

112TH CONGRESS
2D SESSION

S. 3356

To strengthen the role of the United States in the international community of nations in conserving natural resources to further global prosperity and security.

IN THE SENATE OF THE UNITED STATES

JUNE 28, 2012

Mr. PORTMAN (for himself, Mr. UDALL of New Mexico, Mr. WHITEHOUSE, and Ms. SNOWE) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To strengthen the role of the United States in the international community of nations in conserving natural resources to further global prosperity and security.

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 “Global Conservation
5 Act of 2012”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) Sound natural resource management and
9 healthy levels of biological diversity are vital to alle-

1 viating poverty in developing countries that depend
2 on these resources for food, medicine, housing mate-
3 rial, trade, recreation, and other activities that ben-
4 efit from the intrinsic value of wildlife and its habi-
5 tat.

6 (2) The United States is uniquely positioned to
7 partner with the international community to con-
8 front natural resources challenges in developing
9 countries.

10 (3) The United States needs a strategy for
11 working jointly with other countries to address re-
12 newable natural resource depletion trends around
13 the world and the threats such trends pose to the
14 economy, health, and security of the United States.

15 **SEC. 3. DEFINITIONS.**

16 In this Act:

17 (1) APPROPRIATE CONGRESSIONAL COMMIT-
18 TEES.—The term “appropriate congressional com-
19 mittees” means—

20 (A) the Committee on Foreign Relations
21 and the Committee on Appropriations of the
22 Senate; and

23 (B) the Committee on Foreign Affairs and
24 the Committee on Appropriations of the House
25 of Representatives.

1 (2) DEVELOPING COUNTRY.—The term “devel-
2 oping country” means a country or area that is on
3 the List of Official Development Assistance Recipi-
4 ents of the Development Assistance Committee of
5 the Organization for Economic Cooperation and De-
6 velopment.

7 (3) HOTSPOT REGIONS.—The term “hotspot re-
8 gions” means regions of the developing world that
9 contain an unusually high concentration of species
10 found nowhere else and that have lost at least 70
11 percent of their original extent.

12 (4) NATURAL RESOURCES OR RENEWABLE NAT-
13 URAL RESOURCES.—The terms “natural resources”
14 and “renewable natural resources” mean natural re-
15 sources, including soils, forests, animal and plant
16 populations and products, coral reefs, and water, but
17 do not include nonrenewable natural resources such
18 as minerals, oil, and other fossil fuels.

19 **SEC. 4. PURPOSE.**

20 The purpose of this Act is to strengthen the capacity
21 of the United States to further economic development and
22 improve stability and security both domestically and
23 abroad by establishing a comprehensive strategy for—

24 (1) enhancing and expanding partnerships
25 throughout the international community to address

1 natural resource challenges to ensure healthy and
2 sustainable supplies of water, wildlife habitat and
3 populations, fish stocks and habitat, forests, plants,
4 and other critical resources;

5 (2) integrating international conservation
6 projects and activities to advance United States for-
7 eign policy priorities in areas such as security, de-
8 mocratization, sustainable food production, and
9 clean water;

10 (3) expanding and enhancing the economic and
11 wildlife conservation benefits that derive from prop-
12 erly managed international hunting and angling
13 tourism;

14 (4) addressing poaching, illegal logging, fishing
15 and wildlife trafficking; and

16 (5) establishing more efficient and effective
17 policies and processes for departments and agencies
18 engaged in, or providing support to, international
19 conservation by—

20 (A) identifying clear goals, priorities, and
21 benchmarks of success;

22 (B) improving coordination among such
23 agencies in order to clarify roles, reduce dupli-
24 cation, and enhance effectiveness;

(C) improving agency processes to ensure conservation programs are administered effectively, efficiently, and with minimal expenditures for program administration;

(D) identifying conservation programs and policies currently being utilized abroad and evaluating the potential for similar approaches to be adopted by the United States to further the purposes of this Act; and

(E) encouraging participation by the United States in various multilateral efforts to leverage financial commitments to conserve natural resources.

