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WILDLIFE INNOVATION AND LONGEVITY DRIVER REAUTHORIZATION (WILD) ACT

DECEMBER 11, 2023.—Ordered to be printed

Mr. CARPER, from the Committee on Environment and Public
Works, submitted the following

R E P O R T

[To accompany S. 2395]

[Including cost estimate of the Congressional Budget Office]

The Committee on Environment and Public Works, to which was referred the bill (S. 2395), to reauthorize wildlife habitat and conservation programs, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

GENERAL STATEMENT AND BACKGROUND

The Wildlife Innovation and Longevity Driver Reauthorization (WILD) Act, S. 2395, would reauthorize the U.S. Fish and Wildlife Service (USFWS) Partners for Fish and Wildlife Program and the Multinational Species Conservation Funds (MSCF).

The Partners for Fish and Wildlife Program provides technical and financial assistance to private landowners to restore, enhance, and manage private land to improve fish and wildlife habitats. Since the program began operating in 1987, the USFWS has partnered with more than 60,000 landowners to care for more than 7 million acres of habitat for wildlife and people across America. In 2022, 250 USFWS biologists completed 1,877 wildlife habitat projects across all states and U.S. territories, restoring and enhanc-

ing 233,890 acres of uplands, 17,452 acres of wetlands, and 280 miles of rivers and streams for fish, wildlife, and plant species.¹

Congress first authorized the Partners for Fish and Wildlife Program through the Partners for Fish and Wildlife Act (P.L. 109–294) at \$75 million annually for fiscal years (FY) 2006 through 2011. Prior to that, Congress funded the program as a line item in annual appropriations laws pursuant to the general grant making authorities under the Fish and Wildlife Coordination Act (P.L. 85–624), the Fish and Wildlife Act (P.L. 105–242), and the Partnerships for Wildlife Act (P.L. 102–587). In its accompanying report on the Partners for Fish and Wildlife Act, which the Committee on Environment and Public Works favorably reported on June 8, 2005, the Committee noted that one purpose of the Act was to “provide the program with the added recognition and stability of congressional authorization.”² The second time Congress authorized the Partners for Fish and Wildlife Program was in 2019 through the John D. Dingell, Jr. Conservation, Management, and Recreation Act of 2019 (P.L. 116–9). That law reauthorized the program at \$75 million annually for five years—for FY 2019 through 2023.

Congress also reauthorized the MSCF for FY 2019 through 2023 as part of the John D. Dingell, Jr. Conservation, Management, and Recreation Act of 2019. MSCF are federal programs administered by the USFWS that make targeted investments in the conservation of several global priority species. Congress authorized the first fund in 1988 through the African Elephant Conservation Act (P.L. 100–478) with the intent to protect African elephants from rampant ivory poaching. Since then, Congress has authorized four additional funds to help protect other priority species, including Asian elephants, great apes (gorillas, chimpanzees, bonobos, orangutans, and various species of gibbons), marine turtles, and rhinoceros and tigers.³ In the John D. Dingell, Jr. Conservation, Management and Recreation Act of 2019, the funds for African elephants, Asian elephants, great apes, and marine turtles were each authorized for \$5 million annually, and the fund for rhinoceros and tigers was authorized for \$10 million annually over the five-year period (FY 2019 through FY 2023). As of 2020, the USFWS estimated that the MSCF had engaged nearly 600 domestic and foreign partners in 54 countries.⁴

Prior to the enactment of the John D. Dingell, Jr. Conservation, Management, and Recreation Act of 2019, the Committee on Environment and Public Works favorably reported the Wildlife Innovation and Longevity Driver Act (S. 826), a bill that reauthorized the Partners for Fish and Wildlife Program and the MSCF during the 115th Congress. The Senate passed that bill, with an amendment, by unanimous consent on June 8, 2017. The Wildlife Innovation and Longevity Driver Act reauthorized the Partners for Fish and Wildlife Program at \$100 million annually for FY 2018 through 2022. It also contained provisions to reauthorize each of the MSCF

¹ USFWS, *Partners for Fish and Wildlife, 2022 Annual Report* (Mar. 31, 2023), <https://www.fws.gov/sites/default/files/documents/2023-03-29%20PFW%202022%20Annual%20Report%20%28full%20spread%20508%29.pdf>.

² S. REP. NO. 109–86 (2005), <https://www.congress.gov/congressional-report/109th-congress/senate-report/86/1>.

³ Congressional Research Service, *Multinational Species Conservation Fund: FY2020 Appropriations*, R45668 (Apr. 5, 2019), <https://crsreports.congress.gov/product/pdf/R/R45668>.

⁴ USFWS, *Budget Justification and Performance Information, Fiscal Year 2021*, <https://www.fws.gov/media/fiscal-year-2021-fish-and-wildlife-service-presidents-budget>.

from FY 2018 through 2022 at the same levels that Congress ultimately included in the John D. Dingell, Jr. Conservation, Management, and Recreation Act of 2019.

OBJECTIVES OF THE LEGISLATION

The purpose of the bill is to reauthorize the Partners for Fish and Wildlife Program and the MSCF for FY 2024 through 2028.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

This section states that the Act may be cited as the “Wildlife Innovation and Longevity Driver Reauthorization Act” or the “WILD Act.”

