To amend the Dingell-Johnson Sport Fish Restoration Act with respect to sport fish restoration and recreational boating safety, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. Wicker (for himself and Ms. Cantwell) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To amend the Dingell-Johnson Sport Fish Restoration Act with respect to sport fish restoration and recreational boating safety, and for other purposes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Sport Fish Restoration

and Recreational Boating Safety Act of 2020”.

SEC. 2. FINDINGS.

Congress finds that—

(1) the Sport Fish Restoration and Boating

Trust Fund established by section 9504(a) of the In-
ternal Revenue Code of 1986 (referred to in this sec-
tion as the “Trust Fund”) was established in 1950
to provide dedicated funding for aquatic conserva-
tion and boating safety;

(2) the Trust Fund is a user fee-public benefit
system funded through motorboat fuel tax receipts,
import duties, and excise taxes on small engines,
fishing equipment, and electric motors;

(3) the Trust Fund provides nearly
$650,000,000 annually for recreational infrastruc-
ture projects, coastal wetlands restoration, and boating
safety and conservation programs in all 50
States;

(4) since 2010, more than 28,000 acres of habitats
have been restored and improved throughout
coastal wetland ecosystems, which not only serve a
critical role in conservation, but provide a significant
economic benefit to coastal communities;

(5) the recreational boating and angling com-

munity, as well as State agencies, recognize the sig-
nificant increase in the use of nonmotorized, human-
propelled vessels in recent years; and

(6) growth of the human-propelled vessel com-

munity has required the Coast Guard and State
agencies to use significant resources to address
human-propelled vessel infrastructure, boating safety, law enforcement, and search and rescue needs, all of which are paid for by the Trust Fund.

SEC. 3. DIVISION OF ANNUAL APPROPRIATIONS.

(a) In General.—Section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c) is amended—

(1) in subsection (a), by striking “2021” and inserting “2025”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking “2021” and inserting “2025”; and

(ii) by striking subparagraph (B) and inserting the following:

“(B) AVAILABLE AMOUNTS.—The available amount referred to in subparagraph (A) is—

“(i) for the fiscal year that includes the date of enactment of the Sport Fish Restoration and Recreational Boating Safety Act of 2020, the sum obtained by adding—

“(I) the available amount specified in this subparagraph for the preceding fiscal year; and
“(II) $979,500; and
“(ii) for each fiscal year thereafter, the sum obtained by adding—
“(I) the available amount specified in this subparagraph for the preceding fiscal year; and
“(II) the product obtained by multiplying—
“(aa) the available amount specified in this subparagraph for the preceding fiscal year; and
“(bb) the change, relative to the preceding fiscal year, in the Consumer Price Index for All Urban Consumers published by the Department of Labor.”; and (B) in paragraph (2)—
(i) in subparagraph (A), by striking “2016 through 2021” and inserting “2020 through 2025”; and
(ii) by striking subparagraph (B) and inserting the following:
“(B) AVAILABLE AMOUNTS.—The available amount referred to in subparagraph (A) is—
“(i) for fiscal year 2020, $12,000,000;

and

“(ii) for fiscal year 2021 and each fiscal year thereafter, the sum obtained by adding—

“(I) the available amount specified in this subparagraph for the preceding fiscal year; and

“(II) the product obtained by multiplying—

“(aa) the available amount specified in this subparagraph for the preceding fiscal year; and

“(bb) the change, relative to the preceding fiscal year, in the Consumer Price Index for All Urban Consumers published by the Department of Labor.”; and

(3) in subsection (e)(2), by striking “$900,000” and inserting “$1,300,000”.

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

(1) by striking paragraphs (1) and (2) and inserting the following:
“(1) personnel costs of employees for the work hours of each employee spent directly administering this Act, as those hours are certified by the supervisor of the employee;”;

(2) by redesignating paragraphs (3) through (12) as paragraphs (2) through (11), respectively;

(3) in paragraph (2) (as so redesignated), by striking “paragraphs (1) and (2)” and inserting “paragraph (1)”;

(4) in paragraph (4)(B) (as so redesignated), by striking “full-time equivalent employee authorized under paragraphs (1) and (2)” and inserting “employee authorized under paragraph (1)”;

(5) in paragraph (8)(A) (as so redesignated), by striking “on a full-time basis”; and

(6) in paragraph (10) (as so redesignated)—

(A) by inserting “or part-time” after “full-time”; and

(B) by inserting “subject to the condition that the percentage of the relocation expenses paid with funds made available pursuant to this Act may not exceed the percentage of the work hours of the employee that are spent administering this Act” after “incurred”.