TITLE I—ASSESSING EXISTING POLICIES AND PROGRAMS

SEC. 101. NATIONAL ACADEMY OF SCIENCES STUDY AND GOVERNMENT ACCOUNTABILITY OFFICE AUDIT AND REPORT.

(a) STUDY REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State and the heads of other relevant Federal agencies shall enter into an arrangement with the National Academy of Sciences to conduct a study of existing United States international conservation programs to determine

1 the extent to which such programs are achieving the fol-
2 lowing objectives:

3 (1) Advancing conservation in the world's most
4 ecologically and economically important terrestrial
5 and marine ecosystems and protecting distinct
6 hotspot regions that provide a high level of economic
7 benefit to human communities as well as a high con-
8 centration of genetic and other natural resources.

9 (2) Enhancing and expanding partnerships
10 throughout the international community to address
11 natural resource challenges to ensure healthy and
12 sustainable supplies of water, wildlife habitat and
13 populations, fish stocks and habitat, forests, plants,
14 and other critical resources.

15 (3) Integrating international conservation
16 projects and activities to advance United States for-
17 eign policy priorities in areas such as security, de-
18 mocratization, sustainable food production, and
19 clean water.

20 (4) Expanding and enhancing the economic and
21 wildlife conservation benefits that derive from prop-
22 erly managed international hunting and angling
23 tourism.

24 (5) Addressing poaching, illegal logging, fishing,
25 and wildlife trafficking.

1 (b) REPORT REQUIRED.—Not later than 2 years
2 after the date of the enactment of this Act, the National
3 Academy of Sciences shall submit to the appropriate con-
4 gressional committees a report containing the findings of
5 the study conducted pursuant to subsection (a).

6 (c) GAO REPORT.—Not later than 2 years after the
7 date of the enactment of this Act, the Comptroller General
8 of the United States shall issue a report that includes—

9 (1) a detailed description of key federally spon-
10 sored multilateral international conservation pro-
11 grams, including—

12 (A) the agencies associated with each pro-
13 gram;

14 (B) the primary goals of each program;

15 (C) the extent to which executive branch
16 agencies have established measures of perform-
17 ance and effectiveness for each program; and

18 (D) the funds made available to each pro-
19 gram in the previous fiscal year;

20 (2) an assessment on how well executive branch
21 agencies are collaborating and coordinating on inter-
22 national conservation efforts;

23 (3) an assessment on the extent to which execu-
24 tive branch agencies have established strategic goals
25 and performance measures;

1 (4) an assessment of agency processes to ensure
 2 conservation programs are administered effectively,
 3 efficiently, and with minimal expenditures for pro-
 4 gram administration;

5 (5) identification of conservation programs and
 6 policies currently being utilized abroad and evalua-
 7 tion of the potential for similar approaches to be
 8 adopted by the United States to further the pur-
 9 poses of this Act;

10 (6) any recommendations that the Comptroller
 11 General considers appropriate and useful to improve
 12 collaboration and coordination between executive
 13 branch agencies on international conservation ef-
 14 forts; and

15 (7) any other analyses the Comptroller General
 16 considers necessary or appropriate.

17 **TITLE II—POLICY PLANNING** 18 **AND IMPLEMENTATION**

19 **SEC. 201. COMPREHENSIVE UNITED STATES INTER-** 20 **NATIONAL CONSERVATION STRATEGY.**

21 (a) IN GENERAL.—Not later than 2 years after the
 22 date of the enactment of this Act, the President, acting
 23 through the Interagency Working Group on Global Con-
 24 servation designated pursuant to section 202(a), shall es-
 25 tablish and submit to the appropriate congressional com-

1 mittees a comprehensive strategy (hereafter referred to as
2 the “International Conservation Strategy”) to strengthen
3 the capacity of the United States to collaborate with other
4 countries, international organizations, the private sector,
5 and private voluntary organizations on a sustained inter-
6 national effort to conserve natural resources and enhance
7 biodiversity in a manner beneficial to the economic well-
8 being and security of the United States and other partici-
9 pating countries.

