

# Union Calendar No. 414

110TH CONGRESS  
2D SESSION

# H. R. 1464

[Report No. 110-657]

To assist in the conservation of rare felids and rare canids by supporting and providing financial resources for the conservation programs of nations within the range of rare felid and rare canid populations and projects of persons with demonstrated expertise in the conservation of rare felid and rare canid populations.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 2007

Mr. UDALL of New Mexico (for himself, Mr. TANNER, Mr. ROGERS of Kentucky, and Mr. ROYCE) introduced the following bill; which was referred to the Committee on Natural Resources

MAY 19, 2008

Additional sponsors: Mr. HINCHEY, Mr. GRIJALVA, Mr. GEORGE MILLER of California, Ms. MOORE of Wisconsin, Mrs. TAUSCHER, Mr. STARK, Ms. SCHAKOWSKY, Mr. HIGGINS, Mr. CHANDLER, Ms. MCCOLLUM of Minnesota, Mr. FARR, Ms. ESHOO, Mr. ENGLISH of Pennsylvania, Mr. DELAHUNT, Mr. COHEN, Mr. MCNULTY, Mr. UDALL of Colorado, Ms. BORDALLO, Mr. CLAY, Mr. ROTHMAN, Mr. KILDEE, Mr. PAYNE, Mr. FRANK of Massachusetts, Mrs. MALONEY of New York, Ms. DELAURO, Mr. INSLEE, Ms. HIRONO, Mr. LEVIN, Mr. SHAYS, Mr. PALLONE, Ms. LINDA T. SÁNCHEZ of California, Mr. MCNERNEY, Mr. SAXTON, Mr. SERRANO, Mr. MORAN of Virginia, Mr. ABERCROMBIE, Mr. MICHAUD, Mrs. DAVIS of California, Mr. PLATTS, Mr. MILLER of North Carolina, Mr. KIRK, Mr. CLEAVER, Mr. CALVERT, Mr. NADLER, Mr. MEEKS of New York, Mr. CROWLEY, Mr. SCHIFF, Mr. KIND, Mr. KING of New York, Ms. WOOLSEY, Mr. GILCHREST, Mr. HOLT, Ms. LEE, Mr. MCDERMOTT, Mr. ACKERMAN, Mr. KUCINICH, Mr. BISHOP of New York, Mr. CUMMINGS, Mr. MCHUGH, Mr. WEXLER, Mr. LYNCH, Mr. SESTAK, Mr. TERRY, Mr. VAN HOLLEN, Mrs. MCCARTHY of New York, Mr. ENGEL, Mr. HASTINGS of Florida, Mrs. CAPPAS, Mr. WOLF, Mr. DAVIS of Illinois, Ms. CLARKE, Mr. BOUCHER, Mr. WAXMAN, Mr. CARNAHAN, Mr. BERMAN, Mr. FILNER, Mr. FORTENBERRY, Mr. LIPINSKI, Mr.

BROWN of South Carolina, Mr. GERLACH, Mr. BRALEY of Iowa, Mr. GUTIERREZ, Mr. UPTON, Ms. SHEA-PORTER, and Ms. SUTTON

MAY 19, 2008

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 9, 2007]

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## A BILL

To assist in the conservation of rare felids and rare canids by supporting and providing financial resources for the conservation programs of nations within the range of rare felid and rare canid populations and projects of persons with demonstrated expertise in the conservation of rare felid and rare canid populations.

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 “Great Cats and Rare*  
 5 *Canids Act of 2008.”*

6 **SEC. 2. FINDINGS.**

7       *Congress finds the following:*

8               (1) *Many wild populations of felids and canids,*  
 9               *once considered common, are in decline, and many*  
 10              *have declined to the point that their long-term sur-*  
 11              *vival in the wild is in serious jeopardy.*

12              (2) *Of the 37 wild felid species worldwide, all*  
 13              *are currently recognized as species in need of protec-*

1 *tion under the IUCN Red List, the lists of species in*  
2 *CITES appendices I, II, and III, or the Endangered*  
3 *Species Act of 1973. Of the 35 wild canid species*  
4 *worldwide, nearly 50 percent are recognized as in*  
5 *need of such protection.*

