

113TH CONGRESS
1ST SESSION

S. 1005

To establish more efficient and effective policies and processes for departments and agencies engaged in or providing support to, international conservation.

IN THE SENATE OF THE UNITED STATES

MAY 22, 2013

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

A BILL

To establish more efficient and effective policies and processes for departments and agencies engaged in or providing support to, international conservation.

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 “Conservation Reform
5 Act of 2013”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES.—The term “appropriate congressional com-
3 mittees” means—

4 (A) the Committee on Foreign Relations
5 and the Committee on Appropriations of the
6 Senate; and

7 (B) the Committee on Foreign Affairs and
8 the Committee on Appropriations of the House
9 of Representatives.

10 (2) DEVELOPING COUNTRY.—The term “devel-
11 oping country” means a country or area that is on
12 the List of Official Development Assistance Recipi-
13 ents of the Development Assistance Committee of
14 the Organization for Economic Cooperation and De-
15 velopment.

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

21 (4) NATURAL RESOURCES OR RENEWABLE NAT-
22 URAL RESOURCES.—The terms “natural resources”
23 and “renewable natural resources” mean natural re-
24 sources, including soils, forests, animal and plant
25 populations and products, coral reefs, and water, but

1 do not include nonrenewable natural resources such
2 as minerals, oil, and other fossil fuels.

3 **TITLE I—ASSESSING EXISTING**
4 **POLICIES AND PROGRAMS**

5 **SEC. 101. NATIONAL ACADEMY OF SCIENCES STUDY AND**
6 **GOVERNMENT ACCOUNTABILITY OFFICE**
7 **AUDIT AND REPORT.**

8 (a) STUDY REQUIRED.—Not later than 90 days after
9 the date of the enactment of this Act, the Secretary of
10 State and the heads of other relevant Federal agencies
11 shall enter into an arrangement with the National Acad-
12 emy of Sciences to conduct a study of existing United
13 States international conservation programs to determine
14 the extent to which such programs are achieving the fol-
15 lowing objectives:

16 (1) Advancing conservation in the world's most
17 ecologically and economically important terrestrial
18 and marine ecosystems and protecting distinct
19 hotspot regions that provide a high level of economic
20 benefit to human communities as well as a high con-
21 centration of genetic and other natural resources.

22 (2) Enhancing and expanding partnerships
23 throughout the international community to address
24 natural resource challenges to ensure healthy and
25 sustainable supplies of water, wildlife habitat and

1 populations, fish stocks and habitat, forests, plants,
2 and other critical resources.

3 (3) Integrating international conservation
4 projects and activities to advance United States for-
5 eign policy priorities in areas such as security, de-
6 mocratization, sustainable food production, and
7 clean water.

8 (4) Expanding and enhancing the economic and
9 wildlife conservation benefits that derive from prop-
10 erly managed international hunting and angling
11 tourism.

12 (5) Addressing poaching, illegal logging, fishing,
13 and wildlife trafficking and the flow of funds to
14 criminal gangs and terrorists.

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

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

23 (1) a detailed description of key federally spon-
24 sored multilateral international conservation pro-
25 grams, including—

1 (A) the agencies associated with each pro-
2 gram;

3 (B) the primary goals of each program;

4 (C) the extent to which executive branch
5 agencies have established measures of perform-
6 ance and effectiveness for each program; and

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

9 (2) an assessment on how well executive branch
10 agencies are collaborating and coordinating on inter-
11 national conservation efforts;

12 (3) an assessment on the extent to which execu-
13 tive branch agencies have established strategic goals
14 and performance measures;

15 (4) an assessment of agency processes to ensure
16 conservation programs are administered effectively,
17 efficiently, and with minimal expenditures for pro-
18 gram administration;

19 (5) identification of conservation programs and
20 policies currently being utilized abroad and evalua-
21 tion of the potential for similar approaches to be
22 adopted by the United States to further the pur-
23 poses of this Act;

24 (6) any recommendations that the Comptroller
25 General considers appropriate and useful to improve

1 collaboration and coordination between executive
 2 branch agencies on international conservation ef-
 3 forts; and

4 (7) any other analyses the Comptroller General
 5 considers necessary or appropriate.

