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### CRANE CONSERVATION ACT OF 2002

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OCTOBER 8, 2002.—Ordered to be printed

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Mr. JEFFORDS, from the Committee on Environment and Public Works, submitted the following

### REPORT

[to accompany S. 2847]

[Including cost estimate of the Congressional Budget Office]

The Committee on Environment and Public Works, to which was referred a bill (S. 2847) to assist in the conservation of cranes by supporting and providing, through projects of persons and organization with expertise in crane conservation, financial resources for the conservation programs of countries the activities of which directly or indirectly affect cranes, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

#### GENERAL STATEMENT AND BACKGROUND

The 15 crane species comprise a unique family of birds, more than two-thirds of which are threatened or endangered of extinction. Cranes inhabit wide expanses of wetlands, grasslands and, in some cases, the agricultural fields that border the natural areas. Their conservation is predicated on protection of the cranes as individuals and of their habitats. Since cranes migrate across five continents, this protection must be multi-national.

The decline of the North American whooping crane, the rarest crane on earth, is an example of a crane in peril. In 1941, only 21 whooping cranes existed in the entire world. This stands in contrast to the almost 400 birds in existence today. The North American whooping crane's resurgence is attributed to the birds' tenacity for survival and to the efforts of conservationists in the United States and Canada. Today, the only wild flock of North American

whooping cranes breeds in northwest Canada, and spends its winters in coastal Texas.

Despite the conservation efforts taken since 1941, cranes are still very much in danger of extinction. While over the course of the last half-century, North American whooping cranes have begun to make a slow recovery, many species of crane in Africa and Asia have declined, including the sarus crane of Asia and the wattled crane of Africa.

Internationally, crane conservation presents significant challenges. The entire continent of Africa supports between 12 and 15,000 wattled crane. Zambia, Mozambique and Botswana are home to the largest numbers of birds and smaller populations are found in South Africa, Namibia, Angola, Zaire, Zimbabwe, Malawi, Ethiopia and Tanzania. In none of these countries is its status secure and declines are reported throughout its range. Wattled Crane are classified as Critically Endangered in South Africa and as Endangered in the rest of Africa. There are only 250 left in the wild in South Africa making it one of the world's most endangered bird species.

Serious and significant decline can be expected in crane populations worldwide without conservation efforts. The combination of hunting, habitat attrition and other factors have been responsible for the decline of the world's species of cranes.

#### OBJECTIVES OF THE LEGISLATION

S. 2847, the Crane Conservation Act of 2002 will assist in the conservation of cranes by supporting and providing, through projects of persons and organization with expertise in crane conservation, financial resources for the conservation programs of countries the activities of which directly or indirectly affect cranes.

S. 2847 establishes the Crane Conservation Fund within the Multinational Species Conservation Fund and authorizes up to \$3 million per year through 2007 to be distributed in the form of conservation project grants to protect cranes and their habitat. Funds would be available to qualifying conservation groups operating in Asia, Africa, Europe, and North America

#### SECTION-BY-SECTION ANALYSIS

##### *Section 1. Short Title*

This Section cites the Act as the "Crane Conservation Act of 2002".

##### *Sec. 2. Findings*

This Section states the congressional findings, including the following: crane populations in many countries have experience serious decline in recent decades; many of the species are endangered or threatened; conservation resources have not been sufficient to cope with the continued diminution of crane populations; cranes are flagship species for the conservation of wetland, grassland, and agricultural landscapes that border wetlands and grasslands; and a joint commitment is necessary to address threat to cranes on all 5 continents.

*Sec. 3. Purposes*

This Section states that the purposes of this Act are to perpetuate healthy populations of cranes, assist in the conservation and protection of cranes, and provide financial resources for those programs and efforts.

*Sec. 4. Definitions*

This Section defines conservation, Convention, Fund and Secretary for purposes of the Act.

*Sec. 5. Crane Conservation Assistance*

This Section authorizes the Secretary of Interior to provide financial assistance for projects relating to the conservation of cranes. Projects may be submitted by wildlife management authorities of foreign countries or other persons or groups with expertise in the conservation of cranes. The Secretary shall review each project proposal in a timely manner to determine if the proposal meets the criteria specified. The Secretary, after consulting with other appropriate Federal officials, shall consult on the proposal with the government of each country in which the project is to be conducted and approve or disapprove the proposal.

The Secretary may approve a project proposal under this section if the project will enhance programs for conservation of cranes. The Secretary shall give preference to conservation projects that are designed to ensure effective, long-term conservation of cranes or for which matching funds are available.

