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(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R. _____

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

IN THE HOUSE OF REPRESENTATIVES

Mr. HUFFMAN introduced the following bill; which was referred to the Committee on _____

A BILL

To assist in the conservation of critically endangered 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 “Critically Endangered
5 Animals Conservation Act of 2021”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act—

8 (1) the term “Convention” means the Conven-
9 tion on International Trade in Endangered Species

1 of Wild Fauna and Flora (27 UST 1087; TIAS
2 8249);

3 (2) the term “conservation” means the protec-
4 tion and restoration of species and the habitat of
5 such species;

6 (3) the term “Fund” means the Critically En-
7 dangered Animals Conservation Fund established by
8 section 5;

9 (4) the term “critically endangered species”—

10 (A) means—

11 (i) any animal species categorized on
12 the International Union Conservation of
13 Nature Red List of Threatened Species as
14 either Endangered or Critically Endan-
15 gered; and

16 (ii) any other animals species cat-
17 egorized on the International Union Con-
18 servation of Nature Red List of Threat-
19 ened Species as Data Deficient or under a
20 threat category lower than Endangered if
21 the Secretary determines that—

22 (I) the most recent International
23 Union Conservation of Nature Red
24 List assessment indicates that the
25 population is decreasing; or

1 (II) such species is facing new or
2 emerging threats; and

3 (B) includes—

4 (i) any part, product, egg, offspring or
5 live specimen of a species described in sub-
6 paragraph (A); and

7 (ii) a carcass of such a species;

8 (5) the term “Multinational Species Conserva-
9 tion Fund” means the fund established under the
10 heading “multinational species conservation fund” in
11 title I of the Department of the Interior and Related
12 Agencies Appropriations Act, 1999 (16 U.S.C.
13 4246); and

14 (6) the term “Secretary” means the Secretary
15 of the Interior.

16 **SEC. 3. CRITICALLY ENDANGERED ANIMALS CONSERVA-**
17 **TION ASSISTANCE.**

18 (a) IN GENERAL.—In consultation with other Fed-
19 eral officials, the Secretary shall use amounts in the Fund
20 to carry out a competitive grant program to provide finan-
21 cial assistance for the conservation of critically endangered
22 species.

23 (b) PROJECT PROPOSALS.—

24 (1) ELIGIBLE APPLICANTS.—

1 (A) IN GENERAL.—A proposal for a grant
2 under subsection (a) may be submitted to the
3 Secretary by—

4 (i) any wildlife management authority
5 of a foreign country that has within its
6 boundaries natural habitat of the critically
7 endangered species if the activities of the
8 authority directly or indirectly benefit that
9 species' conservation; or

10 (ii) any other person or group with
11 the demonstrated expertise and capacity
12 required for the conservation of a critically
13 endangered species.

14 (B) INELIGIBLE APPLICANTS.—Any such
15 wildlife management authority or other person
16 or group that receives funding for a particular
17 critically endangered species from any multi-
18 national species conservation fund to which the
19 United States Fish and Wildlife Service is a
20 party is not eligible for a grant under this Act
21 with respect to a such species.

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

24 (A) evidence of support for the project by
25 appropriate governmental entities of the coun-

1 try in which the project will be conducted, if the
2 Secretary determines that such support is re-
3 quired for the success of the project;

4 (B) evidence of sensitivity to local historic
5 and cultural resources and compliance with ap-
6 plicable laws;

7 (C) evidence of free, prior, and informed
8 consent by indigenous peoples and local commu-
9 nities in the areas the project will be conducted,
10 if the Secretary, based on the nature of the
11 project, determines that such consent is re-
12 quired for the success of the project;

13 (D) information regarding the source and
14 amount of matching funding available for the
15 project; and

16 (E) any other information that the Sec-
17 retary determines to be appropriate.

