

S.1433 Cantwell\_substitute



AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: In the nature of a substitute.

**IN THE SENATE OF THE UNITED STATES—119th Cong., 1st Sess.****S. 1433**

To reauthorize the Northwest Straits Marine Conservation Initiative Act to promote the protection of the resources of the Northwest Straits, 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 Ms. CANTWELL

Viz:

1 Strike all after the enacting clause and insert the fol-  
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Northwest Straits Ma-  
5 rine Conservation Initiative Reauthorization Act of 2025”.

6 **SEC. 2. REAUTHORIZATION OF NORTHWEST STRAITS MA-**  
7 **RINE CONSERVATION INITIATIVE ACT.**

8 The Northwest Straits Marine Conservation Initiative  
9 Act (title IV of Public Law 105–384; 112 Stat. 3458) is  
10 amended—

1 (1) in section 402, by striking “Commission (in  
2 this title referred to as the ‘Commission’).” and in-  
3 serting “Commission.”; and

4 (2) by striking sections 403, 404, and 405 and  
5 inserting the following:

6 **“SEC. 403. DEFINITIONS.**

7 “In this title:

8 “(1) COMMISSION.—The term ‘Commission’  
9 means the Northwest Straits Advisory Commission  
10 established by section 402.

11 “(2) MARINE RESOURCES COMMITTEE.—The  
12 term ‘marine resources committee’ means a county  
13 government committee that assists in assessing ma-  
14 rine resource and conservation needs.

15 “(3) NORTHWEST STRAITS REGION.—The term  
16 ‘Northwest Straits region’ means the marine waters  
17 of the Strait of Juan de Fuca and of Puget Sound  
18 from the Canadian border to the south end of Sno-  
19 homish County.

20 “(4) TRIBAL GOVERNMENT.—The term ‘Tribal  
21 government’ means the recognized governing body of  
22 any Indian or Alaska Native tribe, band, nation,  
23 pueblo, village, community, component band, or com-  
24 ponent reservation individually identified (including  
25 parenthetically) in the list published most recently as

1 of the date of enactment of the Northwest Straits  
2 Marine Conservation Initiative Reauthorization Act  
3 of 2025 pursuant to section 104 of the Federally  
4 Recognized Indian Tribe List Act of 1994 (25  
5 U.S.C. 5131).

6 “(5) UNDER SECRETARY.—The term ‘Under  
7 Secretary’ means the Under Secretary of Commerce  
8 for Oceans and Atmosphere.

9 **“SEC. 404. MEMBERSHIP OF THE COMMISSION.**

10 “(a) COMPOSITION.—

11 “(1) IN GENERAL.—The Commission shall be  
12 composed of 14 members, except as provided in  
13 paragraph (2), who shall be appointed as follows:

14 “(A) One member appointed by a con-  
15 sensus of the members of a marine resources  
16 committee for San Juan County, Washington.

17 “(B) One member appointed by a con-  
18 sensus of the members of a marine resources  
19 committee for Island County, Washington.

20 “(C) One member appointed by a con-  
21 sensus of the members of a marine resources  
22 committee for Skagit County, Washington.

23 “(D) One member appointed by a con-  
24 sensus of the members of a marine resources  
25 committee for Whatcom County, Washington.

1           “(E) One member appointed by a con-  
2           sensus of the members of a marine resources  
3           committee for Snohomish County, Washington.

4           “(F) One member appointed by a con-  
5           sensus of the members of a marine resources  
6           committee for Clallam County, Washington.

7           “(G) One member appointed by a con-  
8           sensus of the members of a marine resources  
9           committee for Jefferson County, Washington.

10           “(H) Two members appointed by the Sec-  
11           retary of the Interior, in coordination with the  
12           Northwest Indian Fisheries Commission and in  
13           consultation with the Tribal governments af-  
14           fected by this title, to represent the interests of  
15           such Tribal governments.

16           “(I) One member appointed by the Gov-  
17           ernor of the State of Washington to represent  
18           the interests of the Puget Sound Partnership.

19           “(J) Four members appointed by the Gov-  
20           ernor of the State of Washington who—

21                   “(i) are residents of the State of  
22                   Washington; and

23                   “(ii) are not employed by a Federal,  
24                   State, or local government, excluding an  
25                   institution of higher education.