10 (b) GOALS AND BENCHMARKS.—The International
11 Conservation Strategy established pursuant to subsection
12 (a) shall provide a comprehensive plan of action that iden-
13 tifies specific and measurable goals, benchmarks, and time
14 frames for—

15 (1) advancing conservation in the world’s most
16 ecologically and economically important terrestrial
17 and marine ecosystems;

18 (2) protecting distinct hotspot regions that pro-
19 vide a high level of economic benefit to human com-
20 munities as well as a high concentration of genetic
21 and other natural resources;

22 (3) helping developing countries address illegal,
23 unreported, and unregulated industrial fishing where
24 economies are negatively impacted by depleted fish
25 stocks;

1 (4) safeguarding natural areas that provide
2 fresh water to developing countries;

3 (5) protecting forests and advancing enforce-
4 ment efforts against illegal logging in centers of the
5 illegal logging trade;

6 (6) advancing enforcement efforts against
7 poaching and unlawful wildlife trafficking oper-
8 ations;

9 (7) facilitating and leveraging the economic and
10 conservation benefits that derive from properly man-
11 aged international hunting, angling, and wildlife ob-
12 servation tourism;

13 (8) stabilizing or reversing renewable natural
14 resource scarcity and degradation trends in regions
15 that are vulnerable to conflict, instability, or mass
16 migration from natural resource depletion;

17 (9) expanding substantially the amount of eco-
18 nomically and ecologically significant forest in devel-
19 oping countries; and

20 (10) reducing the rate of erosion and
21 desertification in developing countries where soil loss
22 is resulting in severe impacts to the economy, food
23 security, or stability.

24 (c) COORDINATION AND LEVERAGE.—The Inter-
25 national Conservation Strategy shall coordinate and lever-

1 age the participation of relevant executive branch agen-
2 cies, other countries, the private sector, and private vol-
3 untary organizations in ways that—

4 (1) reflect Government-wide policy that encom-
5 passes the programs of, and reduces duplication
6 among, executive branch agencies that influence, en-
7 gage in, or support international conservation;

8 (2) provide a plan to identify and improve
9 United States policies that could be undermining the
10 conservation of critical natural resources and bio-
11 diversity abroad; and

12 (3) seek to encourage and leverage participation
13 from governments of developing countries and other
14 governments, the private sector, private voluntary
15 organizations, and international organizations to im-
16 plement the Strategy.

17 (d) ASSESSING AND IMPROVING EFFECTIVENESS.—
18 The International Conservation Strategy shall include a
19 description of the performance and efficiency measures de-
20 veloped pursuant to section 202(a)(2)(C) and a process
21 for their utilization.

22 (e) COUNTRY OWNERSHIP.—In preparing the Inter-
23 national Conservation Strategy, the Interagency Working
24 Group on Global Conservation shall ensure that the Strat-
25 egy is appropriate to local needs and conditions and incor-

1 porates the views of partner countries, and describes a
 2 means for local citizens to participate in the implementa-
 3 tion and the setting of priorities of such programs in the
 4 field. The International Conservation Strategy should
 5 build upon partner country development plans and re-
 6 gional strategies.

7 (f) REVISION.—Not later than 4 years after the
 8 International Conservation Strategy is established, and
 9 every 4 years thereafter, the Strategy shall be revised to
 10 reflect—

11 (1) new information collected pursuant to the
 12 implementation of the Strategy; and

13 (2) advances in the understanding of biological
 14 diversity and the economic and security impacts of
 15 renewable natural resource degradation.

16 **SEC. 202. POLICY IMPLEMENTATION.**

17 (a) INTERAGENCY WORKING GROUP ON GLOBAL
 18 CONSERVATION.—

19 (1) ESTABLISHMENT.—Not later than 1 year
 20 after the date of the enactment of this Act, the
 21 President shall establish the Interagency Working
 22 Group on Global Conservation (hereafter referred to
 23 as the “working group”), which shall include the
 24 participation of the executive branch agencies that
 25 affect, oversee, or implement programs that conduct

1 or support international conservation activities or af-
2 fect the ability of the United States to achieve the
3 goals of the International Conservation Strategy.

