

Calendar No. 518112TH CONGRESS
2^D SESSION**S. 2156****[Report No. 112-216]**

To amend the Migratory Bird Hunting and Conservation Stamp Act to permit the Secretary of the Interior, in consultation with the Migratory Bird Conservation Commission, to set prices for Federal Migratory Bird Hunting and Conservation Stamps and make limited waivers of stamp requirements for certain users.

IN THE SENATE OF THE UNITED STATES

MARCH 6, 2012

Mr. BEGICH (for himself, Ms. MURKOWSKI, and Mr. COONS) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

SEPTEMBER 19, 2012

Reported by Mrs. BOXER, with amendments

[Omit the part struck through and insert the part printed in *italic*]**A BILL**

To amend the Migratory Bird Hunting and Conservation Stamp Act to permit the Secretary of the Interior, in consultation with the Migratory Bird Conservation Commission, to set prices for Federal Migratory Bird Hunting and Conservation Stamps and make limited waivers of stamp requirements for certain users.

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 “Migratory Bird Habi-
5 tat Investment and Enhancement Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) Federal Migratory Bird Hunting and Con-
9 servation Stamps (commonly known as “duck
10 stamps”) were created in 1934 as Federal licenses
11 required for hunting migratory waterfowl;

12 (2)(A) duck stamps are a vital tool for wetland
13 conservation;

14 (B) 98 percent of the receipts from duck stamp
15 sales are used to acquire important migratory bird
16 breeding, migration, and wintering habitat, which
17 are added to the National Wildlife Refuge System;
18 and

19 (C) those benefits extend to all wildlife, not just
20 ducks;

21 (3) since its inception, the Federal duck stamp
22 program has—

23 (A) generated more than \$500,000,000;

24 (B) preserved more than 5,000,000 acres
25 of wetland and wildlife habitat; and

1 (C) been called ~~±~~ *one* of the most success-
2 ful conservation programs ever initiated;

3 (4)(A) since 1934, when duck stamps cost \$1,
4 the price has been increased 7 times to the price in
5 effect on the date of enactment of this Act of \$15,
6 which took effect in 1991; and

7 (B) the price of the duck stamp has not in-
8 creased since 1991, the longest single period without
9 an increase in program history; and

10 (5)(A) with the price unchanged during the 20-
11 year period preceding the date of enactment of this
12 Act, duck stamps have lost 40 percent of their value
13 based on the consumer price index, while the United
14 States Fish and Wildlife Service reports the price of
15 land in targeted wetland areas has tripled from an
16 average of \$306 to \$1,091 per acre; and

17 (B) a duck stamp would need to cost more than
18 \$24 as of the date of enactment of this Act just to
19 maintain the earlier buying power of the stamp.

20 **SEC. 3. COST OF STAMPS.**

21 Section 2 of the Migratory Bird Hunting and Con-
22 servation Stamp Act (16 U.S.C. 718b) is amended by
23 striking subsection (b) and inserting the following:

24 “(b) COST OF STAMPS.—

1 “(1) IN GENERAL.—For a 5-calendar-year pe-
2 riod beginning with calendar year 2013, and for
3 each 5-calendar-year period thereafter, the Sec-
4 retary, in consultation with the Migratory Bird Con-
5 servation Commission, shall establish the amount to
6 be collected under paragraph (2) for each stamp sold
7 under this section, *which amount shall not exceed*
8 *\$25 for the first such 5-calendar-year period and \$30*
9 *for any subsequent period.*

10 “(2) COLLECTION OF AMOUNTS.—The Postal
11 Service *or the Department of the Interior* shall collect
12 the amount established under paragraph (1) for
13 each stamp sold under this section for a hunting
14 year if the Secretary determines, at any time before
15 February 1 of the calendar year during which the
16 hunting year begins, that all amounts described in
17 paragraph (3) have been obligated for expenditure.

18 “(3) AMOUNTS.—The amounts described in this
19 paragraph are amounts in the Migratory Bird Con-
20 servation Fund available for obligation and attrib-
21 utable to—

22 “(A) amounts appropriated pursuant to
23 this Act for the fiscal year ending in the imme-
24 diately preceding calendar year; and

1 “(B) the sale of stamps under this section
2 during that fiscal year.”.

3 **SEC. 4. WAIVERS.**

4 Section 1(a) of the Migratory Bird Hunting and Con-
5 servation Stamp Act (16 U.S.C. 718a(a)) is amended—

6 (1) in paragraph (1), by inserting “and sub-
7 section (d)” after “paragraph (2)”; and

8 (2) by adding at the end the following:

9 “(d) **WAIVERS.**—

10 “(1) **IN GENERAL.**—The Secretary, in consulta-
11 tion with the Migratory Bird Conservation Commis-
12 sion, may waive requirements under this section for
13 such individuals as the Secretary, in consultation
14 with the Migratory Bird Conservation Commission,
15 determines to be appropriate.

16 “(2) **LIMITATION.**—In making the determina-
17 tion described in paragraph (1), the Secretary shall
18 grant only those waivers the Secretary determines
19 will have a minimal adverse effect on funds to be de-
20 posited in the Migratory Bird Conservation Fund es-
21 tablished under section 4(a)(3).”.

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