

TITLE III—MISCELLANEOUS

SEC. 301. STUDY TO REVIEW CONSERVATION FACTORS.

(a) DEFINITION OF SECRETARIES.—In this section, the term “Secretaries” means—

- (1) the Secretary of Agriculture;
- (2) the Secretary of Commerce, acting through the Assistant Administrator of the National Marine Fisheries Service; and
- (3) the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service.

(b) STUDY.—To assess factors affecting successful conservation activities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), the Secretaries shall carry out a study—

(1)(A) to review any factors that threaten or endanger a species, such as wildlife disease, for which a listing under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) would not contribute to the conservation of the species; and

(B) to identify additional conservation measures that can be taken to protect and conserve a species described in subparagraph (A);

(2) to review any barriers to—

(A) the delivery of Federal, State, local, or private funds for such conservation activities, including statutory or regulatory impediments, staffing needs, and other relevant considerations; or

(B) the implementation of conservation agreements, plans, or other cooperative agreements, including agreements focused on voluntary activities, multispecies efforts, and other relevant considerations;

(3) to review factors that impact the ability of the Federal Government to successfully implement the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(4) to develop recommendations regarding methods to address barriers identified under paragraph (2), if any;

(5) to review determinations under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) in which a species is determined to be recovered by the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, or the Secretary of Commerce, acting through the Assistant Administrator of the National Marine Fisheries Service, but remains listed under that Act, including—

(A) an explanation of the factors preventing a delisting or downlisting of the species; and

(B) recommendations regarding methods to address the factors described in subparagraph (A); and

(6) to review any determinations under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) in which a species has been identified as needing listing or uplisting under that Act but remains unlisted or listed as a threatened species, respectively, including—

(A) an explanation of the factors preventing a listing or uplisting of the species; and

(B) recommendations regarding methods to address the factors described in subparagraph (A).

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretaries shall submit to the Committees on Appropriations and Environment and Public Works of the Senate and the Committees on Appropriations and Natural Resources of the House of Representatives and make publicly available a report describing the results of the study under subsection (b).

SEC. 302. STUDY AND REPORT ON EXPENDITURES.

(a) REPORTS ON EXPENDITURES.—

(1) FEDERAL DEPARTMENTS AND AGENCIES.—

(A) IN GENERAL.—At the determination of the Comptroller General of the United States

(referred to in this section as the “Comptroller General”), to facilitate the preparation of the reports from the Comptroller General under paragraph (2), the head of each Federal department and agency shall submit to the Comptroller General data and other relevant information that describes the amounts expended or disbursed (including through loans, loan guarantees, grants, or any other financing mechanism) by the department or agency as a direct result of any provision of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) (including any regulation promulgated pursuant to that Act) during—

(i) with respect to the first report under paragraph (2), the 3 fiscal years preceding the date of submission of the report; and

(ii) with respect to the second report under paragraph (2), the 2 fiscal years preceding the date of submission of the report.

(B) REQUIREMENTS.—Data and other relevant information submitted under subparagraph (A) shall describe, with respect to the applicable amounts—

(i) the programmatic office of the department or agency on behalf of which each amount was expended or disbursed;

(ii) the provision of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) (or regulation promulgated pursuant to that Act) pursuant to which each amount was expended or disbursed; and

(iii) the project or activity carried out using each amount, in detail sufficient to reflect the breadth, scope, and purpose of the project or activity.

(2) COMPTROLLER GENERAL.—Not later than 2 years and 4 years after the date of enactment of this Act, the Comptroller General shall submit to the Committees on Appropriations, Commerce, Science, and Transportation, and Environment and Public Works of the Senate and the Committee on Appropriations and Natural Resources of the House of Representatives a report that describes—

(A) the aggregate amount expended or disbursed by all Federal departments and agencies as a direct result of any provision of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) (including any regulation promulgated pursuant to that Act) during—

(i) with respect to the first report, the 3 fiscal years preceding the date of submission of the report; and

(ii) with respect to the second report, the 2 fiscal years preceding the date of submission of the report;

(B) the provision of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) (or regulation promulgated pursuant to that Act) pursuant to which each such amount was expended or disbursed; and

(C) with respect to each relevant department or agency—

(i) the total amount expended or disbursed by the department or agency as described in subparagraph (A); and

(ii) the information described in clauses (i) through (iii) of paragraph (1)(B).

(b) REPORT ON CONSERVATION ACTIVITIES.—

(1) FEDERAL DEPARTMENTS AND AGENCIES.—At the determination of the Comptroller General, to facilitate the preparation of the report under paragraph (2), the head of each Federal department and agency shall submit to the Comptroller General data and other relevant information that describes the conservation activities by the Federal department or agency as a direct result of any provision of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) (including any regulation promulgated pursuant to that Act) during—

(A) with respect to the first report under paragraph (2), the 3 fiscal years preceding the date of submission of the report; and

(B) with respect to the second report under paragraph (2), the 2 fiscal years preceding the date of submission of the report.

