

Union Calendar No. 230

109TH CONGRESS
2^D SESSION

H. R. 518

[Report No. 109-421]

To require the Secretary of the Interior to refine the Department of the Interior program for providing assistance for the conservation of neotropical migratory birds.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 2005

Mr. KIND (for himself and Mr. GILCREST) introduced the following bill;
which was referred to the Committee on Resources

APRIL 25, 2006

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 italics]

[For text of introduced bill, see copy of bill as introduced on February 2, 2005]

A BILL

To require the Secretary of the Interior to refine the Department of the Interior program for providing assistance for the conservation of neotropical migratory birds.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SEC. 1. SHORT TITLE.**

2 *This Act may be cited as the “Neotropical Migratory*
3 *Bird Conservation Improvement Act of 2006”.*

4 **SEC. 2. AMENDMENTS TO NEOTROPICAL MIGRATORY BIRD**
5 **CONSERVATION ACT.**

6 (a) *FINDINGS.*—Section 2(1) of the Neotropical Migra-
7 *tory Bird Conservation Act (16 U.S.C. 6101(1)) is amended*
8 *by inserting “but breed in Canada and the United States”*
9 *after “the Caribbean”.*

10 (b) *PURPOSES.*—Section 3(2) of such Act (16 U.S.C.
11 6102(2)) is amended by inserting “Canada,” after “United
12 States,”.

13 (c) *DEFINITION OF CARIBBEAN.*—Section 4 of such Act
14 (16 U.S.C. 6103) is amended by redesignating paragraphs
15 (2) and (3) in order as paragraphs (3) and (4), and by
16 inserting paragraph (1) the following:

17 “(2) *CARIBBEAN.*—The term ‘Caribbean’ includes
18 *Puerto Rico and the United States Virgin Islands.*”.

19 (d) *AUTHORIZATION OF PROJECTS TO ENHANCE CON-*
20 *SERVATION IN CANADA.*—Section 5(c)(2) of such Act (16
21 U.S.C. 6104(c)(2)) is amended by inserting “Canada,”
22 after “the United States,”.

23 (e) *COST SHARING.*—Section 5(e) of such Act (16
24 U.S.C. 6104(e)) is amended—

25 (1) in paragraph (1) by striking “25 percent”
26 and inserting “50 percent”; and

1 (2) in paragraph (2) by amending subparagraph
2 (B) to read as follows:

3 “(B) *FORM OF PAYMENT.*—

4 “(i) *PROJECTS IN THE UNITED STATES*
5 *AND CANADA.*—*The non-Federal share re-*
6 *quired to be paid for a project carried out*
7 *in the United States or Canada shall be*
8 *paid in cash.*

9 “(ii) *PROJECTS IN LATIN AMERICA AND*
10 *THE CARIBBEAN.*—*The non-Federal share*
11 *required to be paid for a project carried out*
12 *in Latin America or the Caribbean may be*
13 *paid in cash or in kind.”.*

14 (f) *ADVISORY GROUP.*—

15 (1) *COMPOSITION.*—*Section 7(b)(1) of such Act*
16 *(16 U.S.C. 6106(b)(1)) is amended by adding at the*
17 *end the following: “The advisory group as a whole*
18 *shall have expertise in the methods and procedures set*
19 *forth in section 4(2) in each country and region of the*
20 *Western Hemisphere.”.*

21 (2) *ENCOURAGEMENT TO CONVENE.*—*The Sec-*
22 *retary of the Interior is encouraged to convene an ad-*
23 *visory group under section 7(b)(1) of such Act by not*
24 *later than 6 months after the effective date of this Act.*
25 *This paragraph shall not be considered to authorize*

1 *delay of the schedule previously established by the*
2 *United States Fish and Wildlife Service for the sub-*
3 *mission, judging, and awarding of grants.*

4 *(g) REPORT.—Section 8 of such Act (16 U.S.C. 6107)*
5 *is amended by striking “October 1, 2002,” and inserting*
6 *“2 years after the date of the enactment of the Neotropical*
7 *Migratory Bird Conservation Improvement Act of 2006.”.*

8 *(h) NEOTROPICAL MIGRATORY BIRD CONSERVATION*
9 *FUND.—*

10 *(1) IN GENERAL.—Section 9 of such Act (16*
11 *U.S.C. 6108) is amended by striking so much as pre-*
12 *cedes subsection (c) and inserting the following:*

13 **“SEC. 9. NEOTROPICAL MIGRATORY BIRD CONSERVATION**
14 **FUND.**

15 *“(a) ESTABLISHMENT.—There is established in the*
16 *Treasury a separate account, which shall be known as the*
17 *‘Neotropical Migratory Bird Conservation Fund’. The Fund*
18 *shall consist of amounts deposited into the Fund by the Sec-*
19 *retary of the Treasury under subsection (b).*

20 *“(b) DEPOSITS INTO THE FUND.—The Secretary of the*
21 *Treasury shall deposit into the Fund—*

22 *“(1) all amounts received by the Secretary in the*
23 *form of donations under subsection (d); and*

24 *“(2) other amounts appropriated to the Fund.”.*

1 (2) *ADMINISTRATIVE EXPENSES.*—Section
2 9(c)(2) of such Act (16 U.S.C. 6108(c)(2)) is amended
3 by striking “\$80,000” and inserting “\$150,000” .

4 (3) *CONFORMING AMENDMENTS.*—Such Act is
5 amended further as follows:

6 (A) In section 4 (16 U.S.C. 6103), by strik-
7 ing paragraph (1) and inserting the following:

8 “(1) *FUND.*—The term ‘Fund’ means the
9 Neotropical Migratory Bird Conservation Fund estab-
10 lished by section 9(a).”.

11 (B) In section 9(d) (16 U.S.C. 6108(d)), by
12 striking “Account” and inserting “Fund”.

13 (4) *TRANSFER.*—The Secretary of the Treasury
14 may transfer to the Neotropical Migratory Bird Con-
15 servation Fund amounts that were in the Neotropical
16 Migratory Bird Conservation Account immediately
17 before the enactment of this Act.

18 (i) *AUTHORIZATION OF APPROPRIATIONS.*—Section 10
19 of such Act (16 U.S.C. 6109) is amended—

20 (1) by inserting “(a) *IN GENERAL.*—” before the
21 first sentence;

22 (2) by striking “\$5,000,000 for each of fiscal
23 years 2001 through 2005” and inserting “for each of
24 fiscal years 2006 through 2010 the amount specified
25 for that fiscal year in subsection (b)”; and

1 (3) by adding at the end the following:

2 “(b) *AUTHORIZED AMOUNT.*—The amount referred to
3 in subsection (a) is—

4 “(1) \$5,000,000 for each of fiscal years 2006 and
5 2007;

6 “(2) \$6,000,000 for fiscal year 2008;

7 “(3) \$7,000,000 for fiscal year 2009; and

8 “(4) \$8,000,000 for fiscal year 2010.

9 “(c) *AVAILABILITY.*—Amounts appropriated under
10 this section may remain available until expended.

11 “(d) *ALLOCATION.*—Of amounts appropriated under
12 this section for each fiscal year, not less than 75 percent
13 shall be expended for projects carried out outside the United
14 States.”.

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