6 *(3) In addition to their intrinsic value, felids*  
7 *and canids are important aesthetic, economic, and ec-*  
8 *ological global resources that need to be conserved.*

9 *(4) Large felids and canids are considered both*  
10 *umbrella and indicator species. Healthy populations*  
11 *of these species act as an important indicator of the*  
12 *integrity of entire ecosystems and, because they re-*  
13 *quire large wild spaces to persist, benefit entire eco-*  
14 *systems and a large number of other species. Measures*  
15 *taken to benefit these keystone species will ultimately*  
16 *benefit a great number of other species.*

17 *(5) Rare felids and rare canids face an array of*  
18 *threats, including loss of habitat and natural prey,*  
19 *intentional and unintentional takings by humans,*  
20 *disease transmission, and a vast number of other*  
21 *threats. These threats need to be addressed in a co-*  
22 *ordinated fashion.*

23 *(6) Conservation of rare felid and rare canid*  
24 *populations requires global commitment. Adequate*  
25 *funding for conservation is sorely lacking, and many*

1        *range countries for those species do not have adequate*  
2        *infrastructure to protect species of concern. Those*  
3        *countries that do provide assistance to threatened*  
4        *populations need further assistance in implementing*  
5        *effective conservation strategies.*

6            *(7) In particular, in developing nations with*  
7        *limited resources, poverty, population growth, and*  
8        *habitat loss all present significant challenges to con-*  
9        *servation of rare felids and rare canids.*

10           *(8) Although some protections and initiatives*  
11        *exist to conserve rare felid and rare canid populations*  
12        *and their habitat, those efforts can be significantly*  
13        *strengthened and enhanced by increased coordination*  
14        *and the infusion of targeted funding to benefit species*  
15        *of concern.*

16    **SEC. 3. PURPOSES.**

17        *The purposes of this Act are to provide financial re-*  
18        *sources and to foster international cooperation—*

19            *(1) to restore and perpetuate healthy populations*  
20        *of rare felids and rare canids in the wild; and*

21            *(2) to assist in the conservation of rare felid and*  
22        *rare canid populations worldwide.*

23    **SEC. 4. DEFINITIONS.**

24        *In this Act:*

1           (1) *CITES*.—The term “*CITES*” “” means the  
2           *Convention on International Trade in Endangered*  
3           *Species of Wild Fauna and Flora, done at Wash-*  
4           *ington March 3, 1973 (27 UST 1087; TIAS 8249),*  
5           *including its appendices.*

6           (2) *CONSERVATION*.—The term “*conservation*”—

7           (A) means the methods and procedures nec-  
8           essary to bring a species of rare felid or rare  
9           canid to the point at which there are sufficient  
10          populations in the wild to ensure the long-term  
11          viability of the species;

12          (B) includes all activities associated with  
13          protection and management of a rare felid or  
14          rare canid population, including—

15               (i) maintenance, management, protec-  
16               tion, and restoration of rare felid or rare  
17               canid habitat;

18               (ii) research and monitoring;

19               (iii) law enforcement;

20               (iv) community outreach and edu-  
21               cation;

22               (v) conflict resolution initiatives; and

23               (vi) strengthening the capacity of local  
24               communities, governmental agencies, non-  
25               governmental organizations and other insti-

1                    *tutions to implement conservation pro-*  
2                    *grams.*

3                    (3) *FUND.*—*The term “Fund” means the Great*  
4                    *Cats and Rare Canids Conservation Fund established*  
5                    *by section 6.*

6                    (4) *IUCN RED LIST.*—*The term “IUCN Red*  
7                    *List” means the Red List of Threatened Species*  
8                    *Maintained by the World Conservation Union.*

9                    (5) *RARE CANID.*—*The term “rare canid”—*

10                    (A) *means any canid species, subspecies, or*  
11                    *population that—*

12                    (i) *is not native to the area comprised*  
13                    *of the United States and Canada; and*

14                    (ii) *is included in the IUCN Red List,*  
15                    *Appendix I, II, or III of CITES, or any list*  
16                    *published under section 4(c) of the Endan-*  
17                    *gered Species Act of 1973 (16 U.S.C.*  
18                    *1532(c)); and*

