

Union Calendar No. 397

110TH CONGRESS
2^D SESSION

H. R. 1771

[Report No. 110-635]

To assist in the conservation of cranes by supporting and providing, through projects of persons and organizations with expertise in crane conservation, financial resources for the conservation programs of countries the activities of which directly or indirectly affect cranes and the ecosystems of cranes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 29, 2007

Ms. BALDWIN (for herself, Ms. McCOLLUM of Minnesota, Mr. KIND, Mr. OBERSTAR, Mr. SNYDER, and Mr. COHEN) introduced the following bill; which was referred to the Committee on Natural Resources

MAY 13, 2008

Additional sponsors: Mr. GRIJALVA and Ms. GINNY BROWN-WAITE of Florida

MAY 13, 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 29, 2007]

A BILL

To assist in the conservation of cranes by supporting and providing, through projects of persons and organizations with expertise in crane conservation, financial resources for the conservation programs of countries the activities

of which directly or indirectly affect cranes and the ecosystems of cranes.

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 “Crane Conservation Act*
5 *of 2008”.*

6 **SEC. 2. PURPOSES.**

7 *The purposes of this Act are—*

8 (1) *to perpetuate healthy populations of cranes;*

9 (2) *to assist in the conservation and protection*
10 *of cranes by supporting—*

11 (A) *conservation programs in countries in*
12 *which endangered and threatened cranes occur;*
13 *and*

14 (B) *the efforts of private organizations com-*
15 *mitted to helping cranes; and*

16 (3) *to provide financial resources for those pro-*
17 *grams and efforts.*

18 **SEC. 3. DEFINITIONS.**

19 *In this Act:*

20 (1) **CONSERVATION.**—

21 (A) **IN GENERAL.**—*The term “conservation”*
22 *means the use of any method or procedure to im-*
23 *prove the viability of crane populations and the*
24 *quality of the ecosystems and habitats on which*

1 *the crane populations depend to help the species*
2 *achieve sufficient populations in the wild to en-*
3 *sure the long-term viability of the species.*

4 *(B) INCLUSIONS.—The term “conservation”*
5 *includes the carrying out of any activity associ-*
6 *ated with scientific resource management, such*
7 *as—*

8 *(i) protection, restoration, and man-*
9 *agement of habitat;*

10 *(ii) research and monitoring of known*
11 *populations;*

12 *(iii) the provision of assistance in the*
13 *development of management plans for man-*
14 *aged crane ranges;*

15 *(iv) enforcement of the Convention;*

16 *(v) law enforcement and habitat pro-*
17 *tection through community participation;*

18 *(vi) reintroduction of cranes to the*
19 *wild;*

20 *(vii) conflict resolution initiatives; and*

21 *(viii) community outreach and edu-*
22 *cation.*

23 (2) *CONVENTION.—The term “Convention” has*
24 *the meaning given the term in section 3 of the En-*
25 *dangered Species Act of 1973 (16 U.S.C. 1532).*

1 (3) *FUND.*—*The term “Fund” means the Crane*
2 *Conservation Fund established by section 5(a).*

3 (4) *SECRETARY.*—*The term “Secretary” means*
4 *the Secretary of the Interior.*

5 **SEC. 4. CRANE CONSERVATION ASSISTANCE.**

6 (a) *IN GENERAL.*—*Subject to the availability of appro-*
7 *priations and in consultation with other appropriate Fed-*
8 *eral officials, the Secretary shall use amounts in the Fund*
9 *to provide financial assistance for projects relating to the*
10 *conservation of cranes for which project proposals are ap-*
11 *proved by the Secretary in accordance with this section.*

12 (b) *PROJECT PROPOSALS.*—

13 (1) *APPLICANTS.*—

14 (A) *IN GENERAL.*—*An applicant described*
15 *in subparagraph (B) that seeks to receive assist-*
16 *ance under this section to carry out a project re-*
17 *lating to the conservation of cranes shall submit*
18 *to the Secretary a project proposal that meets the*
19 *requirements of this section.*

20 (B) *ELIGIBLE APPLICANTS.*—*An applicant*
21 *described in this subparagraph is—*

22 (i) *any relevant wildlife management*
23 *authority of a country that—*

1 (I) is located within the African,
2 Asian, European, or North American
3 range of a species of crane; and

4 (II) carries out 1 or more activi-
5 ties that directly or indirectly affect
6 crane populations;

7 (ii) the Secretariat of the Convention;

8 and

9 (iii) any person or organization with
10 demonstrated expertise in the conservation
11 of cranes.

