9                   “(v) accountability, monitoring, eval-  
10                  uation, communication, and partnership  
11                  activities; and

12                  “(vi) other areas prioritized by the  
13                  Council.

14                  “(C) *PROJECTS.*—Pursuant to the Initia-  
15                  tive, the Agency shall consult with Federal part-  
16                  ners and take into consideration the rec-  
17                  ommendations of the Council to select the best  
18                  combination of programs and projects for Great  
19                  Lakes protection and restoration using prin-  
20                  ciples and criteria such as—

21                  “(i) the ability to achieve strategic and  
22                  measurable environmental outcomes;

23                  “(ii) the feasibility of—

24                         “(I) prompt implementation;

1                   “(II) *timely achievement of re-*  
2                   *sults; and*

3                   “(III) *the ability to leverage re-*  
4                   *sources; and*

5                   “(iii) *opportunities for interagency*  
6                   *and interorganizational coordination and*  
7                   *collaboration.*

8                   “(D) *IMPLEMENTATION OF PROJECTS.—*

9                   “(i) *IN GENERAL.—Funds made avail-*  
10                   *able to carry out the Initiative shall be used*  
11                   *to strategically implement—*

12                   “(I) *Federal projects; and*

13                   “(II) *projects carried out in co-*  
14                   *ordination with States, Indian tribes,*  
15                   *municipalities, institutions of higher*  
16                   *education, and other organizations.*

17                   “(ii) *TRANSFER OF FUNDS.—Of*  
18                   *amounts made available for environmental*  
19                   *programs and management for the Great*  
20                   *Lakes Restoration Initiative, the Adminis-*  
21                   *trator may—*

22                   “(I) *transfer not more than*  
23                   *\$475,000,000 to the head of any Fed-*  
24                   *eral department or agency, with the*  
25                   *concurrence of the department or agen-*

1            *cy head, to carry out activities to sup-*  
2            *port the Great Lakes Restoration Ini-*  
3            *tiative and the Great Lakes Water*  
4            *Quality Agreement;*

5            *“(II) enter into an interagency*  
6            *agreement with the head of any Fed-*  
7            *eral department or agency to carry out*  
8            *activities described in subclause (I);*  
9            *and*

10           *“(III) make grants to govern-*  
11           *mental entities, nonprofit organiza-*  
12           *tions, institutions, and educational in-*  
13           *stitutions for use in carrying out plan-*  
14           *ning, research, monitoring, outreach,*  
15           *training, studies, surveys, investiga-*  
16           *tions, experiments, demonstration*  
17           *projects, and implementation relating*  
18           *to the activities described in subclause*  
19           *(I).*

20           *“(E) SCOPE.—*

21           *“(i) IN GENERAL.—Projects shall be*  
22           *carried out pursuant to the Initiative on*  
23           *multiple levels, including—*

24           *“(I) local;*

25           *“(II) Great Lake-wide; and*

1                   “(III) *Great Lakes basin-wide.*

2                   “(ii) *LIMITATION.—No funds made*  
3                   *available to carry out the Initiative may be*  
4                   *used for any water infrastructure activity*  
5                   *(other than a green infrastructure project*  
6                   *that improves habitat and other ecosystem*  
7                   *functions in the Great Lakes) for which*  
8                   *amounts are made available from—*

9                   “(I) *a State water pollution con-*  
10                  *trol revolving fund established under*  
11                  *title VI; or*

12                  “(II) *a State drinking water re-*  
13                  *volving loan fund established under*  
14                  *section 1452 of the Safe Drinking*  
15                  *Water Act (42 U.S.C. 300j–12).*

16                  “(F) *ACTIVITIES BY OTHER FEDERAL AGEN-*  
17                  *CIES.—Each relevant Federal department and*  
18                  *agency shall, to the maximum extent prac-*  
19                  *ticable—*

20                  “(i) *maintain the base level of funding*  
21                  *for the Great Lakes activities of the agency;*  
22                  *and*