Each person that receives assistance under this section for a project shall submit to the Secretary periodic reports to determine the progress and success of the project for the purposes of ensuring positive results, assessing problems, and fostering improvements. These reports shall be made available to the public.

The Secretary is further directed to convene a panel of experts every 2 years to identify the greatest needs with respect to the conservation of cranes.

*Sec. 6. Crane Conservation Fund*

This Section establishes the Crane Conservation Fund in the Multinational Species Conservation Fund. The Secretary may expend not more than 3 percent or up to \$80,000 for administrative expenses. The Secretary may accept and use donations to provide assistance under the Act.

*Sec. 7. Advisory Group*

This Section authorizes the Secretary to convene an advisory group of individuals representing public and private organizations actively involved in the conservation of cranes. The Secretary shall provide public notice of each meeting of the advisory group. The meetings shall be open to the public and the minutes of the meetings shall be made available to the public. The Federal Advisory Committee Act shall not apply to the advisory group authorized under this section.

The creation of an advisory group will help increase public involvement and Federal and private partnerships. Also, it will provide consistency with the Great Ape Conservation Act and

Neotropical Migratory Bird Conservation Act, both of which were enacted during the 106th Congress and are administered under the Multi-national Species Conservation Fund, along with the Rhinoceros and Tiger Conservation Act and the Asian Elephant Conservation Act.

*Sec. 8. Authorization of Appropriations*

This Section authorizes \$3,000,000 for each of fiscal years 2003 through 2007.

LEGISLATIVE HISTORY

S. 2847 was introduced by Senator Feingold, with Senator Landrieu on August 1, 2002 and referred to the Committee on Environment and Public Works.

ROLLCALL VOTES

The Committee on Environment and Public Works met to consider S. 2847 on September 26, 2002. The committee agreed to an amendment offered by Senator Jeffords by voice vote. Later that day the committee met again to complete action on the bill and voted to report S. 2847, as amended, by voice vote.

REGULATORY IMPACT STATEMENT

In compliance with section 11(b) of rule XXVI of the Standing Rules of the Senate, the committee finds that S. 2847 does not create any additional regulatory burdens, nor will it cause any adverse impact on the personal privacy of individuals.

MANDATES ASSESSMENT

In compliance with the Unfunded Mandates Reform Act of 1995 (Public Law 104-4), the committee finds that S. 2847 would not impose Federal intergovernmental unfunded mandates on State, local, or tribal governments.

COST OF LEGISLATION

Section 403 of the Congressional Budget and Impoundment Control Act requires that a statement of the cost of the reported bill, prepared by the Congressional Budget Office, be included in the report. That statement follows:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, October 2, 2002.*

Hon. JAMES M. JEFFORDS, *Chairman,*  
*Committee on Environment and Public Works,*  
*U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 2847, the Crane Conservation Act of 2002.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Megan Carroll, who can be reached at 226–2860.

Sincerely,

DAN L. CRIPPEN.

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*S. 2847, Crane Conservation Act of 2002, As ordered reported by the Senate Committee on Environment and Public Works on September 26, 2002*

*Summary*

S. 2847 would direct the Secretary of the Interior to establish a program to support activities to protect and conserve cranes. The bill would authorize the appropriation of \$3 million a year over the 2003–2007 period for the Secretary to convene an advisory panel and provide financial assistance to eligible government agencies, international or foreign organizations, or private entities engaged in such activities. CBO estimates that such assistance would cost \$15 million over the next 5 years, assuming appropriation of the authorized amounts.

S. 2847 would authorize the Secretary to accept and use donations to provide financial assistance; hence, the bill could increase revenues and direct spending. Based on information from the U.S. Fish and Wildlife Service, however, CBO estimates that any new revenues and subsequent direct spending would be insignificant.

S. 2847 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would have no significant impact on the budgets of State, local, or tribal governments.

*Estimated Cost to the Federal Government*

CBO estimates that implementing S. 2847 would cost \$15 million over the 2003–2007 period. For this estimate, CBO assumes that S. 2847 will be enacted early in fiscal year 2003 and that authorized amounts will be provided as specified in the bill. Estimates of outlays are based on historic spending patterns for similar programs. The estimated budgetary impact of S. 2847 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and environment).

CHANGES IN EXISTING LAW

Section 12 of rule XXVI of the Standing Rules of the Senate requires the committee to publish changes in existing law made by the bill as reported. Passage of this bill will make no changes to existing law.

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