

Calendar No. 690107TH CONGRESS
2^D SESSION**S. 2847****[Report No. 107-302]**

To assist in the conservation of cranes by supporting and providing, through projects of persons and organizations with expertise in crane conservation, financial resources for the conservation programs of countries the activities of which directly or indirectly affect cranes.

IN THE SENATE OF THE UNITED STATES

AUGUST 1, 2002

Mr. FEINGOLD (for himself, Ms. LANDRIEU, and Mr. VOINOVICH) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

OCTOBER 8, 2002

Reported by Mr. JEFFORDS, with an amendment

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

A BILL

To assist in the conservation of cranes by supporting and providing, through projects of persons and organizations with expertise in crane conservation, financial resources for the conservation programs of countries the activities of which directly or indirectly affect cranes.

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 “Crane Conservation
3 Act of 2002”.

4 **SEC. 2. FINDINGS.**

5 Congress finds that—

6 (1) crane populations in many countries have
7 experienced serious decline in recent decades, a
8 trend that, if continued at the current rate, threat-
9 ens the long-term survival of the species in the wild
10 in Africa and Asia;

11 (2) 5 species of Asian crane are listed as endan-
12 gered species under section 4 of the Endangered
13 Species Act of 1973 (16 U.S.C. 1533) and appendix
14 I of the Convention, which species are—

15 (A) the Siberian crane (*Grus*
16 *leucogeranus*);

17 (B) the red-crowned crane (*Grus*
18 *japonensis*);

19 (C) the white-naped crane (*Grus vipio*);

20 (D) the black-necked crane (*Grus*
21 *nigricollis*); and

22 (E) the hooded crane (*Grus monacha*);

23 (3) the Crane Action Plan of the International
24 Union for the Conservation of Nature considers 4
25 species of cranes from Africa and 1 additional spe-

1 eies of crane from Asia to be seriously threatened,
 2 which species are—

3 (A) the wattled crane (*Bugeranus*
 4 *carunculatus*);

5 (B) the blue crane (*Anthropoides*
 6 *paradisica*);

7 (C) the grey-crowned crane (*Balearica*
 8 *regulorum*);

9 (D) the black-crowned crane (*Balearica*
 10 *pavonina*); and

11 (E) the sarus crane (*Grus antigone*);

12 (4)(A) the whooping crane (*Grus americana*)
 13 and the Mississippi sandhill crane (*Grus canadensis*
 14 *pulla*) are listed as endangered species under section
 15 4 of the Endangered Species Act of 1973 (16 U.S.C.
 16 1533); and

17 (B) with fewer than 200 whooping cranes in the
 18 only self-sustaining flock that migrates between Can-
 19 ada and the United States, and approximately 100
 20 Mississippi sandhill cranes in the wild, both species
 21 remain vulnerable to extinction;

22 (5) conservation resources have not been suffi-
 23 cient to cope with the continued diminution of crane
 24 populations from causes that include hunting and
 25 the continued loss of habitat;

1 (6)(A) cranes are flagship species for the con-
2 servation of wetland, grassland, and agricultural
3 landscapes that border wetland and grassland; and

4 (B) the establishment of crane conservation
5 programs would result in the provision of conserva-
6 tion benefits to numerous other species of plants and
7 animals, including many endangered species;

8 (7) other threats to cranes include—

9 (A) the collection of eggs and juveniles;

10 (B) poisoning from insecticides applied to
11 crops;

12 (C) collisions with power lines;

13 (D) disturbance from warfare and human
14 settlement; and

15 (E) the trapping of live birds for sale;

16 (8) to reduce, remove, and otherwise effectively
17 address those threats to cranes in the wild; the joint
18 commitment and effort of countries in Africa, Asia,
19 and North America, other countries, and the private
20 sector, are required;

21 (9) cranes are excellent ambassadors to pro-
22 mote goodwill among countries because they are well
23 known and migrate across continents;

24 (10) because the threats facing cranes and
25 habitats of cranes are similar on all 5 continents on

1 which cranes occur; conservation successes and
 2 methods developed in 1 region have wide applica-
 3 bility in other regions; and

4 (11) conservationists in the United States have
 5 much to teach and much to learn from colleagues
 6 working in other countries in which, as in the
 7 United States, government and private agencies co-
 8 operate to conserve threatened cranes.