4 (2) DUTIES.—The working group shall—

5 (A) develop, through utilization of the re-
6 port completed pursuant to section 101(b) and
7 appropriate public and agency input, the Inter-
8 national Conservation Strategy established pur-
9 suant to section 201(a);

10 (B) identify measures to enhance program
11 and policy coordination among the relevant ex-
12 ecutive branch agencies in implementing the
13 Strategy by ensuring that each relevant execu-
14 tive branch agency undertakes programs pri-
15 marily in those areas where each such agency
16 has the greatest expertise, technical capabilities,
17 and potential for success, and ensuring that
18 agencies avoid duplication of effort;

19 (C) work with the Office of Management
20 and Budget to evaluate the effectiveness of the
21 international conservation programs of the rel-
22 evant executive branch agencies in meeting the
23 goals of the Strategy by developing and apply-
24 ing specific performance measurements, includ-
25 ing assessments of—

- 1 (i) program effectiveness;
2 (ii) program efficiency and cost-effec-
3 tiveness;
4 (iii) program accessibility and trans-
5 parency; and
6 (iv) agency overhead or project admin-
7 istration costs for programs operating in
8 the field;
- 9 (D) submit to the heads of the United
10 States Government departments and agencies
11 represented on the working group pro-
12 grammatic recommendations that are consistent
13 with the priorities of the Strategy and policy
14 recommendations to ensure that the policies of
15 such departments and agencies advance the in-
16 terests of the United States in conserving crit-
17 ical global natural resources and biodiversity;
- 18 (E) submit to such heads recommendations
19 for facilitating coordination and continuity
20 across the departments and agencies in the im-
21 plementation of global conservation policies sub-
22 ject to interagency or multi-agency jurisdiction;
- 23 (F) identify innovative conservation
24 projects, policies, and initiatives that contribute

1 to achieving multiple foreign policy goals simul-
 2 taneously, including—

3 (i) reducing poverty;

4 (ii) expanding access to food and
 5 water;

6 (iii) addressing health threats through
 7 natural resources conservation;

8 (iv) expanding the access of women to
 9 sustainably managed natural resources and
 10 to techniques for improved natural re-
 11 source management;

12 (v) addressing poaching, unlawful
 13 fishing, and illegal logging;

14 (vi) reducing natural resource scar-
 15 cities or degradation that could increase
 16 inter- and intra-state tensions; and

17 (vii) conserving biological diversity;

18 (G) identify measures to address obstacles
 19 to achieving the goals of the Strategy, including
 20 policies that might limit the conservation bene-
 21 fits from properly managed international hunt-
 22 ing and angling tourism;

23 (H) develop recommendations for expand-
 24 ing the role of the private sector in United
 25 States international conservation programs by

1 expanding and leveraging private sector con-
2 tributions;

3 (I) identify measures that further the goals
4 of the Strategy, including regulatory actions
5 that facilitate the importation process for wild-
6 life species with a legitimate scientific purpose
7 or to directly or indirectly benefit the recovery
8 of the species or its habitat through the support
9 of conservation programs in foreign countries;

10 (J) recommend diplomatic mechanisms,
11 relevant international institutions and agree-
12 ments, and other appropriate mechanisms to
13 engage other countries to work jointly with the
14 United States to achieve the goals and actions
15 of the International Conservation Strategy;

16 (K) identify successful conservation pro-
17 grams and policies currently being utilized
18 abroad and evaluate the potential for similar
19 approaches to be adopted or expanded by the
20 United States to further the goals of the Strat-
21 egy;

22 (L) identify underperforming and unsuc-
23 cessful projects and programs and make rec-
24 ommendations to improve performance and ter-
25 minate programs and projects in a manner con-

1 sistent with furthering the goals of the Strat-
2 egy;

3 (M) identify natural resource conservation
4 needs not currently being met by existing poli-
5 cies and programs and make recommendations
6 for addressing such needs;

7 (N) recommend mechanisms to facilitate
8 mutually beneficial international conservation
9 partnerships between such departments and
10 agencies, nongovernmental organizations, and
11 the private sector; and

12 (O) meet regularly to review progress on
13 the objectives described in subparagraphs (A)
14 through (N).

