

GLOBAL AMPHIBIAN PROTECTION ACT OF 2021

NOVEMBER 16, 2022.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. GRIJALVA, from the Committee on Natural Resources,
submitted the following

R E P O R T

together with

DISSENTING VIEWS

[To accompany H.R. 2026]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 2026) to assist in the conservation of highly endangered amphibian species in foreign countries, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Global Amphibian Protection Act of 2021”.

SEC. 2. DEFINITIONS.

In this Act:

(1) **CONVENTION.**—The term “Convention” means the Convention on International Trade in Endangered Species of Wild Fauna and Flora (27 UST 1087; TIAS 8249).

(2) **CONSERVATION.**—The term “conservation” means the protection and restoration of species and the habitat of such species.

(3) **FUND.**—The term “Fund” means the Highly Endangered Amphibians Conservation Fund established by section 4.

(4) **HIGHLY ENDANGERED AMPHIBIAN SPECIES.**—

(A) **IN GENERAL.**—The term “highly endangered amphibian species” means—

(i) any amphibian species categorized on the International Union for Conservation of Nature Red List of Threatened Species as Endangered, Critically Endangered, or Extinct in the Wild; and

(ii) any other amphibian species categorized on the International Union for Conservation of Nature Red List of Threatened Species as Data Deficient or under a threat category lower than Endangered if the Secretary determines that—

(I) the most recent International Union for Conservation of Nature Red List assessment indicates that the population is decreasing; or

(II) such species is facing new or emerging threats.

(B) INCLUSIONS.—The term “highly endangered amphibian species” includes—

(i) live specimens, at all lifecycle stages, of species described in subparagraph (A);

(ii) dead specimens, or parts or products thereof, of such species.

(5) MULTINATIONAL SPECIES CONSERVATION FUND.—The term “Multinational Species Conservation Fund” means the fund established under the heading “multinational species conservation fund” in title I of the Department of the Interior and Related Agencies Appropriations Act, 1999 (16 U.S.C. 4246).

(6) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

SEC. 3. HIGHLY ENDANGERED AMPHIBIAN SPECIES ASSISTANCE.

(a) IN GENERAL.—In consultation with other Federal officials, the Secretary shall use amounts in the Fund to carry out a competitive grant program to provide financial assistance for the conservation of highly endangered amphibian species.

(b) PROJECT PROPOSALS.—

(1) ELIGIBLE APPLICANTS.—A proposal for a grant under subsection (a) may be submitted to the Secretary by—

(A) any wildlife management authority of a foreign country that has within its boundaries natural habitat of a highly endangered amphibian species if the activities of the authority directly or indirectly benefit that species’ conservation; or

(B) any other person or group with the demonstrated expertise and capacity required for the conservation of a highly endangered amphibian species.

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

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

(B) evidence of sensitivity to local historic and cultural resources and compliance with applicable laws;

(C) evidence of free, prior, and informed consent by indigenous peoples and local communities in the areas the project will be conducted, if the Secretary, based on the nature of the project, determines that such consent is required for the success of the project;

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

(E) any other information that the Secretary determines to be appropriate.

(c) EVALUATION AND APPROVAL.—

(1) GOALS.—The Secretary may approve a proposal under this section if the project will—

(A) help recover and sustain viable populations in the wild of a highly endangered amphibian species with a range that is, in whole or in part, outside of the United States;

(B) enhance compliance with provisions of the Convention and laws of the United States or a foreign country related to the conservation of a highly endangered amphibian species; or

(C) develop sound scientific information on that species’ habitat, population numbers and trends, reproduction, mortality, and other threats to survival.

(2) METHODS.—The Secretary may approve a proposal under this section if the proposal would achieve one of the goals set forth in paragraph (1) through—

(A) protection, restoration, and management of habitat;

(B) in situ research and monitoring of populations, habitats, annual reproduction, and species population trends;

(C) development, implementation, and improvement of national and regional management plans for a highly endangered amphibian species and the habitat of such species;

(D) enforcement and implementation of the Convention or the law of a foreign country to—