Sec. 2. Partners for Fish and Wildlife Act

This section reauthorizes appropriations for the Partners for Fish and Wildlife Program under the Partners for Fish and Wildlife Act for FY 2024 through 2028 at \$75 million per FY.

Sec. 3. African Elephant Conservation Act

This section authorizes the Department of the Interior to award grants of up to 5 years for long-term conservation projects for African elephants and their habitat. It also reauthorizes appropriations for the African Elephant Conservation Act for FY 2024 through 2028 at \$5 million per FY.

Sec. 4. Asian Elephant Conservation Act of 1997

This section authorizes the Department of the Interior to award grants of up to 5 years for long-term conservation projects for Asian elephants and their habitat. It also reauthorizes appropriations for the Asian Elephant Conservation Act of 1997 for FY 2024 through 2028 at \$5 million per FY.

Sec. 5. Rhinoceros and Tiger Conservation Act of 1994

This section authorizes the Department of the Interior to award grants of up to 5 years for long-term conservation projects for rhinoceroses or tigers and their habitats. It also reauthorizes appropriations for the Rhinoceros and Tiger Conservation Act of 1994 for FY 2024 through 2028 at \$10 million per FY.

Sec. 6. Great Ape Conservation Act of 2000

This section revises an existing Great Ape conservation multiyear grant program to include a 5-year funding limit. It also reauthorizes appropriations for the Great Ape Conservation Act of 2000 for FY 2024 through 2028 at \$5 million per FY.

Sec. 7. Marine Turtle Conservation Act of 2004

This section authorizes the Department of the Interior to award grants of up to 5 years for long-term conservation projects for turtles and tortoises and their habitat. This section reauthorizes appropriations for the Marine Turtle Conservation Act of 2004 for FY 2024 through 2028 at \$5 million per FY.

LEGISLATIVE HISTORY

On July 19, 2023, Senator Carper introduced S. 2395, the WILD Act. Senator Capito was an original cosponsor. The bill was referred to the Committee on Environment and Public Works.

HEARINGS

No committee hearings were held on S. 2395.

ROLLCALL VOTES

On July 26, 2023, the Committee on Environment and Public Works met to consider S. 2395. The bill was ordered favorably reported without amendment by voice vote. No roll call votes were taken.

REGULATORY IMPACT STATEMENT

In compliance with section 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee on Environment and Public Works finds that S. 2395 does not create any additional regulatory burdens, nor will it cause any adverse impact on the personal privacy of individuals.

MANDATES ASSESSMENT

In compliance with the Unfunded Mandates Reform Act of 1995 (Public Law 104–4), the Committee on Environment and Public Works notes that the Congressional Budget Office found that S. 2395 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

COST OF LEGISLATION

Section 403 of the Congressional Budget and Impoundment Control Act requires that a statement of the cost of the reported bill, prepared by the Congressional Budget Office, be included in the report. That statement follows:

S. 2395, WILD Act			
As reported by the Senate Committee on Environment and Public Works on July 26, 2023			
By Fiscal Year, Millions of Dollars	2024	2024-2028	2024-2033
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	76	483	525
Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2034?	No	Statutory pay-as-you-go procedures apply?	No
		Mandate Effects	
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2034?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

S. 2395 would reauthorize the appropriation of \$75 million annually over the 2024–2028 period for the USFWS to implement the Partners for Fish and Wildlife Program. The program provides grants to landowners to restore fish and wildlife habitats on private land. In 2023, USFWS allocated \$60 million for that program. The bill also would reauthorize the appropriation of \$30 million annually over the 2024–2028 period to support international efforts to conserve certain wild animals. In 2023, \$21 million was appropriated for those purposes. In addition, the bill would allow USFWS to provide multiyear grants for up to five years for those efforts. The costs of the multiyear grants would be covered by the bill’s authorized appropriations.

Using historical spending patterns for those programs and assuming appropriation of the authorized amounts, CBO estimates that implementing S. 2395 would cost \$483 million over the 2024–2028 period and \$42 million after 2028.

The costs of the legislation, detailed in Table 1, fall within budget function 300 (natural resources and environment).

TABLE 1.—ESTIMATED INCREASES IN SPENDING SUBJECT TO APPROPRIATION UNDER S. 2395

	By fiscal year, millions of dollars—					
	2024	2025	2026	2027	2028	2024–2028
Partners for Fish and Wildlife Program:						
Authorization	75	75	75	75	75	375
Estimated Outlays	58	69	72	74	75	348
International Efforts to Conserve Wild Animals:						
Authorization	30	30	30	30	30	150
Estimated Outlays	18	27	30	30	30	135
Total Changes:						
Authorization	105	105	105	105	105	525
Estimated Outlays	76	96	102	104	105	483

The CBO staff contact for this estimate is Lilia Ledezma. The estimate was reviewed by Ann E. Futrell, Senior Adviser for Budget Analysis.

