

CHAPTER 113—UNITED STATES FOUNDATION FOR INTERNATIONAL CONSERVATION

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§ 10601. Definitions

In this chapter:

(1) The term “appropriate congressional committees” means—

- (A) the Committee on Foreign Relations of the Senate;
- (B) the Committee on Appropriations of the Senate;
- (C) the Committee on Foreign Affairs of the House of Representatives; and
- (D) the Committee on Appropriations of the House of Representatives.

(2) The term “Board” means the Board of Directors established pursuant to section 10603(b) of this title.

(3) The term “eligible country” means any country described in section 10606(b) of this title.

(4) The term “eligible project” means any project described in section 10606(a)(3) of this title.

(5) The term “Executive Director” means the Executive Director of the Foundation hired pursuant to section 10603 of this title.

(6) The term “Foundation” means the United States Foundation for International Conservation established pursuant to section 10602(a) of this title.

(7) The term “Secretary” means the Secretary of State.

(Pub. L. 118–159, div. E, title LI, § 5101, Dec. 23, 2024, 138 Stat. 2410.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in introductory provisions, was in the original “this title” and was translated as reading “this subtitle”, meaning subtitle A (§§ 5101–5109) of title LI of div. E of Pub. L. 118–159, Dec. 23, 2024, 138 Stat. 2410, known as the United States Foundation for International Conservation Act of 2024, which is classified generally to this chapter.

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 118–159, div. E, title LI, subtitle A, Dec. 23, 2024, 138 Stat. 2410, which enacted this chapter, is popularly known as the United States Foundation for International Conservation Act of 2024.

§ 10602. United States Foundation for International Conservation

(a) Establishment

(1) In general

Not later than 180 days after December 23, 2024, the Secretary shall establish the United States Foundation for International Conservation, which shall be operated as a charitable, nonprofit corporation.

(2) Independence

The Foundation is not an agency or instrumentality of the United States Government.

(3) Tax-exempt status

The Board shall take all necessary and appropriate steps to ensure that the Foundation is an organization described in subsection (c) of section 501 of title 26, which exempt the organization from taxation under subsection (a) of such section.

(4) Termination of operations

The Foundation shall terminate operations on the date that is 10 years after the date on which the Foundation becomes operational, in accordance with—

(A) a plan for winding down the activities of the Foundation that the Board shall submit to the appropriate congressional committees not later than 180 days before such termination date; and

(B) the bylaws established pursuant to section 10603(b)(13) of this title.

(b) Purposes

The purposes of the Foundation are—

(1) to provide grants for the responsible management of designated priority primarily protected and conserved areas in eligible countries that have a high degree of biodiversity or species and ecosystems of significant ecological value;

(2) to promote responsible, long-term management of primarily protected and conserved areas and their contiguous buffer zones;

(3) to incentivize, leverage, accept, and effectively administer governmental and non-governmental funds, including donations from the private sector, to increase the availability and predictability of financing for responsible, long-term management of primarily protected and conserved areas in eligible countries;

(4) to help close critical gaps in public international conservation efforts in eligible countries by—

(A) increasing private sector investment, including investments from philanthropic entities; and

(B) collaborating with partners providing bilateral and multilateral financing to support enhanced coordination, including public and private funders, partner governments, local protected areas authorities, and private and nongovernmental organization partners;

(5) to identify and financially support viable projects that—

(A) promote responsible, long-term management of primarily protected and conserved areas and their contiguous buffer

zones in eligible countries, including support for the management of terrestrial, coastal, freshwater, and marine protected areas, parks, community conservancies, Indigenous reserves, conservation easements, and biological reserves; and

(B) provide effective area-based conservation measures, consistent with best practices and standards for environmental and social safeguards; and

(6) to coordinate with, consult, and otherwise support and assist, governments, private sector entities, local communities, Indigenous Peoples, and other stakeholders in eligible countries in undertaking biodiversity conservation activities—

(A) to achieve measurable and enduring biodiversity conservation outcomes; and

(B) to improve local security, governance, food security, and economic opportunities.

(c) Plan of Action

(1) In general

Not later than 6 months after the establishment of the Foundation, the Executive Director shall submit for approval from the Board an initial 3-year Plan of Action to implement the purposes of this chapter, including—

(A) a description of the priority actions to be undertaken by the Foundation over the proceeding 3-year period, including a timeline for implementation of such priority actions;

(B) descriptions of the processes and criteria by which—

(i) eligible countries, in which eligible projects may be selected to receive assistance under this chapter, will be identified;

(ii) grant proposals for Foundation activities in eligible countries will be developed, evaluated, and selected; and

(iii) grant implementation will be monitored and evaluated;

(C) the projected staffing and budgetary requirements of the Foundation during the proceeding 3-year period; and

(D) a plan to maximize commitments from private sector entities to fund the Foundation.

(2) Submission

The Executive Director shall submit the initial Plan of Action to the appropriate congressional committees not later than 5 days after the Plan of Action is approved by the Board.

(3) Updates

The Executive Director shall annually update the Plan of Action and submit each such updated plan to the appropriate congressional committees not later than 5 days after the update plan is approved by the Board.

(Pub. L. 118-159, div. E, title LI, § 5102, Dec. 23, 2024, 138 Stat. 2410.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsec. (c)(1), was in the original “this title” and was translated as reading “this subtitle”, meaning subtitle A (§§ 5101–5109) of title

LI of div. E of Pub. L. 118-159, Dec. 23, 2024, 138 Stat. 2410, known as the United States Foundation for International Conservation Act of 2024, which is classified generally to this chapter.

§ 10603. Governance of the Foundation

(a) Executive Director

There shall be in the Foundation an Executive Director, who shall—

(1) manage the Foundation; and

(2) report to, and be under the direct authority, of the Board.

(b) Board of Directors

(1) Governance

The Foundation shall be governed by a Board of Directors, which—

(A) shall perform the functions specified to be carried out by the Board under this chapter; and

(B) may prescribe, amend, and repeal by-laws, rules, regulations, and procedures governing the manner in which the business of the Foundation may be conducted and in which the powers granted to it by law may be exercised.

(2) Membership

The Board shall be composed of—

(A) the Secretary, the Administrator of the United States Agency for International Development, the Secretary of the Interior, the Chief of the United States Forest Service, and the head of one other relevant Federal department or agency, as determined by the Secretary, or the Senate-confirmed designees of such officials; and

(B) 8 other individuals, who shall be appointed by the Secretary, in consultation with the members of the Board described in subparagraph (A), the Speaker and Minority Leader of the House of Representatives, and the President Pro Tempore and Minority Leader of the Senate, of whom—

(i) 4 members shall be private-sector donors making financial contributions to the Foundation; and

(ii) 4 members shall be independent experts who, in addition to meeting the qualification requirements described in paragraph (3), represent diverse points of view and diverse geographies, to the maximum extent practicable.

(3) Qualifications

Each member of the Board appointed pursuant to paragraph (2)(B) shall be knowledgeable and experienced in matters relating to—

(A) international development;

(B) protected area management and the conservation of global biodiversity, fish and wildlife, ecosystem restoration, adaptation, and resilience; and

(C) grantmaking in support of international conservation.

(4) Political affiliation

Not more than 5 of the members appointed to the Board pursuant to paragraph (2)(B) may be affiliated with the same political party.

(5) Conflicts of interest

Any individual with business interests, financial holdings, or controlling interests in