

108TH CONGRESS  
2D SESSION

# H. R. 4826

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.

---

## IN THE HOUSE OF REPRESENTATIVES

JULY 13, 2004

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

---

## 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 2004”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Many wild populations of felids and canids,  
4 once considered common, are in decline, and many  
5 have declined to the point that their long-term sur-  
6 vival in the wild is in serious jeopardy.

7 (2) Of the 37 wild felid species worldwide, all  
8 are currently recognized as species in need of protec-  
9 tion under the IUCN Red List, the lists of species  
10 in CITES appendices I, II, and III, or the Endan-  
11 gered Species Act of 1973. Of the 35 wild canid spe-  
12 cies worldwide, nearly 50 percent are recognized as  
13 in need of such protection.

14 (3) In addition to their intrinsic value, felids  
15 and canids are important aesthetic, economic, and  
16 ecological global resources that need to be conserved.

17 (4) Large felids and canids are considered both  
18 umbrella and indicator species. Healthy populations  
19 of these species act as an important indicator of the  
20 integrity of entire ecosystems and, because they re-  
21 quire large wild spaces to persist, benefit entire eco-  
22 systems and a large number of other species. Meas-  
23 ures taken to benefit these keystone species will ulti-  
24 mately benefit a great number of other species.

25 (5) Rare felids and rare canids face an array of  
26 threats, including loss of habitat and natural prey,

1 intentional and unintentional takings by humans,  
2 disease transmission, and a vast number of other  
3 threats. These threats need to be addressed in a co-  
4 ordinated fashion.

5 (6) Conservation of rare felid and rare canid  
6 populations requires global commitment. Adequate  
7 funding for conservation is sorely lacking, and many  
8 range countries for those species do not have ade-  
9 quate infrastructure to protect species of concern.  
10 Those countries that do provide assistance to threat-  
11 ened populations need further assistance in imple-  
12 menting effective conservation strategies.

13 (7) In particular, in developing nations with  
14 limited resources, poverty, population growth, and  
15 habitat loss all present significant challenges to con-  
16 servation of rare felids and rare canids.

17 (8) Although some protections and initiatives  
18 exist to conserve rare felid and rare canid popu-  
19 lations and their habitat, those efforts can be signifi-  
20 cantly strengthened and enhanced by increased co-  
21 ordination and the infusion of targeted funding to  
22 benefit species of concern.

23 **SEC. 3. PURPOSES.**

24 The purposes of this Act are to provide financial re-  
25 sources and to foster international cooperation—

- 1           (1) to restore and perpetuate healthy popu-  
2       lations of rare felids and rare canids in the wild; and  
3           (2) to assist in the conservation of rare felid  
4       and rare canid populations worldwide.

5 **SEC. 4. DEFINITIONS.**

6       In this Act:

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

12          (2) CONSERVATION.—The term “conserva-  
13      tion”—

14           (A) means the methods and procedures  
15           necessary to bring a species of rare felid or rare  
16           canid to the point at which there are sufficient  
17           populations in the wild to ensure the long-term  
18           viability of the species;

19           (B) includes all activities associated with  
20           protection and management of a rare felid or  
21           rare canid population, including—

22                   (i) maintenance, management, protec-  
23                   tion, and restoration of rare felid or rare  
24                   canid habitat;

25                   (ii) research and monitoring;

- 1 (iii) law enforcement;
- 2 (iv) community outreach and edu-
- 3 cation;
- 4 (v) conflict resolution initiatives; and
- 5 (vi) strengthening the capacity of local
- 6 communities, governmental agencies, non-
- 7 governmental organizations and other in-
- 8 stitutions to implement conservation pro-
- 9 grams.

10 (3) FUND.—The term “Fund” means the Great  
11 Cats and Rare Canids Conservation Fund estab-  
12 lished by section 6.

13 (4) IUCN RED LIST.—The term “IUCN Red  
14 List” means the Red List of Threatened Species  
15 Maintained by the World Conservation Union.