19                    (B) *includes such a subspecies or population*  
20                    *of dhole (*Cuon alpinus*), gray wolf (*Canis**  
21                    *lupus), Ethiopian wolf (*Canis simensis*), bush*  
22                    *dog (*Speothos venaticus*), African wild dog*  
23                    *(*Lycan pictus*), or maned wolf (*Chrysocyon**  
24                    *brachyurus).*

25                    (6) *RARE FELID.*—*The term “rare felid”—*

1           (A) subject to subparagraph (C), means any  
2           *felid species, subspecies, or population that—*

3                   (i) is not native to the area comprised  
4                   of the United States and Canada; and

5                   (ii) is included in the IUCN Red List,  
6                   Appendix I, II, or III of CITES, or any list  
7                   published under section 4(c) of the Endan-  
8                   gered Species Act of 1973 (16 U.S.C.  
9                   1532(c));

10           (B) includes such a subspecies or population  
11           of lion (*Panthera leo*), leopard (*Panthera*  
12           *pardus*), jaguar (*Panthera onca*), snow leopard  
13           (*Uncia uncia*), clouded leopard (*Neofelis*  
14           *nebulosa*), cheetah (*Acinonyx jubatus*), or Iberian  
15           lynx (*Lynx pardina*); and

16           (C) does not include any tiger (*Panthera ti-*  
17           *gris*).

18           (7) SECRETARY.—The term “Secretary” refers to  
19           the Secretary of the Interior.

20 **SEC. 5. FINANCIAL ASSISTANCE.**

21           (a) IN GENERAL.—Subject to the availability of funds  
22           and in consultation with other appropriate Federal offi-  
23           cials, the Secretary shall use amounts in the Fund to pro-  
24           vide financial assistance for projects for the conservation  
25           of rare felid and rare canids for which project proposals

1 *are approved by the Secretary in accordance with this sec-*  
2 *tion.*

3 *(b) PROJECT PROPOSALS.—*

4 *(1) ELIGIBLE APPLICANTS.—A proposal for a*  
5 *project for the conservation of rare felid and canids*  
6 *may be submitted to the Secretary by—*

7 *(A) any wildlife management authority of a*  
8 *country that has within its boundaries any part*  
9 *of the range of a rare felid or rare canid species,*  
10 *respectively; and*

11 *(B) any person or group with the dem-*  
12 *onstrated expertise required for the conservation*  
13 *in the wild of rare felids or rare canids, respec-*  
14 *tively.*

15 *(2) PROJECT PROPOSALS.—To be considered for*  
16 *financial assistance for a project under this Act, an*  
17 *applicant shall submit a project proposal that in-*  
18 *cludes—*

19 *(A) a concise statement of the purposes of*  
20 *the project;*

21 *(B) the name of the individual responsible*  
22 *for conducting the project;*

23 *(C) a description of the qualifications of the*  
24 *individuals who will conduct the project;*

25 *(D) a concise description of—*

1                   (i) *methods for project implementation*  
2                   and *outcome assessment*;

3                   (ii) *staffing for the project*;

4                   (iii) *the logistics of the project*; and

5                   (iv) *community involvement in the*  
6                   *project*;

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

9                   (F) *evidence of support for the project by*  
10                  *appropriate governmental entities of the coun-*  
11                  *tries in which the project will be conducted, if*  
12                  *the Secretary determines that such support is re-*  
13                  *quired for the success of the project*;

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

17                  (H) *any other information that the Sec-*  
18                  *retary considers to be necessary for evaluating*  
19                  *the eligibility of the project for funding under*  
20                  *this Act.*

21                  (c) *PROJECT REVIEW AND APPROVAL.—*

22                   (1) *IN GENERAL.—The Secretary shall—*

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

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

4           (2) *CONSULTATION; APPROVAL OR DIS-*  
5 *APPROVAL.*—Not later than 180 days after receiving  
6 a project proposal, and subject to the availability of  
7 funds, the Secretary, after consulting with other ap-  
8 propriate Federal officials, shall—

9           (A) ensure the proposal contains assurances  
10 that the project will be implemented in consulta-  
11 tion with relevant wildlife management authori-  
12 ties and other appropriate government officials  
13 with jurisdiction over the resources addressed by  
14 the project;

15           (B) approve or disapprove the proposal;  
16 and

17           (C) provide written notification of the ap-  
18 proval or disapproval to the person who sub-  
19 mitted the proposal, other appropriate Federal  
20 officials, and each country within whose borders  
21 the project will take place.

