

## Calendar No. 20

116TH CONGRESS  
1ST SESSION

# S. 268

To reauthorize the Partners for Fish and Wildlife Program and certain wildlife conservation funds, to establish prize competitions relating to the prevention of wildlife poaching and trafficking, wildlife conservation, the management of invasive species, and the protection of endangered species, to amend the Marine Turtle Conservation Act of 2004 to modify the protections provided by that Act, and for other purposes.

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### IN THE SENATE OF THE UNITED STATES

JANUARY 29, 2019

Mr. BARRASSO (for himself, Mr. CARPER, Mr. INHOFE, Mr. BOOKER, Mr. BOOZMAN, and Mr. WHITEHOUSE) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

FEBRUARY 5, 2019

Reported by Mr. BARRASSO, without amendment

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## A BILL

To reauthorize the Partners for Fish and Wildlife Program and certain wildlife conservation funds, to establish prize competitions relating to the prevention of wildlife poaching and trafficking, wildlife conservation, the management of invasive species, and the protection of endangered species, to amend the Marine Turtle Conservation Act of 2004 to modify the protections provided by that Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Wildlife Innovation  
 5 and Longevity Driver Act” or the “WILD Act”.

6 **SEC. 2. WILDLIFE HABITAT AND CONSERVATION.**

7 (a) PARTNERS FOR FISH AND WILDLIFE PROGRAM  
 8 REAUTHORIZATION.—Section 5 of the Partners for Fish  
 9 and Wildlife Act (16 U.S.C. 3774) is amended by striking  
 10 “2006 through 2011” and inserting “2019 through  
 11 2023”.

12 (b) FISH AND WILDLIFE COORDINATION.—

13 (1) PURPOSE.—The purpose of this subsection  
 14 is to protect water, oceans, coasts, and wildlife from  
 15 invasive species.

16 (2) AMENDMENTS TO FISH AND WILDLIFE CO-  
 17 ORDINATION ACT.—

18 (A) SHORT TITLE; AUTHORIZATION.—The  
 19 first section of the Fish and Wildlife Coordina-  
 20 tion Act (16 U.S.C. 661) is amended by strik-  
 21 ing “For the purpose” and inserting the fol-  
 22 lowing:

23 **“SECTION 1. SHORT TITLE; AUTHORIZATION.**

24 “(a) SHORT TITLE.—This Act may be cited as the  
 25 ‘Fish and Wildlife Coordination Act’.

1 “(b) AUTHORIZATION.—For the purpose”.

2 (B) PROTECTION OF WATER, OCEANS,  
3 COASTS, AND WILDLIFE FROM INVASIVE SPE-  
4 CIES.—The Fish and Wildlife Coordination Act  
5 (16 U.S.C. 661 et seq.) is amended by adding  
6 at the end the following:

7 **“SEC. 10. PROTECTION OF WATER, OCEANS, COASTS, AND**  
8 **WILDLIFE FROM INVASIVE SPECIES.**

9 “(a) DEFINITIONS.—In this section:

10 “(1) CONTROL.—The term ‘control’, with re-  
11 spect to an invasive species, means the eradication,  
12 suppression, or reduction of the population of the  
13 invasive species within the area in which the invasive  
14 species is present.

15 “(2) ECOSYSTEM.—The term ‘ecosystem’  
16 means the complex of a community of organisms  
17 and the environment of the organisms.

18 “(3) ELIGIBLE STATE.—The term ‘eligible  
19 State’ means any of—

20 “(A) a State;

21 “(B) the District of Columbia;

22 “(C) the Commonwealth of Puerto Rico;

23 “(D) Guam;

24 “(E) American Samoa;

1           “(F) the Commonwealth of the Northern  
2 Mariana Islands; and

3           “(G) the United States Virgin Islands.

4           “(4) INVASIVE SPECIES.—

5           “(A) IN GENERAL.—The term ‘invasive  
6 species’ means an alien species, the introduction  
7 of which causes, or is likely to cause, economic  
8 or environmental harm or harm to human  
9 health.

10          “(B) ASSOCIATED DEFINITION.—For pur-  
11 poses of subparagraph (A), the term ‘alien spe-  
12 cies’, with respect to a particular ecosystem,  
13 means any species (including the seeds, eggs,  
14 spores, or other biological material of the spe-  
15 cies that are capable of propagating the species)  
16 that is not native to the affected ecosystem.

17          “(5) MANAGE; MANAGEMENT.—The terms  
18 ‘manage’ and ‘management’, with respect to an  
19 invasive species, mean the active implementation of  
20 any activity—

21           “(A) to reduce or stop the spread of the  
22 invasive species; and

23           “(B) to inhibit further infestations of the  
24 invasive species, the spread of the invasive spe-  
25 cies, or harm caused by the invasive species, in-

1 cluding investigations regarding methods for  
2 early detection and rapid response, prevention,  
3 control, or management of the invasive species.

4 “(6) PREVENT.—The term ‘prevent’, with re-  
5 spect to an invasive species, means—

6 “(A) to hinder the introduction of the  
7 invasive species onto land or water; or

8 “(B) to impede the spread of the invasive  
9 species within land or water by inspecting,  
10 intercepting, or confiscating invasive species  
11 threats prior to the establishment of the  
12 invasive species onto land or water of an eligible  
13 State.

14 “(7) SECRETARY CONCERNED.—The term ‘Sec-  
15 retary concerned’ means—

16 “(A) the Secretary of the Army, with re-  
17 spect to Federal land administered by the  
18 Corps of Engineers;

19 “(B) the Secretary of the Interior, with re-  
20 spect to Federal land administered by the Sec-  
21 retary of the Interior through—

22 “(i) the United States Fish and Wild-  
23 life Service;

24 “(ii) the Bureau of Indian Affairs;

1 “(iii) the Bureau of Land Manage-  
2 ment;

3 “(iv) the Bureau of Reclamation; or

4 “(v) the National Park Service;

5 “(C) the Secretary of Agriculture, with re-  
6 spect to Federal land administered by the Sec-  
7 retary of Agriculture through the Forest Serv-  
8 ice; and

9 “(D) the head or a representative of any  
10 other Federal agency the duties of whom re-  
11 quire planning relating to, and the treatment  
12 of, invasive species for the purpose of protecting  
13 water and wildlife on land and coasts and in  
14 oceans and water.

15 “(8) SPECIES.—The term ‘species’ means a  
16 group of organisms, all of which—

17 “(A) have a high degree of genetic simi-  
18 larity;

19 “(B) are morphologically distinct;

20 “(C) generally—

21 “(i) interbreed at maturity only  
22 among themselves; and

23 “(ii) produce fertile offspring; and

24 “(D) show persistent differences from  
25 members of allied groups of organisms.

1       “(b) CONTROL AND MANAGEMENT.—Each Secretary  
 2 concerned shall plan and carry out activities on land di-  
 3 rectly managed by the Secretary concerned to protect  
 4 water and wildlife by controlling and managing invasive  
 5 species—

6               “(1) to inhibit or reduce the populations of  
 7 invasive species; and

8               “(2) to effectuate restoration or reclamation ef-  
 9 forts.

10       “(c) STRATEGIC PLAN.—

11               “(1) IN GENERAL.—Each Secretary concerned  
 12 shall develop a strategic plan for the implementation  
 13 of the invasive species program to achieve, to the  
 14 maximum extent practicable, a substantive annual  
 15 net reduction of invasive species populations or in-  
 16 fested acreage on land or water managed by the Sec-  
 17 retary concerned.

18               “(2) COORDINATION.—Each strategic plan  
 19 under paragraph (1) shall be developed—

20                       “(A) in coordination with affected—

21                               “(i) eligible States; and

22                               “(ii) political subdivisions of eligible  
 23 States;

24                       “(B) in consultation with federally recog-  
 25 nized Indian tribes; and

1                   “(C) in accordance with the priorities es-  
 2                   tablished by 1 or more Governors of the eligible  
 3                   States in which an ecosystem affected by an  
 4                   invasive species is located.

5                   “(3) FACTORS FOR CONSIDERATION.—In devel-  
 6                   oping a strategic plan under this subsection, the  
 7                   Secretary concerned shall take into consideration the  
 8                   economic and ecological costs of action or inaction,  
 9                   as applicable.

