

110TH CONGRESS
1ST SESSION

S. 1033

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 SENATE OF THE UNITED STATES

MARCH 29, 2007

Mr. LIEBERMAN (for himself and Mr. BROWNBACK) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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 2007”.

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

(B) includes such a subspecies or population of dhole (*Cuon alpinus*), gray wolf (*Canis lupus*), Ethiopian wolf (*Canis simensis*), bush dog (*Speothos venaticus*), African wild dog (*Lycaon pictus*), or maned wolf (*Chrysocyon brachyurus*).

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

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

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

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

(B) includes such a subspecies or population of lion (*Panthera leo*), leopard (*Panthera pardus*), jaguar (*Panthera onca*), snow leopard (*Uncia uncia*), clouded leopard (*Neofelis nebulosa*), cheetah (*Acinonyx jubatus*), or Iberian lynx (*Lynx pardina*); and

(C) does not include any tiger (*Panthera 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 \$100,000, 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, and may make public on the Internet
18 website and in publications of the Department of the Inte-
19 rior that the Secretary is authorized to accept and use
20 such donations. Amounts received by the Secretary in the
21 form of such donations shall be transferred to the Sec-
22 retary of the Treasury for deposit into the Fund.

1 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated to the Fund
3 \$5,000,000 for each of fiscal years 2008 through 2012
4 to carry out this Act.

○