

**§ 4264. Asian elephant conservation assistance****(a) In general**

The Secretary, subject to the availability of funds and in consultation with the Administrator, shall use amounts in the Fund to provide financial assistance for projects for the conservation of Asian elephants for which final project proposals are approved by the Secretary in accordance with this section.

**(b) Project proposal**

Any relevant wildlife management authority of a nation within the range of Asian elephants whose activities directly or indirectly affect Asian elephant populations, the CITES Secretariat, or any person with demonstrated expertise in the conservation of Asian elephants, may submit to the Secretary a project proposal under this section. Each proposal shall include the following:

- (1) The name of the individual responsible for conducting the project.
- (2) A succinct statement of the purposes of the project.
- (3) A description of the qualifications of the individuals who will conduct the project.
- (4) An estimate of the funds and time required to complete the project.
- (5) Evidence of support of the project by appropriate governmental entities of countries in which the project will be conducted, if the Secretary determines that the support is required for the success of the project.
- (6) Information regarding the source and amount of matching funding available to the applicant.
- (7) Any other information the Secretary considers to be necessary for evaluating the eligibility of the project for funding under this chapter.

**(c) Project review and approval****(1) In general**

Within 30 days after receiving a final project proposal, the Secretary shall provide a copy of the proposal to the Administrator. The Secretary shall review each final project proposal to determine if it meets the criteria set forth in subsection (d).

**(2) Consultation; approval or disapproval**

Not later than 6 months after receiving a final project proposal, and subject to the availability of funds, the Secretary, after consulting with the Administrator, shall—

- (A) request written comments on the proposal from each country within which the project is to be conducted;
- (B) after requesting those comments, approve or disapprove the proposal; and
- (C) provide written notification of that approval or disapproval to the person who submitted the proposal and the Administrator.

**(d) Criteria for approval**

The Secretary may approve a final project proposal under this section if the project will enhance programs for conservation of Asian elephants by assisting efforts to—

- (1) implement conservation programs;
- (2) address the conflicts between humans and elephants that arise from competition for the same habitat;

(3) enhance compliance with provisions of CITES and laws of the United States or a foreign country that prohibit or regulate the taking or trade of Asian elephants or regulate the use and management of Asian elephant habitat;

(4) develop sound scientific information on the condition of Asian elephant habitat, Asian elephant population numbers and trends, or the threats to such habitat, numbers, or trends; or

(5) promote cooperative projects on those topics with other foreign governments, affected local communities, nongovernmental organizations, or others in the private sector.

**(e) Project sustainability**

To the maximum extent practical, in determining whether to approve project proposals under this section, the Secretary shall give consideration to projects which will enhance sustainable integrated conservation development programs to ensure effective, long-term conservation of Asian elephants.

**(f) Project reporting**

Each person who receives assistance under this section for a project shall provide periodic reports, as the Secretary considers necessary, to the Secretary and the Administrator. Each report shall include all information required by the Secretary, after consulting with the Administrator, for evaluating the progress and success of the project.

**(g) Matching funds**

In determining whether to approve project proposals under this section, the Secretary shall give priority to those projects for which there exists some measure of matching funds.

**(h) Limitation on use for captive breeding**

Amounts provided as a grant under this chapter may not be used for captive breeding of Asian elephants other than for release in the wild.

**(i) Multiyear grants****(1) Authorization**

The Secretary may award to a person who is otherwise eligible for a grant under this section a multiyear grant of up to 5 years to carry out a project that the person demonstrates is an effective, long-term conservation strategy for Asian elephants and the habitat of Asian elephants.

**(2) Effect**

Nothing in this subsection precludes the Secretary from awarding a grant on an annual basis.

(Pub. L. 105-96, §5, Nov. 19, 1997, 111 Stat. 2151; Pub. L. 110-133, §2(a), Dec. 6, 2007, 121 Stat. 1362; Pub. L. 118-159, div. E, title LIII, §5304(a), Dec. 23, 2024, 138 Stat. 2445.)

**Editorial Notes**

## AMENDMENTS

2024—Subsec. (i). Pub. L. 118-159 added subsec. (i).  
2007—Subsec. (c)(2)(C). Pub. L. 110-133 substituted “and the Administrator” for “, the Administrator, and each of those countries”.

**§ 4265. Acceptance and use of donations**

The Secretary may accept and use donations to provide assistance under section 4264 of this title. Amounts received by the Secretary in the form of donations shall be transferred to the Secretary of the Treasury for deposit into the Fund.

(Pub. L. 105-96, §6, Nov. 19, 1997, 111 Stat. 2153; Pub. L. 107-141, §5(a)(2), Feb. 12, 2002, 116 Stat. 14.)