6 **TITLE II—POLICY PLANNING** 7 **AND IMPLEMENTATION**

8 **SEC. 201. UNITED STATES INTERNATIONAL CONSERVATION** 9 **STRATEGY.**

10 (a) IN GENERAL.—Not later than 2 years after the
 11 date of the enactment of this Act, the President, acting
 12 through the Interagency Working Group on International
 13 Conservation designated pursuant to section 202(a), shall
 14 establish and submit to the appropriate congressional
 15 committees a comprehensive strategy (hereafter referred
 16 to as the “International Conservation Strategy”) to
 17 strengthen the capacity of the United States to collaborate
 18 with other countries, international organizations, the pri-
 19 vate sector, and private voluntary organizations on a sus-
 20 tained international effort to conserve natural resources
 21 and enhance biodiversity in a manner beneficial to the eco-
 22 nomic well-being and security of the United States and
 23 other participating countries.

24 (b) GOALS AND BENCHMARKS.—The International
 25 Conservation Strategy established pursuant to subsection

1 (a) shall provide a plan of action that identifies specific
2 and measurable goals, benchmarks, and time frames for—

3 (1) advancing conservation in the world’s most
4 ecologically and economically important terrestrial
5 and marine ecosystems;

6 (2) supporting distinct hotspot regions that pro-
7 vide a high level of economic benefit to human com-
8 munities as well as a high concentration of genetic
9 and other natural resources;

10 (3) helping developing countries address illegal,
11 unreported, and unregulated industrial fishing where
12 economies are negatively impacted by depleted fish
13 stocks;

14 (4) safeguarding natural areas that provide
15 fresh water to developing countries;

16 (5) supporting enforcement efforts against ille-
17 gal logging in centers of the illegal logging trade;

18 (6) supporting enforcement efforts against
19 poaching and unlawful wildlife trafficking oper-
20 ations;

21 (7) facilitating and leveraging the economic and
22 conservation benefits that derive from properly man-
23 aged international hunting, angling, and wildlife ob-
24 servation tourism;

1 (8) stabilizing or reversing renewable natural
2 resource scarcity and degradation trends in regions
3 that are vulnerable to conflict, instability, or mass
4 migration from natural resource depletion and wild-
5 life trafficking;

6 (9) expanding substantially the amount of eco-
7 nomically and ecologically significant forest in devel-
8 oping countries; and

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

13 (c) COORDINATION AND LEVERAGE.—The Inter-
14 national Conservation Strategy shall coordinate and lever-
15 age the participation of relevant executive branch agen-
16 cies, other countries, the private sector, and private vol-
17 untary organizations in ways that—

18 (1) reflect Government-wide policy that encom-
19 passes the programs of, and reduces duplication
20 among, executive branch agencies that influence, en-
21 gage in, or support international conservation;

22 (2) provide a plan to identify and improve
23 United States policies that could be undermining the
24 conservation of critical natural resources and bio-
25 diversity abroad; and

1 (3) seek to encourage and leverage participation
2 from governments of developing countries and other
3 governments, the private sector, private voluntary
4 organizations, and international organizations to im-
5 plement the Strategy.

6 (d) ASSESSING AND IMPROVING EFFECTIVENESS.—
7 The International Conservation Strategy shall include a
8 description of the performance and efficiency measures de-
9 veloped pursuant to section 202(a)(2)(C) and a process
10 for their utilization.

