

Calendar No. 544

115TH CONGRESS
2D SESSION

S. 1023

To reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2021, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 3, 2017

Mr. PORTMAN (for himself, Mr. BURR, Mr. WHITEHOUSE, Mr. UDALL, Mr. SCHATZ, Mr. BLUMENTHAL, Ms. DUCKWORTH, and Mr. MERKLEY) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

JULY 30, 2018

Reported by Mr. CORKER, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2021, 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; TABLE OF CONTENTS.**

4 (a) ~~SHORT TITLE.~~—This Act may be cited as the
5 “Tropical Forest Conservation Reauthorization Act of
6 2017”.

1 (b) TABLE OF CONTENTS.—The table of contents for
 2 this Act is as follows:

- See. 1: Short title; table of contents.
- See. 2: Amendment to short title of Act to encompass modified scope.
- See. 3: Protection of forests and coral reefs.
- See. 4: Change to name of facility.
- See. 5: Eligibility for benefits.
- See. 6: United States Government representation on oversight bodies for grants from debt-for-nature swaps and debt buybacks.
- See. 7: Conservation agreements.
- See. 8: Conservation Fund.
- See. 9: Repeal of authority of the Enterprise for the Americas Board to carry out activities under the Tropical Forest Conservation Authorization Act of 1998.
- See. 10: Changes to due dates of annual reports to Congress.
- See. 11: Changes to International Monetary Fund criterion for country eligibility.
- See. 12: New authorization of appropriations for the reduction of debt and authorization for audit, evaluation, monitoring, and administration expenses.

3 **SEC. 2. AMENDMENT TO SHORT TITLE OF ACT TO ENCOM-**
 4 **PASS MODIFIED SCOPE.**

5 (a) IN GENERAL.—Section 801 of the Tropical For-
 6 est Conservation Act of 1998 (Public Law 87–195; 22
 7 U.S.C. 2151 note) is amended by striking “Tropical For-
 8 est Conservation Act of 1998” and inserting “Tropical
 9 Forest Conservation Reauthorization Act of 2017”.

10 (b) REFERENCES.—Any reference in any other provi-
 11 sion of law, regulation, document, paper, or other record
 12 of the United States to the “Tropical Forest Conservation
 13 Act of 1998” shall be deemed to be a reference to the
 14 “Tropical Forest Conservation Reauthorization Act of
 15 2017”.

1 **SEC. 3. PROTECTION OF FORESTS AND CORAL REEFS.**

2 (a) **IN GENERAL.**—Section 802 of the Tropical For-
 3 est Conservation Reauthorization Act of 2017 (22 U.S.C.
 4 2431), as renamed by section 2(a), is amended—

5 (1) in subsections (a)(1), (a)(6), (b)(1), (b)(3),
 6 and (b)(4), by striking “tropical forests” each place
 7 it appears and inserting “tropical forests, non-trop-
 8 ical forests, and coral reef ecosystems”;

9 (2) in subsection (a)(2)(C), by striking “far-
 10 flung”;

11 (3) in subsection (a)(7), by striking “tropical
 12 forests is critical to the protection of tropical for-
 13 ests” and inserting “tropical forests, non-tropical
 14 forests, and coral reef ecosystems is critical to the
 15 protection of such areas”; and

16 (4) in subsection (b)(2)—

17 (A) by striking “tropical forests” the first
 18 place it appears and inserting “tropical forests,
 19 non-tropical forests, and coral ecosystems”;

20 (B) by striking “tropical forests” the sec-
 21 ond place it appears and inserting “areas”; and

22 (C) by striking “tropical forests” the third
 23 place it appears and inserting “tropical forests,
 24 non-tropical forests, and coral reef ecosystems”.

