

111TH CONGRESS
1ST SESSION

H. R. 411

To assist in the conservation of rare felids and rare canids by supporting and providing financial resources for the conservation programs of nations within the range of rare felid and rare canid populations and projects of persons with demonstrated expertise in the conservation of rare felid and rare canid populations.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 9, 2009

Mr. INSLEE (for himself, Mr. TANNER, Mr. ROGERS of Kentucky, Mr. ROYCE, Ms. BORDALLO, and Mr. MCHUGH) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To assist in the conservation of rare felids and rare canids by supporting and providing financial resources for the conservation programs of nations within the range of rare felid and rare canid populations and projects of persons with demonstrated expertise in the conservation of rare felid and rare canid populations.

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 “Great Cats and Rare
5 Canids Act of 2009”.

1 **SEC. 2. PURPOSES.**

2 The purposes of this Act are to provide financial re-
3 sources and to foster international cooperation—

4 (1) to restore and perpetuate healthy popu-
5 lations of rare felids and rare canids in the wild; and

6 (2) to assist in the conservation of rare felid
7 and rare canid populations worldwide.

8 **SEC. 3. DEFINITIONS.**

9 In this Act:

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

15 (2) CONSERVATION.—The term “conserva-
16 tion”—

17 (A) means the methods and procedures
18 necessary to bring a species of rare felid or rare
19 canid to the point at which there are sufficient
20 populations in the wild to ensure the long-term
21 viability of the species; and

22 (B) includes all activities associated with
23 protection and management of a rare felid or
24 rare canid population, including—

- 1 (i) maintenance, management, protec-
2 tion, and restoration of rare felid or rare
3 canid habitat;
- 4 (ii) research and monitoring;
- 5 (iii) law enforcement;
- 6 (iv) community outreach and edu-
7 cation;
- 8 (v) conflict resolution initiatives; and
- 9 (vi) strengthening the capacity of local
10 communities, governmental agencies, non-
11 governmental organizations and other in-
12 stitutions to implement conservation pro-
13 grams.

14 (3) FUND.—The term “Fund” means the Great
15 Cats and Rare Canids Conservation Fund estab-
16 lished by section 5.

17 (4) IUCN RED LIST.—The term “IUCN Red
18 List” means the Red List of Threatened Species
19 Maintained by the World Conservation Union.

20 (5) RARE CANID.—The term “rare canid”—
21 (A) except as provided in subparagraph
22 (B), means any of the canid species dhole
23 (Cuon alpinus), gray wolf (Canis lupus), Ethio-
24 pian wolf (Canis simensis), bush dog (Speothos
25 venaticus), African wild dog (Lycaon pictus),

1 maned wolf (*Chrysocyon brachyurus*), and Dar-
2 win's fox, (*Pseudalopex fulvipes*), including any
3 subspecies or population of such a species; and

4 (B) does not include any subspecies or
5 population that is native to the area comprised
6 of the United States and Canada or the Euro-
7 pean Union.

8 (6) RARE FELID.—The term “rare felid”—

9 (A) except as provided in subparagraph
10 (B), means any of the felid species lion
11 (*Panthera leo*), leopard (*Panthera pardus*), jag-
12 uar (*Panthera onca*), snow leopard (*Uncia*
13 *uncia*), clouded leopard (*Neofelis nebulosa*),
14 cheetah (*Acinonyx jubatus*), Iberian lynx (*Lynx*
15 *pardina*), and Borneo bay cat (*Catopuma*
16 *badia*), including any subspecies or population
17 of such a species; and

18 (B) does not include—

19 (i) any species, subspecies, or popu-
20 lation that is native to the United States;
21 and

22 (ii) any tiger (*Panthera tigris*).

23 (7) SECRETARY.—The term “Secretary” means
24 the Secretary of the Interior.

1 **SEC. 4. FINANCIAL ASSISTANCE.**

2 (a) IN GENERAL.—Subject to the availability of
3 funds and in consultation with other appropriate Federal
4 officials, the Secretary shall use amounts in the Fund to
5 provide financial assistance for projects for the conserva-
6 tion of rare felid and rare canids for which project pro-
7 posals are approved by the Secretary in accordance with
8 this section.

9 (b) PROJECT PROPOSALS.—

10 (1) ELIGIBLE APPLICANTS.—A proposal for a
11 project for the conservation of rare felid and canids
12 may be submitted to the Secretary by—

13 (A) any wildlife management authority of
14 a country that has within its boundaries any
15 part of the range of a rare felid or rare canid
16 species, respectively; and

17 (B) any person or group with the dem-
18 onstrated expertise required for the conserva-
19 tion in the wild of rare felids or rare canids, re-
20 spectively.