11 (e) COUNTRY OWNERSHIP.—In preparing the Inter-
12 national Conservation Strategy, the Interagency Working
13 Group on International Conservation shall ensure that the
14 Strategy is appropriate to local needs and conditions and
15 incorporates the views of partner countries, and describes
16 a means for local citizens to participate in the implementa-
17 tion and the setting of priorities of such programs in the
18 field. The International Conservation Strategy should
19 build upon partner country development plans and re-
20 gional strategies.

21 (f) REVISION.—Not later than 4 years after the
22 International Conservation Strategy is established, and
23 every 4 years thereafter, the Strategy shall be revised to
24 reflect—

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

3 (2) advances in the understanding of biological
4 diversity and the economic and security impacts of
5 renewable natural resource degradation.

6 **SEC. 202. POLICY IMPLEMENTATION.**

7 (a) INTERAGENCY WORKING GROUP ON INTER-
8 NATIONAL CONSERVATION.—

9 (1) ESTABLISHMENT.—Not later than 1 year
10 after the date of the enactment of this Act, the
11 President shall establish the Interagency Working
12 Group on International Conservation (hereafter re-
13 ferred to as the “working group”), which shall in-
14 clude the participation of the executive branch agen-
15 cies that affect, oversee, or implement programs that
16 conduct or support international conservation activi-
17 ties or affect the ability of the United States to
18 achieve the goals of the International Conservation
19 Strategy.

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

21 (A) develop, through utilization of the re-
22 port completed pursuant to section 101(b) and
23 appropriate public and agency input, the Inter-
24 national Conservation Strategy established pur-
25 suant to section 201(a);

1 (B) identify measures to enhance program
2 and policy coordination among the relevant ex-
3 ecutive branch agencies in implementing the
4 Strategy by ensuring that each relevant execu-
5 tive branch agency undertakes programs pri-
6 marily in those areas where each such agency
7 has the greatest expertise, technical capabilities,
8 and potential for success, and ensuring that
9 agencies avoid duplication of effort;

10 (C) work with the Office of Management
11 and Budget to evaluate the effectiveness of the
12 international conservation programs of the rel-
13 evant executive branch agencies in meeting the
14 goals of the Strategy by developing and apply-
15 ing specific performance measurements, includ-
16 ing assessments of—

17 (i) program effectiveness;

18 (ii) program efficiency and cost-effec-
19 tiveness;

20 (iii) program accessibility and trans-
21 parency; and

22 (iv) agency overhead or project admin-
23 istration costs for programs operating in
24 the field;

1 (D) submit to the heads of the United
2 States Government departments and agencies
3 represented on the working group pro-
4 grammatic recommendations that are consistent
5 with the priorities of the Strategy and policy
6 recommendations to ensure that the policies of
7 such departments and agencies advance the in-
8 terests of the United States in conserving crit-
9 ical natural resources and biodiversity;

10 (E) submit to such heads recommendations
11 for facilitating coordination and continuity
12 across the departments and agencies in the im-
13 plementation of international conservation poli-
14 cies subject to interagency or multi-agency ju-
15 risdiction;

16 (F) identify innovative conservation
17 projects, policies, and initiatives that contribute
18 to achieving multiple foreign policy goals simul-
19 taneously, including—

20 (i) reducing poverty;

21 (ii) expanding access to food and
22 water;

23 (iii) addressing health threats through
24 natural resources conservation;

1 (iv) expanding the access of women to
 2 sustainably managed natural resources and
 3 to techniques for improved natural re-
 4 source management;

5 (v) addressing poaching, unlawful
 6 fishing, illegal logging, and wildlife traf-
 7 ficking;

8 (vi) reducing natural resource scar-
 9 cities or degradation that could increase
 10 inter- and intra-state tensions; and

11 (vii) conserving biological diversity;

12 (G) identify measures to address obstacles
 13 to achieving the goals of the Strategy, including
 14 policies that might limit the conservation bene-
 15 fits from properly managed international hunt-
 16 ing and angling tourism;

17 (H) develop recommendations for expand-
 18 ing the role of the private sector in United
 19 States international conservation programs by
 20 expanding and leveraging private sector con-
 21 tributions;