25 (b) **AMENDMENTS RELATED TO DEFINITIONS.**—Sec-
 26 tion 803 of such Act (22 U.S.C. 2431a) is amended—

1 (1) in paragraph (5)—

2 (A) in the heading, by striking “TROPICAL
3 FOREST” and inserting “TROPICAL FOREST,
4 NON-TROPICAL FOREST, OR CORAL REEF”;

5 (B) in the matter preceding subparagraph
6 (A), by striking “tropical forest” and inserting
7 “tropical forest, non-tropical forest, or coral
8 reef”; and

9 (C) in subparagraph (B)—

10 (i) by striking “tropical forest” and
11 inserting “tropical forest, non-tropical for-
12 est, or coral reef”; and

13 (ii) by striking “tropical forests” and
14 inserting “tropical forests, non-tropical for-
15 ests, or coral reefs”; and

16 (2) by adding at the end the following new
17 paragraphs:

18 “(10) CORAL.—The term ‘coral’ means species
19 of the phylum Cnidaria, including—

20 “(A) all species of the orders Antipatharia
21 (black corals), Scleractinia (stony corals),
22 Alcyonacea (soft corals), Gorgonacea (horny
23 corals), Stolonifera (organpipe corals and oth-
24 ers), and Coenothecalia (blue coral), of the class
25 Anthoza; and

1 “(B) all species of the order
2 Hydrocorallina (fire corals and hydrocorals) of
3 the class Hydrozoa.

4 “(11) CORAL REEF.—The term ‘coral reef’
5 means any reef or shoal composed primarily of coral.

6 “(12) CORAL REEF ECOSYSTEM.—The term
7 ‘coral reef ecosystem’ means any coral reef and any
8 coastal marine ecosystem surrounding, or directly re-
9 lated to, a coral reef and important to maintaining
10 the ecological integrity of that coral reef, such as
11 seagrasses, mangroves, sandy seabed communities,
12 and immediately adjacent coastal areas.”.

13 **SEC. 4. CHANGE TO NAME OF FACILITY.**

14 (a) IN GENERAL.—Section 804 of the Tropical For-
15 est Conservation Reauthorization Act of 2017 (22 U.S.C.
16 2431b), as renamed by section 2(a), is amended by strik-
17 ing “Tropical Forest Facility” and inserting “Conserva-
18 tion Facility”.

19 (b) CONFORMING AMENDMENTS TO DEFINITIONS.—
20 Section 803(8) of such Act (22 U.S.C. 2431a(8)) is
21 amended—

22 (1) in the heading, by striking “TROPICAL FOR-
23 EST FACILITY” and inserting “CONSERVATION FA-
24 CILITY”; and

(c) REFERENCES.—Any reference in any other provision of law, regulation, document, paper, or other record of the United States to the “Tropical Forest Facility” shall be deemed to be a reference to the “Conservation Facility”.

Section 805(a) of the Tropical Forest Conservation
Reauthorization Act of 2017 (22 U.S.C. 2431e(a)), as re-
named by section 2(a), is amended by striking “tropical
forest” and inserting “tropical forest, non-tropical forest,
or coral reef”.

15 **SEC. 6. UNITED STATES GOVERNMENT REPRESENTATION**
16 **ON OVERSIGHT BODIES FOR GRANTS FROM**
17 **DEBT-FOR-NATURE SWAPS AND DEBT**
18 **BUYBACKS.**

Section 808(a)(5) of the Tropical Forest Conservation Reauthorization Act of 2017 (22 U.S.C. 2431f(a)(5)), as renamed by section 2(a), is amended by adding at the end the following new subparagraph:

23 “(C) UNITED STATES GOVERNMENT REP-
24 RESENTATION ON THE ADMINISTERING
25 BODY.—One or more individuals appointed by

the United States Government may serve in an official capacity on the administering body that oversees the implementation of grants arising from a debt-for-nature swap or debt buyback regardless of whether the United States is a party to any agreement between the eligible purchaser and the government of the beneficiary country.”.

SEC. 7. CONSERVATION AGREEMENTS.

(a) **RENAMING OF AGREEMENTS.**—Section 809 of the Tropical Forest Conservation Reauthorization Act of 2017 (22 U.S.C. 2431g), as renamed by section 2(a), is amended—

(1) in the section heading, by striking “**TROPICAL FOREST AGREEMENT**” and inserting “**CONSERVATION AGREEMENT**”; and

(2) in subsection (a)—

(A) by striking “**AUTHORITY**” and all that follows through “(1) **IN GENERAL.**—The Secretary” and inserting “**AUTHORITY.**—The Secretary”; and

(B) by striking “Tropical Forest Agreement” and inserting “Conservation Agreement”.