10                  “(d) COST-EFFECTIVE METHODS.—In selecting a  
 11                  method to be used to control or manage an invasive species  
 12                  as part of a specific control or management project con-  
 13                  ducted as part of a strategic plan developed under sub-  
 14                  section (c), the Secretary concerned shall prioritize the use  
 15                  of methods that—

16                  “(1) effectively control and manage invasive  
 17                  species, as determined by the Secretary concerned,  
 18                  based on sound scientific data;

19                  “(2) minimize environmental impacts; and

20                  “(3) control and manage invasive species in the  
 21                  most cost-effective manner.

22                  “(e) COMPARATIVE ECONOMIC ASSESSMENT.—To  
 23                  achieve compliance with subsection (d), the Secretary con-  
 24                  cerned shall require a comparative economic assessment



1 of invasive species control and management methods to  
2 be conducted.

3 “(f) EXPEDITED ACTION.—

4 “(1) IN GENERAL.—The Secretaries concerned  
5 shall use all tools and flexibilities available (as of the  
6 date of enactment of this section) to expedite the  
7 projects and activities described in paragraph (2).

8 “(2) DESCRIPTION OF PROJECTS AND ACTIVITIES.—A project or activity referred to in paragraph  
9 (1) is a project or activity—  
10

11 “(A) to protect water or wildlife from an  
12 invasive species that, as determined by the Sec-  
13 retary concerned is, or will be, carried out on  
14 land or water that is—

15 “(i) directly managed by the Secretary  
16 concerned; and

17 “(ii) located in an area that is—

18 “(I) at high risk for the introduc-  
19 tion, establishment, or spread of  
20 invasive species; and

21 “(II) determined by the Sec-  
22 retary concerned to require immediate  
23 action to address the risk identified in  
24 subclause (I); and

1                   “(B) carried out in accordance with appli-  
2                   cable agency procedures, including any applica-  
3                   ble—

4                   “(i) land or resource management  
5                   plan; or

6                   “(ii) land use plan.

7           “(g) ALLOCATION OF FUNDING.—Of the amount ap-  
8           propriated or otherwise made available to each Secretary  
9           concerned for a fiscal year for programs that address or  
10          include protection of land or water from an invasive spe-  
11          cies, the Secretary concerned shall use not less than 75  
12          percent for on-the-ground control and management of  
13          invasive species, which may include—

14                  “(1) the purchase of necessary products, equip-  
15                  ment, or services to conduct that control and man-  
16                  agement;

17                  “(2) the use of integrated pest management op-  
18                  tions, including options that use pesticides author-  
19                  ized for sale, distribution, or use under the Federal  
20                  Insecticide, Fungicide, and Rodenticide Act (7  
21                  U.S.C. 136 et seq.);

22                  “(3) the use of biological control agents that  
23                  are proven to be effective to reduce invasive species  
24                  populations;

1           “(4) the use of revegetation or cultural restora-  
2           tion methods designed to improve the diversity and  
3           richness of ecosystems;

4           “(5) the use of monitoring and detection activi-  
5           ties for invasive species, including equipment, detec-  
6           tion dogs, and mechanical devices;

7           “(6) the use of appropriate methods to remove  
8           invasive species from a vehicle or vessel capable of  
9           conveyance; or

10          “(7) the use of other effective mechanical or  
11          manual control methods.

12          “(h) INVESTIGATIONS, OUTREACH, AND PUBLIC  
13          AWARENESS.—Of the amount appropriated or otherwise  
14          made available to each Secretary concerned for a fiscal  
15          year for programs that address or include protection of  
16          land or water from an invasive species, the Secretary con-  
17          cerned may use not more than 15 percent for investiga-  
18          tions, development activities, and outreach and public  
19          awareness efforts to address invasive species control and  
20          management needs.

21          “(i) ADMINISTRATIVE COSTS.—Of the amount appro-  
22          priated or otherwise made available to each Secretary con-  
23          cerned for a fiscal year for programs that address or in-  
24          clude protection of land or water from an invasive species,  
25          not more than 10 percent may be used for administrative

1 costs incurred to carry out those programs, including costs  
 2 relating to oversight and management of the programs,  
 3 recordkeeping, and implementation of the strategic plan  
 4 developed under subsection (c).

5 “(j) REPORTING REQUIREMENTS.—Not later than 60  
 6 days after the end of the second fiscal year beginning after  
 7 the date of enactment of this section, each Secretary con-  
 8 cerned shall submit to Congress a report—

9 “(1) describing the use by the Secretary con-  
 10 cerned during the 2 preceding fiscal years of funds  
 11 for programs that address or include invasive species  
 12 management; and

13 “(2) specifying the percentage of funds ex-  
 14 pended for each of the purposes specified in sub-  
 15 sections (g), (h), and (i).

16 “(k) RELATION TO OTHER AUTHORITY.—

17 “(1) OTHER INVASIVE SPECIES CONTROL, PRE-  
 18 VENTION, AND MANAGEMENT AUTHORITIES.—Noth-  
 19 ing in this section precludes the Secretary concerned  
 20 from pursuing or supporting, pursuant to any other  
 21 provision of law, any activity regarding the control,  
 22 prevention, or management of an invasive species,  
 23 including investigations to improve the control, pre-  
 24 vention, or management of the invasive species.

1           “(2) PUBLIC WATER SUPPLY SYSTEMS.—Noth-  
2           ing in this section authorizes the Secretary con-  
3           cerned to suspend any water delivery or diversion, or  
4           otherwise to prevent the operation of a public water  
5           supply system, as a measure to control, manage, or  
6           prevent the introduction or spread of an invasive  
7           species.

8           “(1) USE OF PARTNERSHIPS.—Subject to the sub-  
9           sections (m) and (n), the Secretary concerned may enter  
10          into any contract or cooperative agreement with another  
11          Federal agency, an eligible State, a federally recognized  
12          Indian tribe, a political subdivision of an eligible State,  
13          or a private individual or entity to assist with the control  
14          and management of an invasive species.

15          “(m) MEMORANDUM OF UNDERSTANDING.—

16                 “(1) IN GENERAL.—As a condition of a con-  
17                 tract or cooperative agreement under subsection (l),  
18                 the Secretary concerned and the applicable Federal  
19                 agency, eligible State, political subdivision of an eli-  
20                 gible State, or private individual or entity shall enter  
21                 into a memorandum of understanding that de-  
22                 scribes—

23                         “(A) the nature of the partnership between  
24                         the parties to the memorandum of under-  
25                         standing; and

1           “(B) the control and management activi-  
2           ties to be conducted under the contract or coop-  
3           erative agreement.

4           “(2) CONTENTS.—A memorandum of under-  
5           standing under this subsection shall contain, at a  
6           minimum, the following:

7           “(A) A prioritized listing of each invasive  
8           species to be controlled or managed.

9           “(B) An assessment of the total acres of  
10          land or area of water infested by the invasive  
11          species.

12          “(C) An estimate of the expected total  
13          acres of land or area of water infested by the  
14          invasive species after control and management  
15          of the invasive species is attempted.

16          “(D) A description of each specific, inte-  
17          grated pest management option to be used, in-  
18          cluding a comparative economic assessment to  
19          determine the least-costly method.

20          “(E) Any map, boundary, or Global Posi-  
21          tioning System coordinates needed to clearly  
22          identify the area in which each control or man-  
23          agement activity is proposed to be conducted.

1           “(F) A written assurance that each part-  
2           ner will comply with section 15 of the Federal  
3           Noxious Weed Act of 1974 (7 U.S.C. 2814).

4           “(3) COORDINATION.—If a partner to a con-  
5           tract or cooperative agreement under subsection (l)  
6           is an eligible State, political subdivision of an eligible  
7           State, or private individual or entity, the memo-  
8           randum of understanding under this subsection shall  
9           include a description of—

10           “(A) the means by which each applicable  
11           control or management effort will be coordi-  
12           nated; and

13           “(B) the expected outcomes of managing  
14           and controlling the invasive species.

15           “(4) PUBLIC OUTREACH AND AWARENESS EF-  
16           FORTS.—If a contract or cooperative agreement  
17           under subsection (l) involves any outreach or public  
18           awareness effort, the memorandum of understanding  
19           under this subsection shall include a list of goals and  
20           objectives for each outreach or public awareness ef-  
21           fort that have been determined to be efficient to in-  
22           form national, regional, State, Tribal, or local audi-  
23           ences regarding invasive species control and manage-  
24           ment.