12 (2) *REQUIRED ELEMENTS.*—A project proposal
13 submitted under paragraph (1)(A) shall include—

14 (A) a concise statement of the purpose of the
15 project;

16 (B)(i) the name of each individual respon-
17 sible for conducting the project; and

18 (ii) a description of the qualifications of
19 each of those individuals;

20 (C) a concise description of—

21 (i) methods to be used to implement
22 and assess the outcome of the project;

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

25 (iii) the logistics of the project;

1 (D) an estimate of the funds and the period
2 of time required to complete the project;

3 (E) evidence of support for the project by
4 appropriate government entities of countries in
5 which the project will be conducted, if the Sec-
6 retary determines that such support is required
7 to ensure the success of the project;

8 (F) information regarding the source and
9 amount of matching funding available for the
10 project; and

11 (G) any other information that the Sec-
12 retary considers to be necessary for evaluating
13 the eligibility of the project to receive assistance
14 under this Act.

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

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

17 (A) not later than 30 days after receiving a
18 final project proposal, provide a copy of the pro-
19 posal to other appropriate Federal officials; and

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

23 (2) *CONSULTATION; APPROVAL OR DIS-*
24 *APPROVAL.*—Not later than 180 days after receiving
25 a project proposal, and subject to the availability of

1 *appropriations, the Secretary, after consulting with*
2 *other appropriate Federal officials, shall—*

3 *(A) consult on the proposal with the govern-*
4 *ment of each country in which the project is to*
5 *be carried out;*

6 *(B) after taking into consideration any*
7 *comments resulting from the consultation, ap-*
8 *prove or disapprove the proposal; and*

9 *(C) provide written notification of the ap-*
10 *proval or disapproval to—*

11 *(i) the applicant that submitted the*
12 *proposal;*

13 *(ii) other appropriate Federal officials;*

14 *and*

15 *(iii) each country described in sub-*
16 *paragraph (A).*

17 *(d) CRITERIA FOR APPROVAL.—The Secretary may*
18 *approve a project proposal under this section if the Sec-*
19 *retary determines that the proposed project will enhance*
20 *programs for conservation of cranes by assisting efforts to—*

21 *(1) implement conservation programs;*

22 *(2) address the conflicts between humans and*
23 *cranes that arise from competition for the same habi-*
24 *tat or resources;*

1 (3) *enhance compliance with the Convention and*
2 *other applicable laws that—*

3 (A) *prohibit or regulate the taking or trade*
4 *of cranes; or*

5 (B) *regulate the use and management of*
6 *crane habitat;*

7 (4) *develop sound scientific information on, or*
8 *methods for monitoring—*

9 (A) *the condition of crane habitat;*

10 (B) *crane population numbers and trends;*

11 *or*

12 (C) *the current and projected threats to*
13 *crane habitat and population numbers and*
14 *trends;*

15 (5) *promote cooperative projects on the issues de-*
16 *scribed in paragraph (4) among—*

17 (A) *governmental entities;*

18 (B) *affected local communities;*

19 (C) *nongovernmental organizations; or*

20 (D) *other persons in the private sector;*

21 (6) *carry out necessary scientific research on*
22 *cranes;*

23 (7) *provide relevant training to, or support tech-*
24 *nical exchanges involving, staff responsible for man-*

1 aging cranes or habitats of cranes, to enhance capac-
2 ity for effective conservation; or

3 (8) reintroduce cranes successfully back into the
4 wild, including propagation of a sufficient number of
5 cranes required for this purpose.

6 (e) *PROJECT SUSTAINABILITY; MATCHING FUNDS.*—

7 To the maximum extent practicable, in determining wheth-
8 er to approve a project proposal under this section, the Sec-
9 retary shall give preference to a proposed project—

10 (1) that is designed to ensure effective, long-term
11 conservation of cranes and habitats of cranes; or

12 (2) for which matching funds are available.