1 (b) ~~ELIMINATION OF REQUIREMENT TO CONSULT~~
 2 ~~WITH THE ENTERPRISE FOR THE AMERICAS BOARD.—~~

3 ~~Such subsection is further amended by striking paragraph~~
 4 ~~(2).~~

5 (c) ~~ROLE OF BENEFICIARY COUNTRIES.—~~Such sec-
 6 ~~tion is further amended—~~

7 (1) in subsection (c)(1)(C), by striking “in ex-
 8 ceptional circumstances, the government of the bene-
 9 ficiary country” and inserting “in limited cir-
 10 cumstances, the government of the beneficiary coun-
 11 try when needed to improve governance and enhance
 12 management of tropical forests, non-tropical forests,
 13 or coral reef ecosystems, without replacing existing
 14 levels of financial efforts by the government of the
 15 beneficiary country and with priority given to
 16 projects that complement grants made under sub-
 17 paragraphs (A) and (B)”;

18 (2) by amending subsection (f) to read as fol-
 19 lows:

20 “(f) ~~REVIEW OF LARGER GRANTS.—~~Any grant of
 21 more than \$250,000 from a Fund must be approved by
 22 the Government of the United States and the government
 23 of the beneficiary country.”.

24 (d) ~~TECHNICAL AND CONFORMING AMENDMENTS.—~~
 25 ~~Such section is further amended—~~

1 (1) in subsection (c)(2)(A)(i), by inserting “to
2 serve in an official capacity” after “Government”;
3 and

4 (2) in subsection (d)—

5 (A) in the matter preceding paragraph (1),
6 by striking “tropical forests” and inserting
7 “tropical forests, non-tropical forests, and coral
8 reef ecosystems”;

9 (B) in paragraph (5), by striking “tropical
10 forest”; and

11 (C) in paragraph (6), by striking “living in
12 or near a tropical forest in a manner consistent
13 with protecting such tropical forest” and insert-
14 ing “dependent on a tropical forest, non-trop-
15 ical forest, or coral reef ecosystem and related
16 resources in a manner consistent with con-
17 serving such resources”.

18 (c) CONFORMING AMENDMENTS TO DEFINITIONS.—
19 Section 803(7) of such Act (22 U.S.C. 2431a(7)) is
20 amended—

21 (1) in the heading, by striking “TROPICAL FOR-
22 EST AGREEMENT” and inserting “CONSERVATION
23 AGREEMENT”; and

1 (2) by striking “Tropical Forest Agreement”
 2 both places it appears and inserting “Conservation
 3 Agreement”.

4 **SEC. 8. CONSERVATION FUND.**

5 (a) IN GENERAL.—Section 810 of the Tropical For-
 6 est Conservation Reauthorization Act of 2017 (22 U.S.C.
 7 2431h), as renamed by section 2(a), is amended—

8 (1) in the section heading, by striking “**TROP-**
 9 **ICAL FOREST FUND**” and inserting “**CONSERVA-**
 10 **TION FUND**”; and

11 (2) in subsection (a)—

12 (A) by striking “Tropical Forest Agree-
 13 ment” and inserting “Conservation Agree-
 14 ment”; and

15 (B) by striking “Tropical Forest Fund”
 16 and inserting “Conservation Fund”.

17 (b) CONFORMING AMENDMENTS TO DEFINITIONS.—
 18 Such Act is further amended—

19 (1) in section 803(9) (22 U.S.C. 2431a(9))—

20 (A) in the heading, by striking “**TROPICAL**
 21 **FOREST FUND**” and inserting “**CONSERVATION**
 22 **FUND**”; and

23 (B) by striking “Tropical Forest Fund”
 24 both places it appears and inserting “Conserva-
 25 tion Fund”;

1 ~~(2)~~ in section 806(c)(2) (22 U.S.C.
2 2431d(e)(2)), by striking “Tropical Forest Fund”
3 and inserting “Conservation Fund”; and

4 ~~(3)~~ in section 807(c)(2) (22 U.S.C.
5 2431e(e)(2)), by striking “Tropical Forest Fund”
6 and inserting “Conservation Fund”.

7 **SEC. 9. REPEAL OF AUTHORITY OF THE ENTERPRISE FOR**
8 **THE AMERICAS BOARD TO CARRY OUT AC-**
9 **TIVITIES UNDER THE TROPICAL FOREST**
10 **CONSERVATION AUTHORIZATION ACT OF**
11 **1998.**

12 (a) IN GENERAL.—Section 811 of the Tropical For-
13 est Conservation Reauthorization Act of 2017 (22 U.S.C.
14 2431i), as renamed by section 2(a), is repealed.

