

Public Law 103-375
103d Congress

An Act

Oct. 19, 1994
[H.R. 4308]

North American
Wetlands
Conservation
Act
Amendments of
1994.
16 USC 4401
note.

To authorize appropriations to assist in carrying out the North American Wetlands Conservation Act for fiscal years 1995 through 1998, and for other purposes.

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 "North American Wetlands Conservation Act Amendments of 1994".

SEC. 2. MATCHING, REPORTING, AND REVISING REQUIREMENTS.

(a) **MATCHING REQUIREMENT.**—Section 8(b) of the North American Wetlands Conservation Act (16 U.S.C. 4407(b)) is amended by adding at the end the following new sentence: "In the case of a project carried out in Mexico, the non-Federal share of the United States contribution to the costs of the project may include cash contributions from non-United States sources that are used to pay costs of the project."

(b) **REPORT TO CONGRESS.**—Section 10(1) of such Act (16 U.S.C. 4409(a)(1)) is amended in subparagraph (B) by striking "and" after the semicolon, in subparagraph (C) by striking the period and inserting "; and", and by adding at the end the following:

"(D) wetlands conservation projects funded under this Act, listed and identified by type, conservation mechanism (such as acquisition, easement, or lease), location, and duration."

(c) **REVISIONS TO PLAN.**—Section 11 of such Act (16 U.S.C. 4410) is amended—

(1) in the first sentence—

(A) by striking "1991" and inserting "1998"; and

(B) by inserting "and Mexico" after "Canada"; and

(2) by striking the second sentence.

SEC. 3. ASSESSMENT OF PROGRESS IN WETLANDS CONSERVATION.

The North American Wetlands Conservation Act (16 U.S.C. 4401 et seq.) is amended by adding at the end the following new section:

16 USC 4414.

"SEC. 19. ASSESSMENT OF PROGRESS IN WETLANDS CONSERVATION.

"Not later than January 31, 1996, the Secretary, in cooperation with the Council, to further the purposes of the Act shall—

"(1) develop and implement a strategy to assist in the implementation of this Act in conserving the full complement of North American wetlands systems and species dependent on those systems, that incorporates information existing on the date of the issuance of the strategy in final form on types

of wetlands habitats and species dependent on the habitats;
and

“(2) develop and implement procedures to monitor and evaluate the effectiveness of wetlands conservation projects completed under this Act.”

SEC. 4. AUTHORIZATION OF APPROPRIATIONS FOR ALLOCATIONS UNDER NORTH AMERICAN WETLANDS CONSERVATION ACT.

Section 7(c) of the North American Wetlands Conservation Act (16 U.S.C. 4406(c)) is amended by striking “\$15,000,000” and all that follows through the end of the sentence and inserting the following: “\$20,000,000 for each of fiscal years 1995 and 1996 and \$30,000,000 for each of fiscal years 1997 and 1998.”

SEC. 5. CONSERVATION OF COASTAL WETLANDS.

Section 306(c) of the Coastal Wetlands Planning, Protection and Restoration Act (16 U.S.C. 3955(c)) is amended by inserting “in coastal wetlands ecosystems” after “wetlands conservation projects”.

SEC. 6. WILDLIFE PARTNERSHIP PROGRAM.

The Partnerships For Wildlife Act (16 U.S.C. 3741 et seq.) is amended—

(1) in section 7103(3) (16 U.S.C. 3742(3)) by inserting “the States and of” after “under the leadership of”;

(2) in section 7104 (16 U.S.C. 3743)—

(A) by amending paragraph (2) to read as follows:

“(2) The term ‘designated State agency’ means the government agency, department, or division of any State that is empowered under the laws of the State to exercise the functions ordinarily exercised by a State fish and wildlife agency.”;

(B) in paragraph (4) by striking “section 5(f)” and inserting “section 7105(g)”;

(C) in paragraph (8)(A) by striking the period and inserting a semicolon; and

(D) in paragraph (8)(C) by—

(i) striking “section 3(5)” and inserting “section 3(6)”; and

(ii) striking “(16 U.S.C. 1362(5))” and inserting “(16 U.S.C. 1362(6))”;

(3) in section 7104 (16 U.S.C. 3743) by—

(A) redesignating paragraph (8) as paragraph (9); and

(B) inserting after paragraph (7) the following:

“(8) The term ‘State’ means any of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, Guam, the United States Virgin Islands, or American Samoa.”;

(4) in section 7105(d) (16 U.S.C. 3744(d))—

(A) in paragraph (3) by inserting “and” after the semicolon;

(B) in paragraph (4) by striking “; and” and inserting a period; and

(C) by striking paragraph (5);

(5) in section 7105 (16 U.S.C. 3744) by amending subsection

(e) to read as follows:

“(e) NON-FEDERAL SHARE OF PROJECTS.—

“(1) STATE SHARE.—Of the total cost each fiscal year of each project carried out with amounts provided by the Secretary

under subsection (a), at least $\frac{1}{3}$ shall be paid with amounts from State, non-Federal sources, except that if designated State agencies from 2 or more States cooperate in implementing such a project at least 30 percent shall be paid with amounts from such State, non-Federal sources. Payments required by this paragraph may not be in the form of an in-kind contribution.

“(2) PRIVATE SHARE.—Of the total cost each fiscal year of each project carried out with amounts provided by the Secretary under subsection (a), at least $\frac{1}{3}$ shall be paid with amounts from voluntary contributions by private entities or persons, except that if designated State agencies from 2 or more States cooperate in implementing such a project, at least 30 percent shall be paid from such sources. Subject to the approval of the Secretary, such contributions for a project may be in the form of, but are not required to be limited to, private cash donations, and the contribution of materials, equipment, or services necessary for the project.”;

(6) in section 7105(g) (16 U.S.C. 3744(g))—

(A) by amending paragraph (2) to read as follows:

“(2) The Secretary shall deposit into the Fund amounts appropriated to the Secretary for deposit to the Fund, of which not more than 4 percent shall be available to the Secretary to defray the costs of administering this chapter and evaluating wildlife conservation and appreciation projects.”; and

(B) by striking paragraphs (3) and (4); and

(7) in section 7105(h) (16 U.S.C. 3744(h))—

(A) by striking “1995” and inserting “1998”; and

(B) by striking “to match the amount of contributions made to the Fund by the National Fish and Wildlife Foundation”.

Approved October 19, 1994.

LEGISLATIVE HISTORY—H.R. 4308 (S. 1857):

HOUSE REPORTS: No. 103-717 (Comm. on Merchant Marine and Fisheries).

SENATE REPORTS: No. 103-326 accompanying S. 1857 (Comm. on Environment and Public Works).

CONGRESSIONAL RECORD, Vol. 140 (1994):

Sept. 12, 13, considered and passed House.

Oct. 4, considered and passed Senate.