- (i) protect and manage a highly endangered amphibian species or the habitat of such species;
 - (ii) prevent illegal or unsustainable removal of a highly endangered amphibian species from the wild; or
 - (iii) prevent illegal trade of a highly endangered amphibian species;
 - (E) training and capacity building for local law enforcement officials in the interdiction and prevention of the illegal killing, removal from the wild, or trade of a highly endangered amphibian species;
 - (F) an initiative to resolve a conflict between humans and a highly endangered amphibian species;
 - (G) research and implementation of projects to address disease and threats to the health of a highly endangered amphibian species;
 - (H) community outreach and education on conservation of a highly endangered amphibian species and the habitat of such species; or
 - (I) strengthening the ability of local communities to implement a conservation program.
- (3) CONSULTATION.—The Secretary shall, prior to approving any proposal under this section, consult with each of the following with respect to such proposal:
- (A) The Government of each country in which such proposal will be carried out.
 - (B) Any other Federal agency the Secretary determines is appropriate.
- (4) PREFERENTIAL CONSIDERATION.—In determining whether to approve a proposal, the Secretary shall give preference to a proposal that—
- (A) is designed to ensure effective, long-term conservation of highly endangered amphibian species and their habitats; and
 - (B) has matching funds available.
- (5) APPROVAL.—The Secretary shall, within 180 days of receiving a proposal under this section, approve or disapprove of the proposal and provide written notification of such approval or disapproval to—
- (A) the person who submitted such proposal;
 - (B) any Federal agency the Secretary determines appropriate; and
 - (C) the foreign country in which such proposal would be carried out.
- (d) PROJECT REPORTING.—
- (1) IN GENERAL.—The Secretary shall require each person that receives assistance under this section to submit periodic reports including such information as the Secretary may require in order to evaluate the progress and success of each grant issued under this section.
 - (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 except for documents that the Secretary determines to be confidential in nature, shall be made available to the public.
- (e) LIMITATIONS ON USE FOR CAPTIVE BREEDING.—Amounts provided as a grant under this Act—
- (1) may not be used for captive breeding of highly endangered amphibian species other than for captive breeding designed for release into the wild; and
 - (2) may be used for captive breeding of a species for release into the wild only if no other conservation method for the species is biologically or technically feasible.

SEC. 4. HIGHLY ENDANGERED AMPHIBIAN SPECIES CONSERVATION FUND.

- (a) ESTABLISHMENT.—There is established in the Multinational Species Conservation Fund a separate account to be known as the “Highly Endangered Amphibian Species Conservation Fund”, consisting of—
- (1) amounts transferred to the Secretary of the Treasury for deposit into the Fund under subsections (d) and (e);
 - (2) amounts appropriated to the Fund under section 5; 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), at the request of the Secretary, the Secretary of the Treasury shall transfer from the Fund to the Secretary, without further appropriation, such amounts as the Secretary determines are necessary to carry out section 3.
 - (2) ADMINISTRATIVE EXPENSES.—Of the amounts in the account available for each fiscal year, the Secretary may expend not more than 3 percent, or up to \$150,000, whichever is greater, 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 market price.

(3) **SALE OF OBLIGATIONS.**—Any obligation acquired by the Fund may be sold by the Secretary of the Treasury at 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 3. Amounts received by the Secretary in the form of donations shall be transferred to the Secretary of the Treasury for deposit in the Fund. The Secretary may reject a gift under this section when the rejection is in the interest of the Government.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Fund \$5,000,000 for each of fiscal years 2022 through 2027.

SEC. 6. REPORT TO CONGRESS.

Not later than 1 year after the date of enactment of this Act, and every 2 years thereafter, the Secretary shall submit to Congress a report on the results and effectiveness of the program carried out under this Act.

PURPOSE OF THE BILL

The purpose of H.R. 2026 is to assist in the conservation of highly endangered amphibian species in foreign countries.

BACKGROUND AND NEED FOR LEGISLATION

Amphibians include some of the oldest species in the world, some existing before the dinosaurs. Today, nearly 70% of amphibian species are either in decline or at risk of extinction due to disease, habitat loss, pollution, and other factors. Amphibians serve a critical role in their ecosystems, and their disappearance will have dramatic adverse results. They also benefit human health by preying on disease-spreading insects like mosquitos and by producing compounds that can treat diseases, including cancer.

From 2010 to 2015, the U.S. Fish and Wildlife Service (FWS) awarded conservation grants through the Amphibians in Decline Fund to protect amphibians from extinction. During these six years, the program funded 40 projects with \$1,034,142 in 25 countries and leveraged an additional \$2,604,122 in matching funds. However, despite the unprecedented rate of amphibian declines, funding for this program has not been appropriated in recent years.