**Editorial Notes**

AMENDMENTS

2002—Pub. L. 107-141 substituted “Acceptance and use of donations” for “Asian Elephant Conservation Fund” as section catchline, struck out subsecs. (a) to (c), which related to establishment, deposits into, and use of the Asian Elephant Conservation Fund, redesignated subsec. (d) as entire section and struck out subsec. heading.

**§ 4265a. Advisory group**

**(a) In general**

To assist in carrying out this chapter, the Secretary may convene an advisory group consisting of individuals representing public and private organizations actively involved in the conservation of Asian elephants.

**(b) Public participation**

**(1) Meetings**

The Advisory Group<sup>1</sup> shall—

(A) ensure that each meeting of the advisory group is open to the public; and

(B) provide, at each meeting, an opportunity for interested persons to present oral or written statements concerning items on the agenda.

**(2) Notice**

The Secretary shall provide to the public timely notice of each meeting of the advisory group.

**(3) Minutes**

Minutes of each meeting of the advisory group shall be kept by the Secretary and shall be made available to the public.

**(c) Exemption from chapter 10 of title 5**

Chapter 10 of title 5 shall not apply to the advisory group.

(Pub. L. 105-96, §7, as added Pub. L. 107-141, §4, Feb. 12, 2002, 116 Stat. 13; amended Pub. L. 117-286, §4(a)(121), Dec. 27, 2022, 136 Stat. 4319.)

**Editorial Notes**

PRIOR PROVISIONS

A prior section 7 of Pub. L. 105-96 was renumbered section 8 and is classified to section 4266 of this title.

AMENDMENTS

2022—Subsec. (c). Pub. L. 117-286 substituted “chapter 10 of title 5” for “Federal Advisory Committee Act” in heading and “Chapter 10 of title 5” for “The Federal Advisory Committee Act (5 U.S.C. App.)” in text.

<sup>1</sup> So in original. Probably should not be capitalized.

**§ 4266. Authorization of appropriations**

**(a) In general**

There is authorized to be appropriated to the Fund \$5,000,000 for each of fiscal years 2025 through 2029 to carry out this chapter, which may remain available until expended.

**(b) Administrative expenses**

Of amounts available each fiscal year to carry out this chapter, the Secretary may expend not more than 3 percent or \$100,000, whichever is greater, to pay the administrative expenses necessary to carry out this chapter.

(Pub. L. 105-96, §8, formerly §7, Nov. 19, 1997, 111 Stat. 2153; renumbered §8 and amended Pub. L. 107-141, §§2-4, Feb. 12, 2002, 116 Stat. 13; Pub. L. 110-133, §2(b), (c), Dec. 6, 2007, 121 Stat. 1362; Pub. L. 116-9, title VII, §7001(c)(1)(B), Mar. 12, 2019, 133 Stat. 784; Pub. L. 118-159, div. E, title LIII, §5304(b), Dec. 23, 2024, 138 Stat. 2445.)

**Editorial Notes**

AMENDMENTS

2024—Subsec. (a). Pub. L. 118-159 substituted “2025 through 2029” for “2019 through 2023”.

2019—Subsec. (a). Pub. L. 116-9 substituted “2019 through 2023” for “2007 through 2012”.

2007—Subsec. (a). Pub. L. 110-133, §2(c), substituted “2007 through 2012” for “2001, 2002, 2003, 2004, 2005, 2006, and 2007”.

Subsec. (b). Pub. L. 110-133, §2(b), substituted “\$100,000” for “\$80,000”.

2002—Pub. L. 107-141, §3, designated existing provisions as subsec. (a), inserted heading, substituted “There is authorized” for “There are authorized”, and added subsec. (b).

Pub. L. 107-141, §2, substituted “2001, 2002, 2003, 2004, 2005, 2006, and 2007” for “1998, 1999, 2000, 2001, and 2002”.

**CHAPTER 63—FEDERAL CAVE RESOURCES PROTECTION**

Sec.	
4301.	Findings, purposes, and policy.
4302.	Definitions.
4303.	Management actions.
4304.	Confidentiality of information concerning nature and location of significant caves.
4305.	Collection and removal from Federal caves.
4306.	Prohibited acts and criminal penalties.
4307.	Civil penalties.
4308.	Miscellaneous provisions.
4309.	Savings provision.
4310.	Establishment of Cave Research Program.

**§ 4301. Findings, purposes, and policy**

**(a) Findings**

The Congress finds and declares that—

(1) significant caves on Federal lands are an invaluable and irreplaceable part of the Nation’s natural heritage; and

(2) in some instances, these significant caves are threatened due to improper use, increased recreational demand, urban spread, and a lack of specific statutory protection.

**(b) Purposes**

The purposes of this chapter are—

(1) to secure, protect, and preserve significant caves on Federal lands for the perpetual use, enjoyment, and benefit of all people; and

(2) to foster increased cooperation and exchange of information between governmental