1       “(n) INVESTIGATIONS.—The purpose of any invasive  
2 species-related investigation carried out under a contract  
3 or cooperative agreement under subsection (l) shall be—

4               “(1) to develop solutions and specific rec-  
5 ommendations for control and management of  
6 invasive species; and

7               “(2) specifically to provide faster implementa-  
8 tion of control and management methods.

9       “(o) COORDINATION WITH AFFECTED LOCAL GOV-  
10 ERNMENTS.—Each project and activity carried out pursu-  
11 ant to this section shall be coordinated with affected local  
12 governments in a manner that is consistent with section  
13 202(c)(9) of the Federal Land Policy and Management  
14 Act of 1976 (43 U.S.C. 1712(c)(9)).”.

15       (c) WILDLIFE CONSERVATION.—

16               (1) REAUTHORIZATIONS.—

17                       (A) REAUTHORIZATION OF AFRICAN ELE-  
18 PHANT CONSERVATION ACT.—Section 2306(a)  
19 of the African Elephant Conservation Act (16  
20 U.S.C. 4245(a)) is amended by striking “2007  
21 through 2012” and inserting “2019 through  
22 2023”.

23                       (B) REAUTHORIZATION OF ASIAN ELE-  
24 PHANT CONSERVATION ACT OF 1997.—Section  
25 8(a) of the Asian Elephant Conservation Act of



1           1997 (16 U.S.C. 4266(a)) is amended by strik-  
 2           ing “2007 through 2012” and inserting “2019  
 3           through 2023”.

4           (C) REAUTHORIZATION OF RHINOCEROS  
 5           AND TIGER CONSERVATION ACT OF 1994.—Sec-  
 6           tion 10(a) of the Rhinoceros and Tiger Con-  
 7           servation Act of 1994 (16 U.S.C. 5306(a)) is  
 8           amended by striking “2007 through 2012” and  
 9           inserting “2019 through 2023”.

10          (2) AMENDMENTS TO GREAT APE CONSERVA-  
 11         TION ACT OF 2000.—

12           (A) PANEL.—Section 4(i) of the Great Ape  
 13           Conservation Act of 2000 (16 U.S.C. 6303(i))  
 14           is amended—

15                   (i) by striking paragraph (1) and in-  
 16                   serting the following:

17           “(1) CONVENTION.—Not later than 1 year after  
 18           the date of enactment of the Wildlife Innovation and  
 19           Longevity Driver Act, and every 5 years thereafter,  
 20           the Secretary may convene a panel of experts on  
 21           great apes to identify the greatest needs and prior-  
 22           ities for the conservation of great apes.”;

23                   (ii) by redesignating paragraph (2) as  
 24                   paragraph (5); and

1 (iii) by inserting after paragraph (1)  
2 the following:

3 “(2) COMPOSITION.—The Secretary shall en-  
4 sure that the panel referred to in paragraph (1) in-  
5 cludes, to the maximum extent practicable, 1 or  
6 more representatives—

7 “(A) from each country that comprises the  
8 natural range of great apes; and

9 “(B) with expertise in great ape conserva-  
10 tion.

11 “(3) CONSERVATION PLANS.—In identifying the  
12 conservation needs and priorities under paragraph  
13 (1), the panel referred to in that paragraph shall  
14 consider any relevant great ape conservation plan or  
15 strategy, including scientific research and findings  
16 relating to—

17 “(A) the conservation needs and priorities  
18 of great apes;

19 “(B) any regional or species-specific action  
20 plan or strategy;

21 “(C) any applicable strategy developed or  
22 initiated by the Secretary; and

23 “(D) any other applicable conservation  
24 plan or strategy.

1           “(4) FUNDS.—Subject to the availability of ap-  
 2           propriations, the Secretary may use amounts avail-  
 3           able to the Secretary to pay for the costs of con-  
 4           vening and facilitating any meeting of the panel re-  
 5           ferred to in paragraph (1).”.

6           (B) MULTIYEAR GRANTS.—Section 4 of  
 7           the Great Ape Conservation Act of 2000 (16  
 8           U.S.C. 6303) is amended by adding at the end  
 9           the following:

10          “(j) MULTIYEAR GRANTS.—

11           “(1) AUTHORIZATION.—The Secretary may  
 12           award to a person who is otherwise eligible for a  
 13           grant under this section a multiyear grant to carry  
 14           out a project that the person demonstrates is an ef-  
 15           fective, long-term conservation strategy for great  
 16           apes and the habitat of great apes.

17           “(2) EFFECT OF SUBSECTION.—Nothing in this  
 18           subsection precludes the Secretary from awarding a  
 19           grant on an annual basis.”.

20           (C) ADMINISTRATIVE EXPENSES.—Section  
 21           5(b)(2) of the Great Ape Conservation Act of  
 22           2000 (16 U.S.C. 6304(b)(2)) is amended by  
 23           striking “\$100,000” and inserting “\$150,000”.

24           (D) AUTHORIZATION OF APPROPRIA-  
 25           TIONS.—Section 6 of the Great Ape Conserva-

1           tion Act of 2000 (16 U.S.C. 6305) is amended  
2           by striking “2006 through 2010” and inserting  
3           “2019 through 2023”.

4           (3) AMENDMENTS TO MARINE TURTLE CON-  
5           SERVATION ACT OF 2004.—

6           (A) PURPOSE.—Section 2 of the Marine  
7           Turtle Conservation Act of 2004 (16 U.S.C.  
8           6601) is amended by striking subsection (b)  
9           and inserting the following:

10          “(b) PURPOSE.—The purpose of this Act is to assist  
11          in the conservation of marine turtles, freshwater turtles,  
12          and tortoises and the habitats of marine turtles, fresh-  
13          water turtles, and tortoises in foreign countries and terri-  
14          tories of the United States by supporting and providing  
15          financial resources for projects—

16               “(1) to conserve marine turtle, freshwater tur-  
17          tle, and tortoise habitats under the jurisdiction of  
18          United States Fish and Wildlife Service programs;

19               “(2) to conserve marine turtles, freshwater tur-  
20          tles, and tortoises in those habitats; and

21               “(3) to address other threats to the survival of  
22          marine turtles, freshwater turtles, and tortoises, in-  
23          cluding habitat loss, poaching of turtles or their  
24          eggs, and wildlife trafficking.”.

1 (B) DEFINITIONS.—Section 3 of the Ma-  
2 rine Turtle Conservation Act of 2004 (16  
3 U.S.C. 6602) is amended—

4 (i) in paragraph (2)—

5 (I) in the matter preceding sub-  
6 paragraph (A), by striking “nesting  
7 habitats of marine turtles in foreign  
8 countries and of marine turtles in  
9 those habitats” and inserting “marine  
10 turtles, freshwater turtles, and tor-  
11 toises, and the habitats of marine tur-  
12 tles, freshwater turtles, and tortoises,  
13 in foreign countries and territories of  
14 the United States under the jurisdic-  
15 tion of United States Fish and Wild-  
16 life Service programs”;

17 (II) in subparagraphs (A), (B),  
18 and (C), by striking “nesting” each  
19 place it appears;

20 (III) in subparagraph (D)—

21 (aa) in the matter preceding  
22 clause (i), by striking “countries  
23 to—” and inserting “countries—  
24 ”;

25 (bb) in clause (i)—

1 (AA) by inserting “to”  
 2 before “protect”; and  
 3 (BB) by striking “nest-  
 4 ing” each place it appears;  
 5 and  
 6 (cc) in clause (ii), by insert-  
 7 ing “to” before “prevent”;  
 8 (IV) in subparagraph (E)(i), by  
 9 striking “turtles on nesting habitat”  
 10 and inserting “turtles, freshwater tur-  
 11 tles, and tortoises”;  
 12 (V) in subparagraph (F), by  
 13 striking “turtles over habitat used by  
 14 marine turtles for nesting” and insert-  
 15 ing “turtles, freshwater turtles, and  
 16 tortoises over habitats used by marine  
 17 turtles, freshwater turtles, and tor-  
 18 toises”; and  
 19 (VI) in subparagraph (H), by  
 20 striking “nesting” each place it ap-  
 21 pears;  
 22 (ii) by redesignating paragraphs (3),  
 23 (4), (5), and (6) as paragraphs (4), (6),  
 24 (7), and (8), respectively;

1 (iii) by inserting before paragraph (4)  
 2 (as so redesignated) the following:

3 “(3) FRESHWATER TURTLE.—

4 “(A) IN GENERAL.—The term ‘freshwater  
 5 turtle’ means any member of the family  
 6 Carettochelyidae, Chelidae, Chelydridae,  
 7 Dermatemydidae, Emydidae, Geoemydidae,  
 8 Kinosternidae, Pelomedusidae, Platysternidae,  
 9 Podocnemididae, or Trionychidae.