1           “(2) ADDITIONAL MEMBERS.—The Commission  
2           may, as determined necessary to improve the ability  
3           of the Commission to perform the duties of the  
4           Commission under section 405(b), appoint members  
5           in addition to those appointed under paragraph (1).  
6           Any such additional member shall be appointed by  
7           a consensus of the members of a marine resources  
8           committee that is not described in such paragraph.

9           “(b) VACANCIES.—A vacancy in the Commission  
10          shall be filled in the manner in which the original appoint-  
11          ment was made.

12          “(c) CHAIRPERSON.—The Commission shall select a  
13          Chairperson from among its members.

14          “(d) MEETING.—The Commission shall meet at the  
15          call of the Chairperson, but not less frequently than quar-  
16          terly.

17          “(e) LIAISON.—

18                 “(1) IN GENERAL.—The Under Secretary, in  
19                 consultation with the Commission, shall appoint an  
20                 employee of the National Oceanic and Atmospheric  
21                 Administration—

22                         “(A) to serve as a liaison between the  
23                         Commission and the Department of Commerce;

24                         “(B) to coordinate programs of the Na-  
25                         tional Oceanic and Atmospheric Administration

1 with activities related to the goal of the Com-  
2 mission described in section 405(a); and

3 “(C) to perform additional liaison func-  
4 tions benefitting the Commission and the Na-  
5 tional Oceanic and Atmospheric Administration,  
6 which may include, as agreed to by the Com-  
7 mission and the National Oceanic and Atmos-  
8 pheric Administration, attending meetings and  
9 other events of the Commission as a nonvoting  
10 participant.

11 “(2) LIMITATION.—Service as a member of the  
12 Commission by the employee appointed under para-  
13 graph (1)—

14 “(A) is limited to the employee’s service as  
15 a liaison; and

16 “(B) does not obligate the employee to per-  
17 form any duty of the Commission under section  
18 405(b).

19 “(f) ADMINISTRATION.—The Commission may enter  
20 into cooperative agreements with the State of Washington  
21 for staffing and administrative services for the purposes  
22 of supporting the duties of the Commission under section  
23 405(b).

1 **“SEC. 405. GOAL AND DUTIES OF THE COMMISSION.**

2 “(a) GOAL.—The goal of the Commission is to pro-  
3 tect and restore the marine waters, habitats, and species  
4 of the Northwest Straits region to achieve ecosystem  
5 health and sustainable resource use by—

6 “(1) designing and recommending projects that  
7 are driven by the best available science, local prior-  
8 ities, community-based decisions, and the ability to  
9 measure results;

10 “(2) building awareness and stewardship and  
11 making recommendations to improve the health of  
12 the marine resources of the Northwest Straits re-  
13 gion;

14 “(3) maintaining and expanding diverse mem-  
15 bership and collaboration with partner organizations,  
16 such as the Puget Sound Partnership;

17 “(4) expanding partnerships with Tribal gov-  
18 ernments and continuing to support Tribal treaties,  
19 cultures, and subsistence and Tribal treaty rights;  
20 and

21 “(5) recognizing the importance of economic  
22 and social benefits that are dependent on marine en-  
23 vironments and sustainable marine resources.

24 “(b) DUTIES.—The duties of the Commission are the  
25 following:

1           “(1) To provide resources and technical support  
2           for marine resources committees.

3           “(2) To work with such marine resources com-  
4           mittees and appropriate entities of Federal, State,  
5           and local governments and Tribal governments to  
6           provide advice in developing regional programs to  
7           monitor the overall health of the marine ecosystem  
8           of the Northwest Straits region.

9           “(3) To collect marine resources data and iden-  
10          tify factors adversely affecting or preventing the res-  
11          toration of the health of the marine ecosystem and  
12          coastal economies of the Northwest Straits region to  
13          inform decisionmakers.

14          “(4) To develop scientifically sound restoration  
15          and protection recommendations, informed by local  
16          priorities, that address such factors.

17          “(5) To serve as a public forum for the infor-  
18          mal discussion of policies and actions, with respect  
19          to the marine ecosystem of the Northwest Straits re-  
20          gion, of Federal, State, or local governments, Tribal  
21          governments, or the Government of Canada.