23                  “(ii) *identify new activities and*  
24                  *projects to support the environmental goals*  
25                  *of the Initiative.*

1                   “(G) *FUNDING.*—

2                   “(i) *AUTHORIZATION OF APPROPRIA-*  
 3                   *TIONS.*—*There is authorized to be appro-*  
 4                   *priated to carry out the Initiative*  
 5                   *\$475,000,000 for each of fiscal years 2011*  
 6                   *through 2016.*

7                   “(ii) *PARTNERSHIPS.*—*Of the amounts*  
 8                   *made available to carry out the Initiative,*  
 9                   *the Administrator shall transfer expedi-*  
 10                   *tiously to the Federal partners of the Initia-*  
 11                   *tive such sums as are necessary for subse-*  
 12                   *quent use and distribution by the Federal*  
 13                   *partners in accordance with this section.”;*

14                   (5) *by striking paragraph (8) and inserting the*  
 15                   *following:*

16                   “(8) *GREAT LAKES INTERAGENCY TASK*  
 17                   *FORCE.*—

18                   “(A) *ESTABLISHMENT.*—*There is estab-*  
 19                   *lished a task force, to be known as the ‘Great*  
 20                   *Lakes Interagency Task Force’ as described in*  
 21                   *Executive Order 13340 (33 U.S.C. 1268 note)*  
 22                   *and relating to establishment of Great Lakes*  
 23                   *Interagency Task Force and promotion of re-*  
 24                   *gional collaboration of national significance for*  
 25                   *Great Lakes.*



1           “(B) *COORDINATION.*—*The Program Office*  
2           *shall coordinate, to the maximum extent prac-*  
3           *ticable, with the Great Lakes Interagency Task*  
4           *Force.*

5           “(C) *DUTIES.*—*The Great Lakes Inter-*  
6           *agency Task Force shall—*

7                   “(i) *collaborate with Canada, prov-*  
8                   *inces of Canada, and binational bodies in-*  
9                   *volved in the Great Lakes region regarding*  
10                  *policies, strategies, projects, and priorities*  
11                  *for the Great Lakes System;*

12                   “(ii)(I) *coordinate the development of*  
13                   *Federal policies, strategies, projects, and*  
14                   *priorities for addressing the restoration and*  
15                   *protection of the Great Lakes System con-*  
16                   *sistent with—*

17                           “(aa) *the Great Lakes Regional*  
18                           *Collaboration Strategy;*

19                           “(bb) *Great Lakes Restoration*  
20                           *Initiative Action Plan;*

21                           “(cc) *the Great Lakes Water Qual-*  
22                           *ity Agreement; and*

23                           “(dd) *Federal implementation of*  
24                           *recommendations of the Great Lakes*  
25                           *Leadership Council; and*

1           “(II) assist in the appropriate man-  
2           agement of the Great Lakes System;

3           “(iii) develop outcome-based goals for  
4           the Great Lakes System (relying on existing  
5           data and science-based indicators of water  
6           quality, related environmental factors, and  
7           other information) that—

8                       “(I) focus on outcomes such as  
9                       cleaner water, sustainable fisheries,  
10                      and biodiversity of the Great Lakes  
11                      System;

12                     “(II) ensure that Federal policies,  
13                     strategies, projects, and priorities sup-  
14                     port measurable results; and

15                     “(III) are consistent with the  
16                     Great Lakes Regional Collaboration  
17                     Strategy and the Great Lakes Restora-  
18                     tion Initiative Action Plan;

19                     “(iv) exchange information regarding  
20                     policies, strategies, projects, and activities of  
21                     the agencies represented on the Task Force  
22                     relating to—

23                               “(I) the Great Lakes System;

24                               “(II) the Great Lakes Regional  
25                               Collaboration Strategy; and

1                   “(III) the Great Lakes Restora-  
2                   tion Initiative Action Plan;

