

106TH CONGRESS  
1ST SESSION

# H. R. 3407

To assist in the conservation of keystone species throughout the world.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 16, 1999

Mr. SAXTON introduced the following bill; which was referred to the  
Committee on Resources

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## A BILL

To assist in the conservation of keystone species throughout  
the world.

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 “Keystone Species Con-  
5       servation Act of 1999”.

6       **SEC. 2. FINDINGS AND PURPOSE.**

7       (a) FINDINGS.—The Congress finds the following:

8               (1) Numerous species of fauna have continued  
9       to decline to the point that the long-term survival of  
10       those species in the wild is in serious jeopardy.

1           (2) Many of those species are listed under sec-  
2           tion 4 of the Endangered Species Act of 1973 (16  
3           U.S.C. 1533) or in Appendix I, II, or III of the Con-  
4           vention on International Trade in Endangered Spe-  
5           cies of Wild Fauna and Flora.

6           (3) There are insufficient resources available  
7           for addressing the threats facing those species,  
8           which will require the joint commitment and effort  
9           of countries within the range of those species, the  
10          United States and other countries, and the private  
11          sector.

12          (4) The grant programs established by the Con-  
13          gress for tigers, rhinoceroses, Asian elephants, and  
14          African elephants have proven to be extremely suc-  
15          cessful, provide Federal funds for conservation  
16          projects in an efficient and expeditious manner, and  
17          encourage additional support for conservation in  
18          countries where those species exist in the wild.

19          (5) A new grant program modeled on the exist-  
20          ing programs for tigers, rhinoceroses, and elephants  
21          would provide an effective means to assist in the  
22          conservation of keystone species for which there are  
23          no existing grant programs.

24          (b) PURPOSE.—The purpose of this Act is to conserve  
25          keystone species of fauna throughout the world, and the

1 ecosystems on which those species depend, by supporting  
2 the conservation programs for those species and the  
3 CITES Secretariat, promoting partnerships between the  
4 public and private sectors, and providing financial re-  
5 sources for those programs and partnerships.

6 **SEC. 3. DEFINITIONS.**

7 In this Act:

8 (1) ACCOUNT.—The term “Account” means the  
9 Keystone Species Conservation Account established  
10 by section 5.

11 (2) SECRETARY.—The term “Secretary” means  
12 the Secretary of the Interior.

13 (3) CITES.—The term “CITES” means the  
14 Convention on International Trade in Endangered  
15 Species of Wild Fauna and Flora, done at Wash-  
16 ington March 3, 1973 (27 UST 1087; TIAS 8249),  
17 including its appendices and amendments.

18 (4) CONSERVATION.—The term “conservation”  
19 means the use of methods and procedures necessary  
20 to bring a keystone species to the point at which  
21 there are sufficient populations in the wild to ensure  
22 that the species does not become extinct, including—

23 (A) protection and management of popu-  
24 lations of a keystone species;

- 1 (B) maintenance, management, protection,
- 2 and restoration of habitat of a keystone species;
- 3 (C) research and monitoring;
- 4 (D) law enforcement; and
- 5 (E) community outreach and education.

6 (5) FISH OR WILDLIFE.—The term “fish or  
7 wildlife” means any member of the animal kingdom,  
8 including any mammal, fish, bird, amphibian, rep-  
9 tile, mollusk, crustacean, arthropod, or other inverte-  
10 brate.

11 (6) KEYSTONE SPECIES.—The term “keystone  
12 species”—

13 (A) subject to subparagraph (B), means a  
14 species of fish or wildlife—

15 (i) that is listed as an endangered  
16 species or threatened species under section  
17 4 of the Endangered Species Act of 1973  
18 (16 U.S.C. 1533) or that is listed in Ap-  
19 pendix I, II, or III of CITES; and

20 (ii) whose range is partially or wholly  
21 outside of the United States; and

22 (B) does not include African elephants,  
23 Asian elephants, rhinoceros, and tigers.

1 **SEC. 4. KEYSTONE SPECIES CONSERVATION ASSISTANCE.**

2 (a) IN GENERAL.—Subject to the availability of  
3 funds, the Secretary shall use amounts in the Account to  
4 provide financial assistance for projects for the conserva-  
5 tion of that keystone species throughout the world, for  
6 which project proposals are approved by the Secretary in  
7 accordance with this section.

8 (b) PROJECT PROPOSALS.—

9 (1) ELIGIBLE APPLICANTS.—A proposal for a  
10 project for the conservation of a keystone species  
11 may be submitted to the Secretary by—

12 (A) any relevant wildlife management au-  
13 thority of a country that has within its bound-  
14 aries any part of the range of a keystone spe-  
15 cies, if the agency has authority over fish or  
16 wildlife and the activities of the agency directly  
17 or indirectly affect the species;

18 (B) the CITES Secretariat; or

19 (C) any person with demonstrated exper-  
20 tise in the conservation of that keystone species.

