

Mr. FALEOMAVAEGA. Mr. Speaker, I would like to thank the gentleman from Arizona (Mr. RENZI) and the majority of the committee for the management of this legislation. I also would be remiss if I did not extend my personal commendation to the gentleman from North Carolina (Mr. JONES), the chief sponsor of this legislation, which has been carried on for the past several Congresses. I congratulate the gentleman from North Carolina (Mr. JONES) for his tenacity and persistence in moving this legislation.

Mr. Speaker, in the course of the last several hundred years, a herd of wild horses has established itself on the Shackleford Banks area of Cape Lookout, North Carolina. The herd developed on the banks because of shipwrecks and abandonment. When the national seashore was established, there were approximately 100 wild horses on the barrier island. Over the years, the National Park Service has taken steps to control the herd size to prevent damage to park resources.

As the majority explained, this bill makes a number of slight adjustments in the management of the herd as a means to ensure their long-term survival.

Mr. Speaker, H.R. 2055 is a workable solution to the wild horse management needs at Cape Lookout, and we support adoption of the legislation by the House today.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. RENZI. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the bill, H.R. 2055.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

### MARINE TURTLE CONSERVATION ACT OF 2004

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3378) to assist in the conservation of marine turtles and the nesting habitats of marine turtles in foreign countries, as amended.

The Clerk read as follows:

H.R. 3378

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Marine Turtle Conservation Act of 2004".

#### SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds that—

- (1) marine turtle populations have declined to the point that the long-term survival of the loggerhead, green, hawksbill, Kemp's rid-

ley, olive ridley, and leatherback turtle in the wild is in serious jeopardy;

(2) 6 of the 7 recognized species of marine turtles are listed as threatened or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), and all 7 species have been included in Appendix I of CITES;

(3) because marine turtles are long-lived, late-maturing, and highly migratory, marine turtles are particularly vulnerable to the impacts of human exploitation and habitat loss;

(4) illegal international trade seriously threatens wild populations of some marine turtle species, particularly the hawksbill turtle;

(5) the challenges facing marine turtles are immense, and the resources available have not been sufficient to cope with the continued loss of nesting habitats caused by human activities and the consequent diminution of marine turtle populations;

(6) because marine turtles are flagship species for the ecosystems in which marine turtles are found, sustaining healthy populations of marine turtles provides benefits to many other species of wildlife, including many other threatened or endangered species;

(7) marine turtles are important components of the ecosystems that they inhabit, and studies of wild populations of marine turtles have provided important biological insights;

(8) changes in marine turtle populations are most reliably indicated by changes in the numbers of nests and nesting females; and

(9) the reduction, removal, or other effective addressing of the threats to the long-term viability of populations of marine turtles will require the joint commitment and effort of—

(A) countries that have within their boundaries marine turtle nesting habitats; and

(B) persons with expertise in the conservation of marine turtles.

(b) PURPOSE.—The purpose of this Act is to assist in the conservation of marine turtles and the nesting habitats of marine turtles in foreign countries by supporting and providing financial resources for projects to conserve the nesting habitats, conserve marine turtles in those habitats, and address other threats to the survival of marine turtles.

#### SEC. 3. DEFINITIONS.

In this Act:

(1) CITES.—The term "CITES" means the Convention on International Trade in Endangered Species of Wild Fauna and Flora (27 UST 1087; TIAS 8249).

(2) CONSERVATION.—The term "conservation" means the use of all methods and procedures necessary to protect nesting habitats of marine turtles in foreign countries and of marine turtles in those habitats, including—

(A) protection, restoration, and management of nesting habitats;

(B) onsite research and monitoring of nesting populations, nesting habitats, annual reproduction, and species population trends;

(C) assistance in the development, implementation, and improvement of national and regional management plans for nesting habitat ranges;

(D) enforcement and implementation of CITES and laws of foreign countries to—

(i) protect and manage nesting populations and nesting habitats; and

(ii) prevent illegal trade of marine turtles;

(E) training of local law enforcement officials in the interdiction and prevention of—

(i) the illegal killing of marine turtles on nesting habitat; and

(ii) illegal trade in marine turtles;

(F) initiatives to resolve conflicts between humans and marine turtles over habitat used by marine turtles for nesting;

(G) community outreach and education; and

(H) strengthening of the ability of local communities to implement nesting population and nesting habitat conservation programs.

(3) FUND.—The term "Fund" means the Marine Turtle Conservation Fund established by section 5.

(4) MARINE TURTLE.—

(A) IN GENERAL.—The term "marine turtle" means any member of the family Cheloniidae or Dermochelyidae.

(B) INCLUSIONS.—The term "marine turtle" includes—

(i) any part, product, egg, or offspring of a turtle described in subparagraph (A); and

(ii) a carcass of such a turtle.

