

Union Calendar No. 408

117TH CONGRESS
2^D SESSION

H. R. 2026

[Report No. 117-567]

To assist in the conservation of highly endangered amphibian species in foreign countries, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 18, 2021

Mr. JEFFRIES (for himself, Mr. BUCHANAN, Mr. FITZPATRICK, and Mr. HUFFMAN) introduced the following bill; which was referred to the Committee on Natural Resources

NOVEMBER 16, 2022

Additional sponsors: Mr. GARAMENDI, Mr. BLUMENAUER, Mr. DEFazio, Mrs. NAPOLITANO, Ms. BARRAGÁN, and Ms. NORTON

NOVEMBER 16, 2022

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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

[For text of introduced bill, see copy of bill as introduced on March 18, 2021]

A BILL

To assist in the conservation of highly endangered amphibian
species in foreign countries, 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,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Global Amphibian Pro-*
5 *tection Act of 2021”.*

6 **SEC. 2. DEFINITIONS.**

7 *In this Act:*

8 (1) *CONVENTION.*—*The term “Convention”*
9 *means the Convention on International Trade in En-*
10 *dangered Species of Wild Fauna and Flora (27 UST*
11 *1087; TIAS 8249).*

12 (2) *CONSERVATION.*—*The term “conservation”*
13 *means the protection and restoration of species and*
14 *the habitat of such species.*

15 (3) *FUND.*—*The term “Fund” means the Highly*
16 *Endangered Amphibians Conservation Fund estab-*
17 *lished by section 4.*

18 (4) *HIGHLY ENDANGERED AMPHIBIAN SPE-*
19 *CIES.*—

20 (A) *IN GENERAL.*—*The term “highly endan-*
21 *gered amphibian species” means—*

22 (i) *any amphibian species categorized*
23 *on the International Union for Conserva-*
24 *tion of Nature Red List of Threatened Spe-*

cies as *Endangered*, *Critically Endangered*,
or *Extinct in the Wild*; and

(ii) any other amphibian species categorized on the *International Union for Conservation of Nature Red List of Threatened Species* as *Data Deficient* or under a threat category lower than *Endangered* if the Secretary determines that—

(I) the most recent *International Union for Conservation of Nature Red List* assessment indicates that the population is decreasing; or

(II) such species is facing new or emerging threats.

(B) *INCLUSIONS*.—The term “highly endangered amphibian species” includes—

(i) live specimens, at all lifecycle stages, of species described in subparagraph (A);

(ii) dead specimens, or parts or products thereof, of such species.

(5) *MULTINATIONAL SPECIES CONSERVATION FUND*.—The term “*Multinational Species Conservation Fund*” means the fund established under the heading “multinational species conservation fund” in

1 *title I of the Department of the Interior and Related*
2 *Agencies Appropriations Act, 1999 (16 U.S.C. 4246).*

3 (6) *SECRETARY.*—*The term “Secretary” means*
4 *the Secretary of the Interior.*

5 **SEC. 3. HIGHLY ENDANGERED AMPHIBIAN SPECIES ASSIST-**
6 **ANCE.**

7 (a) *IN GENERAL.*—*In consultation with other Federal*
8 *officials, the Secretary shall use amounts in the Fund to*
9 *carry out a competitive grant program to provide financial*
10 *assistance for the conservation of highly endangered am-*
11 *phibian species.*

12 (b) *PROJECT PROPOSALS.*—

13 (1) *ELIGIBLE APPLICANTS.*—*A proposal for a*
14 *grant under subsection (a) may be submitted to the*
15 *Secretary by—*

16 (A) *any wildlife management authority of a*
17 *foreign country that has within its boundaries*
18 *natural habitat of a highly endangered amphib-*
19 *ian species if the activities of the authority di-*
20 *rectly or indirectly benefit that species’ conserva-*
21 *tion; or*

22 (B) *any other person or group with the*
23 *demonstrated expertise and capacity required for*
24 *the conservation of a highly endangered amphib-*
25 *ian species.*