21 (2) PROJECT PROPOSALS.—To be considered
22 for financial assistance for a project under this Act,
23 an applicant shall submit a project proposal that in-
24 cludes—

25 (A) a concise statement of the purposes of
26 the project;

1 (B) the name of the individual responsible
2 for conducting the project;

3 (C) a description of the qualifications of
4 the individuals who will conduct the project;

5 (D) a concise description of—

6 (i) methods for project implementa-
7 tion and outcome assessment;

8 (ii) staffing for the project;

9 (iii) the logistics of the project; and

10 (iv) community involvement in the
11 project;

12 (E) an estimate of funds and time required
13 to complete the project;

14 (F) evidence of support for the project by
15 appropriate governmental entities of the coun-
16 tries in which the project will be conducted, if
17 the Secretary determines that such support is
18 required for the success of the project;

19 (G) information regarding the source and
20 amount of matching funding available for the
21 project; and

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

1 (c) PROJECT REVIEW AND APPROVAL.—

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

3 (A) not later than 30 days after receiving
4 a project proposal, provide a copy of the pro-
5 posal to the appropriate Federal officials; and

6 (B) review each project proposal in a time-
7 ly manner to determine if the proposal meets
8 the criteria specified in subsection (d).

9 (2) CONSULTATION; APPROVAL OR DIS-
10 APPROVAL.—Not later than 180 days after receiving
11 a project proposal, and subject to the availability of
12 funds, the Secretary, after consulting with other ap-
13 propriate Federal officials, shall—

14 (A) ensure the proposal contains assur-
15 ances that the project will be implemented in
16 consultation with relevant wildlife management
17 authorities and other appropriate government
18 officials with jurisdiction over the resources ad-
19 dressed by the project;

20 (B) approve or disapprove the proposal;
21 and

22 (C) provide written notification of the ap-
23 proval or disapproval to the person who sub-
24 mitted the proposal, other appropriate Federal

1 officials, and each country within whose borders
2 the project will take place.

3 (d) CRITERIA FOR APPROVAL.—The Secretary may
4 approve a project proposal under this section if the project
5 will contribute to conservation of rare felids or rare canids
6 in the wild by assisting efforts to—

7 (1) implement conservation programs;

8 (2) address the conflicts between humans and
9 rare felids or rare canids, respectively, that arise
10 from competition for the same habitat or resources;

11 (3) enhance compliance with CITES, the En-
12 dangered Species Act of 1973, and other applicable
13 laws that prohibit or regulate the taking or trade of
14 rare felids and rare canids or regulate the use and
15 management of rare felid and rare canid habitat;

16 (4) develop sound scientific information on, or
17 methods for monitoring—

18 (A) the condition and health of rare felid
19 or rare canid habitat;

20 (B) rare felid or rare canid population
21 numbers and trends; and

22 (C) the ecological characteristics and re-
23 quirements of populations of rare felids or rare
24 canids for which there are little or no data;

1 (5) promote cooperative projects among govern-
2 ment entities, affected local communities, nongovern-
3 mental organizations, and other persons in the pri-
4 vate sector; or

5 (6) funds will not be appropriated for the pur-
6 chase or lease of lands to be used as suitable habitat
7 for felids or canids.

8 (e) PROJECT SUSTAINABILITY.—In approving project
9 proposals under this section, the Secretary shall give pref-
10 erence to conservation projects that are designed to ensure
11 effective, long-term conservation of rare felids and rare
12 canids and their habitats.

13 (f) MATCHING FUNDS.—In determining whether to
14 approve project proposals under this section, the Secretary
15 shall give preference to projects for which there exists
16 some measure of matching funds.

17 (g) PROJECT REPORTING.—

18 (1) IN GENERAL.—Each person that receives
19 assistance under this section for a project shall sub-
20 mit to the Secretary periodic reports (at such inter-
21 vals as the Secretary considers necessary) that in-
22 clude all information that the Secretary, after con-
23 sultation with other appropriate government offi-
24 cials, determines is necessary to evaluate the
25 progress and success of the project for the purposes

1 of ensuring positive results, assessing problems, and
2 fostering improvements.

3 (2) AVAILABILITY TO THE PUBLIC.—Reports
4 under paragraph (1), and any other documents re-
5 lating to projects for which financial assistance is
6 provided under this Act, shall be made available to
7 the public.