9 **SEC. 3. PURPOSES.**

10 The purposes of this Act are—

11 (1) to perpetuate healthy populations of cranes;

12 (2) to assist in the conservation and protection
 13 of cranes by supporting—

14 (A) conservation programs in countries in
 15 which endangered and threatened cranes occur;
 16 and

17 (B) the efforts of private organizations
 18 committed to helping cranes; and

19 (3) to provide financial resources for those pro-
 20 grams and efforts.

21 **SEC. 4. DEFINITIONS.**

22 In this Act:

23 (1) CONSERVATION.—

24 (A) IN GENERAL.—The term “conserva-
 25 tion” means the use of any method or proce-

1 dure necessary to ensure that the population of
2 a species of crane in the wild is sufficient to en-
3 sure that the species does not become extinct,
4 as determined by the Secretary.

5 (B) INCLUSIONS.—The term “conserva-
6 tion” includes the carrying out of any activity
7 associated with scientific resource management,
8 such as—

9 (i) protection, restoration, acquisition,
10 and management of habitat;

11 (ii) research and monitoring of known
12 populations;

13 (iii) the provision of assistance in the
14 development of management plans for
15 managed crane ranges;

16 (iv) enforcement of the Convention;

17 (v) law enforcement and habitat pro-
18 tection through community participation;

19 (vi) reintroduction of cranes to the
20 wild;

21 (vii) conflict resolution initiatives; and

22 (viii) community outreach and edu-
23 cation.

1 (2) CONVENTION.—The term “Convention” has
2 the meaning given the term in section 3 of the En-
3 dangered Species Act of 1973 (16 U.S.C. 1532).

4 (3) FUND.—The term “Fund” means the
5 Crane Conservation Fund established by section
6 6(a).

7 (4) SECRETARY.—The term “Secretary” means
8 the Secretary of the Interior.

9 **SEC. 5. CRANE CONSERVATION ASSISTANCE.**

10 (a) IN GENERAL.—Subject to the availability of ap-
11 propriations and in consultation with other appropriate
12 Federal officials, the Secretary shall use amounts in the
13 Fund to provide financial assistance for projects relating
14 to the conservation of cranes for which project proposals
15 are approved by the Secretary in accordance with this sec-
16 tion.

17 (b) PROJECT PROPOSALS.—

18 (1) APPLICANTS.—

19 (A) IN GENERAL.—An applicant described
20 in subparagraph (B) that seeks to receive as-
21 sistance under this section to carry out a
22 project relating to the conservation of cranes
23 shall submit to the Secretary a project proposal
24 that meets the requirements of this section.

1 (B) ELIGIBLE APPLICANTS.—An applicant
2 described in this subparagraph is—

3 (i) any relevant wildlife management
4 authority of a country that—

5 (I) is located within the African,
6 Asian, or North American range of a
7 species of crane; and

8 (II) carries out 1 or more activi-
9 ties that directly or indirectly affect
10 crane populations;

11 (ii) the Secretariat of the Convention;

12 and

13 (iii) any person or organization with
14 demonstrated expertise in the conservation
15 of cranes.

16 (2) REQUIRED ELEMENTS.—A project proposal
17 submitted under paragraph (1)(A) shall include—

18 (A) a concise statement of the purpose of
19 the project;

20 (B)(i) the name of each individual respon-
21 sible for conducting the project; and

22 (ii) a description of the qualifications of
23 each of those individuals;

24 (C) a concise description of—

1 (i) methods to be used to implement
2 and assess the outcome of the project;

3 (ii) staff and community management
4 for the project; and

5 (iii) the logistics of the project;

6 (D) an estimate of the funds and the pe-
7 riod of time required to complete the project;

8 (E) evidence of support for the project by
9 appropriate government entities of countries in
10 which the project will be conducted; if the Sec-
11 retary determines that such support is required
12 to ensure the success of the project;

13 (F) information regarding the source and
14 amount of matching funding available for the
15 project; and

16 (G) any other information that the Sec-
17 retary considers to be necessary for evaluating
18 the eligibility of the project to receive assistance
19 under this Act.

20 (e) PROJECT REVIEW AND APPROVAL.—

21 (1) IN GENERAL.—The Secretary shall—

22 (A) not later than 30 days after receiving
23 a final project proposal, provide a copy of the
24 proposal to other appropriate Federal officials;
25 and

1 ~~(B)~~ review each project proposal in a time-
2 ly manner to determine whether the proposal
3 meets the criteria described in subsection ~~(d)~~.