10 “(B) INCLUSIONS.—The term ‘freshwater  
 11 turtle’ includes—

12 “(i) any part, product, egg, or off-  
 13 spring of a turtle described in subpara-  
 14 graph (A); and

15 “(ii) a carcass of such a turtle.”;

16 (iv) by inserting after paragraph (4)  
 17 (as so redesignated) the following:

18 “(5) HABITAT.—The term ‘habitat’ means any  
 19 marine turtle, freshwater turtle, or tortoise habitat  
 20 (including a nesting habitat) that is under the juris-  
 21 diction of United States Fish and Wildlife Service  
 22 programs.”; and

23 (v) by inserting after paragraph (8)  
 24 (as so redesignated) the following:

1 “(9) TERRITORY OF THE UNITED STATES.—

2 The term ‘territory of the United States’ means—

3 “(A) American Samoa;

4 “(B) the Commonwealth of the Northern  
5 Mariana Islands;

6 “(C) the Commonwealth of Puerto Rico;

7 “(D) Guam;

8 “(E) the United States Virgin Islands; and

9 “(F) any other territory or possession of  
10 the United States.

11 “(10) TORTOISE.—

12 “(A) IN GENERAL.—The term ‘tortoise’  
13 means any member of the family Testudinidae.

14 “(B) INCLUSIONS.—The term ‘tortoise’ in-  
15 cludes—

16 “(i) any part, product, egg, or off-  
17 spring of a tortoise described in subpara-  
18 graph (A); and

19 “(ii) a carcass of such a tortoise.”.

20 (C) CONSERVATION ASSISTANCE.—Section  
21 4 of the Marine Turtle Conservation Act of  
22 2004 (16 U.S.C. 6603) is amended—

23 (i) in the section heading, by striking

24 “**MARINE TURTLE**”;



1 (ii) in subsection (a), by inserting “,  
2 freshwater turtles, or tortoises” after “ma-  
3 rine turtles”;

4 (iii) in subsection (b)(1)—

5 (I) in the matter preceding sub-  
6 paragraph (A), by inserting “, fresh-  
7 water turtles, or tortoises” after “ma-  
8 rine turtles”;

9 (II) by striking subparagraph (A)

10 and inserting the following:

11 “(A) any wildlife management authority of  
12 a foreign country or territory of the United  
13 States that has within its boundaries marine  
14 turtle, freshwater turtle, or tortoise habitat, if  
15 the activities of the authority directly or indi-  
16 rectly affect marine turtle, freshwater turtle, or  
17 tortoise conservation; or”; and

18 (III) in subparagraph (B), by in-  
19 serting “, freshwater turtles, or tor-  
20 toises” after “marine turtles”;

21 (iv) in subsection (c)(2), in each of  
22 subparagraphs (A) and (C), by inserting  
23 “and territory of the United States” after  
24 “each country”;

1 (v) by striking subsection (d) and in-  
 2 serting the following:

3 “(d) CRITERIA FOR APPROVAL.—The Secretary may  
 4 approve a project proposal under this section if the Sec-  
 5 retary determines that the project will help to restore, re-  
 6 cover, and sustain a viable population of marine turtles,  
 7 freshwater turtles, or tortoises in the wild by assisting ef-  
 8 forts in a foreign country or territory of the United States  
 9 to implement a marine turtle, freshwater turtle, or tortoise  
 10 conservation program.”; and

11 (vi) in subsection (e), by striking  
 12 “marine turtles and their nesting habitats”  
 13 and inserting “marine turtles, freshwater  
 14 turtles, or tortoises and the habitats of  
 15 marine turtles, freshwater turtles, or tor-  
 16 toises”.

17 (D) MARINE TURTLE CONSERVATION  
 18 FUND.—Section 5 of the Marine Turtle Con-  
 19 servation Act of 2004 (16 U.S.C. 6604) is  
 20 amended—

21 (i) in subsection (a)(2), by striking  
 22 “section 6” and inserting “section 7(a)”;  
 23 and

1 (ii) in subsection (b)(2), by striking  
 2 “3 percent, or up to \$80,000” and insert-  
 3 ing “5 percent, or up to \$150,000”.

4 (E) ADVISORY GROUP.—Section 6(a) of  
 5 the Marine Turtle Conservation Act of 2004  
 6 (16 U.S.C. 6605(a)) is amended by inserting “,  
 7 freshwater turtles, or tortoises” after “marine  
 8 turtles”.

9 (F) AUTHORIZATION OF APPROPRIA-  
 10 TIONS.—Section 7 of the Marine Turtle Con-  
 11 servation Act of 2004 (16 U.S.C. 6606) is  
 12 amended to read as follows:

13 **“SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

14 “(a) IN GENERAL.—There is authorized to be appro-  
 15 priated to the Fund \$5,000,000 for each of fiscal years  
 16 2020 through 2024.

17 “(b) ALLOCATION.—Of the amounts made available  
 18 for each fiscal year pursuant to subsection (a)—

19 “(1) not less than \$1,510,000 shall be used by  
 20 the Secretary for marine turtle conservation pur-  
 21 poses in accordance with this Act; and

22 “(2) of the amounts in excess of the amount de-  
 23 scribed in paragraph (1), not less than 40 percent  
 24 shall be used by the Secretary for freshwater turtle

1 and tortoise conservation purposes in accordance  
 2 with this Act.”.

3 (d) PRIZE COMPETITIONS.—

4 (1) DEFINITIONS.—In this subsection:

5 (A) NON-FEDERAL FUNDS.—The term  
 6 “non-Federal funds” means funds provided  
 7 by—

8 (i) a State;

9 (ii) a territory of the United States;

10 (iii) 1 or more units of local or tribal  
 11 government;

12 (iv) a private for-profit entity;

13 (v) a nonprofit organization; or

14 (vi) a private individual.

15 (B) SECRETARY.—The term “Secretary”  
 16 means the Secretary, acting through the Direc-  
 17 tor of the United States Fish and Wildlife Serv-  
 18 ice.

19 (C) WILDLIFE.—The term “wildlife” has  
 20 the meaning given the term in section 8 of the  
 21 Fish and Wildlife Coordination Act (16 U.S.C.  
 22 666b).

23 (2) THEODORE ROOSEVELT GENIUS PRIZE FOR  
 24 PREVENTION OF WILDLIFE POACHING AND TRAF-  
 25 FICKING.—

1 (A) DEFINITIONS.—In this paragraph:

2 (i) BOARD.—The term “Board”  
3 means the Prevention of Wildlife Poaching  
4 and Trafficking Technology Advisory  
5 Board established by subparagraph (C)(i).

6 (ii) PRIZE COMPETITION.—The term  
7 “prize competition” means the Theodore  
8 Roosevelt Genius Prize for the prevention  
9 of wildlife poaching and trafficking estab-  
10 lished under subparagraph (B).

11 (B) AUTHORITY.—Not later than 180 days  
12 after the date of enactment of this Act, the Sec-  
13 retary shall establish under section 24 of the  
14 Stevenson-Wydler Technology Innovation Act of  
15 1980 (15 U.S.C. 3719) a prize competition, to  
16 be known as the “Theodore Roosevelt Genius  
17 Prize for the prevention of wildlife poaching  
18 and trafficking”—

19 (i) to encourage technological innova-  
20 tion with the potential to advance the mis-  
21 sion of the United States Fish and Wildlife  
22 Service with respect to the prevention of  
23 wildlife poaching and trafficking; and

1 (ii) to award 1 or more prizes annu-  
 2 ally for a technological advancement that  
 3 prevents wildlife poaching and trafficking.

4 (C) ADVISORY BOARD.—

5 (i) ESTABLISHMENT.—There is estab-  
 6 lished an advisory board, to be known as  
 7 the “Prevention of Wildlife Poaching and  
 8 Trafficking Technology Advisory Board”.

