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(Original Signature of Member)

109TH CONGRESS
2^D SESSION

H. R. _____

To direct the Secretary of Commerce to provide emergency disaster assistance to mitigate the economic losses caused by declining Klamath River salmon and to develop and implement a research and recovery plan for Klamath River salmon, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. THOMPSON of California introduced the following bill; which was referred to the Committee on _____

A BILL

To direct the Secretary of Commerce to provide emergency disaster assistance to mitigate the economic losses caused by declining Klamath River salmon and to develop and implement a research and recovery plan for Klamath River salmon, and for other purposes.

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. IMPLEMENTATION OF KLAMATH RIVER SALM-**
2 **ON PROTECTION MEASURES AND DISASTER**
3 **ASSISTANCE.**

4 (a) KLAMATH RIVER FALL CHINOOK AND COHO
5 SALMON PROTECTION MEASURES.—

6 (1) IN GENERAL.—The Secretary of Commerce
7 shall develop and implement a coordinated, com-
8 prehensive research and recovery program for Klam-
9 ath River Fall Chinook salmon and Klamath River
10 Fall Coho salmon.

11 (2) PROGRAM FEATURES.—The program shall
12 be designed to study or implement—

13 (A) in-river monitoring of *Ceratomyxa*
14 *Shasta* and *Parvicapsula minibicornus*, and im-
15 plementation of any immediate protective meas-
16 ures against such pathogens;

17 (B) additional ocean and in-river fisheries
18 population monitoring;

19 (C) completion of a recovery plan for Coho
20 salmon on the Klamath River;

21 (D) operation and maintenance of stream
22 gauges for flow monitoring on the Klamath
23 River and its tributaries, including the Shasta,
24 Scott, Salmon and Trinity Rivers;

25 (E) fish passage in the Klamath National
26 Forest, and Six Rivers National Forest; and



1 (F) restoration of aquatic habitats in the
2 Klamath River basin with emphasis on the
3 Klamath and its tributaries below Iron Gate
4 Dam.

5 (3) DEADLINE FOR ISSUANCE OF RECOVERY
6 PLAN.—The Secretary shall issue a recovery plan for
7 Coho salmon on the Klamath River for purposes of
8 paragraph (2)(C) by not later than 6 months after
9 the date of the enactment of this Act.

10 (4) APPROPRIATION.—

11 (A) IN GENERAL.—To implement out the
12 program developed under this subsection, there
13 is appropriated to the Secretary of Commerce
14 \$45,000,000, which shall remain available until
15 expended.

16 (B) LIMITATION ON USE OF FUNDS.—
17 None of the amounts appropriated under this
18 paragraph may be distributed before the date
19 the Secretary issues a salmon recovery plan
20 under paragraph (3).

21 (b) EMERGENCY DISASTER ASSISTANCE.—

22 (1) AUTHORIZATION OF PAYMENT.—The Sec-
23 retary of Commerce shall make a direct payment to
24 the Pacific States Marine Fisheries Commission to
25 distribute to fishing communities, Indian tribes,



1 businesses, holders of community development
2 quotas issued under the Magnuson-Stevens Fishery
3 Conservation and Management Act, individuals, and
4 other entities as emergency disaster assistance to
5 mitigate the economic losses caused by declining
6 Klamath River Fall Chinook salmon.

7 (2) PAYMENT RECIPIENT REPORTS.—The Sec-
8 retary of Commerce shall require that the Pacific
9 States Marine Fisheries Commission shall, within 6
10 months after receiving a payment under this sub-
11 section, submit to the Secretary of Commerce and
12 the Committee on Appropriations of the House of
13 Representatives and the Senate a report describing
14 the persons to whom the payment was distributed
15 and the rationale for such distributions.

16 (3) EXCLUSION OF PAYMENTS FROM GROSS IN-
17 COME.—For purposes of the Internal Revenue Code
18 of 1986—

19 (A) EXCLUSION.—Gross income shall not
20 include any amount received as a payment or
21 distribution under paragraph (1).

22 (B) DENIAL OF DOUBLE BENEFIT.—Rules
23 similar to the rules of subsections (g)(3) and
24 (h) of section 139 of such Code shall apply with



1 respect to any amount excluded under subpara-
2 graph (A).

3 (4) APPROPRIATION.—There is appropriated to
4 the Secretary of Commerce \$81,000,000 to make
5 payments under this subsection.

6 (c) REPORTS BY SECRETARIES.—Not later than one
7 year after the date of the enactment of this Act, and annu-
8 ally thereafter, the Secretary of Commerce shall report to
9 the Congress on progress in implementing subsection (a)
10 and specifically note how projects under subsection (a)
11 have increased water quantity, improved water quality, in-
12 creased salmon populations, and specifically benefited
13 salmon spawning habitat.