22          “(6) To inform appropriate authorities and  
23          local communities about the marine ecosystem of the  
24          Northwest Straits region and about issues relating



1 to the marine ecosystem of the Northwest Straits re-  
2 gion.

3 “(7) To consult with all affected Tribal govern-  
4 ments in the Northwest Straits region to ensure that  
5 the work of the Commission does not violate Tribal  
6 treaty rights.

7 “(c) COORDINATION AND COLLABORATION.—The  
8 Commission—

9 “(1) shall carry out the duties described in sub-  
10 section (b) in coordination and collaboration, as ap-  
11 propriate, with Federal, State, and local govern-  
12 ments and Tribal governments, including by—

13 “(A) providing technical support and as-  
14 sistance to any Tribal government seeking rep-  
15 resentation and participation on the Commis-  
16 sion; and

17 “(B) supporting the work and duties of the  
18 liaison to the Commission under section 404(e);  
19 and

20 “(2) may enter into cooperative agreements  
21 with nonprofit entities, such as the Northwest  
22 Straits Foundation, to provide assistance, including  
23 financial assistance, in carrying out the duties de-  
24 scribed in subsection (b).

1       “(d) LIMITATIONS.—Nothing in this title provides  
2 the Commission with authority to issue regulations or im-  
3 plement any Federal law or regulation.

4       “(e) ACCEPTANCE OF DONATIONS.—For purposes of  
5 carrying out this section, the Commission may solicit, ac-  
6 cept, receive, hold, administer, and use gifts, devises, and  
7 bequests without any further approval or administrative  
8 action.

9       “(f) ANNUAL REPORT.—

10           “(1) IN GENERAL.—Each year, the Commission  
11 shall prepare, submit to the Committee on Com-  
12 merce, Science, and Transportation and the Com-  
13 mittee on Appropriations of the Senate, the Com-  
14 mittee on Natural Resources and the Committee on  
15 Appropriations of the House of Representatives, and  
16 the Under Secretary, and make available to the pub-  
17 lic a report describing—

18           “(A) the activities carried out by the Com-  
19 mission during the preceding year; and

20           “(B) the progress in achieving the bench-  
21 marks described in paragraph (2).

22       “(2) BENCHMARKS.—The benchmarks de-  
23 scribed in this paragraph are the following:

1                   “(A) Protection and restoration of marine,  
2                   coastal, and nearshore habitats within the  
3                   Northwest Straits region.

4                   “(B) Protection and restoration of marine  
5                   resources populations to healthy, sustainable  
6                   levels.

7                   “(C) Improvement of the water quality of  
8                   the Northwest Straits region.

9                   “(D) Collection of high-quality data and  
10                  promotion of the use and dissemination of such  
11                  data for the purposes of ecosystem monitoring.

12                  “(E) Promotion of stewardship and under-  
13                  standing of marine resources of the Northwest  
14                  Straits region through education and outreach,  
15                  including by targeted outreach to  
16                  underresourced communities.

17   **“SEC. 406. FUNDING.**

18                  “(a) AUTHORIZATION OF APPROPRIATIONS.—There  
19   are authorized to be appropriated to the Under Secretary  
20   to carry out this title—

21                  “(1) for each of fiscal years 2026 through  
22                  2031, \$10,000,000; and

23                  “(2) for fiscal year 2032 and each fiscal year  
24                  thereafter, such sum as may be necessary.

25                  “(b) ASSISTANCE.—

1           “(1) IN GENERAL.—The Under Secretary may,  
2           from amounts made available to the Under Sec-  
3           retary to carry out this title, provide assistance to  
4           the Commission in carrying out the duties of the  
5           Commission under this title.

6           “(2) PROVISION.—The Under Secretary may  
7           provide the assistance described in paragraph (1),  
8           and make available amounts to the Commission to  
9           carry out the duties of the Commission, through a  
10          contract with the Director of the Padilla Bay Na-  
11          tional Estuarine Research Reserve, unless the Gov-  
12          ernor of the State of Washington objects. If such  
13          Governor so objects, the Under Secretary may not  
14          provide such assistance and make available such  
15          amounts to the Commission.”.