(5) MULTINATIONAL SPECIES CONSERVATION FUND.—The term "Multinational Species Conservation Fund" means the fund established under the heading "multinational species conservation fund" in title I of the Department of the Interior and Related Agencies Appropriations Act, 1999 (16 U.S.C. 4246).

(6) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

#### SEC. 4. MARINE TURTLE CONSERVATION ASSISTANCE.

(a) IN GENERAL.—Subject to the availability of funds and in consultation with other Federal officials, the Secretary shall use amounts in the Fund to provide financial assistance for projects for the conservation of marine turtles for which project proposals are approved by the Secretary in accordance with this section.

(b) PROJECT PROPOSALS.—

(1) ELIGIBLE APPLICANTS.—A proposal for a project for the conservation of marine turtles may be submitted to the Secretary by—

(A) any wildlife management authority of a foreign country that has within its boundaries marine turtle nesting habitat if the activities of the authority directly or indirectly affect marine turtle conservation; or

(B) any other person or group with the demonstrated expertise required for the conservation of marine turtles.

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

(A) a statement of the purposes of the project;

(B) the name of the individual with overall responsibility for the project;

(C) a description of the qualifications of the individuals that will conduct the project;

(D) a description of—

(i) methods for project implementation and outcome assessment;

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

(iii) the logistics of the project;

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

(F) evidence of support for the project by appropriate governmental entities of the countries in which the project will be conducted, if the Secretary determines that such support is required for the success of the project;

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

(H) any other information that the Secretary considers to be necessary for evaluating the eligibility of the project for funding under this Act.

(c) PROJECT REVIEW AND APPROVAL.—

(1) IN GENERAL.—The Secretary shall—

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

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

(2) CONSULTATION; APPROVAL OR DISAPPROVAL.—Not later than 180 days after receiving a project proposal, and subject to the availability of funds, the Secretary, after consulting with other Federal officials, as appropriate, shall—

(A) consult on the proposal with the government of each country in which the project is to be conducted;

(B) after taking into consideration any comments resulting from the consultation, approve or disapprove the project proposal; and

(C) provide written notification of the approval or disapproval to the person that submitted the project proposal, other Federal officials, and each country described in subparagraph (A).

(d) CRITERIA FOR APPROVAL.—The Secretary may approve a project proposal under this section if the project will help recover and sustain viable populations of marine turtles in the wild by assisting efforts in foreign countries to implement marine turtle conservation programs.

(e) PROJECT SUSTAINABILITY.—To the maximum extent practicable, in determining whether to approve project proposals under this section, the Secretary shall give preference to conservation projects that are designed to ensure effective, long-term conservation of marine turtles and their nesting habitats.

(f) MATCHING FUNDS.—In determining whether to approve project proposals under this section, the Secretary shall give preference to projects for which matching funds are available.

(g) PROJECT REPORTING.—

(1) IN GENERAL.—Each person that receives assistance under this section for a project shall submit to the Secretary periodic reports (at such intervals as the Secretary may require) that include all information that the Secretary, after consultation with other government officials, determines is necessary to evaluate the progress and success of the project for the purposes of ensuring positive results, assessing problems, and fostering improvements.

(2) AVAILABILITY TO THE PUBLIC.—Reports under paragraph (1), and any other documents relating to projects for which financial assistance is provided under this Act, shall be made available to the public.

#### SEC. 5. MARINE TURTLE CONSERVATION FUND.

(a) ESTABLISHMENT.—There is established in the Multinational Species Conservation Fund a separate account to be known as the “Marine Turtle Conservation Fund”, consisting of—

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

(2) amounts appropriated to the Fund under section 6; and

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

(b) EXPENDITURES FROM FUND.—

(1) IN GENERAL.—Subject to paragraph (2), on request by the Secretary, the Secretary of the Treasury shall transfer from the Fund to the Secretary, without further appropriation, such amounts as the Secretary determines are necessary to carry out section 4.

(2) ADMINISTRATIVE EXPENSES.—Of the amounts in the account available for each fiscal year, the Secretary may expend not more than 3 percent, or up to \$80,000, whichever is greater, to pay the administrative expenses necessary to carry out this Act.

(c) INVESTMENT OF AMOUNTS.—

(1) IN GENERAL.—The Secretary of the Treasury shall invest such portion of the

Fund as is not, in the judgment of the Secretary of the Treasury, required to meet current withdrawals. Investments may be made only in interest-bearing obligations of the United States.

(2) ACQUISITION OF OBLIGATIONS.—For the purpose of investments under paragraph (1), obligations may be acquired—

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

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

(3) SALE OF OBLIGATIONS.—Any obligation acquired by the Fund may be sold by the Secretary of the Treasury at the market price.

