

106TH CONGRESS
1ST SESSION

H. R. 3407

To assist in the conservation of keystone species throughout the world.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 16, 1999

Mr. SAXTON introduced the following bill; which was referred to the
Committee on Resources

A BILL

To assist in the conservation of keystone species throughout
the world.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Keystone Species Con-
5 servation Act of 1999”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—The Congress finds the following:

8 (1) Numerous species of fauna have continued
9 to decline to the point that the long-term survival of
10 those species in the wild is in serious jeopardy.

1 (2) Many of those species are listed under sec-
2 tion 4 of the Endangered Species Act of 1973 (16
3 U.S.C. 1533) or in Appendix I, II, or III of the Con-
4 vention on International Trade in Endangered Spe-
5 cies of Wild Fauna and Flora.

6 (3) There are insufficient resources available
7 for addressing the threats facing those species,
8 which will require the joint commitment and effort
9 of countries within the range of those species, the
10 United States and other countries, and the private
11 sector.

12 (4) The grant programs established by the Con-
13 gress for tigers, rhinoceroses, Asian elephants, and
14 African elephants have proven to be extremely suc-
15 cessful, provide Federal funds for conservation
16 projects in an efficient and expeditious manner, and
17 encourage additional support for conservation in
18 countries where those species exist in the wild.

19 (5) A new grant program modeled on the exist-
20 ing programs for tigers, rhinoceroses, and elephants
21 would provide an effective means to assist in the
22 conservation of keystone species for which there are
23 no existing grant programs.

24 (b) PURPOSE.—The purpose of this Act is to conserve
25 keystone species of fauna throughout the world, and the

1 ecosystems on which those species depend, by supporting
2 the conservation programs for those species and the
3 CITES Secretariat, promoting partnerships between the
4 public and private sectors, and providing financial re-
5 sources for those programs and partnerships.

6 **SEC. 3. DEFINITIONS.**

7 In this Act:

8 (1) ACCOUNT.—The term “Account” means the
9 Keystone Species Conservation Account established
10 by section 5.

11 (2) SECRETARY.—The term “Secretary” means
12 the Secretary of the Interior.

13 (3) CITES.—The term “CITES” means the
14 Convention on International Trade in Endangered
15 Species of Wild Fauna and Flora, done at Wash-
16 ington March 3, 1973 (27 UST 1087; TIAS 8249),
17 including its appendices and amendments.

18 (4) CONSERVATION.—The term “conservation”
19 means the use of methods and procedures necessary
20 to bring a keystone species to the point at which
21 there are sufficient populations in the wild to ensure
22 that the species does not become extinct, including—

23 (A) protection and management of popu-
24 lations of a keystone species;

- 1 (B) maintenance, management, protection,
2 and restoration of habitat of a keystone species;
3 (C) research and monitoring;
4 (D) law enforcement; and
5 (E) community outreach and education.

6 (5) FISH OR WILDLIFE.—The term “fish or
7 wildlife” means any member of the animal kingdom,
8 including any mammal, fish, bird, amphibian, rep-
9 tile, mollusk, crustacean, arthropod, or other inverte-
10 brate.

11 (6) KEYSTONE SPECIES.—The term “keystone
12 species”—

13 (A) subject to subparagraph (B), means a
14 species of fish or wildlife—

15 (i) that is listed as an endangered
16 species or threatened species under section
17 4 of the Endangered Species Act of 1973
18 (16 U.S.C. 1533) or that is listed in Ap-
19 pendix I, II, or III of CITES; and

20 (ii) whose range is partially or wholly
21 outside of the United States; and

22 (B) does not include African elephants,
23 Asian elephants, rhinoceros, and tigers.

1 **SEC. 4. KEYSTONE SPECIES CONSERVATION ASSISTANCE.**

2 (a) IN GENERAL.—Subject to the availability of
3 funds, the Secretary shall use amounts in the Account to
4 provide financial assistance for projects for the conserva-
5 tion of that keystone species throughout the world, for
6 which project proposals are approved by the Secretary in
7 accordance with this section.

8 (b) PROJECT PROPOSALS.—

9 (1) ELIGIBLE APPLICANTS.—A proposal for a
10 project for the conservation of a keystone species
11 may be submitted to the Secretary by—

12 (A) any relevant wildlife management au-
13 thority of a country that has within its bound-
14 aries any part of the range of a keystone spe-
15 cies, if the agency has authority over fish or
16 wildlife and the activities of the agency directly
17 or indirectly affect the species;

18 (B) the CITES Secretariat; or

19 (C) any person with demonstrated exper-
20 tise in the conservation of that keystone species.