4 ~~(2) CONSULTATION; APPROVAL OR DIS-~~
5 ~~APPROVAL.—~~Not later than 180 days after receiving
6 a project proposal, and subject to the availability of
7 appropriations, the Secretary, after consulting with
8 other appropriate Federal officials, shall—

9 ~~(A)~~ consult on the proposal with the gov-
10 ~~ernment~~ of each country in which the project is
11 to be carried out;

12 ~~(B)~~ after taking into consideration any
13 comments resulting from the consultation, ap-
14 prove or disapprove the proposal; and

15 ~~(C)~~ provide written notification of the ap-
16 proval or disapproval to—

17 ~~(i)~~ the applicant that submitted the
18 proposal;

19 ~~(ii)~~ other appropriate Federal offi-
20 cials; and

21 ~~(iii)~~ each country described in sub-
22 paragraph ~~(A)~~.

23 ~~(d) CRITERIA FOR APPROVAL.—~~The Secretary may
24 approve a project proposal under this section if the Sec-
25 retary determines that the proposed project will enhance

1 programs for conservation of cranes by assisting efforts
2 to—

3 (1) implement conservation programs;

4 (2) address the conflicts between humans and
5 cranes that arise from competition for the same
6 habitat or resources;

7 (3) enhance compliance with the Convention
8 and other applicable laws that—

9 (A) prohibit or regulate the taking or trade
10 of cranes; or

11 (B) regulate the use and management of
12 crane habitat;

13 (4) develop sound scientific information on, or
14 methods for monitoring—

15 (A) the condition of crane habitat;

16 (B) crane population numbers and trends;

17 or

18 (C) the current and projected threats to
19 crane habitat and population numbers and
20 trends;

21 (5) promote cooperative projects on the issues
22 described in paragraph (4) among—

23 (A) governmental entities;

24 (B) affected local communities;

25 (C) nongovernmental organizations; or

1 (D) other persons in the private sector;

2 (6) carry out necessary scientific research on
3 cranes;

4 (7) reintroduce cranes successfully back into
5 the wild, including propagation of a sufficient num-
6 ber of cranes required for this purpose; or

7 (8) provide relevant training to, or support
8 technical exchanges involving, staff responsible for
9 managing cranes or habitats of cranes, to enhance
10 capacity for effective conservation.

11 (e) PROJECT SUSTAINABILITY; MATCHING FUNDS.—

12 To the maximum extent practicable, in determining
13 whether to approve a project proposal under this section,
14 the Secretary shall give preference to a proposed project—

15 (1) that is designed to ensure effective, long-
16 term conservation of cranes and habitats of cranes;
17 or

18 (2) for which matching funds are available.

19 (f) PROJECT REPORTING.—

20 (1) IN GENERAL.—Each person that receives
21 assistance under this section for a project shall sub-
22 mit to the Secretary, at such periodic intervals as
23 are determined by the Secretary, reports that in-
24 clude all information that the Secretary, after con-
25 sulting with other appropriate government officials,

1 determines to be necessary to evaluate the progress
2 and success of the project for the purposes of—

3 (A) ensuring positive results;

4 (B) assessing problems; and

5 (C) fostering improvements.

6 ~~(2) AVAILABILITY TO THE PUBLIC.—~~Each re-
7 port submitted under paragraph (1), and any other
8 documents relating to a project for which financial
9 assistance is provided under this Act, shall be made
10 available to the public.

11 ~~(g) PANEL.—~~As soon as practicable after the date of
12 enactment of this Act, and biennially thereafter, the Sec-
13 retary shall convene a panel of experts, including special-
14 ists on cranes and wetland, to identify the greatest needs
15 with respect to the conservation of cranes.

16 **SEC. 6. CRANE CONSERVATION FUND.**

17 (a) ESTABLISHMENT.—There is established in the
18 Multinational Species Conservation Fund established by
19 the matter under the heading “MULTINATIONAL SPECIES
20 CONSERVATION FUND” in title I of the Department of the
21 Interior and Related Agencies Appropriations Act, 1999
22 (112 Stat. 2681–237; 16 U.S.C. 4246) a separate account
23 to be known as the “Crane Conservation Fund”, con-
24 sisting of—

1 (1) amounts transferred to the Secretary of the
2 Treasury for deposit into the Fund under subsection
3 (e);

4 (2) amounts appropriated to the Fund under
5 section 7; and

6 (3) any interest earned on investment of
7 amounts in the Fund under subsection (e).