(c) OTHER ACTIVITIES.—Section 14(e) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777m(e)) is amended by adding at the end the following:

“(3) A portion, as determined by the Sport Fishing and Boating Partnership Council, of funds disbursed for the purposes described in paragraph (2) but remaining unobligated as of October 1, 2020, shall be used to study the impact of derelict vessels and identify recyclable solutions for recreational vessels.”.

(d) RECREATIONAL BOATING SAFETY.—Section 13107(c)(2) of title 46, United States Code, is amended by striking “No funds available” and inserting “On or after October 1, 2023, no funds available”.

SEC. 4. WILDLIFE RESTORATION FUND ADMINISTRATION.

(a) ALLOCATION AND APPORTIONMENT OF AVAILABLE AMOUNTS.—Section 4(a) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669c(a)) is amended—

(1) in paragraph (1), by striking subparagraph (B) and inserting the following:

“(B) AVAILABLE AMOUNTS.—The available amount referred to in subparagraph (A) is—

“(i) for the fiscal year that includes the date of enactment of the Sport Fish
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Restoration and Recreational Boating Safety Act of 2020, the sum obtained by adding—

“(I) the available amount specified in this subparagraph for the preceding fiscal year; and

“(II) $979,500; and

“(ii) for each fiscal year thereafter, the sum obtained by adding—

“(I) the available amount specified in this subparagraph for the preceding fiscal year; and

“(II) the product obtained by multiplying—

“(aa) the available amount specified in this subparagraph for the preceding fiscal year; and

“(bb) the change, relative to the preceding fiscal year, in the Consumer Price Index for All Urban Consumers published by the Department of Labor.”; and

(2) in paragraph (2)—

(A) in subparagraph (A), by inserting “subsequent” before “fiscal year.”; and
(B) by striking subparagraph (B) and inser-
ting the following:

“(B) APPORTIONMENT OF UNOBLIGATED
AMOUNTS.—

“(i) IN GENERAL.—Not later than 60
days after the end of a fiscal year, the Sec-
retary of the Interior shall apportion
among the States any of the available
amount under paragraph (1) that re-
mained available for obligation pursuant to
subparagraph (A) during that fiscal year
and remains unobligated at the end of that
fiscal year.

“(ii) REQUIREMENT.—The available
amount apportioned under clause (i) shall
be apportioned on the same basis and in
the same manner as other amounts made
available under this Act were apportioned
among the States for the fiscal year in
which the amount was originally made
available.”.

(b) AUTHORIZED EXPENSES FOR ADMINISTRA-
TION.—Section 9(a) of the Pittman-Robertson Wildlife
Restoration Act (16 U.S.C. 669h(a)) is amended—
(1) by striking paragraphs (1) and (2) and inserting the following:

“(1) personnel costs of employees for the work hours of each employee spent directly administering this Act, as those hours are certified by the supervisor of the employee;”;

(2) by redesignating paragraphs (3) through (12) as paragraphs (2) through (11), respectively;

(3) in paragraph (2) (as so redesignated), by striking “paragraphs (1) and (2)” and inserting “paragraph (1)”;

(4) in paragraph (4)(B) (as so redesignated), by striking “full-time equivalent employee authorized under paragraphs (1) and (2)” and inserting “employee authorized under paragraph (1)”;

(5) in paragraph (8)(A) (as so redesignated), by striking “on a full-time basis”; and

(6) in paragraph (10) (as so redesignated)—

(A) by inserting “or part-time” after “full-time”; and

(B) by inserting “, subject to the condition that the percentage of the relocation expenses paid with funds made available pursuant to this Act may not exceed the percentage of the work
hours of the employee that are spent administering this Act” after “incurred”.

SEC. 5. RECREATIONAL BOATING ACCESS.

(a) In General.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Sport Fishing and Boating Partnership Council, the Committee on Natural Resources and the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation and the Committee on Environment and Public Works of the Senate a report that, to the extent practicable, given available data, shall document—

(1) the use of nonmotorized vessels in each State and how the increased use of nonmotorized vessels is impacting motorized and nonmotorized vessel access;

(2) user conflicts at waterway access points;

and

(3) the use of—

(A) Sport Fish Restoration Program funds to improve nonmotorized access at waterway entry points and the reasons for providing that access; and
(B) Recreational Boating Safety Program funds for nonmotorized boating safety programs.

(b) CONSULTATION.—The Comptroller General of the United States shall consult with the Sport Fishing and Boating Partnership Council and the National Boating Safety Advisory Council on study design, scope, and priorities for the report under subsection (a).