H.R. 2026 would authorize \$5 million for each fiscal year 2022 through 2027 to assist in conserving International Union for Conservation of Nature-listed endangered amphibians. Funds would be distributed through a competitive grant program to projects that (1) help recover and sustain viable populations of highly endangered amphibians whose range is in whole, or part, outside of the

United States, Canada, or Europe; (2) enhance compliance with the provisions of the Convention on International Trade in Endangered Species of Wild Fauna and Flora and laws of the United States and foreign countries related to conservation of endangered amphibians; or (3) develop scientific information on a species' habitat, population numbers and trends, reproduction, mortality, and other threats to survival.

COMMITTEE ACTION

H.R. 2026 was introduced on March 18, 2021, by Representative Hakeem S. Jeffries (D-NY). The bill was referred solely to the Committee on Natural Resources, and within the Committee to the Subcommittee on Water, Oceans, and Wildlife. On July 29, 2021, the Subcommittee held a hearing on the bill. On November 17, 2021, the Natural Resources Committee met to consider the bill. The Subcommittee was discharged by unanimous consent. Chair Raúl M. Grijalva (D-AZ) offered an amendment in the nature of a substitute. Ranking Member Bruce Westerman (R-AR) offered an amendment designated Westerman #1 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 19 yeas and 21 nays, as follows:

Date: November 17, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: H.R. 2026

Amendment: Ranking Member Westerman #1 amendment

Disposition: Not agreed to by a roll call vote of 19 yeas and 21 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN			
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI			
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA			
19	Mr. Sablan, MP			
20	Mr. San Nicolas, GU			
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID	X		
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ			
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO			
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT	X		
14	Mr. Oberholte, CA	X		
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL			
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK	X		
	Total: 48 / Quorum: 16 / Report: 25	19	21	
	TOTALS	YEAS	NAYS	PRESENT

Rep. Matt Rosendale (R-MT) offered an amendment designated Rosendale #1 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 19 yeas and 24 nays, as follows:

Date: November 17, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: H.R. 2026

Amendment: Rep. Rosendale #1 amendment

Disposition: Not agreed to by a roll call vote of 19 yeas and 24 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP			
20	Mr. San Nicolas, GU			
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID	X		
5	Mr. Gohmert, TX			
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ			
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO			
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT	X		
14	Mr. Obernolte, CA	X		
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK	X		
	Total: 46 / Quorum: 16 / Report: 25	19	24	
	TOTALS	YEAS	NAYS	PRESENT

Rep. Rosendale offered an amendment designated Rosendale #2 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 19 yeas and 23 nays, as follows:

Date: November 17, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: H.R. 2026

Amendment: Rep. Rosendale #2 amendment

Disposition: Not agreed to by a roll call vote of 19 yeas and 23 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA		X	
5	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (Chair)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP			
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL			
22	Ms. Stansbury, NM			
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
	REP. MEMBERS (22)			
1	Mr. Bentz, OR			
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID	X		
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ			
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO			
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT	X		
14	Mr. Obernolte, CA	X		
15	Mrs. Radewagen, AS	X		
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK	X		
	Total: 48 / Quorum: 16 / Report: 25	19	23	
	TOTALS	YEAS	NAYS	PRESENT

Rep. Rosendale offered an amendment designated Rosendale #3 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 19 yeas and 24 nays, as follows:

Date: November 17, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: H.R. 2026

Amendment: Rep. Rosendale #3 amendment to the amendment in the nature of a substitute