16 (5) RARE CANID.—The term “rare canid”—  
17 (A) means any canid species, subspecies, or  
18 population that—

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

21 (ii) is included in the IUCN Red List,  
22 Appendix I, II, or III of CITES, or any  
23 list published under section 4(c) of the En-  
24 dangered Species Act of 1973 (16 U.S.C.  
25 1532(c)); and

1 (B) includes such a subspecies or popu-  
 2 lation of dhole (*Cuon alpinus*), gray wolf (*Canis*  
 3 *lupus*), ethiopian wolf (*Canis simensis*), african  
 4 wild dog (*Lycaon pictus*), or maned wolf  
 5 (*Chrysocyon brachyurus*).

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

7 (A) subject to subparagraph (C), means  
 8 any felid species, subspecies, or population  
 9 that—

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

12 (ii) is included in the IUCN Red List,  
 13 Appendix I, II, or III of CITES, or any  
 14 list published under section 4(c) of the En-  
 15 dangered Species Act of 1973 (16 U.S.C.  
 16 1532(c));

17 (B) includes such a subspecies or popu-  
 18 lation of lion (*Panthera leo*), leopard (*Panthera*  
 19 *pardus*), jaguar (*Panthera onca*), snow leopard  
 20 (*Uncia uncia*), clouded leopard (*Neofelis*  
 21 *nebulosa*), cheetah (*Acinonyx jubatus*), or ibe-  
 22 rian lynx (*Lynx pardina*); and

23 (C) does not include any tiger (*Panthera*  
 24 *tigris*).

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

3   **SEC. 5. FINANCIAL ASSISTANCE.**

4           (a) IN GENERAL.—Subject to the availability of  
5   funds and in consultation with other appropriate Federal  
6   officials, the Secretary shall use amounts in the Fund to  
7   provide financial assistance for projects for the conserva-  
8   tion of rare felid and rare canids for which project pro-  
9   posals are approved by the Secretary in accordance with  
10   this section.

11          (b) PROJECT PROPOSALS.—

12               (1) ELIGIBLE APPLICANTS.—A proposal for a  
13   project for the conservation of rare felid and canids  
14   may be submitted to the Secretary by—

15                   (A) any wildlife management authority of  
16                   a country that has within its boundaries any  
17                   part of the range of a rare felid or rare canid  
18                   species, respectively; and

19                   (B) any person or group with the dem-  
20                   onstrated expertise required for the conserva-  
21                   tion in the wild of rare felids or rare canids, re-  
22                   spectively.

23               (2) PROJECT PROPOSALS.—To be considered  
24   for financial assistance for a project under this Act,

1 an applicant shall submit a project proposal that in-  
2 cludes—

3 (A) a concise statement of the purposes of  
4 the project;

5 (B) the name of the individual responsible  
6 for conducting the project;

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

9 (D) a concise description of—

10 (i) methods for project implementa-  
11 tion and outcome assessment;

12 (ii) staffing for the project;

13 (iii) the logistics of the project; and

14 (iv) community involvement in the  
15 project;

16 (E) an estimate of funds and time required  
17 to complete the project;

18 (F) evidence of support for the project by  
19 appropriate governmental entities of the coun-  
20 tries in which the project will be conducted, if  
21 the Secretary determines that such support is  
22 required for the success of the project;

23 (G) information regarding the source and  
24 amount of matching funding available for the  
25 project; and



1 (H) any other information that the Sec-  
2 retary considers to be necessary for evaluating  
3 the eligibility of the project for funding under  
4 this Act.

5 (c) PROJECT REVIEW AND APPROVAL.—

6 (1) IN GENERAL.—The Secretary shall—

7 (A) not later than 30 days after receiving  
8 a project proposal, provide a copy of the pro-  
9 posal to the appropriate Federal officials; and

10 (B) review each project proposal in a time-  
11 ly manner to determine if the proposal meets  
12 the criteria specified in subsection (d).