15 (b) CONFORMING AMENDMENTS.—Section 803 of
16 such Act (22 U.S.C. 2431a) is amended—

17 (1) by striking paragraph (4); and

18 (2) by redesignating paragraphs (5), (6), (7),
19 (8), and (9) as paragraphs (4), (5), (6), (7), and
20 (8), respectively.

21 **SEC. 10. CHANGES TO DUE DATES OF ANNUAL REPORTS TO**
22 **CONGRESS.**

23 Section 813 of the Tropical Forest Conservation Re-
24 authorization Act of 2017 (22 U.S.C. 2431k), as renamed
25 by section 2(a), is amended—

1 (1) in subsection (a)—

2 (A) by striking “(a) IN GENERAL.—Not
3 later than December 31” and inserting “Not
4 later than April 15”; and

5 (B) by striking “fiscal year” both places it
6 appears and inserting “calendar year”; and

7 (2) by striking subsection (b).

8 **SEC. 11. CHANGES TO INTERNATIONAL MONETARY FUND**
9 **CRITERION FOR COUNTRY ELIGIBILITY.**

10 Section 703(a)(5) of the Foreign Assistance Act of
11 1961 (22 U.S.C. 2430b(a)(5)) is amended—

12 (1) by striking “or, as appropriate in excep-
13 tional circumstances,” and inserting “or”;

14 (2) in subparagraph (A)—

15 (A) by striking “or in exceptional cir-
16 cumstances, a Fund monitored program or its
17 equivalent,” and inserting “or a Fund mon-
18 itored program, or is implementing sound mac-
19 roeconomic policies,”; and

20 (B) by striking “(after consultation with
21 the Enterprise for the Americas Board)”;

22 (3) in subparagraph (B), by striking “(after
23 consultation with the Enterprise for Americas
24 Board)”.

1 **SEC. 12. NEW AUTHORIZATION OF APPROPRIATIONS FOR**
 2 **THE REDUCTION OF DEBT AND AUTHORIZA-**
 3 **TION FOR AUDIT, EVALUATION, MONITORING,**
 4 **AND ADMINISTRATION EXPENSES.**

5 Section 806 of the Tropical Forest Conservation Re-
 6 authorization Act of 2017 (22 U.S.C. 2431d), as renamed
 7 by section 2(a), is amended—

8 (1) in subsection (d), by adding at the end the
 9 following new paragraphs:

10 “(7) \$20,000,000 for fiscal year 2018.

11 “(8) \$20,000,000 for fiscal year 2019.

12 “(9) \$20,000,000 for fiscal year 2020.

13 “(10) \$20,000,000 for fiscal year 2021.”; and

14 (2) by amending subsection (e) to read as fol-
 15 lows:

16 “(e) USE OF FUNDS TO CONDUCT PROGRAM AU-
 17 DITS, EVALUATIONS, MONITORING, AND ADMINISTRA-
 18 TION.—Of the amounts made available to carry out this
 19 part for a fiscal year, \$300,000 is authorized to be made
 20 available to carry out audits, evaluations, monitoring, and
 21 administration of programs under this part, including per-
 22 sonnel costs associated with such audits, evaluations, mon-
 23 itoring and administration.”.

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) *SHORT TITLE.*—*This Act may be cited as the*
 3 *“Tropical Forest Conservation Reauthorization Act of*
 4 *2018”.*

5 (b) *TABLE OF CONTENTS.*—*The table of contents for*
 6 *this Act is as follows:*

Sec. 1. Short title; table of contents.

Sec. 2. Amendment to short title of Act to encompass modified scope.

Sec. 3. Protection of tropical forests and coral reefs.

Sec. 4. Change to name of facility.

Sec. 5. Eligibility for benefits.

Sec. 6. Reduction of debt owed to the United States as a result of credits extended
under title I of Food for Peace Act.

Sec. 7. United States Government representation on oversight bodies for grants
from debt-for-nature swaps and debt buybacks.

Sec. 8. Conservation agreements.

Sec. 9. Conservation Fund.

Sec. 10. Changes to due dates of annual reports to Congress.