8 (b) EXPENDITURES FROM FUND.—

9 (1) IN GENERAL.—Subject to paragraphs (2)
10 and (3), upon request by the Secretary, the Sec-
11 retary of the Treasury shall transfer from the Fund
12 to the Secretary, without further appropriation, such
13 amounts as the Secretary determines are necessary
14 to provide assistance under section 5.

15 (2) ADMINISTRATIVE EXPENSES.—Of the
16 amounts in the Fund available for each fiscal year,
17 the Secretary may expend not more than 3 percent,
18 or \$80,000, whichever is greater, to pay the admin-
19 istrative expenses necessary to carry out this Act.

20 (3) LIMITATION.—Not more than 50 percent of
21 the amounts made available from the Fund for any
22 fiscal year may be used for projects relating to the
23 conservation of North American crane species.

24 (c) INVESTMENTS OF AMOUNTS.—

1 (1) IN GENERAL.—The Secretary of the Treas-
2 ury shall invest such portion of the Fund as is not,
3 in the judgment of the Secretary of the Treasury,
4 required to meet current withdrawals. Investments
5 may be made only in interest-bearing obligations of
6 the United States.

7 (2) ACQUISITION OF OBLIGATIONS.—For the
8 purpose of investments under paragraph (1), obliga-
9 tions may be acquired—

10 (A) on original issue at the issue price; or

11 (B) by purchase of outstanding obligations
12 at the market price.

13 (3) SALE OF OBLIGATIONS.—Any obligation ac-
14 quired by the Fund may be sold by the Secretary of
15 the Treasury at the market price.

16 (4) CREDITS TO FUND.—The interest on, and
17 the proceeds from the sale or redemption of, any ob-
18 ligations held in the Fund shall be credited to and
19 form a part of the Fund.

20 (d) TRANSFERS OF AMOUNTS.—

21 (1) IN GENERAL.—The amounts required to be
22 transferred to the Fund under this section shall be
23 transferred at least monthly from the general fund
24 of the Treasury to the Fund on the basis of esti-
25 mates made by the Secretary of the Treasury.

1 (2) ADJUSTMENTS.—Proper adjustment shall
2 be made in amounts subsequently transferred to the
3 extent prior estimates were in excess of or less than
4 the amounts required to be transferred.

5 (c) ACCEPTANCE AND USE OF DONATIONS.—

6 (1) IN GENERAL.—The Secretary may accept
7 and use donations to provide assistance under sec-
8 tion 5.

9 (2) TRANSFER OF DONATIONS.—Amounts re-
10 ceived by the Secretary in the form of donations
11 shall be transferred to the Secretary of the Treasury
12 for deposit in the Fund.

13 **SEC. 7. FUNDING.**

14 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
15 authorized to be appropriated to the Fund \$3,000,000 for
16 each of fiscal years 2003 through 2007, to remain avail-
17 able until expended.

18 (b) OFFSET.—Of the funds made available for
19 projects under the clean coal technology program of the
20 Department of Energy for obligation in fiscal years before
21 fiscal year 2002 that are carried over for use in subse-
22 quent fiscal years under section 305 of Public Law 107-
23 66 (115 Stat. 509), but that are not obligated for those
24 projects—

1 (1) \$9,000,000 shall be available for transfer
2 under subsection (d) only after September 30, 2003;
3 and

4 (2) \$9,000,000 shall be available for transfer
5 under subsection (d) only after September 30, 2004.

6 (c) ONGOING PROJECTS.—Nothing in subsection (b)
7 affects any funds made available for any fiscal year that
8 are obligated for a new or ongoing project under the clean
9 coal technology program of the Department of Energy.

10 (d) TRANSFER OF FUNDS.—Amounts made available
11 under subsection (b) shall be transferred to the Secretary
12 for use in carrying out sections 5 and 6.

13 (e) AVAILABILITY.—Any funds transferred under
14 subsection (d) shall remain available until September 30,
15 2007.