13 (2) CONSULTATION; APPROVAL OR DIS-  
14 APPROVAL.—Not later than 180 days after receiving  
15 a project proposal, and subject to the availability of  
16 funds, the Secretary, after consulting with other ap-  
17 propriate Federal officials, shall—

18 (A) ensure the proposal contains assur-  
19 ances that the project will be implemented in  
20 consultation with relevant wildlife management  
21 authorities and other appropriate government  
22 officials with jurisdiction over the resources ad-  
23 dressed by the project;

24 (B) approve or disapprove the proposal;  
25 and

1 (C) provide written notification of the ap-  
2 proval or disapproval to the person who sub-  
3 mitted the proposal, other appropriate Federal  
4 officials, and each country within whose borders  
5 the project will take place.

6 (d) CRITERIA FOR APPROVAL.—The Secretary may  
7 approve a project proposal under this section if the project  
8 will contribute to conservation of rare felids or rare canids  
9 in the wild by assisting efforts to—

10 (1) implement conservation programs;

11 (2) address the conflicts between humans and  
12 rare felids or rare canids, respectively, that arise  
13 from competition for the same habitat or resources;

14 (3) enhance compliance with CITES, the En-  
15 dangered Species Act of 1973, and other applicable  
16 laws that prohibit or regulate the taking or trade of  
17 rare felids and rare canids or regulate the use and  
18 management of rare felid and rare canid habitat;

19 (4) develop sound scientific information on, or  
20 methods for monitoring—

21 (A) the condition and health of rare felid  
22 or rare canid habitat;

23 (B) rare felid or rare canid population  
24 numbers and trends; and

1 (C) the ecological characteristics and re-  
2 quirements of populations of rare felids or rare  
3 canids for which there are little or no data;

4 (5) promote cooperative projects among govern-  
5 ment entities, affected local communities, nongovern-  
6 mental organizations, and other persons in the pri-  
7 vate sector; or

8 (6) funds will not be appropriated for the pur-  
9 chase or lease of lands to be used as suitable habitat  
10 for felids or canids.

11 (e) PROJECT SUSTAINABILITY.—In approving project  
12 proposals under this section, the Secretary shall give pref-  
13 erence to conservation projects that are designed to ensure  
14 effective, long-term conservation of rare felids and rare  
15 canids and their habitats.

16 (f) MATCHING FUNDS.—In determining whether to  
17 approve project proposals under this section, the Secretary  
18 shall give preference to projects for which there exists  
19 some measure of matching funds.

20 (g) PROJECT REPORTING.—

21 (1) IN GENERAL.—Each person that receives  
22 assistance under this section for a project shall sub-  
23 mit to the Secretary periodic reports (at such inter-  
24 vals as the Secretary considers necessary) that in-  
25 clude all information that the Secretary, after con-

1 sultation with other appropriate government offi-  
2 cials, determines is necessary to evaluate the  
3 progress and success of the project for the purposes  
4 of ensuring positive results, assessing problems, and  
5 fostering improvements.

6 (2) AVAILABILITY TO THE PUBLIC.—Reports  
7 under paragraph (1), and any other documents re-  
8 lating to projects for which financial assistance is  
9 provided under this Act, shall be made available to  
10 the public.

11 (h) LIMITATIONS ON USE FOR CAPTIVE BREEDING  
12 OR DISPLAY.—Amounts provided as a grant under this  
13 Act—

14 (1) may not be used for captive breeding or dis-  
15 play of rare felids and rare canids other than captive  
16 breeding for release into the wild; and

17 (2) may be used for captive breeding of a spe-  
18 cies for release into the wild only if no other con-  
19 servation method for the species is biologically fea-  
20 sible.

21 (i) LIMITATION ON ASSISTANCE FOR CERTAIN SPE-  
22 CIES.—Of amounts available for a fiscal year for providing  
23 financial assistance under this section, the Secretary may  
24 not use more than 25 percent to provide assistance for  
25 projects that target rare canid and rare felid species that

1 are not listed in paragraph (5)(B) or (6)(B), respectively,  
2 of section 4.