8 (h) LIMITATIONS ON USE FOR CAPTIVE BREEDING
9 OR DISPLAY.—Amounts provided as a grant under this
10 Act—

11 (1) may not be used for captive breeding or dis-
12 play of rare felids and rare canids other than captive
13 breeding for release into the wild; and

14 (2) may be used for captive breeding of a spe-
15 cies for release into the wild only if no other con-
16 servation method for the species is biologically fea-
17 sible.

18 (i) ADVISORY GROUP.—

19 (1) IN GENERAL.—To assist in carrying out
20 this Act, the Secretary may convene an advisory
21 group consisting of individuals representing public
22 and private organizations actively involved in the
23 conservation of felids and canids.

24 (2) PUBLIC PARTICIPATION.—

1 (A) MEETINGS.—The advisory group
2 shall—

3 (i) ensure that each meeting of the
4 advisory group is open to the public; and

5 (ii) provide, at each meeting, an op-
6 portunity for interested persons to present
7 oral or written statements concerning
8 items on the agenda.

9 (B) NOTICE.—The Secretary shall provide
10 to the public timely notice of each meeting of
11 the advisory group, including the meeting agen-
12 da.

13 (C) MINUTES.—Minutes of each meeting
14 of the advisory group shall be kept by the Sec-
15 retary and shall be made available to the public.

16 (3) EXEMPTION FROM FEDERAL ADVISORY
17 COMMITTEE ACT.—The Federal Advisory Committee
18 Act (5 U.S.C. App.) shall not apply to the advisory
19 group.

20 **SEC. 5. GREAT CATS AND RARE CANIDS CONSERVATION**
21 **FUND.**

22 (a) ESTABLISHMENT.—There is established, in the
23 Multinational Species Conservation Fund established in
24 title I of the Department of the Interior and Related
25 Agencies Appropriations Act, 1999 under the heading

1 “MULTINATIONAL SPECIES CONSERVATION
2 FUND”, a separate account to be known as the “Great
3 Cats and Rare Canids Conservation Fund”, consisting
4 of—

5 (1) amounts transferred to the Secretary of the
6 Treasury for deposit into such account under sub-
7 section (c); and

8 (2) amounts appropriated to such account
9 under section 7.

10 (b) EXPENDITURES FROM FUND.—

11 (1) IN GENERAL.—Subject to paragraph (2),
12 upon request by the Secretary, the Secretary of the
13 Treasury shall transfer from the Fund to the Sec-
14 retary, without further appropriation, such amounts
15 as the Secretary determines are necessary to provide
16 assistance under section 4.

17 (2) ADMINISTRATIVE EXPENSES.—Of the
18 amounts in the Fund available for each fiscal year,
19 the Secretary may expend not more than three per-
20 cent, or up to \$100,000, whichever is greater, to pay
21 the administrative expenses necessary to carry out
22 this Act.

23 (c) ACCEPTANCE AND USE OF DONATIONS.—The
24 Secretary may accept and use donations to provide assist-
25 ance under section 4, and may make public on the Internet

1 website and in publications of the Department of the Inte-
2 rior that the Secretary is authorized to accept and use
3 such donations. Amounts received by the Secretary in the
4 form of such donations shall be transferred to the Sec-
5 retary of the Treasury for deposit into the Fund.

6 **SEC. 6. STUDY OF CONSERVATION STATUS OF FELID AND**
7 **CANID SPECIES.**

8 (a) IN GENERAL.—The Secretary shall initiate within
9 three months after the date of the enactment of this Act
10 a study of felid and canid species listed under the IUCN
11 Red List that are not rare canids and rare felids (as those
12 terms are defined in section 3), respectively, to deter-
13 mine—

14 (1) the conservation status of such species in
15 the wild, including identification of any such species
16 that are critically endangered or endangered; and

17 (2) any such species that should be made eligi-
18 ble for assistance under this Act.

19 (b) REPORT.—Not later than two years after date of
20 the enactment of this Act the Secretary shall report to
21 the Congress the determinations made in the study, in-
22 cluding recommendations of additional felid species and
23 canid species that should be made eligible for assistance
24 under this Act.

1 **SEC. 7. AUTHORIZATION OR APPROPRIATIONS.**

2 There are authorized to be appropriated—

3 (1) to the Fund, \$5,000,000 for each of fiscal
4 years 2010 through 2014 to carry out this Act,
5 other than section 6; and

6 (2) such sums as are necessary to carry out
7 section 6.

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