16 **SECTION 1. SHORT TITLE.**

17 *This Act may be cited as the “Crane Conservation Act*
18 *of 2002”.*

19 **SEC. 2. FINDINGS.**

20 *Congress finds that—*

21 (1) *crane populations in many countries have*
22 *experienced serious decline in recent decades, a trend*
23 *that, if continued at the current rate, threatens the*
24 *long-term survival of the species in the wild in Africa,*
25 *Asia, and Europe;*

1 (2) 5 species of Asian crane are listed as endan-
 2 gered species under section 4 of the Endangered Spe-
 3 cies Act of 1973 (16 U.S.C. 1533) and appendix I of
 4 the Convention, which species are—

5 (A) the Siberian crane (*Grus leucogeranus*);

6 (B) the red-crowned crane (*Grus*
 7 *japonensis*);

8 (C) the white-naped crane (*Grus vipio*);

9 (D) the black-necked crane (*Grus*
 10 *nigricollis*); and

11 (E) the hooded crane (*Grus monacha*);

12 (3) the Crane Action Plan of the International
 13 Union for the Conservation of Nature considers 4 spe-
 14 cies of cranes from Africa and 1 additional species of
 15 crane from Asia to be seriously threatened, which spe-
 16 cies are—

17 (A) the wattled crane (*Bugeranus*
 18 *carunculatus*);

19 (B) the blue crane (*Anthropoides*
 20 *paradisea*);

21 (C) the grey-crowned crane (*Balearica*
 22 *regulorum*);

23 (D) the black-crowned crane (*Balearica*
 24 *pavonina*); and

25 (E) the sarus crane (*Grus antigone*);

1 (4)(A) *the whooping crane (Grus americana)*
2 *and the Mississippi sandhill crane (Grus canadensis*
3 *pulla) are listed as endangered species under section*
4 *4 of the Endangered Species Act of 1973 (16 U.S.C.*
5 *1533); and*

6 (B) *with fewer than 200 whooping cranes in the*
7 *only self-sustaining flock that migrates between Can-*
8 *ada and the United States, and approximately 100*
9 *Mississippi sandhill cranes in the wild, both species*
10 *remain vulnerable to extinction;*

11 (5) *conservation resources have not been suffi-*
12 *cient to cope with the continued diminution of crane*
13 *populations from causes that include hunting and the*
14 *continued loss of habitat;*

15 (6)(A) *cranes are flagship species for the con-*
16 *servation of wetland, grassland, and agricultural*
17 *landscapes that border wetland and grassland; and*

18 (B) *the establishment of crane conservation pro-*
19 *grams would result in the provision of conservation*
20 *benefits to numerous other species of plants and ani-*
21 *mals, including many endangered species;*

22 (7) *other threats to cranes include—*

23 (A) *the collection of eggs and juveniles;*

24 (B) *poisoning from insecticides applied to*
25 *crops;*

1 (C) collisions with power lines;

2 (D) disturbance from warfare and human
3 settlement; and

4 (E) the trapping of live birds for sale;

5 (8) to reduce, remove, and otherwise effectively
6 address those threats to cranes in the wild, the joint
7 commitment and effort of countries in Africa, Asia,
8 and North America, other countries, and the private
9 sector, are required;

10 (9) cranes are excellent ambassadors to promote
11 goodwill among countries because they are well known
12 and migrate across continents;

13 (10) because the threats facing cranes and habi-
14 tats of cranes are similar on all 5 continents on
15 which cranes occur, conservation successes and meth-
16 ods developed in 1 region have wide applicability in
17 other regions; and

18 (11) conservationists in the United States have
19 much to teach and much to learn from colleagues
20 working in other countries in which, as in the United
21 States, government and private agencies cooperate to
22 conserve threatened cranes.

23 **SEC. 3. PURPOSES.**

24 The purposes of this Act are—

25 (1) to perpetuate healthy populations of cranes;

1 (2) *to assist in the conservation and protection*
2 *of cranes by supporting—*

3 (A) *conservation programs in countries in*
4 *which endangered and threatened cranes occur;*
5 *and*

6 (B) *the efforts of private organizations com-*
7 *mitted to helping cranes; and*

8 (3) *to provide financial resources for those pro-*
9 *grams and efforts.*

10 **SEC. 4. DEFINITIONS.**

11 *In this Act:*

12 (1) *CONSERVATION.—*

13 (A) *IN GENERAL.—The term “conservation”*
14 *means the use of any method or procedure nec-*
15 *essary to ensure that the population of a species*
16 *of crane in the wild is sufficient to ensure that*
17 *the species does not become extinct, as deter-*
18 *mined by the Secretary.*