(2) COMPTROLLER GENERAL.—Not later than 2 years and 4 years after the date of enactment of this Act, the Comptroller General shall submit to the Committees on Commerce, Science, and Transportation and Environment and Public Works of the Senate and the Committee on Natural Resources of the House of Representatives a report that—

(A) describes the conservation activities by all Federal departments and agencies for species listed as a threatened species or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), as reported under paragraph (1), during—

(i) with respect to the first report, the 3 fiscal years preceding the date of submission of the report; and

(ii) with respect to the second report, the 2 fiscal years preceding the date of submission of the report;

(B) is organized into categories with respect to whether a recovery plan for a species has been established;

(C) includes conservation outcomes associated with the conservation activities; and

(D) as applicable, describes the conservation activities that required interaction between Federal agencies and between Federal agencies and State and Tribal agencies and units of local government pursuant to the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

SEC. 303. USE OF VALUE OF LAND FOR COST SHARING.

The Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669 et seq.) is amended—

(1) by redesignating section 13 as section 14; and

(2) by inserting after section 12 the following:

“SEC. 13. VALUE OF LAND.

“Notwithstanding any other provision of law, any institution eligible to receive Federal funds under the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7601 et seq.) shall be allowed to use the value of any land owned by the institution as an in-kind match to satisfy any cost sharing requirement under this Act.”.

AUTHORITY FOR COMMITTEES TO MEET

Mr. PORTMAN. Mr. President, I have 7 requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, September 16, 2020, at 9:45 a.m., to conduct a hearing on nominations.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Wednesday, September 16, 2020, at 10 a.m., to conduct a hearing on nominations.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, September 16, 2020, at 10 a.m., to conduct a hearing.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, September 16, 2020, at 10:15 a.m., to conduct a business meeting and executive session on nominations.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, September 16, 2020, at 1:30 p.m., to conduct a closed hearing.

SUBCOMMITTEE ON PUBLIC LANDS, FORESTS, AND MINING

The Subcommittee on Public Lands, Forests, and Mining of the Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Wednesday, September 16, 2020, at 2:30 p.m., to conduct a hearing.

SUBCOMMITTEE ON INTELLECTUAL PROPERTY

The Subcommittee on Intellectual Property of the Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, September 16, 2020, at 2:30 p.m., to conduct a hearing.

AMERICA'S CONSERVATION ENHANCEMENT ACT

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 378, S. 3051.

The PRESIDING OFFICER. The clerk will report bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 3051) to improve protections for wildlife, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Environment and Public Works with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “America’s Conservation Enhancement Act”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—WILDLIFE ENHANCEMENT, DISEASE, AND PREDATION

Sec. 101. Theodore Roosevelt Genius Prize for reducing human-predator conflict.

Sec. 102. Losses of livestock due to depredation by federally protected species.

Sec. 103. Depredation permits for black vultures and common ravens.

Sec. 104. Chronic Wasting Disease Task Force.

Sec. 105. Invasive species.

Sec. 106. North American Wetlands Conservation Act.

Sec. 107. National Fish and Wildlife Foundation Establishment Act.

Sec. 108. Modification of definition of sport fishing equipment under Toxic Substances Control Act.

Sec. 109. Reauthorization of Chesapeake Bay Program.

Sec. 110. Reauthorization of Chesapeake Bay Initiative Act of 1998.

Sec. 111. Chesapeake watershed investments for landscape defense.

Sec. 112. Great Lakes monitoring, assessment, science, and research.

TITLE II—MODERNIZING THE PITTMAN-ROBERTSON FUND FOR TOMORROW'S NEEDS

Sec. 201. Purpose.

Sec. 202. Definitions.

Sec. 203. Apportionment of available amounts.

Sec. 204. Expenditures for management of wildlife areas and resources.

Sec. 205. Firearm and bow hunter education and safety program grants.

Sec. 206. Multistate conservation grant program.

TITLE III—NATIONAL FISH HABITAT CONSERVATION THROUGH PARTNERSHIPS

Sec. 301. Purpose.

Sec. 302. Definitions.

Sec. 303. National Fish Habitat Board.

Sec. 304. Fish Habitat Partnerships.

Sec. 305. Fish Habitat Conservation Projects.

Sec. 306. Technical and scientific assistance.

Sec. 307. Coordination with States and Indian Tribes.

Sec. 308. Interagency Operational Plan.

Sec. 309. Accountability and reporting.

Sec. 310. Effect of this title.

Sec. 311. Nonapplicability of Federal Advisory Committee Act.

Sec. 312. Funding.

Sec. 313. Prohibition against implementation of regulatory authority by Federal agencies through Partnerships.

TITLE IV—MISCELLANEOUS

Sec. 401. Sense of the Senate regarding conservation agreements and activities.

Sec. 402. Study to review conservation factors.

Sec. 403. Study and report on expenditures.

Sec. 404. Use of value of land for cost sharing.