Sec. 11. New authorization of appropriations for the reduction of debt and au-
thorization for audit, evaluation, monitoring, and administra-
tion expenses.

7 **SEC. 2. AMENDMENT TO SHORT TITLE OF ACT TO ENCOM-**
 8 **PASS MODIFIED SCOPE.**

9 (a) *IN GENERAL.*—*Section 801 of the Tropical Forest*
 10 *Conservation Act of 1998 (part V of Public Law 87–195;*
 11 *22 U.S.C. 2151 note) is amended by striking “Tropical For-*
 12 *est Conservation Act of 1998” and inserting “Tropical For-*
 13 *est and Coral Reef Conservation Act of 1998”.*

14 (b) *REFERENCES.*—*Any reference in any other provi-*
 15 *sion of law, regulation, document, paper, or other record*
 16 *of the United States to the “Tropical Forest Conservation*
 17 *Act of 1998” shall be deemed to be a reference to the “Trop-*
 18 *ical Forest and Coral Reef Conservation Act of 1998”.*

1 **SEC. 3. PROTECTION OF TROPICAL FORESTS AND CORAL**
 2 **REEFS.**

3 (a) *IN GENERAL.*—Section 802 of the Tropical Forest
 4 and Coral Reef Conservation Act of 1998 (22 U.S.C. 2431),
 5 as renamed by section 2(a), is amended—

6 (1) in subsections (a)(1), (a)(6), (b)(1), (b)(3),
 7 and (b)(4), by striking “tropical forests” each place it
 8 appears and inserting “tropical forests and coral reef
 9 ecosystems”;

10 (2) in subsection (a)(2)(C), by striking “far-
 11 flung”;

12 (3) in subsection (a)(7), by striking “tropical
 13 forests is critical to the protection of tropical forests”
 14 and inserting “tropical forests and coral reef eco-
 15 systems is critical to the protection of such areas”;
 16 and

17 (4) in subsection (b)(2)—

18 (A) by striking “tropical forests” the first
 19 place it appears and inserting “tropical forests
 20 and coral ecosystems”;

21 (B) by striking “tropical forests” the second
 22 place it appears and inserting “areas”; and

23 (C) by striking “tropical forests” the third
 24 place it appears and inserting “tropical forests
 25 and coral reef ecosystems”.

1 (b) *AMENDMENTS RELATED TO DEFINITIONS.*—*Sec-*
 2 *tion 803 of such Act (22 U.S.C. 2431a) is amended—*

3 *(1) in paragraph (5)—*

4 *(A) in the heading, by striking “TROPICAL*
 5 *FOREST” and inserting “TROPICAL FOREST OR*
 6 *CORAL REEF”;*

7 *(B) in the matter preceding subparagraph*
 8 *(A), by striking “tropical forest” and inserting*
 9 *“tropical forest or coral reef”; and*

10 *(C) in subparagraph (B)—*

11 *(i) by striking “tropical forest” and*
 12 *inserting “tropical forest or coral reef”; and*

13 *(ii) by striking “tropical forests” and*
 14 *inserting “tropical forests or coral reefs”;*

15 *and*

16 *(2) by adding at the end the following new para-*
 17 *graphs:*

18 *“(10) CORAL.—The term ‘coral’ means species of*
 19 *the phylum Cnidaria, including—*

20 *“(A) all species of the orders Antipatharia*
 21 *(black corals), Scleractinia (stony corals),*
 22 *Alcyonacea (soft corals), Gorgonacea (horny cor-*
 23 *als), Stolonifera (organpipe corals and others),*
 24 *and Coenothecalia (blue coral), of the class*
 25 *Anthoza; and*

1 “(B) all species of the order *Hydrocorallina*
 2 (fire corals and hydrocorals) of the class
 3 *Hydrozoa*.

4 “(11) *CORAL REEF*.—The term ‘coral reef’ means
 5 any reef or shoal composed primarily of coral.

6 “(12) *CORAL REEF ECOSYSTEM*.—The term
 7 ‘coral reef ecosystem’ means any coral reef and any
 8 coastal marine ecosystem surrounding, or directly re-
 9 lated to, a coral reef and important to maintaining
 10 the ecological integrity of that coral reef, such as
 11 seagrasses, mangroves, sandy seabed communities,
 12 and immediately adjacent coastal areas.”.