19 (B) *INCLUSIONS.—The term “conservation”*
20 *includes the carrying out of any activity associ-*
21 *ated with scientific resource management, such*
22 *as—*

23 (i) *protection, restoration, acquisition,*
24 *and management of habitat;*

1 (ii) research and monitoring of known
2 populations;

3 (iii) the provision of assistance in the
4 development of management plans for man-
5 aged crane ranges;

6 (iv) enforcement of the Convention;

7 (v) law enforcement and habitat pro-
8 tection through community participation;

9 (vi) reintroduction of cranes to the
10 wild;

11 (vii) conflict resolution initiatives; and

12 (viii) community outreach and edu-
13 cation.

14 (2) CONVENTION.—The term “Convention” has
15 the meaning given the term in section 3 of the En-
16 dangered Species Act of 1973 (16 U.S.C. 1532).

17 (3) FUND.—The term “Fund” means the Crane
18 Conservation Fund established by section 6(a).

19 (4) SECRETARY.—The term “Secretary” means
20 the Secretary of the Interior.

21 **SEC. 5. CRANE CONSERVATION ASSISTANCE.**

22 (a) IN GENERAL.—Subject to the availability of appro-
23 priations and in consultation with other appropriate Fed-
24 eral officials, the Secretary shall use amounts in the Fund
25 to provide financial assistance for projects relating to the

1 *conservation of cranes for which project proposals are ap-*
2 *proved by the Secretary in accordance with this section.*

3 (b) *PROJECT PROPOSALS.—*

4 (1) *APPLICANTS.—*

5 (A) *IN GENERAL.—An applicant described*
6 *in subparagraph (B) that seeks to receive assist-*
7 *ance under this section to carry out a project re-*
8 *lating to the conservation of cranes shall submit*
9 *to the Secretary a project proposal that meets the*
10 *requirements of this section.*

11 (B) *ELIGIBLE APPLICANTS.—An applicant*
12 *described in this subparagraph is—*

13 (i) *any relevant wildlife management*
14 *authority of a country that—*

15 (I) *is located within the African,*
16 *Asian, European, or North American*
17 *range of a species of crane; and*

18 (II) *carries out 1 or more activi-*
19 *ties that directly or indirectly affect*
20 *crane populations;*

21 (ii) *the Secretariat of the Convention;*

22 *and*

23 (iii) *any person or organization with*
24 *demonstrated expertise in the conservation*
25 *of cranes.*

1 (2) *REQUIRED ELEMENTS.*—A project proposal
2 submitted under paragraph (1)(A) shall include—

3 (A) a concise statement of the purpose of the
4 project;

5 (B)(i) the name of each individual respon-
6 sible for conducting the project; and

7 (ii) a description of the qualifications of
8 each of those individuals;

9 (C) a concise description of—

10 (i) methods to be used to implement
11 and assess the outcome of the project;

12 (ii) staff and community management
13 for the project; and

14 (iii) the logistics of the project;

15 (D) an estimate of the funds and the period
16 of time required to complete the project;

17 (E) evidence of support for the project by
18 appropriate government entities of countries in
19 which the project will be conducted, if the Sec-
20 retary determines that such support is required
21 to ensure the success of the project;

22 (F) information regarding the source and
23 amount of matching funding available for the
24 project; and

1 (G) any other information that the Sec-
2 retary considers to be necessary for evaluating
3 the eligibility of the project to receive assistance
4 under this Act.

5 (c) *PROJECT REVIEW AND APPROVAL.*—

6 (1) *IN GENERAL.*—The Secretary shall—

7 (A) not later than 30 days after receiving a
8 final project proposal, provide a copy of the pro-
9 posal to other appropriate Federal officials; and

10 (B) review each project proposal in a timely
11 manner to determine whether the proposal meets
12 the criteria described in subsection (d).