Disposition: Not agreed to by a roll call vote of 19 yeas and 24 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA		X	
2	Mr. Case, HI		X	
3	Mr. Cohen, TN		X	
4	Mr. Costa, CA			
To	Ms. DeGette, CO		X	
6	Mrs. Dingell, MI		X	
7	Mr. Gallego, AZ		X	
8	Mr. Garcia, IL		X	
9	Mr. Grijalva, AZ (<i>Chair</i>)		X	
10	Mr. Huffman, CA		X	
11	Ms. Leger Fernández, NM		X	
12	Mr. Levin, CA		X	
13	Mr. Lowenthal, CA		X	
14	Ms. McCollum, MN		X	
15	Mr. McEachin, VA		X	
16	Mrs. Napolitano, CA		X	
17	Mr. Neguse, CO		X	
18	Ms. Porter, CA		X	
19	Mr. Sablan, MP			
20	Mr. San Nicolas, GU		X	
21	Mr. Soto, FL		X	
22	Ms. Stansbury, NM		X	
23	Ms. Tlaib, MI		X	
24	Mr. Tonko, NY		X	
25	Ms. Trahan, MA		X	
26	Ms. Velázquez, NY		X	
	REP. MEMBERS (22)			
1	Mr. Bentz, OR	X		
2	Mrs. Boebert, CO	X		
3	Mr. Carl, AL	X		
4	Mr. Fulcher, ID	X		
5	Mr. Gohmert, TX	X		
6	Miss González-Colón, PR	X		
7	Mr. Gosar, AZ			
8	Mr. Graves, LA	X		
9	Ms. Herrell, NM	X		
10	Mr. Hice, GA	X		
11	Mr. Lamborn, CO			
12	Mr. McClintock, CA	X		
13	Mr. Moore, UT	X		
14	Mr. Obernolte, CA	X		
15	Mrs. Radewagen, AS			
16	Mr. Rosendale, MT	X		
17	Mr. Stauber, MN	X		
18	Mr. Tiffany, WI	X		
19	Mr. Webster, FL	X		
20	Mr. Westerman, AR (RM)	X		
21	Mr. Wittman, VA	X		
22	Mr. Young, AK	X		
	Total: 48 / Quorum: 16 / Report: 25	19	24	
	TOTALS	YEAS	NAYS	PRESENT

The Grijalva amendment in the nature of a substitute was agreed to by a roll call vote of 24 yeas and 19 nays, as follows:

Date: November 17, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: H.R. 2026

Amendment: Chair Grijalva Amendment in the Nature of a Substitute

Disposition: Agreed to by a roll call vote of 24 yeas and 19 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA	X		
2	Mr. Case, HI	X		
3	Mr. Cohen, TN	X		
4	Mr. Costa, CA	X		
5	Ms. DeGette, CO	X		
6	Mrs. Dingell, MI	X		
7	Mr. Gallego, AZ	X		
8	Mr. Garcia, IL	X		
9	Mr. Grijalva, AZ (Chair)	X		
10	Mr. Huffman, CA	X		
11	Ms. Leger Fernández, NM	X		
12	Mr. Levin, CA	X		
13	Mr. Lowenthal, CA	X		
14	Ms. McCollum, MN	X		
15	Mr. McEachin, VA	X		
16	Mrs. Napolitano, CA	X		
17	Mr. Neguse, CO	X		
18	Ms. Porter, CA	X		
19	Mr. Sablan, MP			
20	Mr. San Nicolas, GU	X		
21	Mr. Soto, FL			
22	Ms. Stansbury, NM	X		
23	Ms. Tlaib, MI	X		
24	Mr. Tonko, NY	X		
25	Ms. Trahan, MA	X		
26	Ms. Velázquez, NY	X		
	REP. MEMBERS (22)			
1	Mr. Bentz, OR		X	
2	Mrs. Boebert, CO		X	
3	Mr. Carl, AL		X	
4	Mr. Fulcher, ID		X	
5	Mr. Gohmert, TX		X	
6	Miss González-Colón, PR		X	
7	Mr. Gosar, AZ			
8	Mr. Graves, LA		X	
9	Ms. Herrell, NM		X	
10	Mr. Hice, GA		X	
11	Mr. Lamborn, CO			
12	Mr. McClintock, CA		X	
13	Mr. Moore, UT		X	
14	Mr. Obernolte, CA		X	
15	Mrs. Radewagen, AS			
16	Mr. Rosendale, MT		X	
17	Mr. Stauber, MN		X	
18	Mr. Tiffany, WI		X	
19	Mr. Webster, FL		X	
20	Mr. Westerman, AR (RM)		X	
21	Mr. Wittman, VA		X	
22	Mr. Young, AK		X	
	Total: 48 / Quorum: 16 / Report: 25	24	19	
	TOTALS	YEAS	NAYS	PRESENT

The bill, as amended, was adopted and ordered favorably reported to the House of Representatives by a roll call vote of 25 yeas and 17 nays, as follows:

Date: November 17, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: H.R. 2026

Amendment:

Disposition: Final Passage: H.R. 2026, as amended, was ordered favorably reported to the House of Representatives by a roll call vote of 25 yeas and 17 nays.