9 (ii) COMPOSITION.—The Board shall  
 10 be composed of not fewer than 9 members  
 11 appointed by the Secretary, who shall pro-  
 12 vide expertise in—

13 (I) wildlife trafficking and trade;

14 (II) wildlife conservation and  
 15 management;

16 (III) biology;

17 (IV) technology development;

18 (V) engineering;

19 (VI) economics;

20 (VII) business development and  
 21 management; and

22 (VIII) any other discipline, as the  
 23 Secretary determines to be necessary  
 24 to achieve the purposes of this para-  
 25 graph.

1 (iii) DUTIES.—Subject to clause (iv),  
2 with respect to the prize competition, the  
3 Board shall—

4 (I) select a topic;

5 (II) issue a problem statement;

6 (III) advise the Secretary regard-  
7 ing any opportunity for technological  
8 innovation to prevent wildlife poaching  
9 and trafficking; and

10 (IV) advise winners of the prize  
11 competition regarding opportunities to  
12 pilot and implement winning tech-  
13 nologies in relevant fields, including in  
14 partnership with conservation organi-  
15 zations, Federal or State agencies,  
16 federally recognized Indian tribes, pri-  
17 vate entities, and research institutions  
18 with expertise or interest relating to  
19 the prevention of wildlife poaching  
20 and trafficking.

21 (iv) CONSULTATION.—In selecting a  
22 topic and issuing a problem statement for  
23 the prize competition under subclauses (I)  
24 and (II) of clause (iii), respectively, the

Board shall consult widely with Federal  
and non-Federal stakeholders, including—

(I) 1 or more Federal agencies  
with jurisdiction over the prevention  
of wildlife poaching and trafficking;

(II) 1 or more State agencies  
with jurisdiction over the prevention  
of wildlife poaching and trafficking;

(III) 1 or more State, regional,  
or local wildlife organizations, the  
mission of which relates to the preven-  
tion of wildlife poaching and traf-  
ficking; and

(IV) 1 or more wildlife conserva-  
tion groups, technology companies, re-  
search institutions, institutions of  
higher education, industry associa-  
tions, or individual stakeholders with  
an interest in the prevention of wild-  
life poaching and trafficking.

(v) REQUIREMENTS.—The Board  
shall comply with all requirements under  
paragraph (7)(A).

(D) AGREEMENT WITH NATIONAL FISH  
AND WILDLIFE FOUNDATION.—



1 (i) IN GENERAL.—The Secretary shall  
 2 offer to enter into an agreement under  
 3 which the National Fish and Wildlife  
 4 Foundation shall administer the prize com-  
 5 petition.

6 (ii) REQUIREMENTS.—An agreement  
 7 entered into under clause (i) shall comply  
 8 with all requirements under paragraph  
 9 (7)(B).

10 (E) JUDGES.—

11 (i) APPOINTMENT.—The Secretary  
 12 shall appoint not fewer than 3 judges who  
 13 shall, except as provided in clause (ii), se-  
 14 lect the 1 or more annual winners of the  
 15 prize competition.

16 (ii) DETERMINATION BY SEC-  
 17 RETARY.—The judges appointed under  
 18 clause (i) shall not select any annual win-  
 19 ner of the prize competition if the Sec-  
 20 retary makes a determination that, in any  
 21 fiscal year, none of the technological ad-  
 22 vancements entered into the prize competi-  
 23 tion merits an award.

24 (F) REPORT TO CONGRESS.—Not later  
 25 than 60 days after the date on which a cash

1 prize is awarded under this paragraph, the Sec-  
2 retary shall submit to the Committee on Envi-  
3 ronment and Public Works of the Senate and  
4 the Committee on Natural Resources of the  
5 House of Representatives a report on the prize  
6 competition that includes—

7 (i) a statement by the Board that de-  
8 scribes the activities carried out by the  
9 Board relating to the duties described in  
10 subparagraph (C)(iii);

11 (ii) if the Secretary has entered into  
12 an agreement under subparagraph (D)(i),  
13 a statement by the National Fish and  
14 Wildlife Foundation that describes the ac-  
15 tivities carried out by the National Fish  
16 and Wildlife Foundation relating to the du-  
17 ties described in paragraph (7)(B); and

18 (iii) a statement by 1 or more of the  
19 judges appointed under subparagraph (E)  
20 that explains the basis on which the winner  
21 of the cash prize was selected.

22 (G) TERMINATION OF AUTHORITY.—The  
23 Board and all authority provided under this  
24 paragraph shall terminate on December 31,  
25 2023.

(3) THEODORE ROOSEVELT GENIUS PRIZE FOR  
PROMOTION OF WILDLIFE CONSERVATION.—

(A) DEFINITIONS.—In this paragraph:

(i) BOARD.—The term “Board” means the Promotion of Wildlife Conservation Technology Advisory Board established by subparagraph (C)(i).

(ii) PRIZE COMPETITION.—The term “prize competition” means the Theodore Roosevelt Genius Prize for the promotion of wildlife conservation established under subparagraph (B).

(B) AUTHORITY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish under section 24 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719) a prize competition, to be known as the “Theodore Roosevelt Genius Prize for the promotion of wildlife conservation”—

(i) to encourage technological innovation with the potential to advance the mission of the United States Fish and Wildlife Service with respect to the promotion of wildlife conservation; and

1 (ii) to award 1 or more prizes annu-  
2 ally for a technological advancement that  
3 promotes wildlife conservation.

4 (C) ADVISORY BOARD.—

5 (i) ESTABLISHMENT.—There is estab-  
6 lished an advisory board, to be known as  
7 the “Promotion of Wildlife Conservation  
8 Technology Advisory Board”.

9 (ii) COMPOSITION.—The Board shall  
10 be composed of not fewer than 9 members  
11 appointed by the Secretary, who shall pro-  
12 vide expertise in—

13 (I) wildlife conservation and  
14 management;

15 (II) biology;

16 (III) technology development;

17 (IV) engineering;

18 (V) economics;

19 (VI) business development and  
20 management; and

21 (VII) any other discipline, as the  
22 Secretary determines to be necessary  
23 to achieve the purposes of this para-  
24 graph.

1 (iii) DUTIES.—Subject to clause (iv),  
2 with respect to the prize competition, the  
3 Board shall—

4 (I) select a topic;

5 (II) issue a problem statement;

6 (III) advise the Secretary regard-  
7 ing any opportunity for technological  
8 innovation to promote wildlife con-  
9 servation; and

10 (IV) advise winners of the prize  
11 competition regarding opportunities to  
12 pilot and implement winning tech-  
13 nologies in relevant fields, including in  
14 partnership with conservation organi-  
15 zations, Federal or State agencies,  
16 federally recognized Indian tribes, pri-  
17 vate entities, and research institutions  
18 with expertise or interest relating to  
19 the promotion of wildlife conservation.

20 (iv) CONSULTATION.—In selecting a  
21 topic and issuing a problem statement for  
22 the prize competition under subclauses (I)  
23 and (II) of clause (iii), respectively, the  
24 Board shall consult widely with Federal  
25 and non-Federal stakeholders, including—

1 (I) 1 or more Federal agencies  
 2 with jurisdiction over the promotion of  
 3 wildlife conservation;

4 (II) 1 or more State agencies  
 5 with jurisdiction over the promotion of  
 6 wildlife conservation;

7 (III) 1 or more State, regional,  
 8 or local wildlife organizations, the  
 9 mission of which relates to the pro-  
 10 motion of wildlife conservation; and

11 (IV) 1 or more wildlife conserva-  
 12 tion groups, technology companies, re-  
 13 search institutions, institutions of  
 14 higher education, industry associa-  
 15 tions, or individual stakeholders with  
 16 an interest in the promotion of wild-  
 17 life conservation.

18 (v) REQUIREMENTS.—The Board  
 19 shall comply with all requirements under  
 20 paragraph (7)(A).

21 (D) AGREEMENT WITH NATIONAL FISH  
 22 AND WILDLIFE FOUNDATION.—

23 (i) IN GENERAL.—The Secretary shall  
 24 offer to enter into an agreement under  
 25 which the National Fish and Wildlife

1 Foundation shall administer the prize com-  
2 petition.

3 (ii) REQUIREMENTS.—An agreement  
4 entered into under clause (i) shall comply  
5 with all requirements under paragraph  
6 (7)(B).

7 (E) JUDGES.—

8 (i) APPOINTMENT.—The Secretary  
9 shall appoint not fewer than 3 judges who  
10 shall, except as provided in clause (ii), se-  
11 lect the 1 or more annual winners of the  
12 prize competition.

