

H.R.2070

To assist in the conservation of quokkas by supporting and providing financial resources for the conservation programs of countries within the range of quokkas and projects of persons with demonstrated expertise in the conservation of quokkas.

IN THE HOUSE OF REPRESENTATIVES

September 15, 2022

Mrs. PELOSI (for herself, Mr. KHANNA, Mr. GOMEZ of California, Mr. COOPER of Tennessee, Mrs. OCASIO-CORTEZ of New York, Mr. NORMAN of South Carolina, Mr. GOSAR of Arizona, Mr. GIBBS of Ohio, Mrs. TLAIB of Michigan, Mr. FALLON of Texas, Mrs. HERREL of New Mexico, Mr. KRISHNAMOORTHY of Illinois, and Mrs. BUSH of Missouri) introduced the following bill; which was referred to the Committee on Resources.

A BILL

To assist in the conservation of quokkas by supporting and providing financial resources for the conservation programs of countries within the range of quokkas and projects of persons with demonstrated expertise in the conservation of quokkas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE

This Act may be cited as the “Quokka Conservation Act of 2022”.

SEC. 2. FINDINGS

The Congress finds the following:

- (1) quokka populations have continued to decline to the point that the long-term

survival of the species in the wild is threatened;

(2) the quokka is listed as a vulnerable species under the International Union for Conservation of Nature Red List of Threatened Species, with approximately 7,500 to 15,000 quokkas remaining worldwide;

(3) the quokka is endemic to southwestern Australia and its distribution range is restricted to limited regions within southwestern Australia with relatively high rainfall and two small nearby islands off the coast;

(4) climatic factors play a role in the distribution of the quokka, and climate change has a distinguishable influence on quokka populations in the following ways:

(A) the increasing aridity of southwestern Australia caused by climate change threatens the persistence of quokka populations;

(B) the historical and projected decrease in precipitation will reduce vegetation density in current vital remnant habitats; and

(C) the increasing intensity and frequency of wildfires pose a major threat to quokka habitat;

(5) because the challenges facing the conservation of quokkas are so substantial, the resources available to date have not been sufficient to cope with the continued loss of habitat due to climate change and deforestation and the consequent decrease of quokka populations;

(6) the quokka is a flagship species for the conservation of shrubland habitats in which it is found and provides the consequent benefit from such conservation to numerous other species of wildlife including many other endangered species;

(7) among the threats to the quokka in addition to habitat loss are landclearing for urban development and agriculture, predation by introduced predators, and population fragmentation;

(8) the degree of contraction of the distribution range of quokka populations on the mainland will increase with the elevating severity of climate change;

(8) with severe climate change predictions, the quokka is expected to lose almost all range by 2070;

(10) the risk of extinction driven by climate change of quokka populations on the mainland is predicted to be incredibly probable, particularly if no effective measures are established; and

(11) to reduce, remove, or effectively address these threats to the long-term viability of populations of quokkas in the wild will require the joint commitment and effort of nations within the range of quokkas, the United States and other countries, and the private sector.

SEC. 3. PURPOSES

The purposes of this Act are the following:

- (1) to perpetuate robust populations of quokkas;
- (2) to assist in the conservation and protection of quokkas by supporting the conservation programs of nations within the range of quokkas populations;
- (3) to provide financial resources for those programs;
- (4) to establish the quokka as a threatened species under section 4 of the Endangered Species Act of 1973 and under appendix I of the Convention on International Trade of Endangered Species of Wild Fauna and Flora.

SEC. 4. DEFINITIONS

In this Act:

- (1) CITES—The term “CITES” means the Convention on International Trade in Endangered Species of Wild Fauna and Flora, signed on March 3, 1973, and its appendices.
- (2) CONSERVATION—The term “conservation”—
 - (A) means the use of all methods and procedures necessary to bring quokkas to the point at which there are sufficient populations in the wild to ensure that the species does not become extinct; and
 - (B) includes all activities associated with scientific resource and wildlife management, such as—
 - (i) conservation, protection, restoration, acquisition, and management of habitat;
 - (ii) research and monitoring of known populations and habitats;
 - (iii) assistance in the development, implementation, and improvement of management plans for managed habitat ranges;
 - (iv) enforcement and implementation of CITES;
 - (v) enforcement and implementation of domestic laws relating to resource management;
 - (vi) programs for the rehabilitation of members of a species in the wild and release of the members into the wild in ways which do not threaten existing wildlife populations by causing displacement or the introduction of disease;
 - (ix) conflict resolution initiatives; and
 - (x) community outreach and education.
- (3) FUND—The term “Fund” means the Quokka Conservation Fund established under section 6.
- (4) MULTINATIONAL SPECIES CONSERVATION FUND—The term ‘Multinational Species Conservation Fund’ means such fund as established in title I of the Department of the Interior and Related Agencies Appropriations Act, 1999, under the heading ‘MULTINATIONAL SPECIES CONSERVATION FUND’.
- (5) SECRETARY—The term “Secretary” means the Secretary of the Interior.

SEC. 5. QUOKKA CONSERVATION ASSISTANCE

(a) **IN GENERAL**—The Secretary, subject to the availability of funds and in consultation with other appropriate Federal officials, shall use amounts in the Fund to provide financial assistance for projects for the conservation of quokkas for which final project proposals are approved by the Secretary in accordance with this section.