TITLE I—WILDLIFE ENHANCEMENT, DISEASE, AND PREDATION

SEC. 101. THEODORE ROOSEVELT GENIUS PRIZE FOR REDUCING HUMAN-PREDATOR CONFLICT.

(a) **IN GENERAL.**—Section 7001(d) of the John D. Dingell, Jr. Conservation, Management, and Recreation Act (16 U.S.C. 742b note; Public Law 116–9) is amended—

(1) in paragraphs (2)(C)(v), (3)(C)(v), (4)(C)(v), (5)(C)(v), and (6)(C)(v), by striking “paragraph (7)(A)” each place it appears and inserting “paragraph (8)(A)”;

(2) in paragraphs (2)(D)(ii), (2)(F)(ii), (3)(D)(ii), (3)(F)(ii), (4)(D)(ii), (4)(F)(ii), (5)(D)(ii), (5)(F)(ii), (6)(D)(ii), and (6)(F)(ii) by striking “paragraph (7)(B)” each place it appears and inserting “paragraph (8)(B)”;

(3) in paragraph (6)(C)(iv), in the matter preceding clause (i), by striking “subparagraph (C)” and inserting “clause (iii)”;

(4) by redesignating paragraph (7) as paragraph (8);

(5) by inserting after paragraph (6) the following:

“(7) **THEODORE ROOSEVELT GENIUS PRIZE FOR REDUCING HUMAN-PREDATOR CONFLICT.**—

“(A) **DEFINITIONS.**—In this paragraph:

“(i) **BOARD.**—The term ‘Board’ means the Reducing Human-Predator Conflict Technology Advisory Board established by subparagraph (C)(i).

“(ii) **PRIZE COMPETITION.**—The term ‘prize competition’ means the Theodore Roosevelt Genius Prize for reducing human-predator conflict established under subparagraph (B).

“(B) **AUTHORITY.**—Not later than 180 days after the date of enactment of the America’s Conservation Enhancement Act, the Secretary shall establish under section 24 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3719) a prize competition, to be known as the ‘Theodore Roosevelt Genius Prize for reducing human-predator conflict’—

“(i) to encourage technological innovation with the potential to advance the mission of the United States Fish and Wildlife Service with respect to reducing the frequency of human-predator conflict using nonlethal means; and

“(ii) to award 1 or more prizes annually for a technological advancement that promotes reducing human-predator conflict using nonlethal means, which may include the application and monitoring of tagging technologies.

“(C) **ADVISORY BOARD.**—

“(i) **ESTABLISHMENT.**—There is established an advisory board, to be known as the ‘Reducing Human-Predator Conflict Technology Advisory Board’.

“(ii) **COMPOSITION.**—The Board shall be composed of not fewer than 9 members appointed by the Secretary, who shall provide expertise in—

“(I) predator-human interactions;

“(II) the habitats of large predators;

“(III) biology;

“(IV) technology development;

“(V) engineering;

“(VI) economics;

“(VII) business development and management; and

“(VIII) any other discipline, as the Secretary determines to be necessary to achieve the purposes of this paragraph.

“(iii) **DUTIES.**—Subject to clause (iv), with respect to the prize competition, the Board shall—

“(I) select a topic;

“(II) issue a problem statement;

“(III) advise the Secretary regarding any opportunity for technological innovation to reduce human-predator conflict using nonlethal means; and

“(IV) advise winners of the prize competition regarding opportunities to pilot and implement winning technologies in relevant fields, including in partnership with conservation organizations, Federal or State agencies, federally recognized Indian Tribes, private entities, and research institutions with expertise or interest relating to reducing human-predator conflict using nonlethal means.

“(iv) **CONSULTATION.**—In selecting a topic and issuing a problem statement for the prize competition under subclauses (I) and (II) of clause (iii), respectively, the Board shall consult widely with Federal and non-Federal stakeholders, including—

“(I) 1 or more Federal agencies with jurisdiction over the management of native wildlife species at risk due to conflict with human activities;

“(II) 1 or more State agencies with jurisdiction over the management of native wildlife species at risk due to conflict with human activities;

“(III) 1 or more State, regional, or local wildlife organizations, the mission of which relates to the management of native wildlife species at risk due to conflict with human activities; and

“(IV) 1 or more wildlife conservation groups, technology companies, research institutions, institutions of higher education, industry associations, or individual stakeholders with an interest in the management of native wildlife species at risk due to conflict with human activities.

“(v) **REQUIREMENTS.**—The Board shall comply with all requirements under paragraph (8)(A).

“(D) **AGREEMENT WITH NATIONAL FISH AND WILDLIFE FOUNDATION.**—

“(i) **IN GENERAL.**—The Secretary shall offer to enter into an agreement under which the National Fish and Wildlife Foundation shall administer the prize competition.

“(ii) **REQUIREMENTS.**—An agreement entered into under clause (i) shall comply with all requirements under paragraph (8)(B).