13 (ii) DETERMINATION BY SEC-  
14 RETARY.—The judges appointed under  
15 clause (i) shall not select any annual win-  
16 ner of the prize competition if the Sec-  
17 retary makes a determination that, in any  
18 fiscal year, none of the technological ad-  
19 vancements entered into the prize competi-  
20 tion merits an award.

21 (F) REPORT TO CONGRESS.—Not later  
22 than 60 days after the date on which a cash  
23 prize is awarded under this paragraph, the Sec-  
24 retary shall submit to the Committee on Envi-  
25 ronment and Public Works of the Senate and

the Committee on Natural Resources of the House of Representatives a report on the prize competition that includes—

(i) a statement by the Board that describes the activities carried out by the Board relating to the duties described in subparagraph (C)(iii);

(ii) if the Secretary has entered into an agreement under subparagraph (D)(i), a statement by the National Fish and Wildlife Foundation that describes the activities carried out by the National Fish and Wildlife Foundation relating to the duties described in paragraph (7)(B); and

(iii) a statement by 1 or more of the judges appointed under subparagraph (E) that explains the basis on which the winner of the cash prize was selected.

(G) TERMINATION OF AUTHORITY.—The Board and all authority provided under this paragraph shall terminate on December 31, 2023.

(4) THEODORE ROOSEVELT GENIUS PRIZE FOR MANAGEMENT OF INVASIVE SPECIES.—

(A) DEFINITIONS.—In this paragraph:



1 (i) BOARD.—The term “Board”  
2 means the Management of Invasive Species  
3 Technology Advisory Board established by  
4 subparagraph (C)(i).

5 (ii) PRIZE COMPETITION.—The term  
6 “prize competition” means the Theodore  
7 Roosevelt Genius Prize for the manage-  
8 ment of invasive species established under  
9 subparagraph (B).

10 (B) AUTHORITY.—Not later than 180 days  
11 after the date of enactment of this Act, the Sec-  
12 retary shall establish under section 24 of the  
13 Stevenson-Wydler Technology Innovation Act of  
14 1980 (15 U.S.C. 3719) a prize competition, to  
15 be known as the “Theodore Roosevelt Genius  
16 Prize for the management of invasive spe-  
17 cies”—

18 (i) to encourage technological innova-  
19 tion with the potential to advance the mis-  
20 sion of the United States Fish and Wildlife  
21 Service with respect to the management of  
22 invasive species; and

23 (ii) to award 1 or more prizes annu-  
24 ally for a technological advancement that  
25 manages invasive species.

1 (C) ADVISORY BOARD.—

2 (i) ESTABLISHMENT.—There is estab-  
 3 lished an advisory board, to be known as  
 4 the “Management of Invasive Species  
 5 Technology Advisory Board”.

6 (ii) COMPOSITION.—The Board shall  
 7 be composed of not fewer than 9 members  
 8 appointed by the Secretary, who shall pro-  
 9 vide expertise in—

10 (I) invasive species;

11 (II) biology;

12 (III) technology development;

13 (IV) engineering;

14 (V) economics;

15 (VI) business development and  
 16 management; and

17 (VII) any other discipline, as the  
 18 Secretary determines to be necessary  
 19 to achieve the purposes of this para-  
 20 graph.

21 (iii) DUTIES.—Subject to clause (iv),  
 22 with respect to the prize competition, the  
 23 Board shall—

24 (I) select a topic;

25 (II) issue a problem statement;

1 (III) advise the Secretary regard-  
 2 ing any opportunity for technological  
 3 innovation to manage invasive species;  
 4 and

5 (IV) advise winners of the prize  
 6 competition regarding opportunities to  
 7 pilot and implement winning tech-  
 8 nologies in relevant fields, including in  
 9 partnership with conservation organi-  
 10 zations, Federal or State agencies,  
 11 federally recognized Indian tribes, pri-  
 12 vate entities, and research institutions  
 13 with expertise or interest relating to  
 14 the management of invasive species.

15 (iv) CONSULTATION.—In selecting a  
 16 topic and issuing a problem statement for  
 17 the prize competition under subclauses (I)  
 18 and (II) of clause (iii), respectively, the  
 19 Board shall consult widely with Federal  
 20 and non-Federal stakeholders, including—

21 (I) 1 or more Federal agencies  
 22 with jurisdiction over the management  
 23 of invasive species;

1 (II) 1 or more State agencies  
2 with jurisdiction over the management  
3 of invasive species;

4 (III) 1 or more State, regional,  
5 or local wildlife organizations, the  
6 mission of which relates to the man-  
7 agement of invasive species; and

8 (IV) 1 or more wildlife conserva-  
9 tion groups, technology companies, re-  
10 search institutions, institutions of  
11 higher education, industry associa-  
12 tions, or individual stakeholders with  
13 an interest in the management of  
14 invasive species.

15 (v) REQUIREMENTS.—The Board  
16 shall comply with all requirements under  
17 paragraph (7)(A).

18 (D) AGREEMENT WITH NATIONAL FISH  
19 AND WILDLIFE FOUNDATION.—

20 (i) IN GENERAL.—The Secretary shall  
21 offer to enter into an agreement under  
22 which the National Fish and Wildlife  
23 Foundation shall administer the prize com-  
24 petition.

1                   (ii) REQUIREMENTS.—An agreement  
2 entered into under clause (i) shall comply  
3 with all requirements under paragraph  
4 (7)(B).

5                   (E) JUDGES.—

6                   (i) APPOINTMENT.—The Secretary  
7 shall appoint not fewer than 3 judges who  
8 shall, except as provided in clause (ii), se-  
9 lect the 1 or more annual winners of the  
10 prize competition.

11                   (ii) DETERMINATION BY SEC-  
12 RETARY.—The judges appointed under  
13 clause (i) shall not select any annual win-  
14 ner of the prize competition if the Sec-  
15 retary makes a determination that, in any  
16 fiscal year, none of the technological ad-  
17 vancements entered into the prize competi-  
18 tion merits an award.

19                   (F) REPORT TO CONGRESS.—Not later  
20 than 60 days after the date on which a cash  
21 prize is awarded under this paragraph, the Sec-  
22 retary shall submit to the Committee on Envi-  
23 ronment and Public Works of the Senate and  
24 the Committee on Natural Resources of the

House of Representatives a report on the prize competition that includes—

(i) a statement by the Board that describes the activities carried out by the Board relating to the duties described in subparagraph (C)(iii);

(ii) if the Secretary has entered into an agreement under subparagraph (D)(i), a statement by the National Fish and Wildlife Foundation that describes the activities carried out by the National Fish and Wildlife Foundation relating to the duties described in paragraph (7)(B); and

(iii) a statement by 1 or more of the judges appointed under subparagraph (E) that explains the basis on which the winner of the cash prize was selected.

(G) TERMINATION OF AUTHORITY.—The Board and all authority provided under this paragraph shall terminate on December 31, 2023.

(5) THEODORE ROOSEVELT GENIUS PRIZE FOR PROTECTION OF ENDANGERED SPECIES.—

(A) DEFINITIONS.—In this paragraph:

1 (i) BOARD.—The term “Board”  
 2 means the Protection of Endangered Spe-  
 3 cies Technology Advisory Board estab-  
 4 lished by subparagraph (C)(i).

5 (ii) PRIZE COMPETITION.—The term  
 6 “prize competition” means the Theodore  
 7 Roosevelt Genius Prize for the protection  
 8 of endangered species established under  
 9 subparagraph (B).

10 (B) AUTHORITY.—Not later than 180 days  
 11 after the date of enactment of this Act, the Sec-  
 12 retary shall establish under section 24 of the  
 13 Stevenson-Wydler Technology Innovation Act of  
 14 1980 (15 U.S.C. 3719) a prize competition, to  
 15 be known as the “Theodore Roosevelt Genius  
 16 Prize for the protection of endangered spe-  
 17 cies”—

18 (i) to encourage technological innova-  
 19 tion with the potential to advance the mis-  
 20 sion of the United States Fish and Wildlife  
 21 Service with respect to the protection of  
 22 endangered species; and

23 (ii) to award 1 or more prizes annu-  
 24 ally for a technological advancement that  
 25 protects endangered species.

1 (C) ADVISORY BOARD.—

2 (i) ESTABLISHMENT.—There is estab-  
 3 lished an advisory board, to be known as  
 4 the “Protection of Endangered Species  
 5 Technology Advisory Board”.