(b) **PROJECT PROPOSALS**—

(1) **ELIGIBLE APPLICANTS**—A proposal for a project for the conservation of quokkas may be submitted to the Secretary by—

(A) any wildlife management authority of a country within the range of quokkas whose activities directly or indirectly affect a quokka population;

(B) the CITES Secretariat; or

(C) any person or group with demonstrated expertise in the conservation of quokkas.

(2) **REQUIRED ELEMENTS**—A project proposal shall include—

(A) the name of the individual responsible for conducting the project;

(B) a concise statement of the purposes of the project;

(C) a description of the qualifications of the individuals who will conduct the project;

(D) an estimate of the funds and time required to complete the project;

(E) evidence of support for the project by appropriate governmental entities of the countries in which the project shall be conducted, if the Secretary determines that such support is required for the success of the project;

(F) information regarding the source and amount of matching funding available for the project; and

(G) any other information the Secretary considers to be necessary for evaluating the eligibility of the project for funding under this Act.

(c) **PROJECT REVIEW AND APPROVAL**—

(1) **IN GENERAL**—The Secretary shall—

(A) within 30 days after receiving a project proposal, provide a copy of the proposal to other appropriate Federal officials; and

(B) review each project proposal to determine if the proposal meets the criteria specified in subsection (d).

(2) **CONSULTATION; APPROVAL OR DISAPPROVAL**—Not later than 180 days after receiving a project proposal, and subject to the availability of funds, the Secretary, after consulting with other appropriate Federal officials, shall—

(A) request written comments on the proposal from the government of each country in which the project is to be conducted;

(B) after taking into consideration any comments submitted in response to the request, approve or disapprove the proposal; and

(C) provide written notification of the approval or disapproval to the person who submitted the proposal, other appropriate Federal officials,

and each of those countries.

(d) **CRITERIA FOR APPROVAL**—The Secretary may approve a project proposal under this section if the project will enhance programs for conservation of quokkas by assisting efforts to—

- (1) implement conservation programs;
- (2) address the conflicts between humans and quokkas that arise from competition for the same land;
- (3) address the predation of quokkas by predators introduced by humans, including the red fox and feral cat;
- (4) enhance compliance with CITES and other applicable laws of the United States or a foreign country that prohibit or regulate the taking or trade of quokkas or regulate the use and management of quokka habitat;
- (5) develop sound scientific information on, or methods for monitoring--
 - (A) the condition and health of quokka habitat;
 - (B) quokka population numbers and trends; or
 - (C) the current and projected threats to the habitat, numbers, or trends; or
- (6) promote cooperative projects on the issues described in paragraph (5) among government entities, affected local communities, nongovernmental organizations, or other persons 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 preference to conservation projects that are designed to ensure effective, long-term conservation of quokkas and their habitats.

(f) **PROJECT REPORTING**—

- (1) **IN GENERAL**—Each person that receives assistance under this section for a project shall submit periodic reports to the Secretary as the Secretary considers necessary. Each report shall include all information that the Secretary, after consultation with other appropriate government officials, determines is necessary to evaluate the progress and success of the project.
- (2) **AVAILABILITY TO THE PUBLIC**—Reports under paragraph (1), and any other documents relating to projects for which financial assistance is provided under this Act, shall be made available to the public.

(g) **MATCHING FUNDS**—In determining whether to approve project proposals under this section, the Secretary shall give priority to projects for which matching funds are available.

SEC. 6. QUOKKA CONSERVATION FUND

(a) **ESTABLISHMENT**—There is established in the Multinational Species Conservation Fund a separate account to be known as the “Quokka Conservation Fund”, consisting of—

- (1) amounts transferred to the Secretary of the Treasury for deposit into the Fund under subsection (e);

- (2) amounts appropriated to the Fund under section 6; and
- (3) any interest earned on investment of amounts in the Fund under subsection (c)

(b) EXPENDITURES FROM FUND—

- (1) IN GENERAL—Subject to paragraph (2), upon request by the Secretary, the Secretary of the Treasury shall transfer from the Fund to the Secretary, without further appropriation, to provide assistance under section 5.
- (2) ADMINISTRATIVE EXPENSES—Of amounts in the Fund available for each fiscal year, the Secretary may use not more than 3 percent to pay the administrative expenses necessary to carry out this Act.

(c) INVESTMENT OF AMOUNTS—

- (1) IN GENERAL—The Secretary of the Treasury shall invest such portion of the Fund as is not, in the judgment of the Secretary of the Treasury, required to meet current withdrawals. Investments may be made only in interest-bearing obligations of the United States.
- (2) ACQUISITION OF OBLIGATIONS—For the purpose of investments under paragraph (1), obligations may be acquired—
 - (A) on original issue at the issue price; or
 - (B) by purchase of outstanding obligations at the market price.
- (3) SALE OF OBLIGATIONS—Any obligation acquired by the Fund may be sold by the Secretary of the Treasury at the market price.
- (4) CREDITS TO FUND—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to and form a part of the Fund.

(d) TRANSFERS OF AMOUNTS—

- (1) IN GENERAL—The amounts required to be transferred to the Fund under this section shall be transferred at least monthly from the general fund of the Treasury to the Fund on the basis of estimates made by the Secretary of the Treasury.
- (2) ADJUSTMENTS—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required to be transferred.

(e) ACCEPTANCE AND USE OF DONATIONS—The Secretary may accept and use donations to provide assistance under section 5. Amounts received by the Secretary in the form of donations shall be transferred to the Secretary of the Treasury for deposit into the Fund.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS

There are authorized to be appropriated to the Fund \$5,000,000 for each of fiscal years 2022 through 2026, to remain available until expended.