22 (I) identify measures that further the goals
 23 of the Strategy, including regulatory actions
 24 that facilitate the importation process for wild-
 25 life species with a legitimate scientific purpose

1 or to directly or indirectly benefit the recovery
2 of the species or its habitat through the support
3 of conservation programs in foreign countries;

4 (J) recommend diplomatic mechanisms,
5 relevant international institutions and agree-
6 ments, and other appropriate mechanisms to
7 engage other countries to work jointly with the
8 United States to achieve the goals and actions
9 of the International Conservation Strategy;

10 (K) identify successful conservation pro-
11 grams and policies currently being utilized
12 abroad and evaluate the potential for similar
13 approaches to be adopted or expanded by the
14 United States to further the goals of the Strat-
15 egy;

16 (L) identify underperforming and unsuc-
17 cessful projects and programs and make rec-
18 ommendations to improve performance and ter-
19 minate programs and projects in a manner con-
20 sistent with furthering the goals of the Strat-
21 egy;

22 (M) identify natural resource conservation
23 needs not currently being met by existing poli-
24 cies and programs and make recommendations
25 for addressing such needs;

1 (N) recommend mechanisms to facilitate
2 mutually beneficial international conservation
3 partnerships between such departments and
4 agencies, nongovernmental organizations, and
5 the private sector; and

6 (O) meet regularly to review progress on
7 the objectives described in subparagraphs (A)
8 through (N).

9 (3) WORKING GROUP LEADERSHIP.—The Presi-
10 dent shall designate an individual in the executive
11 branch to serve as the chair of the working group
12 (hereafter referred to as the “chair”), the duties of
13 whom shall include—

14 (A) convening and leading meetings of the
15 working group;

16 (B) taking steps to ensure the development
17 and implementation of the International Con-
18 servation Strategy;

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

22 (D) ensuring public input into the develop-
23 ment and implementation of the International
24 Conservation Strategy by convening the Inter-

1 national Conservation Public Advisory Board
2 established under subsection (b).

3 (b) INTERNATIONAL CONSERVATION PUBLIC ADVI-
4 SORY BOARD.—

5 (1) ESTABLISHMENT.—There is hereby estab-
6 lished a International Conservation Public Advisory
7 Board (hereafter referred to as the “Advisory
8 Board”), whose purpose shall be to advise the work-
9 ing group on matters related to the international
10 conservation policies and programs of the United
11 States and the development and implementation of
12 the International Conservation Strategy, and to en-
13 sure that the best scientific, policy, economic secu-
14 rity, and business expertise are reflected in the
15 international conservation strategies and policies of
16 the United States.

17 (2) DUTIES.—It shall be the duty of the Advi-
18 sory Board to advise the working group on matters
19 related to carrying out the duties described in sub-
20 section (a)(2), including on matters submitted to it
21 for consideration by the working group, as well as
22 matters identified by the Advisory Board.

23 (c) MEMBERSHIP.—The Advisory Board shall be
24 comprised of not more than 15 persons appointed from
25 among citizens of the United States who support sustain-

1 able-use conservation, and shall have outstanding exper-
2 tise in one or more of the following fields:

3 (1) International conservation.

4 (2) International diplomacy.

5 (3) International business.

6 (4) Economic development and poverty allevi-
7 ation.

8 (5) Food security and water access.

9 (6) Natural resource scarcity and degradation
10 and related conflict and security issues.

11 (7) The economic and conservation benefits of
12 international hunting and angling tourism.

13 (8) International laws concerning illegal wildlife
14 trafficking and illegal fishing.

15 (9) Wildlife biology and zoology.