21 (2) REQUIRED INFORMATION.—A project pro-  
22 posal shall include—

23 (A) the name of the individual with pri-  
24 mary responsibility for conducting the project;

25 (B) a succinct statement of—

1 (i) the purposes of the project and the  
2 methodology for implementing the project,  
3 including an assessment of the status of  
4 the keystone species that is the subject of  
5 the project; and

6 (ii) how the project will benefit that  
7 species;

8 (C) a description of the qualifications of  
9 the individuals who will conduct the project;

10 (D) an estimate of the funds and time re-  
11 quired to complete the project;

12 (E) evidence of support for the project by  
13 appropriate governmental entities of countries  
14 in which the project will be conducted, if the  
15 Secretary determines that such support is re-  
16 quired for the success of the project;

17 (F) information regarding the source and  
18 amount of matching funds available for the  
19 project; and

20 (G) any other information that the Sec-  
21 retary considers to be necessary for evaluating  
22 the eligibility of the project for funding under  
23 this Act.

24 (c) PROPOSAL REVIEW AND APPROVAL.—

1           (1) REQUEST FOR ADDITIONAL INFORMA-  
2           TION.—If, after receiving a project proposal, the  
3           Secretary determines that the project proposal is not  
4           complete, the Secretary may request further infor-  
5           mation from the person that submitted the proposal  
6           before complying with the other provisions of this  
7           subsection.

8           (2) REQUEST FOR COMMENTS.—The Secretary  
9           shall request written comments, and provide an op-  
10          portunity of not less than 30 days for comments, on  
11          a project proposal from the appropriate govern-  
12          mental authorities of each country in which the  
13          project will be conducted.

14          (3) DECISION BY THE SECRETARY.—After tak-  
15          ing into consideration any comments received in a  
16          timely manner from governmental authorities under  
17          paragraph (2), the Secretary may approve a project  
18          proposal if the Secretary determines that the project  
19          will promote the conservation of a keystone species.

20          (4) NOTIFICATION.—Not later than 180 days  
21          after receiving a completed project proposal, the Sec-  
22          retary shall provide written notification of the Sec-  
23          retary's approval or disapproval of a project proposal  
24          under paragraph (3) to the person that submitted  
25          the proposal.

1 (d) PRIORITY GUIDANCE.—In funding approved  
2 project proposals, the Secretary shall give priority to the  
3 following types of projects:

4 (1) Projects that will enhance programs for the  
5 conservation of keystone species that are most im-  
6 periled, and that are supported by the relevant wild-  
7 life management authority in each country in which  
8 the program will be conducted.

9 (2) Projects that receive the greatest level of  
10 matching assistance, in cash or in-kind, from non-  
11 Federal sources.

12 (3) Projects that will enhance local capacity for  
13 the conservation of keystone species.

14 (e) PROJECT REPORTING.—Each person that re-  
15 ceives assistance under this section for a project shall sub-  
16 mit to the Secretary periodic reports at such intervals as  
17 the Secretary considers necessary, that include all infor-  
18 mation required by the Secretary for evaluating the  
19 progress and success of the project.

20 (f) GUIDELINES.—

21 (1) IN GENERAL.—Not later than 1 year after  
22 the date of enactment of this Act, after providing  
23 public notice and opportunity for comment, the Sec-  
24 retary shall develop guidelines to carry out this sec-  
25 tion.



1           (2) PRIORITIES AND CRITERIA.—The guidelines  
2       shall specify—

3                   (A) how the priorities for funding approved  
4       projects are to be determined; and

5                   (B) criteria for determining which keystone  
6       species are most imperiled and which projects  
7       provide the greatest conservation benefit.

8   **SEC. 5. KEYSTONE SPECIES CONSERVATION ACCOUNT.**

9       (a) ESTABLISHMENT.—There is established in the  
10   Multinational Species Conservation Fund of the Treasury  
11   a separate account to be known as the “Keystone Species  
12   Conservation Account”, consisting of—

13           (1) amounts of donations accepted under sub-  
14   section (d);

15           (2) amounts appropriated to the Account under  
16   section 6; and

17           (3) any interest earned on investment of  
18   amounts in the Account under subsection (c).

19   (b) EXPENDITURES FROM ACCOUNT.—

20           (1) IN GENERAL.—Subject to paragraph (2),  
21   the Secretary may expend from the Account, without  
22   further Act of appropriation, such amounts as are  
23   necessary to carry out section 4.

24           (2) ADMINISTRATIVE EXPENSES.—An amount  
25   not to exceed 3 percent of the amounts in the Ac-

1 count shall be available for each fiscal year to pay  
2 the administrative expenses necessary to carry out  
3 this Act.

4 (c) INVESTMENT OF AMOUNTS.—The Secretary of  
5 the Treasury shall invest such portion of the Account as  
6 is not required to meet current withdrawals. Such invest-  
7 ments may be made only in interest-bearing obligations  
8 of the United States.

9 (d) ACCEPTANCE AND USE OF DONATIONS.—The  
10 Secretary may accept and use donations to carry out this  
11 Act. Amounts received by the Secretary in the form of do-  
12 nations shall be available until expended, without further  
13 Act of appropriation.

14 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

15 There are authorized to be appropriated to the Ac-  
16 count \$10,000,000 for each of fiscal years 2001, 2002,  
17 2003, 2004, and 2005 to carry out this Act, which may  
18 remain available until expended.

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