18 (c) EVALUATION AND APPROVAL.—

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

21 (A) help recover and sustain viable popu-
22 lations in the wild of a critically endangered
23 species with a range that is, in whole or in part,
24 outside of the United States;

1 (B) enhance compliance with provisions of
2 the Convention and laws of the United States
3 or a foreign country related to the conservation
4 of a critically endangered species; or

5 (C) develop sound scientific information on
6 that species' habitat, population numbers and
7 trends, reproduction, mortality, and other
8 threats to survival.

9 (2) METHODS.—The Secretary may approve a
10 proposal under this section if the proposal would
11 achieve one of the goals set forth in paragraph (1)
12 through—

13 (A) protection, restoration, and manage-
14 ment of habitat;

15 (B) in situ research and monitoring of
16 populations, habitats, annual reproduction, and
17 species population trends;

18 (C) development, implementation, and im-
19 provement of national and regional manage-
20 ment plans for a critically endangered species
21 and the habitat of such species;

22 (D) enforcement and implementation of
23 the Convention or the law of a foreign country
24 to—

1 (i) protect and manage a critically en-
2 dangered species or the habitat of such
3 species;

4 (ii) prevent illegal or unsustainable re-
5 moval of a critically endangered species
6 from the wild, including as marine bycatch;
7 or

8 (iii) prevent illegal trade of a critically
9 endangered species;

10 (E) training and capacity building for local
11 law enforcement officials in the interdiction and
12 prevention of the illegal killing, removal from
13 the wild, or trade of a critically endangered spe-
14 cies;

15 (F) an initiative to resolve a conflict be-
16 tween humans and a critically endangered spe-
17 cies;

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

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

24 (I) strengthening the ability of local com-
25 munities to implement a conservation program.

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

5 (A) The Government of each country in
6 which such proposal will be carried out.

7 (B) Any other Federal agency the Sec-
8 retary determines is appropriate.

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

12 (A) is designed to ensure effective, long-
13 term conservation of critically endangered spe-
14 cies and their habitats; and

15 (B) has matching funds available.

16 (5) APPROVAL.—The Secretary shall, within
17 180 days of receiving a proposal under this section,
18 approve or disapprove of the proposal and provide
19 written notification of such approval or disapproval
20 to—

21 (A) the person who submitted such pro-
22 posal;

23 (B) any Federal agency the Secretary de-
24 termines 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 sec-
6 tion to submit periodic reports including such infor-
7 mation as the Secretary may require in order to
8 evaluate the progress and success of each grant
9 issued under this section.

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

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

18 (1) may not be used for captive breeding of
19 critically endangered species other than for captive
20 breeding designed for release into the wild; and

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

1 **SEC. 4. CRITICALLY ENDANGERED ANIMALS CONSERVA-**
2 **TION FUND.**

3 (a) ESTABLISHMENT.—There is established in the
4 Multinational Species Conservation Fund a separate ac-
5 count to be known as the “Critically Endangered Animals
6 Conservation Fund”, consisting of—

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

10 (2) amounts appropriated to the Fund under
11 section 6; 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
20 out section 3.

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

1 (c) INVESTMENT OF AMOUNTS.—

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

8 (2) ACQUISITION OF OBLIGATIONS.—For the
9 purpose of investments under paragraph (1), obliga-
10 tions 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
18 the proceeds from the sale or redemption of, any ob-
19 ligations held in the Fund shall be credited to and
20 form 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

1 of the Treasury to the Fund on the basis of esti-
2 mates made by the Secretary of the Treasury.

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

7 (e) ACCEPTANCE AND USE OF DONATIONS.—The
8 Secretary may accept and use donations to provide assist-
9 ance under section 4. Amounts received by the Secretary
10 in the form of donations shall be transferred to the Sec-
11 retary of the Treasury for deposit in the Fund. The Sec-
12 retary may reject a gift under this section when the rejec-
13 tion is in the 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
19 of this Act, and every 2 years thereafter, the Secretary
20 shall submit to Congress a report on the results and effec-
21 tiveness of the program carried out under this Act.