3 (j) ADVISORY GROUP.—

4 (1) IN GENERAL.—To assist in carrying out  
5 this Act, the Secretary may convene an advisory  
6 group consisting of individuals representing public  
7 and private organizations actively involved in the  
8 conservation of felids and canids.

9 (2) PUBLIC PARTICIPATION.—

10 (A) MEETINGS.—The advisory group  
11 shall—

12 (i) ensure that each meeting of the  
13 advisory group is open to the public; and

14 (ii) provide, at each meeting, an op-  
15 portunity for interested persons to present  
16 oral or written statements concerning  
17 items on the agenda.

18 (B) NOTICE.—The Secretary shall provide  
19 to the public timely notice of each meeting of  
20 the advisory group, including the meeting agen-  
21 da.

22 (C) MINUTES.—Minutes of each meeting  
23 of the advisory group shall be kept by the Sec-  
24 retary and shall be made available to the public.

1           (3) EXEMPTION FROM FEDERAL ADVISORY  
2       COMMITTEE ACT.—The Federal Advisory Committee  
3       Act (5 U.S.C. App.) shall not apply to the advisory  
4       group.

5   **SEC. 6. GREAT CATS AND RARE CANIDS CONSERVATION**  
6                   **FUND.**

7       (a) ESTABLISHMENT.—There is established, in the  
8       Multinational Species Conservation Fund established in  
9       title I of the Department of the Interior and Related  
10      Agencies Appropriations Act, 1999 under the heading  
11      “MULTINATIONAL SPECIES CONSERVATION  
12      FUND”, a separate account to be known as the “Great  
13      Cats and Rare Canids Conservation Fund”, consisting  
14      of—

15           (1) amounts transferred to the Secretary of the  
16      Treasury for deposit into such account under sub-  
17      section (e);

18           (2) amounts appropriated to such account  
19      under section 7; and

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

22      (b) EXPENDITURES FROM FUND.—

23           (1) IN GENERAL.—Subject to paragraph (2),  
24      upon request by the Secretary, the Secretary of the  
25      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 three per-  
7       cent, or up to \$80,000, whichever is greater, to pay  
8       the administrative expenses necessary to carry out  
9       this Act.

10       (c) INVESTMENT OF AMOUNTS.—

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

17           (2) ACQUISITION OF OBLIGATIONS.—For the  
18       purpose of investments under paragraph (1), obliga-  
19       tions may be acquired—

20                   (A) on original issue at the issue price; or

21                   (B) by purchase of outstanding obligations  
22       at the market price.

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

1           (4) CREDITS TO FUND.—The interest on, and  
2           the proceeds from the sale or redemption of any obli-  
3           gations held in the Fund shall be credited to and  
4           form a part of the Fund.

5           (d) TRANSFERS OF AMOUNTS.—

6           (1) IN GENERAL.—The amounts required to be  
7           transferred to the Fund under this section shall be  
8           transferred at least monthly from the general fund  
9           of the Treasury to the Fund on the basis of esti-  
10          mates made by the Secretary of the Treasury.

11          (2) ADJUSTMENTS.—Proper adjustment shall  
12          be made in amounts subsequently transferred to the  
13          extent prior estimates were in excess of or less than  
14          the amounts required to be transferred.

15          (e) ACCEPTANCE AND USE OF DONATIONS.—The  
16          Secretary may accept and use donations to provide assist-  
17          ance under section 4. Amounts received by the Secretary  
18          in the form of donations shall be transferred to the Sec-  
19          retary of the Treasury for deposit into the Fund.

20       **SEC. 7. AUTHORIZATION OR APPROPRIATIONS.**

21          There are authorized to be appropriated to the Fund  
22          \$5,000,000 for each fiscal years 2005 through 2009 to  
23          carry out this Act.

○