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

3 (A) *evidence of support for the project by*
4 *appropriate governmental entities of the country*
5 *in which the project will be conducted, if the Sec-*
6 *retary determines that such support is required*
7 *for the success of the project;*

8 (B) *evidence of sensitivity to local historic*
9 *and cultural resources and compliance with ap-*
10 *plicable laws;*

11 (C) *evidence of free, prior, and informed*
12 *consent by indigenous peoples and local commu-*
13 *nities in the areas the project will be conducted,*
14 *if the Secretary, based on the nature of the*
15 *project, determines that such consent is required*
16 *for the success of the project;*

17 (D) *information regarding the source and*
18 *amount of matching funding available for the*
19 *project; and*

20 (E) *any other information that the Sec-*
21 *retary determines to be appropriate.*

22 (c) *EVALUATION AND APPROVAL.*—

23 (1) *GOALS.*—The Secretary may approve a pro-
24 posal under this section if the project will—

1 (A) help recover and sustain viable popu-
2 lations in the wild of a highly endangered am-
3 phibian species with a range that is, in whole or
4 in part, outside of the United States;

5 (B) enhance compliance with provisions of
6 the Convention and laws of the United States or
7 a foreign country related to the conservation of
8 a highly endangered amphibian species; or

9 (C) develop sound scientific information on
10 that species' habitat, population numbers and
11 trends, reproduction, mortality, and other
12 threats to survival.

13 (2) *METHODS.*—The Secretary may approve a
14 proposal under this section if the proposal would
15 achieve one of the goals set forth in paragraph (1)
16 through—

17 (A) protection, restoration, and manage-
18 ment of habitat;

19 (B) *in situ* research and monitoring of pop-
20 ulations, habitats, annual reproduction, and spe-
21 cies population trends;

22 (C) development, implementation, and im-
23 provement of national and regional management
24 plans for a highly endangered amphibian species
25 and the habitat of such species;

1 (D) enforcement and implementation of the
2 Convention or the law of a foreign country to—

3 (i) protect and manage a highly en-
4 dangered amphibian species or the habitat
5 of such species;

6 (ii) prevent illegal or unsustainable re-
7 moval of a highly endangered amphibian
8 species from the wild; or

9 (iii) prevent illegal trade of a highly
10 endangered amphibian species;

11 (E) training and capacity building for local
12 law enforcement officials in the interdiction and
13 prevention of the illegal killing, removal from the
14 wild, or trade of a highly endangered amphibian
15 species;

16 (F) an initiative to resolve a conflict be-
17 tween humans and a highly endangered amphib-
18 ian species;

19 (G) research and implementation of projects
20 to address disease and threats to the health of a
21 highly endangered amphibian species;

22 (H) community outreach and education on
23 conservation of a highly endangered amphibian
24 species and the habitat of such species; or

1 (I) *strengthening the ability of local com-*
2 *munities to implement a conservation program.*

3 (3) *CONSULTATION.—The Secretary shall, prior*
4 *to approving any proposal under this section, consult*
5 *with each of the following with respect to such pro-*
6 *posal:*

7 (A) *The Government of each country in*
8 *which such proposal will be carried out.*

9 (B) *Any other Federal agency the Secretary*
10 *determines is appropriate.*

11 (4) *PREFERENTIAL CONSIDERATION.—In deter-*
12 *mining whether to approve a proposal, the Secretary*
13 *shall give preference to a proposal that—*

14 (A) *is designed to ensure effective, long-term*
15 *conservation of highly endangered amphibian*
16 *species and their habitats; and*

17 (B) *has matching funds available.*

18 (5) *APPROVAL.—The Secretary shall, within 180*
19 *days of receiving a proposal under this section, ap-*
20 *prove or disapprove of the proposal and provide writ-*
21 *ten notification of such approval or disapproval to—*

