

Calendar No. 433

109TH CONGRESS
2D SESSION**H. R. 518**

IN THE SENATE OF THE UNITED STATES

MAY 17, 2006

Received; read twice and placed on the calendar

AN ACT

To require the Secretary of the Interior to refine the Department of the Interior program for providing assistance for the conservation of neotropical migratory birds.

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 “Neotropical Migratory
5 Bird Conservation Improvement Act of 2006”.

6 **SEC. 2. AMENDMENTS TO NEOTROPICAL MIGRATORY BIRD**
7 **CONSERVATION ACT.**

8 (a) FINDINGS.—Section 2(1) of the Neotropical Mi-
9 gratory Bird Conservation Act (16 U.S.C. 6101(1)) is

1 amended by inserting “but breed in Canada and the
2 United States” after “the Caribbean”.

3 (b) PURPOSES.—Section 3(2) of such Act (16 U.S.C.
4 6102(2)) is amended by inserting “Canada,” after
5 “United States,”.

6 (c) DEFINITION OF CARIBBEAN.—Section 4 of such
7 Act (16 U.S.C. 6103) is amended—

8 (1) by redesignating paragraphs (2) and (3) as
9 paragraphs (3) and (5), respectively;

10 (2) by inserting after paragraph (1) the fol-
11 lowing:

12 “(2) CARIBBEAN.—The term ‘Caribbean’ in-
13 cludes Puerto Rico and the United States Virgin Is-
14 lands.”; and

15 (3) by inserting after paragraph (3), as so re-
16 designated, the following:

17 “(4) FUND.—The term ‘Fund’ means the
18 Neotropical Migratory Bird Conservation Fund es-
19 tablished by section 9(a).”.

20 (d) AUTHORIZATION OF PROJECTS TO ENHANCE
21 CONSERVATION IN CANADA.—Section 5(c)(2) of such Act
22 (16 U.S.C. 6104(c)(2)) is amended by inserting “Can-
23 ada,” after “the United States,”.

24 (e) COST SHARING.—Section 5(e) of such Act (16
25 U.S.C. 6104(e)) is amended—

1 (1) in paragraph (1) by striking “25 percent”
2 and inserting “50 percent”; and

3 (2) in paragraph (2) by amending subpara-
4 graph (B) to read as follows:

5 “(B) FORM OF PAYMENT.—

6 “(i) PROJECTS IN THE UNITED
7 STATES AND CANADA.—The non-Federal
8 share required to be paid for a project car-
9 ried out in the United States or Canada
10 shall be paid in cash.

11 “(ii) PROJECTS IN LATIN AMERICA
12 AND THE CARIBBEAN.—The non-Federal
13 share required to be paid for a project car-
14 ried out in Latin America or the Caribbean
15 may be paid in cash or in kind.”.

16 (f) ADVISORY GROUP.—

17 (1) COMPOSITION.—Section 7(b)(1) of such Act
18 (16 U.S.C. 6106(b)(1)) is amended by adding at the
19 end the following: “The advisory group as a whole
20 shall have expertise in the methods and procedures
21 set forth in section 4(2) in each country and region
22 of the Western Hemisphere”.

23 (2) ENCOURAGEMENT TO CONVENE.—The Sec-
24 retary of the Interior is encouraged to convene an
25 advisory group under section 7(b)(1) of such Act by

1 not later than 6 months after the effective date of
2 this Act. This paragraph shall not be considered to
3 authorize delay of the schedule previously estab-
4 lished by the United States Fish and Wildlife Serv-
5 ice for the submission, judging, and awarding of
6 grants.

7 (g) REPORT.—Section 8 of such Act (16 U.S.C.
8 6107) is amended by striking “October 1, 2002,” and in-
9 serting “2 years after the date of the enactment of the
10 Neotropical Migratory Bird Conservation Improvement
11 Act of 2006”.

12 (h) NEOTROPICAL MIGRATORY BIRD CONSERVATION
13 FUND.—

14 (1) IN GENERAL.—Section 9 of such Act (16
15 U.S.C. 6108) is amended by striking so much as
16 precedes subsection (c) and inserting the following:
17 **“SEC. 9. NEOTROPICAL MIGRATORY BIRD CONSERVATION**
18 **FUND.**

19 “(a) ESTABLISHMENT.—There is established in the
20 Treasury a separate account, which shall be known as the
21 ‘Neotropical Migratory Bird Conservation Fund’. The
22 Fund shall consist of amounts deposited into the Fund
23 by the Secretary of the Treasury under subsection (b).

24 “(b) DEPOSITS INTO THE FUND.—The Secretary of
25 the Treasury shall deposit into the Fund—

1 “(1) all amounts received by the Secretary in
2 the form of donations under subsection (d); and

3 “(2) other amounts appropriated to the Fund.”.

4 (2) ADMINISTRATIVE EXPENSES.—Section
5 9(c)(2) of such Act (16 U.S.C. 6108(c)(2)) is
6 amended by striking “\$80,000” and inserting
7 “\$150,000”.

8 (3) CONFORMING AMENDMENTS.—Such Act is
9 amended further as follows:

10 (A) In section 4 (16 U.S.C. 6103), by
11 striking paragraph (1) and inserting the fol-
12 lowing:

13 “(1) FUND.—The term ‘Fund’ means the
14 Neotropical Migratory Bird Conservation Fund es-
15 tablished by section 9(a).”.

16 (B) In section 9(d) (16 U.S.C. 6108(d)),
17 by striking “Account” and inserting “Fund”.

18 (4) TRANSFER.—The Secretary of the Treasury
19 may transfer to the Neotropical Migratory Bird Con-
20 servation Fund amounts that were in the
21 Neotropical Migratory Bird Conservation Account
22 immediately before the enactment of this Act.

23 (i) AUTHORIZATION OF APPROPRIATIONS.—Section
24 10 of such Act (16 U.S.C. 6109) is amended to read as
25 follows:

1 (1) by inserting “(a) IN GENERAL.—” before
2 the first sentence;

3 (2) by striking “\$5,000,000 for each of fiscal
4 years 2001 through 2005” and inserting “for each
5 of fiscal years 2006 through 2010 the amount speci-
6 fied for that fiscal year in subsection (b)”;

7 (3) by adding at the end the following:

8 “(b) AUTHORIZED AMOUNT.—The amount referred
9 to in subsection (a) is—

10 “(1) \$5,000,000 for each of fiscal years 2006
11 and 2007;

12 “(2) \$5,500,000 for fiscal year 2008;

13 “(3) \$6,000,000 for fiscal year 2009; and

14 “(4) \$6,500,000 for fiscal year 2010.

15 “(c) AVAILABILITY.—Amounts appropriated under
16 this section may remain available until expended.

17 “(d) ALLOCATION.—Of amounts appropriated under
18 this section for each fiscal year, not less than 75 percent
19 shall be expended for projects carried out outside the
20 United States.”.

Passed the House of Representatives May 16, 2006.

Attest:

KAREN L. HAAS,

Clerk.

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