6 (ii) COMPOSITION.—The Board shall  
 7 be composed of not fewer than 9 members  
 8 appointed by the Secretary, who shall pro-  
 9 vide expertise in—

- 10 (I) endangered species;
- 11 (II) biology;
- 12 (III) technology development;
- 13 (IV) engineering;
- 14 (V) economics;
- 15 (VI) business development and
- 16 management; and
- 17 (VII) any other discipline, as the
- 18 Secretary determines to be necessary
- 19 to achieve the purposes of this para-
- 20 graph.

21 (iii) DUTIES.—Subject to clause (iv),  
 22 with respect to the prize competition, the  
 23 Board shall—

- 24 (I) select a topic;
- 25 (II) issue a problem statement;



1 (III) advise the Secretary regard-  
 2 ing any opportunity for technological  
 3 innovation to protect endangered spe-  
 4 cies; and

5 (IV) advise winners of the prize  
 6 competition regarding opportunities to  
 7 pilot and implement winning tech-  
 8 nologies in relevant fields, including in  
 9 partnership with conservation organi-  
 10 zations, Federal or State agencies,  
 11 federally recognized Indian tribes, pri-  
 12 vate entities, and research institutions  
 13 with expertise or interest relating to  
 14 the protection of endangered species.

15 (iv) CONSULTATION.—In selecting a  
 16 topic and issuing a problem statement for  
 17 the prize competition under subclauses (I)  
 18 and (II) of clause (iii), respectively, the  
 19 Board shall consult widely with Federal  
 20 and non-Federal stakeholders, including—

21 (I) 1 or more Federal agencies  
 22 with jurisdiction over the protection of  
 23 endangered species;

1 (II) 1 or more State agencies  
 2 with jurisdiction over the protection of  
 3 endangered species;

4 (III) 1 or more State, regional,  
 5 or local wildlife organizations, the  
 6 mission of which relates to the protec-  
 7 tion of endangered species; and

8 (IV) 1 or more wildlife conserva-  
 9 tion groups, technology companies, re-  
 10 search institutions, institutions of  
 11 higher education, industry associa-  
 12 tions, or individual stakeholders with  
 13 an interest in the protection of endan-  
 14 gered species.

15 (v) REQUIREMENTS.—The Board  
 16 shall comply with all requirements under  
 17 paragraph (7)(A).

18 (D) AGREEMENT WITH NATIONAL FISH  
 19 AND WILDLIFE FOUNDATION.—

20 (i) IN GENERAL.—The Secretary shall  
 21 offer to enter into an agreement under  
 22 which the National Fish and Wildlife  
 23 Foundation shall administer the prize com-  
 24 petition.

1                   (ii) REQUIREMENTS.—An agreement  
 2 entered into under clause (i) shall comply  
 3 with all requirements under paragraph  
 4 (7)(B).

5                   (E) JUDGES.—

6                   (i) APPOINTMENT.—The Secretary  
 7 shall appoint not fewer than 3 judges who  
 8 shall, except as provided in clause (ii), se-  
 9 lect the 1 or more annual winners of the  
 10 prize competition.

11                   (ii) DETERMINATION BY SEC-  
 12 RETARY.—The judges appointed under  
 13 clause (i) shall not select any annual win-  
 14 ner of the prize competition if the Sec-  
 15 retary makes a determination that, in any  
 16 fiscal year, none of the technological ad-  
 17 vancements entered into the prize competi-  
 18 tion merits an award.

19                   (F) REPORT TO CONGRESS.—Not later  
 20 than 60 days after the date on which a cash  
 21 prize is awarded under this paragraph, the Sec-  
 22 retary shall submit to the Committee on Envi-  
 23 ronment and Public Works of the Senate and  
 24 the Committee on Natural Resources of the

House of Representatives a report on the prize competition that includes—

(i) a statement by the Board that describes the activities carried out by the Board relating to the duties described in subparagraph (C)(iii);

(ii) if the Secretary has entered into an agreement under subparagraph (D)(i), a statement by the National Fish and Wildlife Foundation that describes the activities carried out by the National Fish and Wildlife Foundation relating to the duties described in paragraph (7)(B); and

(iii) a statement by 1 or more of the judges appointed under subparagraph (E) that explains the basis on which the winner of the cash prize was selected.

(G) TERMINATION OF AUTHORITY.—The Board and all authority provided under this paragraph shall terminate on December 31, 2023.

(6) THEODORE ROOSEVELT GENIUS PRIZE FOR NONLETHAL MANAGEMENT OF HUMAN-WILDLIFE CONFLICTS.—

(A) DEFINITIONS.—In this paragraph:

1 (i) BOARD.—The term “Board”  
 2 means the Nonlethal Management of  
 3 Human-Wildlife Conflicts Technology Advi-  
 4 sory Board established by subparagraph  
 5 (C)(i).

6 (ii) PRIZE COMPETITION.—The term  
 7 “prize competition” means the Theodore  
 8 Roosevelt Genius Prize for the nonlethal  
 9 management of human-wildlife conflicts es-  
 10 tablished under subparagraph (B).

11 (B) AUTHORITY.—Not later than 180 days  
 12 after the date of enactment of this Act, the Sec-  
 13 retary shall establish under section 24 of the  
 14 Stevenson-Wydler Technology Innovation Act of  
 15 1980 (15 U.S.C. 3719) a prize competition, to  
 16 be known as the “Theodore Roosevelt Genius  
 17 Prize for the nonlethal management of human-  
 18 wildlife conflicts”—

19 (i) to encourage technological innova-  
 20 tion with the potential to advance the mis-  
 21 sion of the United States Fish and Wildlife  
 22 Service with respect to the nonlethal man-  
 23 agement of human-wildlife conflicts; and

24 (ii) to award 1 or more prizes annu-  
 25 ally for a technological advancement that

1 promotes the nonlethal management of  
2 human-wildlife conflicts.

3 (C) ADVISORY BOARD.—

4 (i) ESTABLISHMENT.—There is estab-  
5 lished an advisory board, to be known as  
6 the “Nonlethal Management of Human-  
7 Wildlife Conflicts Technology Advisory  
8 Board”.

9 (ii) COMPOSITION.—The Board shall  
10 be composed of not fewer than 9 members  
11 appointed by the Secretary, who shall pro-  
12 vide expertise in—

13 (I) nonlethal wildlife manage-  
14 ment;

15 (II) social aspects of human-wild-  
16 life conflict management;

17 (III) biology;

18 (IV) technology development;

19 (V) engineering;

20 (VI) economics;

21 (VII) business development and  
22 management; and

23 (VIII) any other discipline, as the  
24 Secretary determines to be necessary

1 to achieve the purposes of this para-  
2 graph.

3 (iii) DUTIES.—Subject to clause (iv),  
4 with respect to the prize competition, the  
5 Board shall—

6 (I) select a topic;

7 (II) issue a problem statement;

8 (III) advise the Secretary regard-  
9 ing any opportunity for technological  
10 innovation to promote the nonlethal  
11 management of human-wildlife con-  
12 flicts; and

13 (IV) advise winners of the prize  
14 competition regarding opportunities to  
15 pilot and implement winning tech-  
16 nologies in relevant fields, including in  
17 partnership with conservation organi-  
18 zations, Federal or State agencies,  
19 federally recognized Indian tribes, pri-  
20 vate entities, and research institutions  
21 with expertise or interest relating to  
22 the nonlethal management of human-  
23 wildlife conflicts.

24 (iv) CONSULTATION.—In selecting a  
25 topic and issuing a problem statement for

1 the prize competition under subclauses (I)  
2 and (II) of subparagraph (C), respectively,  
3 the Board shall consult widely with Fed-  
4 eral and non-Federal stakeholders, includ-  
5 ing—

6 (I) 1 or more Federal agencies  
7 with jurisdiction over the management  
8 of native wildlife species at risk due to  
9 conflict with human activities;

10 (II) 1 or more State agencies  
11 with jurisdiction over the management  
12 of native wildlife species at risk due to  
13 conflict with human activities;

14 (III) 1 or more State, regional,  
15 or local wildlife organizations, the  
16 mission of which relates to the man-  
17 agement of native wildlife species at  
18 risk due to conflict with human activi-  
19 ties; and

20 (IV) 1 or more wildlife conserva-  
21 tion groups, technology companies, re-  
22 search institutions, institutions of  
23 higher education, industry associa-  
24 tions, or individual stakeholders with  
25 an interest in the management of na-



1                   tive wildlife species at risk due to con-  
2                   flict with human activities.