15 (3) WORKING GROUP LEADERSHIP.—The Presi-
16 dent shall designate an individual in the executive
17 branch to serve as the chair of the working group
18 (hereafter referred to as the “chair”), the duties of
19 whom shall include—

20 (A) convening and leading meetings of the
21 working group;

22 (B) taking steps to ensure the development
23 and implementation of the International Con-
24 servation Strategy;

1 (C) ensuring the goals and purposes of the
 2 working group are met in accordance with para-
 3 graph (2); and

4 (D) ensuring public input into the develop-
 5 ment and implementation of the International
 6 Conservation Strategy by convening the Global
 7 Conservation Public Advisory Board established
 8 under subsection (b).

9 (b) GLOBAL CONSERVATION PUBLIC ADVISORY
 10 BOARD.—

11 (1) ESTABLISHMENT.—There is hereby estab-
 12 lished a Global Conservation Public Advisory Board
 13 (hereafter referred to as the “Advisory Board”),
 14 whose purpose shall be to advise the working group
 15 on matters related to the international conservation
 16 policies and programs of the United States and the
 17 development and implementation of the Inter-
 18 national Conservation Strategy, and to ensure that
 19 the best scientific, policy, economic security, and
 20 business expertise are reflected in the international
 21 conservation strategies and policies of the United
 22 States.

23 (2) DUTIES.—It shall be the duty of the Advi-
 24 sory Board to advise the working group on matters
 25 related to carrying out the duties described in sub-

1 section (a)(2), including on matters submitted to it
2 for consideration by the working group, as well as
3 matters identified by the Advisory Board.

4 (c) MEMBERSHIP.—The Advisory Board shall be
5 comprised of not more than 15 persons appointed from
6 among citizens of the United States who support sustain-
7 able-use conservation, and shall have outstanding exper-
8 tise in one or more of the following fields:

9 (1) International conservation.

10 (2) International diplomacy.

11 (3) International business.

12 (4) Economic development and poverty allevi-
13 ation.

14 (5) Food security and water access.

15 (6) Natural resource scarcity and degradation
16 and related conflict and security issues.

17 (7) The economic and conservation benefits of
18 international hunting and angling tourism.

19 (8) International laws concerning illegal wildlife
20 trafficking and illegal fishing.

21 (9) Wildlife biology and zoology.

22 (d) APPOINTMENT.—Members of the Advisory Board
23 shall be appointed by the President with the advice of the
24 Chairman and Ranking Member of the Committee on For-
25 eign Relations of the Senate and the Chairman and Rank-

1 ing Member of the Committee on Foreign Affairs of the
 2 House of Representatives, on a staggered basis for a term
 3 not to exceed 4 years, except that with respect to the ini-
 4 tial members of the Advisory Board, $\frac{1}{3}$ shall be appointed
 5 for a term of 2 years, $\frac{1}{3}$ shall be appointed for a term
 6 of 3 years, and $\frac{1}{3}$ shall be appointed for a term of 4 years.

7 (e) CHAIRMAN.—A member of the Advisory Board
 8 shall be elected by a vote of the majority of the Board
 9 to serve as Chairman for a 2-year term.

10 (f) MEETINGS.—The Advisory Board shall convene at
 11 the call of the Chairman to consider a specific agenda of
 12 issues, as determined by the Chairman in consultation
 13 with the working group and other members of the Advi-
 14 sory Board.

15 (g) REPORTING.—The Advisory Board shall report to
 16 the working group chair designated in accordance with
 17 subsection (a)(3) on its deliberations, conclusions, and rec-
 18 ommendations.

19 (h) APPLICABILITY OF FEDERAL ADVISORY COM-
 20 MITTEE ACT.—The Advisory Board shall be exempt from
 21 the provisions of the Federal Advisory Committee Act (5
 22 U.S.C. App.).