22           (d) *CRITERIA FOR APPROVAL.*—The Secretary may  
23 approve a project proposal under this section if the project  
24 will contribute to conservation of rare felids or rare canids  
25 in the wild by assisting efforts to—

- 1           (1) *implement conservation programs;*
- 2           (2) *address the conflicts between humans and*  
3 *rare felids or rare canids, respectively, that arise from*  
4 *competition for the same habitat or resources;*
- 5           (3) *enhance compliance with CITES, the Endan-*  
6 *gered Species Act of 1973, and other applicable laws*  
7 *that prohibit or regulate the taking or trade of rare*  
8 *felids and rare canids or regulate the use and man-*  
9 *agement of rare felid and rare canid habitat;*
- 10          (4) *develop sound scientific information on, or*  
11 *methods for monitoring—*
  - 12           (A) *the condition and health of rare felid or*  
13 *rare canid habitat;*
  - 14           (B) *rare felid or rare canid population*  
15 *numbers and trends; and*
  - 16           (C) *the ecological characteristics and re-*  
17 *quirements of populations of rare felids or rare*  
18 *canids for which there are little or no data;*
- 19          (5) *promote cooperative projects among govern-*  
20 *ment entities, affected local communities, nongovern-*  
21 *mental organizations, and other persons in the pri-*  
22 *vate sector; or*
- 23          (6) *funds will not be appropriated for the pur-*  
24 *chase or lease of lands to be used as suitable habitat*  
25 *for felids or canids.*

1       (e) *PROJECT SUSTAINABILITY.*—*In approving project*  
2 *proposals under this section, the Secretary shall give pref-*  
3 *erence to conservation projects that are designed to ensure*  
4 *effective, long-term conservation of rare felids and rare*  
5 *canids and their habitats.*

6       (f) *MATCHING FUNDS.*—*In determining whether to ap-*  
7 *prove project proposals under this section, the Secretary*  
8 *shall give preference to projects for which there exists some*  
9 *measure of matching funds.*

10       (g) *PROJECT REPORTING.*—

11           (1) *IN GENERAL.*—*Each person that receives as-*  
12 *sistance under this section for a project shall submit*  
13 *to the Secretary periodic reports (at such intervals as*  
14 *the Secretary considers necessary) that include all in-*  
15 *formation that the Secretary, after consultation with*  
16 *other appropriate government officials, determines is*  
17 *necessary to evaluate the progress and success of the*  
18 *project for the purposes of ensuring positive results,*  
19 *assessing problems, and fostering improvements.*

20           (2) *AVAILABILITY TO THE PUBLIC.*—*Reports*  
21 *under paragraph (1), and any other documents relat-*  
22 *ing to projects for which financial assistance is pro-*  
23 *vided under this Act, shall be made available to the*  
24 *public.*

1       (h) *LIMITATIONS ON USE FOR CAPTIVE BREEDING OR*  
2 *DISPLAY.*—*Amounts provided as a grant under this Act—*

3           (1) *may not be used for captive breeding or dis-*  
4 *play of rare felids and rare canids other than captive*  
5 *breeding for release into the wild; and*

6           (2) *may be used for captive breeding of a species*  
7 *for release into the wild only if no other conservation*  
8 *method for the species is biologically feasible.*

9       (i) *LIMITATION ON ASSISTANCE FOR CERTAIN SPE-*  
10 *CIES.*—*Of amounts available for a fiscal year for providing*  
11 *financial assistance under this section, the Secretary may*  
12 *not use more than 25 percent to provide assistance for*  
13 *projects that target rare canid and rare felid species that*  
14 *are not listed in paragraph (5)(B) or (6)(B), respectively,*  
15 *of section 4.*

16       (j) *ADVISORY GROUP.*—

17           (1) *IN GENERAL.*—*To assist in carrying out this*  
18 *Act, the Secretary may convene an advisory group*  
19 *consisting of individuals representing public and pri-*  
20 *vate organizations actively involved in the conserva-*  
21 *tion of felids and canids.*

22           (2) *PUBLIC PARTICIPATION.*—

23           (A) *MEETINGS.*—*The advisory group*  
24 *shall—*

1                   (i) ensure that each meeting of the ad-  
2                   visory group is open to the public; and

3                   (ii) provide, at each meeting, an op-  
4                   portunity for interested persons to present  
5                   oral or written statements concerning items  
6                   on the agenda.