13 (2) *CONSULTATION; APPROVAL OR DIS-*
14 *APPROVAL.*—Not later than 180 days after receiving
15 a project proposal, and subject to the availability of
16 appropriations, the Secretary, after consulting with
17 other appropriate Federal officials, shall—

18 (A) consult on the proposal with the govern-
19 ment of each country in which the project is to
20 be carried out;

21 (B) after taking into consideration any
22 comments resulting from the consultation, ap-
23 prove or disapprove the proposal; and

24 (C) provide written notification of the ap-
25 proval or disapproval to—

1 (i) the applicant that submitted the
2 proposal;

3 (ii) other appropriate Federal officials;
4 and

5 (iii) each country described in sub-
6 paragraph (A).

7 (d) *CRITERIA FOR APPROVAL.*—The Secretary may
8 approve a project proposal under this section if the Sec-
9 retary determines that the proposed project will enhance
10 programs for conservation of cranes by assisting efforts to—

11 (1) implement conservation programs;

12 (2) address the conflicts between humans and
13 cranes that arise from competition for the same habi-
14 tat or resources;

15 (3) enhance compliance with the Convention and
16 other applicable laws that—

17 (A) prohibit or regulate the taking or trade
18 of cranes; or

19 (B) regulate the use and management of
20 crane habitat;

21 (4) develop sound scientific information on, or
22 methods for monitoring—

23 (A) the condition of crane habitat;

24 (B) crane population numbers and trends;

25 or

1 (C) *the current and projected threats to*
2 *crane habitat and population numbers and*
3 *trends;*

4 (5) *promote cooperative projects on the issues de-*
5 *scribed in paragraph (4) among—*

6 (A) *governmental entities;*

7 (B) *affected local communities;*

8 (C) *nongovernmental organizations; or*

9 (D) *other persons in the private sector;*

10 (6) *carry out necessary scientific research on*
11 *cranes;*

12 (7) *reintroduce cranes successfully back into the*
13 *wild, including propagation of a sufficient number of*
14 *cranes required for this purpose; or*

15 (8) *provide relevant training to, or support tech-*
16 *nical exchanges involving, staff responsible for man-*
17 *aging cranes or habitats of cranes, to enhance capac-*
18 *ity for effective conservation.*

19 (e) *PROJECT SUSTAINABILITY; MATCHING FUNDS.—*
20 *To the maximum extent practicable, in determining wheth-*
21 *er to approve a project proposal under this section, the Sec-*
22 *retary shall give preference to a proposed project—*

23 (1) *that is designed to ensure effective, long-term*
24 *conservation of cranes and habitats of cranes; or*

25 (2) *for which matching funds are available.*

1 (f) *PROJECT REPORTING.*—

2 (1) *IN GENERAL.*—Each person that receives as-
3 sistance under this section for a project shall submit
4 to the Secretary, at such periodic intervals as are de-
5 termined by the Secretary, reports that include all in-
6 formation that the Secretary, after consulting with
7 other appropriate government officials, determines to
8 be necessary to evaluate the progress and success of
9 the project for the purposes of—

10 (A) ensuring positive results;

11 (B) assessing problems; and

12 (C) fostering improvements.

13 (2) *AVAILABILITY TO THE PUBLIC.*—Each report
14 submitted under paragraph (1), and any other docu-
15 ments relating to a project for which financial assist-
16 ance is provided under this Act, shall be made avail-
17 able to the public.

18 (g) *PANEL.*—As soon as practicable after the date of
19 enactment of this Act, and biennially thereafter, the Sec-
20 retary shall convene a panel of experts, including specialists
21 on cranes and wetland, to identify the greatest needs with
22 respect to the conservation of cranes.

23 **SEC. 6. CRANE CONSERVATION FUND.**

24 (a) *ESTABLISHMENT.*—There is established in the Mul-
25 tinationaI Species Conservation Fund established by the

1 matter under the heading “MULTINATIONAL SPECIES CON-
2 SERVATION FUND” in title I of the Department of the Inte-
3 rior and Related Agencies Appropriations Act, 1999 (112
4 Stat. 2681–237; 16 U.S.C. 4246) a separate account to be
5 known as the “Crane Conservation Fund”, consisting of—

6 (1) amounts transferred to the Secretary of the
7 Treasury for deposit into the Fund under subsection
8 (e);

9 (2) amounts appropriated to the Fund under
10 section 7; and

11 (3) any interest earned on investment of
12 amounts in the Fund under subsection (c).