13 **SEC. 4. CHANGE TO NAME OF FACILITY.**

14 (a) *IN GENERAL*.—Section 804 of the *Tropical Forest*
 15 and *Coral Reef Conservation Act of 1998* (22 U.S.C. 2431b),
 16 as renamed by section 2(a), is amended by striking “*Trop-*
 17 *ical Forest Facility*” and inserting “*Conservation Facil-*
 18 *ity*”.

19 (b) *CONFORMING AMENDMENTS TO DEFINITIONS*.—
 20 Section 803(8) of such Act (22 U.S.C. 2431a(8)) is amend-
 21 ed—

22 (1) in the heading, by striking “*TROPICAL FOR-*
 23 *EST FACILITY*” and inserting “*CONSERVATION FACIL-*
 24 *ITY*”; and

1 (2) by striking “Tropical Forest Facility” both
 2 places it appears and inserting “Conservation Facil-
 3 ity”.

4 (c) *REFERENCES*.—Any reference in any other provi-
 5 sion of law, regulation, document, paper, or other record
 6 of the United States to the “Tropical Forest Facility” shall
 7 be deemed to be a reference to the “Conservation Facility”.

8 **SEC. 5. ELIGIBILITY FOR BENEFITS.**

9 Section 805(a) of the Tropical Forest and Coral Reef
 10 Conservation Act of 1998 (22 U.S.C. 2431c(a)), as renamed
 11 by section 2(a), is amended—

12 (1) by striking “tropical forest” and inserting
 13 “tropical forest or coral reef”;

14 (2) by redesignating paragraph (2) as para-
 15 graph (7); and

16 (3) by striking paragraph (1) and inserting the
 17 following new paragraphs:

18 “(1) whose government is democratically elected;

19 “(2) whose government has not repeatedly pro-
 20 vided support for acts of international terrorism;

21 “(3) whose government is not failing to cooperate
 22 on international narcotics control matters;

23 “(4) whose government (including its military or
 24 other security forces) does not engage in a consistent

1 *pattern of gross violations of internationally recog-*
 2 *nized human rights;*

3 *“(5) that has in effect, has received approval for,*
 4 *or is making significant progress toward—*

5 *“(A) an International Monetary Fund*
 6 *standby arrangement, extended Fund arrange-*
 7 *ment, or an arrangement under the structural*
 8 *adjustment facility or enhanced structural ad-*
 9 *justment facility, or a Fund monitored program,*
 10 *or is implementing sound macroeconomic poli-*
 11 *cies, unless the President determines that such an*
 12 *arrangement or program could reasonably be ex-*
 13 *pected to have significant adverse social or envi-*
 14 *ronmental effect; and*

15 *“(B) as appropriate, structural or sectoral*
 16 *adjustment loans from the International Bank*
 17 *for Reconstruction and Development or the Inter-*
 18 *national Development Association, unless the*
 19 *President determines that the resulting adjust-*
 20 *ment requirements could reasonably be expected*
 21 *to have significant adverse social or environ-*
 22 *mental effects;*

23 *“(6) if appropriate, has agreed with its commer-*
 24 *cial bank lenders on a satisfactory financing pro-*

1 *gram, including, as appropriate, debt or debt service*
 2 *reduction; and”.*

3 **SEC. 6. REDUCTION OF DEBT OWED TO THE UNITED**
 4 **STATES AS A RESULT OF CREDITS EXTENDED**
 5 **UNDER TITLE I OF FOOD FOR PEACE ACT.**

6 *Section 807(a)(1) of the Tropical Forest and Coral*
 7 *Reef Conservation Act of 1998 (22 U.S.C. 2431e(a)(1)), as*
 8 *renamed by section 2(a), is amended by striking “out-*
 9 *standing as of January 1, 1998,” and inserting “out-*
 10 *standing as of the date of the enactment of the Tropical*
 11 *Forest Conservation Reauthorization Act of 2018”.*

12 **SEC. 7. UNITED STATES GOVERNMENT REPRESENTATION**
 13 **ON OVERSIGHT BODIES FOR GRANTS FROM**
 14 **DEBT-FOR-NATURE SWAPS AND DEBT**
 15 **BUYBACKS.**