CHANGES IN EXISTING LAW

In compliance with section 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill as reported are shown as follows: Existing law proposed to be omitted is enclosed in [black brackets], new matter is printed in *italic*, existing law in which no change is proposed is shown in roman:

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TITLE 16-CONSERVATIONCHAPTER 57B-PARTNERS FOR FISH AND WILDLIFE

3774. Authorization of appropriationsThere is authorized to be appropriated to carry out this chapter not more than \$75,000,000 for each of fiscal years [2019 through 2023] *2024 through 2028*.

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AFRICAN ELEPHANT CONSERVATION ACT

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PART I—AFRICAN ELEPHANT CONSERVATION ASSISTANCE

SEC. 2101. [16 U.S.C. 4211] PROVISION OF ASSISTANCE.

(a) IN GENERAL.— * * *

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(g) *Multiyear Grants.*—

(1) AUTHORIZATION.—*The Secretary may award to a person who is otherwise eligible for a grant under this section a multiyear grant of up to 5 years to carry out a project that the person demonstrates is an effective, long-term conservation strategy for African elephants and the habitat of African elephants.*

(2) *Effect.*—*Nothing in this subsection precludes the Secretary from awarding a grant on an annual basis.*

* * * * *

SEC. 2306. [16 U.S.C. 4245] AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to the Fund and to the Secretary a total of not to exceed \$5,000,000 for each of fiscal years [2019 through 2023] *2024 through 2028* to carry out this title, to remain available until expended.

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ASIAN ELEPHANT CONSERVATION ACT OF 1997

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SECTION 1. [16 U.S.C. 4261 note] SHORT TITLE.

This Act may be cited as the “Asian Elephant Conservation Act of 1997”.

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SEC. 5. [16 U.S.C. 4264] ASIAN ELEPHANT CONSERVATION ASSISTANCE.

(a) IN GENERAL.—The Secretary, subject to the availability of funds and in consultation with the Administrator, shall use amounts in the Fund to provide financial assistance for projects for the conservation of Asian elephants for which final project proposals are approved by the Secretary in accordance with this section.

(b) PROJECT PROPOSAL.— * * *

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SEC. 8. [16 U.S.C. 4266] AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to the Fund \$5,000,000 for each of fiscal years [2019 through 2023] *2024 through 2028* to carry out this Act, which may remain available until expended.

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RHINOCEROS AND TIGER CONSERVATION ACT OF 1994

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SECTION 1. [16 U.S.C. 5301 note] SHORT TITLE.

This Act may be cited as the “Rhinoceros and Tiger Conservation Act of 1994”.

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SEC. 5. [16 U.S.C. 5304] RHINOCEROS AND TIGER CONSERVATION ASSISTANCE.

(a) IN GENERAL.—The Secretary, subject to the availability of appropriations and in consultation with the Administrator, shall use amounts in the Fund to provide financial assistance for projects for the conservation of rhinoceros and tigers.

(b) PROJECT PROPOSAL.— * * *

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(f) PROJECT REPORTING.—

(g) *Multiyear Grants*.—

(1) *Authorization*.—*The Secretary may award to a person who is otherwise eligible for a grant under this section a multiyear grant of up to 5 years to carry out a project that the person demonstrates is an effective, long-term conservation strategy for rhinoceroses or tigers and the habitat of rhinoceroses or tigers.*

(2) *Effect*.—*Nothing in this subsection precludes the Secretary from awarding a grant on an annual basis.*

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SEC. 10. [16 U.S.C. 5306] AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to the Fund \$10,000,000 for each of fiscal years [2019 through 2023] 2024 through 2028 to carry out this Act, to remain available until expended.

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GREAT APE CONSERVATION ACT OF 2000

(a) In general

Subject to the availability of funds and in consultation with other appropriate Federal officials, the Secretary shall use amounts in the Fund to provide financial assistance for projects for the conservation of great apes for which project proposals are approved by the Secretary in accordance with this section.

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SECTION 6303(J)(1)

(j) Multiyear grants

(1) Authorization

The Secretary may award to a person who is otherwise eligible for a grant under this section a multiyear grant *of up to 5 years after* to carry out a project that the person demonstrates is an effective, long-term conservation strategy for great apes and the habitat of great apes.

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SECTION 6305.

There are authorized to be appropriated to the Fund \$5,000,000 for each of fiscal years [2019 through 2023] 2024 through 2028.

MARINE TURTLE CONSERVATION ACT OF 2004

SECTION 6603. Conservation assistance

(a) In general * * *

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(g) Project reporting

(1) In general * * *

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(h) *Multiyear Grants.*

(1) *Authorization.—The Secretary may award to a person who is otherwise eligible for a grant under this section a multiyear grant of up to 5 years to carry out a project that the person demonstrates is an effective, long-term conservation strategy for marine turtles, freshwater turtles, or tortoises and the habitat of marine turtles, freshwater turtles, or tortoises.*

(2) *Effect.—Nothing in this subsection precludes the Secretary from awarding a grant on an annual basis.*

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SECTION 6606. Authorization of appropriations

(a) In general

There is authorized to be appropriated to the Fund \$5,000,000 for each of fiscal years **2019 through 2023** *2024 through 2028*.