22 (A) *the person who submitted such proposal;*

23 (B) *any Federal agency the Secretary deter-*
24 *mines appropriate; and*

1 (C) *the foreign country in which such pro-*
2 *posal would be carried out.*

3 (d) *PROJECT REPORTING.—*

4 (1) *IN GENERAL.—The Secretary shall require*
5 *each person that receives assistance under this section*
6 *to submit periodic reports including such information*
7 *as the Secretary may require in order to evaluate the*
8 *progress and success of each grant issued under this*
9 *section.*

10 (2) *AVAILABILITY TO THE PUBLIC.—Reports*
11 *under paragraph (1), and any other documents relat-*
12 *ing to projects for which financial assistance is pro-*
13 *vided under this Act except for documents that the*
14 *Secretary determines to be confidential in nature,*
15 *shall be made available to the public.*

16 (e) *LIMITATIONS ON USE FOR CAPTIVE BREEDING.—*
17 *Amounts provided as a grant under this Act—*

18 (1) *may not be used for captive breeding of high-*
19 *ly endangered amphibian species other than for cap-*
20 *tive breeding designed for release into the wild; and*

21 (2) *may be used for captive breeding of a species*
22 *for release into the wild only if no other conservation*
23 *method for the species is biologically or technically*
24 *feasible.*

1 **SEC. 4. HIGHLY ENDANGERED AMPHIBIAN SPECIES CON-**
2 **SERVATION FUND.**

3 (a) *ESTABLISHMENT.*—*There is established in the Mul-*
4 *tinational Species Conservation Fund a separate account*
5 *to be known as the “Highly Endangered Amphibian Species*
6 *Conservation Fund”, consisting of—*

7 (1) *amounts transferred to the Secretary of the*
8 *Treasury for deposit into the Fund under subsections*
9 *(d) and (e);*

10 (2) *amounts appropriated to the Fund under*
11 *section 5; and*

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

14 (b) *EXPENDITURES FROM FUND.*—

15 (1) *IN GENERAL.*—*Subject to paragraph (2), at*
16 *the request of the Secretary, the Secretary of the*
17 *Treasury shall transfer from the Fund to the Sec-*
18 *retary, without further appropriation, such amounts*
19 *as the Secretary determines are necessary to carry out*
20 *section 3.*

21 (2) *ADMINISTRATIVE EXPENSES.*—*Of the*
22 *amounts in the account available for each fiscal year,*
23 *the Secretary may expend not more than 3 percent,*
24 *or up to \$150,000, whichever is greater, to pay the*
25 *administrative expenses necessary to carry out this*
26 *Act.*

1 (c) *INVESTMENT OF AMOUNTS.*—

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

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

11 (A) *on original issue at the issue price; or*

12 (B) *by purchase of outstanding obligations*
 13 *at market price.*

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

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

21 (d) *TRANSFERS OF AMOUNTS.*—

22 (1) *IN GENERAL.*—*The amounts required to be*
 23 *transferred to the Fund under this section shall be*
 24 *transferred at least monthly from the general fund of*

1 *the Treasury to the Fund on the basis of estimates*
2 *made by the Secretary of the Treasury.*

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

7 (e) *ACCEPTANCE AND USE OF DONATIONS.—The Sec-*
8 *retary may accept and use donations to provide assistance*
9 *under section 3. Amounts received by the Secretary in the*
10 *form of donations shall be transferred to the Secretary of*
11 *the Treasury for deposit in the Fund. The Secretary may*
12 *reject a gift under this section when the rejection is in the*
13 *interest of the Government.*

14 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

15 *There is authorized to be appropriated to the Fund*
16 *\$5,000,000 for each of fiscal years 2022 through 2027.*

17 **SEC. 6. REPORT TO CONGRESS.**

18 *Not later than 1 year after the date of enactment of*
19 *this Act, and every 2 years thereafter, the Secretary shall*
20 *submit to Congress a report on the results and effectiveness*
21 *of the program carried out under this Act.*

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