(4) CREDITS TO FUND.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to and form a part of the Fund.

(d) TRANSFERS OF AMOUNTS.—

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

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

(e) ACCEPTANCE AND USE OF DONATIONS.—The Secretary may accept and use donations to provide assistance under section 4. Amounts received by the Secretary in the form of donations shall be transferred to the Secretary of the Treasury for deposit in the Fund.

#### SEC. 6. ADVISORY GROUP.

(a) IN GENERAL.—To assist in carrying out this Act, the Secretary may convene an advisory group consisting of individuals representing public and private organizations actively involved in the conservation of marine turtles.

(b) PUBLIC PARTICIPATION.—

(1) MEETINGS.—The Advisory Group shall—

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

(B) provide, at each meeting, an opportunity for interested persons to present oral or written statements concerning items on the agenda.

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

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

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

#### SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Fund \$5,000,000 for each of fiscal years 2005 through 2009.

#### SEC. 8. REPORT TO CONGRESS.

Not later than October 1, 2005, the Secretary shall submit to the Congress a report on the results and effectiveness of the program carried out under this Act, including recommendations concerning how this Act might be improved and whether the Fund should be continued in the future.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona (Mr. RENZI).

GENERAL LEAVE

Mr. RENZI. Mr. Speaker, I ask unanimous consent that all Members may

have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. RENZI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, marine sea turtles have been a vital component of our ocean ecosystems for more than 100 million years. As recently as the 19th century, marine turtles were abundant.

Sea turtles live long lives, mature relatively late, and migrate thousands of miles. They are also particularly vulnerable to exploitation and habitat loss.

Sadly, populations of marine turtles have been devastated by foreign fishing practices, the destruction of essential nesting habitat, massive poaching of turtle eggs, meat and shells, and ocean pollution. As a result, all seven remaining species of sea turtles are listed on Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna. Six of the species that spend at least part of their lives in U.S. waters are protected under the Endangered Species Act.

In an effort to prevent these species from becoming extinct, I am urging the adoption of the Marine Turtle Conservation Act. This legislation is modeled after highly successful laws to conserve African elephants and highly endangered populations of Asian elephants, rhinoceros, tigers, great apes, and neotropical migratory birds. It is a proven formula, and small investment of U.S. dollars will make a difference in the conservation and recovery of marine turtles throughout our oceans.

With this money, the Secretary of the Interior can approve conservation grants for a variety of projects. These projects include the monitoring of trade in turtle products, satellite telemetry to track the movement of sea turtles, the protection of nesting beaches, and efforts to stop poaching by assisting law enforcement officials and educational outreach to communities that have turtle habitat.

There is broad support for this legislation. Such diverse organizations as the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, the National Fisheries Institute, the Shrimp Council, the American Zoo and Aquarium Association, the Wildlife Conservation Society, and the Ocean Conservancy all testified in support of the legislation.

I ask my colleagues to support and urge passage of H.R. 3378.

Mr. Speaker, I reserve the balance of my time.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield myself such time as I may consume.

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. Mr. Speaker, I thank the gentleman from Arizona

(Mr. RENZI) for management of this proposed legislation. I commend the gentleman for his tremendous knowledge of sea turtles. I know there are a lot of turtles in Arizona, and I commend him for his assistance in passage of this legislation.

Mr. Speaker, this bill has the bipartisan support not only of the chairman of our Subcommittee on Fisheries Conservation, Wildlife and Oceans, the gentleman from Maryland (Mr. GILCREST), but also the ranking member, the gentleman from New Jersey (Mr. PALLONE), the gentlewoman from Guam (Ms. BORDALLO), and others who are cosponsors of this legislation.

Marine turtles have been swimming in the world's oceans for an estimated 100 million years. Unfortunately, marine scientists speculate that certain species, such as the Pacific leatherback, may become extinct in the next 5 to 30 years unless the world takes notice of many threats confronting sea turtles.

I am proud to be a cosponsor of H.R. 3378, which would establish a new international conservation matching grant program to protect marine turtles, especially their nesting habitats, around the globe.

I applaud, again, the chairman of our fisheries subcommittee for his leadership, and also the Committee on Resources chairman, the gentleman from California (Mr. POMBO), and the ranking member, the gentleman from West Virginia (Mr. RAHALL), for their leadership and support of this legislation.

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Again I urge my colleagues to support this bill.

Mr. FARR. Mr. Speaker, today I rise in full support of my friend and colleague, Mr. GILCREST, in his efforts to protect sea turtles. Mr. GILCREST has a long history of working diligently to protect marine wildlife and this bill, H.R. 3378, the Marine Turtle Conservation Act, demonstrates his ongoing interest in this area.