21 (2) REQUIRED INFORMATION.—A project pro-
22 posal shall include—

23 (A) the name of the individual with pri-
24 mary responsibility for conducting the project;

25 (B) a succinct statement of—

1 (i) the purposes of the project and the
2 methodology for implementing the project,
3 including an assessment of the status of
4 the keystone species that is the subject of
5 the project; and

6 (ii) how the project will benefit that
7 species;

8 (C) a description of the qualifications of
9 the individuals who will conduct the project;

10 (D) an estimate of the funds and time re-
11 quired to complete the project;

12 (E) evidence of support for the project by
13 appropriate governmental entities of countries
14 in which the project will be conducted, if the
15 Secretary determines that such support is re-
16 quired for the success of the project;

17 (F) information regarding the source and
18 amount of matching funds available for the
19 project; and

20 (G) any other information that the Sec-
21 retary considers to be necessary for evaluating
22 the eligibility of the project for funding under
23 this Act.

24 (c) PROPOSAL REVIEW AND APPROVAL.—

1 (1) REQUEST FOR ADDITIONAL INFORMA-
2 TION.—If, after receiving a project proposal, the
3 Secretary determines that the project proposal is not
4 complete, the Secretary may request further infor-
5 mation from the person that submitted the proposal
6 before complying with the other provisions of this
7 subsection.

8 (2) REQUEST FOR COMMENTS.—The Secretary
9 shall request written comments, and provide an op-
10 portunity of not less than 30 days for comments, on
11 a project proposal from the appropriate govern-
12 mental authorities of each country in which the
13 project will be conducted.

14 (3) DECISION BY THE SECRETARY.—After tak-
15 ing into consideration any comments received in a
16 timely manner from governmental authorities under
17 paragraph (2), the Secretary may approve a project
18 proposal if the Secretary determines that the project
19 will promote the conservation of a keystone species.

20 (4) NOTIFICATION.—Not later than 180 days
21 after receiving a completed project proposal, the Sec-
22 retary shall provide written notification of the Sec-
23 retary's approval or disapproval of a project proposal
24 under paragraph (3) to the person that submitted
25 the proposal.

1 (d) PRIORITY GUIDANCE.—In funding approved
2 project proposals, the Secretary shall give priority to the
3 following types of projects:

4 (1) Projects that will enhance programs for the
5 conservation of keystone species that are most im-
6 periled, and that are supported by the relevant wild-
7 life management authority in each country in which
8 the program will be conducted.

9 (2) Projects that receive the greatest level of
10 matching assistance, in cash or in-kind, from non-
11 Federal sources.

12 (3) Projects that will enhance local capacity for
13 the conservation of keystone species.

14 (e) PROJECT REPORTING.—Each person that re-
15 ceives assistance under this section for a project shall sub-
16 mit to the Secretary periodic reports at such intervals as
17 the Secretary considers necessary, that include all infor-
18 mation required by the Secretary for evaluating the
19 progress and success of the project.

20 (f) GUIDELINES.—

21 (1) IN GENERAL.—Not later than 1 year after
22 the date of enactment of this Act, after providing
23 public notice and opportunity for comment, the Sec-
24 retary shall develop guidelines to carry out this sec-
25 tion.

1 (2) PRIORITIES AND CRITERIA.—The guidelines
2 shall specify—

3 (A) how the priorities for funding approved
4 projects are to be determined; and

5 (B) criteria for determining which keystone
6 species are most imperiled and which projects
7 provide the greatest conservation benefit.

8 **SEC. 5. KEYSTONE SPECIES CONSERVATION ACCOUNT.**

9 (a) ESTABLISHMENT.—There is established in the
10 Multinational Species Conservation Fund of the Treasury
11 a separate account to be known as the “Keystone Species
12 Conservation Account”, consisting of—

13 (1) amounts of donations accepted under sub-
14 section (d);

15 (2) amounts appropriated to the Account under
16 section 6; and

17 (3) any interest earned on investment of
18 amounts in the Account under subsection (c).

19 (b) EXPENDITURES FROM ACCOUNT.—

20 (1) IN GENERAL.—Subject to paragraph (2),
21 the Secretary may expend from the Account, without
22 further Act of appropriation, such amounts as are
23 necessary to carry out section 4.

24 (2) ADMINISTRATIVE EXPENSES.—An amount
25 not to exceed 3 percent of the amounts in the Ac-

1 count shall be available for each fiscal year to pay
2 the administrative expenses necessary to carry out
3 this Act.

4 (c) INVESTMENT OF AMOUNTS.—The Secretary of
5 the Treasury shall invest such portion of the Account as
6 is not required to meet current withdrawals. Such invest-
7 ments may be made only in interest-bearing obligations
8 of the United States.

9 (d) ACCEPTANCE AND USE OF DONATIONS.—The
10 Secretary may accept and use donations to carry out this
11 Act. Amounts received by the Secretary in the form of do-
12 nations shall be available until expended, without further
13 Act of appropriation.

14 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

15 There are authorized to be appropriated to the Ac-
16 count \$10,000,000 for each of fiscal years 2001, 2002,
17 2003, 2004, and 2005 to carry out this Act, which may
18 remain available until expended.

○