3                   “(v) coordinate government action as-  
4                   sociated with the Great Lakes System;

5                   “(vi) ensure coordinated Federal sci-  
6                   entific and other research associated with  
7                   the Great Lakes System; and

8                   “(vii) provide assistance and support  
9                   to agencies represented on the Task Force in  
10                  activities relating to the Great Lakes Sys-  
11                  tem.”;

12                  (6) by striking paragraph (10) and inserting the  
13                  following:

14                  “(10) REPORTS.—

15                         “(A) ANNUAL COMPREHENSIVE RESTORA-  
16                         TION REPORT.—Not later than 90 days after the  
17                         end of each fiscal year, the Administrator shall  
18                         submit to Congress and make publicly available  
19                         a comprehensive report on the overall health of  
20                         the Great Lakes that includes—

21                                 “(i) a description of the achievements  
22                                 during the fiscal year in implementing the  
23                                 Great Lakes Water Quality Agreement and  
24                                 any other applicable agreements and  
25                                 amendments that—

1           “(I) demonstrate, by category (in-  
2           cluding categories for judicial enforce-  
3           ment, research, State cooperative ef-  
4           forts, and general administration) the  
5           amounts expended on Great Lakes  
6           water quality initiatives for the fiscal  
7           year;

8           “(II) describe the progress made  
9           during the fiscal year in implementing  
10          the system of surveillance of the water  
11          quality in the Great Lakes System, in-  
12          cluding the monitoring of groundwater  
13          and sediment, with a particular focus  
14          on toxic pollutants;

15          “(III) describe the prospects of  
16          meeting the goals and objectives of the  
17          Great Lakes Water Quality Agreement;  
18          and

19          “(IV) provide a comprehensive as-  
20          sessment of the planned efforts to be  
21          pursued in the succeeding fiscal year  
22          for implementing the Great Lakes  
23          Water Quality Agreement and any  
24          other applicable agreements and  
25          amendments that—

1           “(aa) indicate, by category  
2           (including categories for judicial  
3           enforcement, research, State coop-  
4           erative efforts, and general ad-  
5           ministration) the amount antici-  
6           pated to be expended on Great  
7           Lakes water quality initiatives for  
8           the applicable fiscal year; and

9           “(bb) include a report on  
10           programs administered by other  
11           Federal agencies that make re-  
12           sources available for Great Lakes  
13           water quality management efforts;

14           “(ii) a detailed list of accomplishments  
15           of the Great Lakes Restoration Initiative  
16           with respect to each organizational element  
17           of the Initiative and the means by which  
18           progress will be evaluated;

19           “(iii) recommendations for stream-  
20           lining the work of existing advisory and co-  
21           ordinating committees (such as the Great  
22           Lakes Regional Collaboration and the  
23           United States Policy Committee), including  
24           a recommendation for eliminating any such  
25           entity if the work of the entity—

1                   “(I) is duplicative; or  
2                   “(II) complicates the protection  
3                   and restoration of the Great Lakes;  
4                   and

5                   “(iv) with respect to each priority es-  
6                   tablished under paragraph (6)(A)(i)(II)  
7                   and recommendation submitted under  
8                   clauses (i)(IV) and (iii) of paragraph  
9                   (6)(A) by the Great Lakes Leadership Coun-  
10                  cil during the fiscal year, the reasons why  
11                  the Administrator implemented, or did not  
12                  implement, the priorities and recommenda-  
13                  tions.