Mr. Speaker, both the Pew and U.S. Ocean Commission Reports have documented the many crises facing our oceans. These are crises that require real leadership by this body. Today, we have the opportunity to demonstrate our leadership by passing Mr. GILCREST's bill.

With 6 of 7 marine turtles listed as threatened or endangered under the Endangered Species Act, H.R. 3378 is a wake-up call. Like the sea otter—an animal especially important to my district—sea turtles play vital roles in the ecosystems in which they occur. This means that our efforts to restore sea turtle populations will likely have the indirect effect of benefiting many other marine species. More bang for the buck. I think we all like it when that happens.

Sea turtles straddle numerous political borders—they are highly migratory species whose conservation depends on cooperative efforts by humans across the globe. These cooperative efforts require political and financial commitments by many groups, from individual countries to non-governmental organizations to local communities. When all of these levels

of leadership come together in a cohesive manner, our protection of sea turtles is dramatically increased. H.R. 3378 coordinates all of these levels by authorizing funds for on-the-ground efforts to protect sea turtles in countries where a lack of funds, not a lack of will, is the problem.

Mr. Speaker, it is only through international efforts that sea turtle populations will begin to rebound. I know that the National Oceanic and Atmospheric Administration and the Fish and Wildlife Service work hard to oversee our country's efforts to protect sea turtles and to collaborate with other countries at every opportunity. With passage of H.R. 3378, we can take our leadership to the next level by providing grants to international groups with demonstrated experience in conserving sea turtles. By doing this, the United States can demonstrate its leadership in coastal and ocean conservation—something near and dear to my heart.

Mr. GILCREST has addressed one piece of the puzzle and I commend him for his efforts. The next step—and I think that Mr. GILCREST would agree—is to provide a long-term vision about our relationship with the sea by passing a national ocean policy act. I am working on BOB, the Big Ocean Bill, with the cochairs of the bipartisan House Oceans Caucus. I know we would all welcome Mr. GILCREST's leadership and expertise on marine wildlife and fisheries conservation as we move forward with BOB.

In closing, Mr. Speaker, I strongly support H.R. 3378 and hope that it represents the beginning of a new era in U.S. ocean policy.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield back the balance of my time.

Mr. RENZI. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the bill, H.R. 3378, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### REPLACING CERTAIN COASTAL BARRIER RESOURCES SYSTEM MAPS

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1663) to replace certain Coastal Barrier Resources System maps, as amended.

The Clerk read as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. REPLACEMENT OF CERTAIN COASTAL BARRIER RESOURCES SYSTEM MAPS.

(a) IN GENERAL.—The 2 maps subtitled “NC-07P”, relating to the Coastal Barrier Resources System unit designated as Coastal Barrier Resources System Cape Fear Unit NC-07P, that are included in the set of maps entitled “Coastal Barrier Resources System” and referred to in section 4(a) of the Coastal Barrier Resources Act (16 U.S.C. 3503(a)), are hereby replaced by 2 other maps relating to

those units entitled “Coastal Barrier Resources System Cape Fear Unit, NC-07P” and dated May 5, 2004.

(b) AVAILABILITY.—The Secretary of the Interior shall keep the maps referred to in subsection (a) on file and available for inspection in accordance with the provisions of section 4(b) of the Coastal Barrier Resources Act (16 U.S.C. 3503(b)).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona (Mr. RENZI).

GENERAL LEAVE

Mr. RENZI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the Senate bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. RENZI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 1663, introduced by Senator ELIZABETH DOLE, will remove 284 acres of private fastland, wetlands and open water property that has been mistakenly included within the Coastal Barrier Resources System. A similar bill, H.R. 2501, has been proposed by our colleague the gentleman from North Carolina (Mr. MCINTYRE). Specifically this legislation would replace two incorrectly drawn maps with updated digitized maps that accurately reflect the boundaries of the Cape Fear unit in North Carolina. This unit, which is referred to as an otherwise protected area, was established to protect certain public lands already held for conservation purposes. Regrettably, because of honest mistakes, the boundaries delineated on the maps erroneously include private property that is not an inholding. Under the terms of this measure, 26 homes and a number of undeveloped lots on Bald Head Island, North Carolina will be removed from the system. At the same time, however, 6,760 acres of additional military and State park lands will be added to the coastal barrier system for a net gain of 6,476 acres.

During the hearing on this legislation, the U.S. Fish and Wildlife Service testified in support of this needed correction and stated that the private properties in question are outside the boundaries of the conservation area and are not held for conservation purposes.

I urge support of this bill so that these homeowners can obtain the Federal flood insurance they need to protect their property and so that the boundaries of this coastal barrier unit can accurately reflect those lands that should be held for conservation purposes.

Mr. Speaker, I reserve the balance of my time.