	DEM. MEMBERS (26)	YEAS	NAYS	PRESENT
1	Ms. Brownley, CA	X		
2	Mr. Case, HI	X		
3	Mr. Cohen, TN	X		
4	Mr. Costa, CA	X		
5	Ms. DeGette, CO	X		
6	Mrs. Dingell, MI	X		
7	Mr. Gallego, AZ	X		
8	Mr. Garcia, IL	X		
9	Mr. Grijalva, AZ (Chair)	X		
10	Mr. Huffman, CA	X		
11	Ms. Leger Fernández, NM	X		
12	Mr. Levin, CA	X		
13	Mr. Lowenthal, CA	X		
14	Ms. McCollum, MN	X		
15	Mr. McEachin, VA	X		
16	Mrs. Napolitano, CA	X		
17	Mr. Neguse, CO	X		
18	Ms. Porter, CA	X		
19	Mr. Sablan, MP			
20	Mr. San Nicolas, GU	X		
21	Mr. Soto, FL	X		
22	Ms. Stansbury, NM	X		
23	Ms. Tlaib, MI	X		
24	Mr. Tonko, NY	X		
25	Ms. Trahan, MA	X		
26	Ms. Velázquez, NY	X		
	REP. MEMBERS (22)			
1	Mr. Bentz, OR		X	
2	Mrs. Boebert, CO		X	
3	Mr. Carl, AL			
4	Mr. Fulcher, ID		X	
5	Mr. Gohmert, TX		X	
6	Miss González-Colón, PR		X	
7	Mr. Gosar, AZ			
8	Mr. Graves, LA		X	
9	Ms. Herrell, NM		X	
10	Mr. Hice, GA			
11	Mr. Lamborn, CO			
12	Mr. McClintock, CA		X	
13	Mr. Moore, UT		X	
14	Mr. Obermole, CA		X	
15	Mrs. Radewagen, AS			
16	Mr. Rosendale, MT		X	
17	Mr. Stauber, MN		X	
18	Mr. Tiffany, WI		X	
19	Mr. Webster, FL		X	
20	Mr. Westerman, AR (RM)		X	
21	Mr. Wittman, VA		X	
22	Mr. Young, AK		X	
	Total: 48 / Quorum: 16 / Report: 25	25	17	
	TOTALS	YEAS	NAYS	PRESENT

HEARINGS

For the purposes of clause 3(c)(6) of House rule XIII, the following hearing was used to develop or consider this measure: hearing by the Subcommittee on Water, Oceans, and Wildlife held on July 29, 2021.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources' oversight findings and recommendations are reflected in the body of this report.

COMPLIANCE WITH HOUSE RULE XIII AND
CONGRESSIONAL BUDGET ACT

1. *Cost of Legislation and the Congressional Budget Act.* With respect to the requirements of clause 3(c)(2) and (3) of rule XIII of the Rules of the House of Representatives and sections 308(a) and 402 of the Congressional Budget Act of 1974, as well as clause 3(d) of rule XIII of the Rules of the House of Representatives, the Committee has received the following estimate for the bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, April 28, 2022.

Hon. RAÚL M. GRIJALVA,
*Chairman, Committee on Natural Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 2026, the Global Amphibian Protection Act of 2021.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Janani Shankaran.

Sincerely,

PHILLIP L. SWAGEL,
Director.

Enclosure.

H.R. 2026, Global Amphibian Protection Act of 2021			
As ordered reported by the House Committee on Natural Resources on November 17, 2021			
By Fiscal Year, Millions of Dollars	2022	2022-2026	2022-2031
Direct Spending (Outlays)	*	*	*
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	*	*	*
Spending Subject to Appropriation (Outlays)	*	23	30
Statutory pay-as-you-go procedures apply?	Yes	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2032?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between -\$500,000 and \$500,000.			

H.R. 2026 would establish a fund that the U.S. Fish and Wildlife Service (USFWS) could use to award grants for amphibian conservation. The bill would authorize the appropriation of \$5million annually over the 2022–2027 period for that purpose.

For this estimate, CBO assumes that the legislation will be enacted late in fiscal year 2022. Assuming appropriation of the authorized amounts, and based on historical spending patterns for similar programs, CBO estimates that implementing H.R. 2026 would cost \$23 million over the 2022–2026 period and \$7 million after 2026.

H.R. 2026 would allow USFWS to accept donations to the fund, which would be classified in the budget as offsetting receipts (reductions in direct spending). CBO expects that those amounts would be insignificant in any year and would be spent soon after they are received. The bill also would direct the Department of the Treasury to credit interest on unspent balances to the fund and USFWS could spend that interest without further appropriation. (Credited interest is considered an intragovernmental transfer with no budgetary effect, but the spending of that interest would increase direct spending.) Using the interest rates underlying the July 2021 baseline, CBO estimates that the amount of interest credited to the fund and subsequently spent would be insignificant over the 2022–2031 period.