23 **SEC. 203. REPORTING.**

24 (a) GOVERNMENT ACCOUNTABILITY OFFICE RE-
 25 PORT.—Not later than 4 years after the International

1 Conservation Strategy is established under section 201,
2 the Comptroller General of the United States shall con-
3 duct an audit to consider the progress made to achieve
4 the objectives, goals, and benchmarks described in section
5 201(b), and submit to the appropriate congressional com-
6 mittees a report on the development and implementation
7 of the International Conservation Strategy. The report
8 shall—

9 (1) assess progress made in accomplishing the
10 goals and benchmarks described in section 201(b);

11 (2) assess the extent to which the executive
12 branch agencies have identified conservation pro-
13 grams and projects that have the potential for rep-
14 lication or adaptation, particularly at low cost, in
15 other United States international conservation ef-
16 forts;

17 (3) assess the extent to which agencies have in-
18 creased the efficiency and effectiveness of United
19 States international conservation programs and re-
20 ducing executive branch agency overhead or project
21 administration costs for conservation programs im-
22 plemented abroad;

23 (4) assess the extent to which agencies have
24 identified unsuccessful projects and programs and

1 the actions taken to improve performance or termi-
 2 nate such projects and programs;

3 (5) assess the extent to which agencies have
 4 quantified the economic benefits that resulted from
 5 investments in international conservation programs
 6 and activities called for in the Strategy, and an ac-
 7 counting of the measures utilized to calculate such
 8 benefits;

9 (6) include policy analyses and outline options
 10 for congressional consideration; and

11 (7) include any other analyses the Comptroller
 12 General considers necessary or appropriate.

13 **SEC. 204. WILDLIFE DEPENDANT RECREATION AND USES**
 14 **OF WILDLIFE.**

15 (a) WILDLIFE DEPENDENT RECREATION.—No pro-
 16 vision in this Act shall be construed as restricting, lim-
 17 iting, or otherwise impairing properly managed rec-
 18 reational hunting and angling.

19 (b) REGULATED USES OF WILDLIFE.—No provision
 20 in this Act shall be construed as restricting, limiting, or
 21 otherwise impairing the ability of any foreign jurisdiction
 22 or authority to authorize regulated programs supporting
 23 wildlife for local consumption and commercialization.

1 **TITLE III—SUPPORT AND RE-**
2 **SOURCES FROM OTHER**
3 **COUNTRIES**

4 **SEC. 301. PURPOSE.**

5 The purpose of this title is to leverage significantly
6 United States commitments to global natural resources
7 conservation by encouraging other countries to make sub-
8 stantial commitments of funding and other forms of as-
9 sistance to a comprehensive and coordinated international
10 natural resource and biodiversity conservation assistance
11 strategy in order to promote economic development, food
12 and water security, environmental sustainability, the pro-
13 tection of biodiversity, and local and regional security.

14 **SEC. 302. DIPLOMATIC GOALS AND VENUES.**

15 (a) GOALS.—Congress urges the President to work
16 with the world’s major foreign assistance donor countries
17 to—

18 (1) develop a comprehensive and coordinated
19 international conservation assistance strategy con-
20 sistent with the priorities identified in the United
21 States International Conservation Strategy estab-
22 lished pursuant to section 201(a);

23 (2) identify innovative and efficient multilateral
24 mechanisms that can be used to coordinate inter-
25 national action by all participating donor countries,

1 identify and reduce duplication of efforts among
2 such donors, achieve the most cost effective invest-
3 ments, and leverage international foreign assistance
4 with meaningful financial and other commitments in
5 recipient countries; and

6 (3) agree on a timetable for achieving the goals
7 of the United States International Conservation
8 Strategy.

9 (b) VENUES.—Congress urges the President to ex-
10 plore opportunities for achieving the goals identified in
11 this section within the context of United States bilateral
12 diplomacy with other important international donor coun-
13 tries, bilateral diplomacy with newly emerging donor coun-
14 tries, and all appropriate multilateral venues.

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