13 (b) EXPENDITURES FROM FUND.—

14 (1) IN GENERAL.—Subject to paragraphs (2) and
15 (3), upon request by the Secretary, the Secretary of
16 the Treasury shall transfer from the Fund to the Sec-
17 retary, without further appropriation, such amounts
18 as the Secretary determines are necessary to provide
19 assistance under section 5.

20 (2) ADMINISTRATIVE EXPENSES.—Of the
21 amounts in the Fund available for each fiscal year,
22 the Secretary may expend not more than 3 percent,
23 or \$80,000, whichever is greater, to pay the adminis-
24 trative expenses necessary to carry out this Act.

1 (3) *LIMITATION.*—Not more than 50 percent of
2 the amounts made available from the Fund for any
3 fiscal year may be used for projects relating to the
4 conservation of North American crane species.

5 (c) *INVESTMENTS OF AMOUNTS.*—

6 (1) *IN GENERAL.*—The Secretary of the Treasury
7 shall invest such portion of the Fund as is not, in the
8 judgment of the Secretary of the Treasury, required to
9 meet current withdrawals. Investments may be made
10 only in interest-bearing obligations of the United
11 States.

12 (2) *ACQUISITION OF OBLIGATIONS.*—For the pur-
13 pose of investments under paragraph (1), obligations
14 may be acquired—

15 (A) on original issue at the issue price; or

16 (B) by purchase of outstanding obligations
17 at the market price.

18 (3) *SALE OF OBLIGATIONS.*—Any obligation ac-
19 quired by the Fund may be sold by the Secretary of
20 the Treasury at the market price.

21 (4) *CREDITS TO FUND.*—The interest on, and the
22 proceeds from the sale or redemption of, any obliga-
23 tions held in the Fund shall be credited to and form
24 a part of the Fund.

25 (d) *TRANSFERS OF AMOUNTS.*—

1 (1) *IN GENERAL.*—*The amounts required to be*
2 *transferred to the Fund under this section shall be*
3 *transferred at least monthly from the general fund of*
4 *the Treasury to the Fund on the basis of estimates*
5 *made by the Secretary of the Treasury.*

6 (2) *ADJUSTMENTS.*—*Proper adjustment shall be*
7 *made in amounts subsequently transferred to the ex-*
8 *tent prior estimates were in excess of or less than the*
9 *amounts required to be transferred.*

10 (e) *ACCEPTANCE AND USE OF DONATIONS.*—

11 (1) *IN GENERAL.*—*The Secretary may accept*
12 *and use donations to provide assistance under section*
13 5.

14 (2) *TRANSFER OF DONATIONS.*—*Amounts re-*
15 *ceived by the Secretary in the form of donations shall*
16 *be transferred to the Secretary of the Treasury for de-*
17 *posit in the Fund.*

18 **SEC. 7. ADVISORY GROUP.**

19 (a) *IN GENERAL.*—*To assist in carrying out this Act,*
20 *the Secretary may convene an advisory group consisting*
21 *of individuals representing public and private organiza-*
22 *tions actively involved in the conservation of cranes.*

23 (b) *PUBLIC PARTICIPATION.*—

24 (1) *MEETINGS.*—*The advisory group shall—*

1 (A) *ensure that each meeting of the advisory*
2 *group is open to the public; and*

3 (B) *provide, at each meeting, an oppor-*
4 *tunity for interested persons to present oral or*
5 *written statements concerning items on the agen-*
6 *da.*

7 (2) *NOTICE.—The Secretary shall provide to the*
8 *public timely notice of each meeting of the advisory*
9 *group.*

10 (3) *MINUTES.—Minutes of each meeting of the*
11 *advisory group shall be kept by the Secretary and*
12 *shall be made available to the public.*

13 (c) *EXEMPTION FROM FEDERAL ADVISORY COM-*
14 *MITTEE ACT.—The Federal Advisory Committee Act (5*
15 *U.S.C. App.) shall not apply to the advisory group.*

16 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

17 *There is authorized to be appropriated to the Fund*
18 *\$3,000,000 for each of fiscal years 2003 through 2007, to*
19 *remain available until expended.*

Calendar No. 690

107TH CONGRESS
2^D SESSION

S. 2847

[Report No. 107-302]

A BILL

To assist in the conservation of cranes by supporting and providing, through projects of persons and organizations with expertise in crane conservation, financial resources for the conservation programs of countries the activities of which directly or indirectly affect cranes.

OCTOBER 8, 2002

Reported with an amendment