7                   (B) NOTICE.—The Secretary shall provide  
8                   to the public timely notice of each meeting of the  
9                   advisory group, including the meeting agenda.

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

13                  (3) EXEMPTION FROM FEDERAL ADVISORY COM-  
14                  MITTEE ACT.—The Federal Advisory Committee Act  
15                  (5 U.S.C. App.) shall not apply to the advisory  
16                  group.

17 **SEC. 6. GREAT CATS AND RARE CANIDS CONSERVATION**  
18 **FUND.**

19                  (a) ESTABLISHMENT.—There is established, in the  
20                  Multinational Species Conservation Fund established in  
21                  title I of the Department of the Interior and Related Agen-  
22                  cies Appropriations Act, 1999 under the heading “MULTI-  
23                  NATIONAL SPECIES CONSERVATION FUND”, a sepa-  
24                  rate account to be known as the “Great Cats and Rare  
25                  Canids Conservation Fund”, consisting of—

1           (1) *amounts transferred to the Secretary of the*  
2 *Treasury for deposit into such account under sub-*  
3 *section (e);*

4           (2) *amounts appropriated to such account under*  
5 *section 7; and*

6           (3) *any interest earned on investment of*  
7 *amounts in the account under subsection (c).*

8       (b) *EXPENDITURES FROM FUND.—*

9           (1) *IN GENERAL.—Subject to paragraph (2),*  
10 *upon request by the Secretary, the Secretary of the*  
11 *Treasury shall transfer from the Fund to the Sec-*  
12 *retary, without further appropriation, such amounts*  
13 *as the Secretary determines are necessary to provide*  
14 *assistance under section 4.*

15           (2) *ADMINISTRATIVE EXPENSES.—Of the*  
16 *amounts in the Fund available for each fiscal year,*  
17 *the Secretary may expend not more than three per-*  
18 *cent, or up to \$100,000, whichever is greater, to pay*  
19 *the administrative expenses necessary to carry out*  
20 *this Act.*

21       (c) *INVESTMENT OF AMOUNTS.—*

22           (1) *IN GENERAL.—The Secretary of the Treasury*  
23 *shall invest such portion of the Fund as is not, in the*  
24 *judgment of the Secretary of the Treasury, required to*  
25 *meet current withdrawals. Investments may be made*

1       *only in interest-bearing obligations of the United*  
2       *States.*

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

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

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

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

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

16       (d) *TRANSFERS OF AMOUNTS.*—

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

22                       (2) *ADJUSTMENTS.*—*Proper adjustment shall be*  
23       *made in amounts subsequently transferred to the ex-*  
24       *tent prior estimates were in excess of or less than the*  
25       *amounts required to be transferred.*

1           (e) *ACCEPTANCE AND USE OF DONATIONS.*—*The Sec-*  
2 *retary may accept and use donations to provide assistance*  
3 *under section 4, and may make public on the Internet*  
4 *website and in publications of the Department of the Inte-*  
5 *rior that the Secretary is authorized to accept and use such*  
6 *donations. Amounts received by the Secretary in the form*  
7 *of such donations shall be transferred to the Secretary of*  
8 *the Treasury for deposit into the Fund.*

9 **SEC. 7. AUTHORIZATION OR APPROPRIATIONS.**

10           *There are authorized to be appropriated to the Fund*  
11 *\$5,000,000 for each of fiscal years 2008 through 2012 to*  
12 *carry out this Act.*

13 **SEC. 8. INELIGIBLE COUNTRIES.**

14           *Amounts provided as a grant under this Act may not*  
15 *be spent on projects in Iran, Syria, Cuba, Sudan and North*  
16 *Korea.*

Union Calendar No. 414

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2<sup>D</sup> Session

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MAY 19, 2008

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