14                  “(B) *CROSSCUT BUDGET*.—Not later than  
15                  45 days after the date of submission of the budg-  
16                  et of the President to Congress, the Director of  
17                  the Office of Management and Budget, in coordi-  
18                  nation with the Governor of each Great Lakes  
19                  State and the Great Lakes Interagency Task  
20                  Force, shall submit to Congress and make pub-  
21                  licly available a financial report, certified by the  
22                  head of each agency that has budget authority  
23                  for Great Lakes restoration activities, con-  
24                  taining—

1           “(i) an interagency budget crosscut re-  
2           port that—

3                   “(I) describes the budget proposed,  
4                   including funding allocations by each  
5                   agency for the Great Lakes Restoration  
6                   Initiative;

7                   “(II) identifies any adjustments  
8                   from the budget request;

9                   “(III) identifies the funding in  
10                  any amount for each of the Federal  
11                  agencies that carry out restoration and  
12                  protection activities in the subsequent  
13                  fiscal year, separately reporting the  
14                  amount of funding to be provided  
15                  under each law pertaining to the agen-  
16                  cy;

17                  “(IV) compares specific funding  
18                  levels allocated for participating Fed-  
19                  eral agencies from fiscal year to fiscal  
20                  year; and

21                  “(V) identifies all expenditures  
22                  since fiscal year 2004 by the Federal  
23                  Government and State governments for  
24                  Great Lakes restoration activities;

1           “(ii) a detailed accounting of all funds  
2           received and obligated by all Federal agen-  
3           cies and, to the maximum extent prac-  
4           ticable, State agencies using Federal funds,  
5           for Great Lakes restoration activities during  
6           the current and previous fiscal years;

7           “(iii) a budget for the proposed  
8           projects (including a description of the  
9           project, authorization level, and project sta-  
10          tus) to be carried out in the subsequent fis-  
11          cal year with the Federal share of funds for  
12          activities; and

13          “(iv) a listing of all projects to be un-  
14          dertaken in the subsequent fiscal year with  
15          the Federal share of funds for activities.”;  
16          and

17          (7) in paragraph (12)(H), by striking clause (i)  
18          and inserting the following:

19                 “(i) AUTHORIZATION.—In addition to  
20                 other amounts authorized to be appro-  
21                 priated pursuant to this section, there are  
22                 authorized to be appropriated to carry out  
23                 this paragraph—

24                         “(I) \$50,000,000 for each of fiscal  
25                         years 2004 through 2010; and



1                                   “(II) \$150,000,000 for each of fis-  
2                                   cal years 2011 through 2015.”.

3           (c) *AUTHORIZATION OF APPROPRIATIONS.*—Section  
4 *118(h) of the Federal Water Pollution Control Act (33*  
5 *U.S.C. 1268(h)) is amended—*

6                   (1) *by redesignating paragraphs (1) through (3)*  
7 *as subparagraphs (A) through (C), respectively, and*  
8 *indenting the subparagraphs appropriately;*

9                   (2) *by striking “There are authorized” and in-*  
10 *serting the following:*

11                           “(1) *IN GENERAL.*—*There are authorized*”; and

12                           (3) *by adding at the end the following:*

13                           “(2) *PROGRAM OFFICE.*—*There is authorized to*  
14 *be appropriated to the Program Office to carry out*  
15 *this section \$25,000,000 for each of fiscal years 2011*  
16 *through 2016.”.*

17           (d) *EFFECT OF SECTION.*—*Nothing in this section or*  
18 *an amendment made by this section affects—*

19                   (1) *the jurisdiction, powers, or prerogatives of—*

20                           (A) *any department, agency, or officer of—*

21                                   (i) *the Federal Government; or*

22                                   (ii) *any State or tribal government; or*

23                           (B) *any international body established by*

24 *treaty with authority relating to the Great Lakes*

25 *(as defined in section 118(a)(3) of the Federal*

1            *Water Pollution Control Act (33 U.S.C.*  
2            *1268(a)(3))*; or  
3            *(2) any other Federal or State authority that is*  
4            *being used or may be used to facilitate the cleanup*  
5            *and protection of the Great Lakes (as so defined).*



Calendar No. 554

11<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S. 3073**

[Report No. 111-283]

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**A BILL**

To amend the Federal Water Pollution Control Act  
to protect and restore the Great Lakes.

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SEPTEMBER 2, 2010

Reported with an amendment