13 (f) *PROJECT REPORTING.*—

14 (1) *IN GENERAL.*—Each person that receives as-
15 sistance under this section for a project shall submit
16 to the Secretary, at such periodic intervals as are de-
17 termined by the Secretary, reports that include all in-
18 formation that the Secretary, after consulting with
19 other appropriate government officials, determines to
20 be necessary to evaluate the progress and success of
21 the project for the purposes of—

22 (A) ensuring positive results;

23 (B) assessing problems; and

24 (C) fostering improvements.

1 (2) *AVAILABILITY TO THE PUBLIC.*—Each report
2 submitted under paragraph (1), and any other docu-
3 ments relating to a project for which financial assist-
4 ance is provided under this Act, shall be made avail-
5 able to the public.

6 **SEC. 5. CRANE CONSERVATION FUND.**

7 (a) *ESTABLISHMENT.*—There is established in the Mul-
8 tinalional Species Conservation Fund established by the
9 matter under the heading “MULTINATIONAL SPECIES
10 CONSERVATION FUND” in title I of the Department of
11 the Interior and Related Agencies Appropriations Act, 1999
12 (112 Stat. 2681–237; 16 U.S.C. 4246) a separate account
13 to be known as the “Crane Conservation Fund”, consisting
14 of—

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

18 (2) amounts appropriated to the Fund under
19 section 7; and

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

22 (b) *EXPENDITURES FROM FUND.*—

23 (1) *IN GENERAL.*—Subject to paragraphs (2) and
24 (3), upon request by the Secretary, the Secretary of
25 the Treasury shall transfer from the Fund to the Sec-

1 *retary, without further appropriation, such amounts*
2 *as the Secretary determines are necessary to provide*
3 *assistance under section 4.*

4 (2) *ADMINISTRATIVE EXPENSES.—Of the*
5 *amounts in the Fund available for each fiscal year,*
6 *the Secretary may expend not more than 3 percent,*
7 *or \$150,000, whichever is greater, to pay the adminis-*
8 *trative expenses necessary to carry out this Act.*

9 (3) *LIMITATION.—Not more than 20 percent of*
10 *the amounts made available from the Fund for any*
11 *fiscal year may be used for projects relating to the*
12 *conservation of North American crane species.*

13 (c) *INVESTMENTS OF AMOUNTS.—*

14 (1) *IN GENERAL.—The Secretary of the Treasury*
15 *shall invest such portion of the Fund as is not, in the*
16 *judgment of the Secretary of the Treasury, required to*
17 *meet current withdrawals. Investments may be made*
18 *only in interest-bearing obligations of the United*
19 *States.*

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

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

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

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

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

8 (d) *TRANSFERS OF AMOUNTS.*—

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

14 (2) *ADJUSTMENTS.*—Proper adjustment shall be
15 made in amounts subsequently transferred to the ex-
16 tent prior estimates were in excess of or less than the
17 amounts required to be transferred.

18 (e) *ACCEPTANCE AND USE OF DONATIONS.*—

19 (1) *IN GENERAL.*—The Secretary may accept
20 and use donations to provide assistance under section
21 4.

22 (2) *TRANSFER OF DONATIONS.*—Amounts re-
23 ceived by the Secretary in the form of donations shall
24 be transferred to the Secretary of the Treasury for de-
25 posit in the Fund.

1 **SEC. 6. ADVISORY GROUP.**

2 (a) *IN GENERAL.*—*To assist in carrying out this Act,*
3 *the Secretary may convene an advisory group consisting*
4 *of individuals representing public and private organiza-*
5 *tions actively involved in the conservation of cranes.*

6 (b) *PUBLIC PARTICIPATION.*—

7 (1) *MEETINGS.*—*The advisory group shall—*

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

10 (B) *provide, at each meeting, an oppor-*
11 *tunity for interested persons to present oral or*
12 *written statements concerning items on the agen-*
13 *da.*

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

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

20 (c) *EXEMPTION FROM FEDERAL ADVISORY COM-*
21 *MITTEE ACT.*—*The Federal Advisory Committee Act (5*
22 *U.S.C. App.) shall not apply to the advisory group.*

23 **SEC. 7. FUNDING.**

24 *There is authorized to be appropriated to the Fund*
25 *\$5,000,000 for each of fiscal years 2008 through 2012, to*
26 *remain available until expended.*

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