16 (d) APPOINTMENT.—Members of the Advisory Board
17 shall be appointed by the President with the advice of the
18 Chairman and Ranking Member of the Committee on For-
19 eign Relations of the Senate and the Chairman and Rank-
20 ing Member of the Committee on Foreign Affairs of the
21 House of Representatives, on a staggered basis for a term
22 not to exceed 4 years, except that with respect to the ini-
23 tial members of the Advisory Board, $\frac{1}{3}$ shall be appointed
24 for a term of 2 years, $\frac{1}{3}$ shall be appointed for a term
25 of 3 years, and $\frac{1}{3}$ shall be appointed for a term of 4 years.

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

4 (f) MEETINGS.—The Advisory Board shall convene at
5 the call of the Chairman to consider a specific agenda of
6 issues, as determined by the Chairman in consultation
7 with the working group and other members of the Advi-
8 sory Board.

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

13 (h) APPLICABILITY OF FEDERAL ADVISORY COM-
14 MITTEE ACT.—The Advisory Board shall be exempt from
15 the provisions of the Federal Advisory Committee Act (5
16 U.S.C. App.).

17 **SEC. 203. REPORTING.**

18 (a) GOVERNMENT ACCOUNTABILITY OFFICE RE-
19 PORT.—Not later than 4 years after the International
20 Conservation Strategy is established under section 201,
21 the Comptroller General of the United States shall con-
22 duct an audit to consider the progress made to achieve
23 the objectives, goals, and benchmarks described in section
24 201(b), and submit to the appropriate congressional com-
25 mittees a report on the development and implementation

1 of the International Conservation Strategy. The report
2 shall—

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

5 (2) assess the extent to which the executive
6 branch agencies have identified conservation pro-
7 grams and projects that have the potential for rep-
8 lication or adaptation, particularly at low cost, in
9 other United States international conservation ef-
10 forts;

11 (3) assess the extent to which agencies have in-
12 creased the efficiency and effectiveness of United
13 States international conservation programs and re-
14 ducing executive branch agency overhead or project
15 administration costs for conservation programs im-
16 plemented abroad;

17 (4) assess the extent to which agencies have
18 identified unsuccessful projects and programs and
19 the actions taken to improve performance or termi-
20 nate such projects and programs;

21 (5) assess the extent to which agencies have
22 quantified the economic benefits that resulted from
23 investments in international conservation programs
24 and activities called for in the Strategy, and an ac-

1 counting of the measures utilized to calculate such
2 benefits;

3 (6) assess the security benefits to the United
4 States and friends and allies from better manage-
5 ment of natural resources and reduction of poaching
6 and wildlife trafficking;

7 (7) include policy analyses and outline options
8 for congressional consideration; and

9 (8) include any other analyses the Comptroller
10 General considers necessary or appropriate.

11 **SEC. 204. WILDLIFE DEPENDENT RECREATION AND USES**
12 **OF WILDLIFE.**

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

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

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

4 **SEC. 301. DIPLOMATIC GOALS AND VENUES.**

5 (a) GOALS.—Congress urges the President to work
6 with the world’s major foreign assistance donor countries
7 to—

8 (1) develop a comprehensive and coordinated
9 international conservation assistance strategy con-
10 sistent with the priorities identified in the United
11 States International Conservation Strategy estab-
12 lished pursuant to section 201(a);

13 (2) identify innovative and efficient multilateral
14 mechanisms that can be used to coordinate inter-
15 national action by all participating donor countries,
16 identify and reduce duplication of efforts among
17 such donors, achieve the most cost effective invest-
18 ments, and leverage international foreign assistance
19 with meaningful financial and other commitments in
20 recipient countries; and

21 (3) agree on a timetable for achieving the goals
22 of the United States International Conservation
23 Strategy.

24 (b) VENUES.—Congress urges the President to ex-
25 plore opportunities for achieving the goals identified in

- 1 this section within the context of United States bilateral
- 2 diplomacy with other important international donor coun-
- 3 tries, bilateral diplomacy with newly emerging donor coun-
- 4 tries, and all appropriate multilateral venues.