The costs of the legislation, detailed in Table 1, fall within budget function 300 (natural resources and environment).

TABLE 1.—ESTIMATED INCREASES IN SPENDING SUBJECT TO APPROPRIATION UNDER H.R. 2026

	By fiscal year, millions of dollars—											
	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2022–2026	2022–2031
Authorization	5	5	5	5	5	5	0	0	0	0	25	30
Estimated Outlays	*	6	7	5	5	5	1	1	0	0	23	30

*= between zero and \$500,000.

CBO estimates that enacting H.R. 2026 also would increase direct spending by an insignificant amount over the 2022–2031 period.

The CBO staff contact for this estimate is Janani Shankaran. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

2. *General Performance Goals and Objectives.* As required by clause 3(c)(4) of rule XIII, the general performance goals and objectives of this bill are to assist in the conservation of highly endangered amphibian species in foreign countries.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

UNFUNDED MANDATES REFORM ACT STATEMENT

According to CBO, this bill contains no unfunded mandates as defined by the Unfunded Mandates Reform Act.

EXISTING PROGRAMS

This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139. The Highly Endangered Amphibians Conservation Fund established by this bill is based on the inactive listing Wildlife Without Borders—Amphibians in Decline (CFDA No. 15.672). The 2015 Catalog of Federal Domestic Assistance published pursuant to 31 U.S.C. § 6104 identified the following programs as related to that listing: Wildlife Without Borders—Latin America and the Caribbean (CFDA No. 15.640) (now listed as Latin America and Caribbean Regional), Wildlife Without Borders—Mexico (CFDA No. 15.641), and Wildlife Without Borders—Africa Program (CFDA No. 15.651) (now listed as Central Africa Regional).

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

PREEMPTION OF STATE, LOCAL, OR TRIBAL LAW

Any preemptive effect of this bill over state, local, or tribal law is intended to be consistent with the bill's purposes and text and the Supremacy Clause of Article VI of the U.S. Constitution.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes to existing law.

DISSENTING VIEWS

H.R. 2026 would create a new “Highly Endangered Amphibian Species Conservation Fund” at the U.S. Fish and Wildlife Service, authorizing millions of taxpayer dollars for the fund each year. Taxpayer dollars deposited into the fund would be destined for foreign countries and entities—despite pressing endangered species concerns here in the United States.

For example, H.R. 2026 aims to conserve amphibian species categorized as “Endangered,” “Critically Endangered,” “Data Deficient,” or “Extinct in the Wild” on the International Union for Conservation of Nature’s Red List of Threatened Species. The bill would provide funding directly to wildlife management authorities in foreign countries as well as groups with the “expertise and capacity” to conserve these species. Rather than investing in species conservation in the United States, funding could be sent to the Chinese government to recover the Guangxi Warty Newt or to Iran or Russia to recover the Varying Toad.

At a committee hearing on H.R. 2026, the U.S. Fish and Wildlife Service testified that the bill “could hinder the Service’s ability to continue to prioritize its work on the species with the greatest conservation need through science-driven decisions.”¹ Even the Biden Administration agreed that there are higher priorities.

U.S. taxpayers should not be subsidizing hostile countries to recover species and conserve habitats that those countries have neglected. This is especially egregious as there are 34 amphibians native to the United States, such as the Wyoming Toad, that would not be eligible for this funding. An amendment was offered in Committee markup to ensure that amphibians in the U.S. are recovered before any funds authorized in this bill can be sent overseas. The Majority unfortunately opposed this amendment that would have prioritized species recovery in the United States.

Because this bill would waste taxpayer money on foreign species, ignores species within our borders and in light of the concerns raised by the U.S. Fish and Wildlife Service, I oppose H.R. 2026 as reported by the Committee on Natural Resources.

BRUCE WESTERMAN.

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¹Stephen Guertin, Testimony of Stephen Guertin, House Committee on Natural Resources Subcommittee on Water, Oceans and Wildlife Legislative Hearing, July 29, 2021, <https://docs.house.gov/meetings/II/II13/20210729/113985/HHRG-117-II13-Wstate-GuertinS-20210729.pdf>.