3                   (v) REQUIREMENTS.—The Board  
4                   shall comply with all requirements under  
5                   paragraph (7)(A).

6                   (D) AGREEMENT WITH NATIONAL FISH  
7                   AND WILDLIFE FOUNDATION.—

8                   (i) IN GENERAL.—The Secretary shall  
9                   offer to enter into an agreement under  
10                  which the National Fish and Wildlife  
11                  Foundation shall administer the prize com-  
12                  petition.

13                  (ii) REQUIREMENTS.—An agreement  
14                  entered into under clause (i) shall comply  
15                  with all requirements under paragraph  
16                  (7)(B).

17                  (E) JUDGES.—

18                  (i) APPOINTMENT.—The Secretary  
19                  shall appoint not fewer than 3 judges who  
20                  shall, except as provided in clause (ii), se-  
21                  lect the 1 or more annual winners of the  
22                  prize competition.

23                  (ii) DETERMINATION BY SEC-  
24                  RETARY.—The judges appointed under  
25                  clause (i) shall not select any annual win-

ner of the prize competition if the Secretary makes a determination that, in any fiscal year, none of the technological advancements entered into the prize competition merits an award.

(F) REPORT TO CONGRESS.—Not later than 60 days after the date on which a cash prize is awarded under this paragraph, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Natural Resources of the House of Representatives a report on the prize competition that includes—

(i) a statement by the Board that describes the activities carried out by the Board relating to the duties described in subparagraph (C)(iii);

(ii) if the Secretary has entered into an agreement under subparagraph (D)(i), a statement by the National Fish and Wildlife Foundation that describes the activities carried out by the National Fish and Wildlife Foundation relating to the duties described in paragraph (7)(B); and

1 (iii) a statement by 1 or more of the  
 2 judges appointed under subparagraph (E)  
 3 that explains the basis on which the winner  
 4 of the cash prize was selected.

5 (G) TERMINATION OF AUTHORITY.—The  
 6 Board and all authority provided under this  
 7 paragraph shall terminate on December 31,  
 8 2023.

9 (7) ADMINISTRATION OF PRIZE COMPETI-  
 10 TIONS.—

11 (A) ADDITIONAL REQUIREMENTS FOR AD-  
 12 VISORY BOARDS.—An advisory board estab-  
 13 lished under paragraph (2)(C)(i), (3)(C)(i),  
 14 (4)(C)(i), (5)(C)(i), or (6)(C)(i) (referred to in  
 15 this paragraph as a “Board”) shall comply with  
 16 the following requirements:

17 (i) TERM; VACANCIES.—

18 (I) TERM.—A member of the  
 19 Board shall serve for a term of 5  
 20 years.

21 (II) VACANCIES.—A vacancy on  
 22 the Board—

23 (aa) shall not affect the  
 24 powers of the Board; and

1 (bb) shall be filled in the  
 2 same manner as the original ap-  
 3 pointment was made.

4 (ii) INITIAL MEETING.—Not later  
 5 than 30 days after the date on which all  
 6 members of the Board have been ap-  
 7 pointed, the Board shall hold the initial  
 8 meeting of the Board.

9 (iii) MEETINGS.—

10 (I) IN GENERAL.—The Board  
 11 shall meet at the call of the Chair-  
 12 person.

13 (II) REMOTE PARTICIPATION.—

14 (aa) IN GENERAL.—Any  
 15 member of the Board may par-  
 16 ticipate in a meeting of the  
 17 Board through the use of—

18 (AA) teleconferencing;

19 or

20 (BB) any other remote  
 21 business telecommunications  
 22 method that allows each  
 23 participating member to si-  
 24 multaneously hear each

1 other participating member  
2 during the meeting.

3 (bb) PRESENCE.—A member  
4 of the Board who participates in  
5 a meeting remotely under item  
6 (aa) shall be considered to be  
7 present at the meeting.

8 (iv) QUORUM.—A majority of the  
9 members of the Board shall constitute a  
10 quorum, but a lesser number of members  
11 may hold a meeting.

12 (v) CHAIRPERSON AND VICE CHAIR-  
13 PERSON.—The Board shall select a Chair-  
14 person and Vice Chairperson from among  
15 the members of the Board.

16 (vi) ADMINISTRATIVE COST REDUC-  
17 TION.—The Board shall, to the maximum  
18 extent practicable, minimize the adminis-  
19 trative costs of the Board, including by en-  
20 couraging the remote participation de-  
21 scribed in clause (iii)(II)(aa) to reduce  
22 travel costs.

23 (B) AGREEMENTS WITH NATIONAL FISH  
24 AND WILDLIFE FOUNDATION.—Any agreement  
25 entered into under paragraph (2)(D)(i),

1           (3)(D)(i), (4)(D)(i), (5)(D)(i), or (6)(D)(i) shall  
2           comply with the following requirements:

3                   (i) DUTIES.—An agreement shall pro-  
4                   vide that the National Fish and Wildlife  
5                   Foundation shall—

6                           (I) advertise the prize competi-  
7                           tion;

8                           (II) solicit prize competition par-  
9                           ticipants;

10                          (III) administer funds relating to  
11                          the prize competition;

12                          (IV) receive Federal funds—

13                                  (aa) to administer the prize  
14                                  competition; and

15                                  (bb) to award a cash prize;

16                          (V) carry out activities to gen-  
17                          erate contributions of non-Federal  
18                          funds to offset, in whole or in part—

19                                  (aa) the administrative costs  
20                                  of the prize competition; and

21                                  (bb) the costs of a cash  
22                                  prize;

23                          (VI) in consultation with, and  
24                          subject to final approval by, the Sec-

1           retary, develop criteria for the selec-  
2           tion of prize competition winners;

3                   (VII) provide advice and con-  
4           sultation to the Secretary on the se-  
5           lection of judges under paragraphs  
6           (2)(E), (3)(E), (4)(E), (5)(E), and  
7           (6)(E) based on criteria developed in  
8           consultation with, and subject to the  
9           final approval of, the Secretary;

10                   (VIII) announce 1 or more an-  
11           nual winners of the prize competition;

12                   (IX) subject to clause (ii), award  
13           1 cash prize annually; and

14                   (X) protect against unauthorized  
15           use or disclosure by the National Fish  
16           and Wildlife Foundation of any trade  
17           secret or confidential business infor-  
18           mation of a prize competition partici-  
19           pant.

20                   (ii) ADDITIONAL CASH PRIZES.—An  
21           agreement shall provide that the National  
22           Fish and Wildlife Foundation may award  
23           more than 1 cash prize annually if the ini-  
24           tial cash prize referred to in clause (i)(IX)

1 and any additional cash prize are awarded  
2 using only non-Federal funds.

3 (iii) SOLICITATION OF FUNDS.—An  
4 agreement shall provide that the National  
5 Fish and Wildlife Foundation—

6 (I) may request and accept Fed-  
7 eral funds and non-Federal funds for  
8 a cash prize;

9 (II) may accept a contribution  
10 for a cash prize in exchange for the  
11 right to name the prize; and

12 (III) shall not give special consid-  
13 eration to any Federal agency or non-  
14 Federal entity in exchange for a dona-  
15 tion for a cash prize awarded under  
16 this subsection.

17 (C) AWARD AMOUNTS.—

18 (i) IN GENERAL.—The amount of the  
19 initial cash prize referred to in subpara-  
20 graph (B)(i)(IX) shall be \$100,000.

21 (ii) ADDITIONAL CASH PRIZES.—On  
22 notification by the National Fish and Wild-  
23 life Foundation that non-Federal funds are  
24 available for an additional cash prize, the



- 1 Secretary shall determine the amount of
- 2 the additional cash prize.

**Calendar No. 20**

116TH CONGRESS  
1ST Session

**S. 268**

**A BILL**

To reauthorize the Partners for Fish and Wildlife Program and certain wildlife conservation funds, to establish prize competitions relating to the prevention of wildlife poaching and trafficking, wildlife conservation, the management of invasive species, and the protection of endangered species, to amend the Marine Turtle Conservation Act of 2004 to modify the protections provided by that Act, and for other purposes.

FEBRUARY 5, 2019

Reported without amendment