16 *Section 808(a)(5) of the Tropical Forest and Coral*
 17 *Reef Conservation Act of 1998 (22 U.S.C. 2431f(a)(5)), as*
 18 *renamed by section 2(a), is amended by adding at the end*
 19 *the following new subparagraph:*

20 *“(C) UNITED STATES GOVERNMENT REP-*
 21 *RESENTATION ON THE ADMINISTERING BODY.—*

22 *One or more individuals appointed by the*
 23 *United States Government shall serve in an offi-*
 24 *cial capacity on the administering body that*
 25 *oversees the implementation of grants arising*

1 *from a debt-for-nature swap or debt buyback re-*
 2 *gardless of whether the United States is a party*
 3 *to any agreement between the eligible purchaser*
 4 *and the government of the beneficiary country.”.*

5 **SEC. 8. CONSERVATION AGREEMENTS.**

6 *(a) RENAMING OF AGREEMENTS.—Section 809 of the*
 7 *Tropical Forest and Coral Reef Conservation Act of 1998*
 8 *(22 U.S.C. 2431g), as renamed by section 2(a), is amend-*
 9 *ed—*

10 *(1) in the section heading, by striking “**TROP-***
 11 ***ICAL FOREST AGREEMENT**” and inserting “**CON-***
 12 ***SERVATION AGREEMENT**”; and*

13 *(2) in subsection (a)—*

14 *(A) by striking “AUTHORITY” and all that*
 15 *follows through “(1) IN GENERAL.—The Sec-*
 16 *retary” and inserting “AUTHORITY.—The Sec-*
 17 *retary”; and*

18 *(B) by striking “Tropical Forest Agree-*
 19 *ment” and inserting “Conservation Agreement”.*

20 *(b) ELIMINATION OF REQUIREMENT TO CONSULT*
 21 *WITH THE ENTERPRISE FOR THE AMERICAS BOARD.—*
 22 *Such subsection is further amended by striking paragraph*
 23 *(2).*

24 *(c) ROLE OF BENEFICIARY COUNTRIES.—Such section*
 25 *is further amended—*

1 (1) *in subsection (e)(1)(C), by striking “in excep-*
 2 *tional circumstances, the government of the bene-*
 3 *ficiary country” and inserting “in limited cir-*
 4 *cumstances, the government of the beneficiary country*
 5 *when needed to improve governance and enhance*
 6 *management of tropical forests or coral reef eco-*
 7 *systems, without replacing existing levels of financial*
 8 *efforts by the government of the beneficiary country*
 9 *and with priority given to projects that complement*
 10 *grants made under subparagraphs (A) and (B)”;* and

11 (2) *by amending subsection (f) to read as follows:*

12 “(f) *REVIEW OF LARGER GRANTS.—Any grant of more*
 13 *than \$250,000 from a Fund must be approved by the Gov-*
 14 *ernment of the United States and the government of the ben-*
 15 *eficiary country.”.*

16 (d) *TECHNICAL AND CONFORMING AMENDMENTS.—*
 17 *Such section is further amended—*

18 (1) *in subsection (c)(2)(A)(i), by inserting “to*
 19 *serve in an official capacity” after “Government”;*
 20 *and*

21 (2) *in subsection (d)—*

22 (A) *in the matter preceding paragraph (1),*
 23 *by striking “tropical forests” and inserting*
 24 *“tropical forests and coral reef ecosystems”;*

1 (B) in paragraph (5), by striking “tropical
2 forest”; and

3 (C) in paragraph (6), by striking “living in
4 or near a tropical forest in a manner consistent
5 with protecting such tropical forest” and insert-
6 ing “dependent on a tropical forest or coral reef
7 ecosystem and related resources in a manner
8 consistent with conserving such resources”.

9 (e) *CONFORMING AMENDMENTS TO DEFINITIONS.*—
10 Section 803(7) of such Act (22 U.S.C. 2431a(7)) is amend-
11 ed—

12 (1) in the heading, by striking “TROPICAL FOR-
13 EST AGREEMENT” and inserting “CONSERVATION
14 AGREEMENT”; and

15 (2) by striking “Tropical Forest Agreement” both
16 places it appears and inserting “Conservation Agree-
17 ment”.

18 **SEC. 9. CONSERVATION FUND.**

19 (a) *IN GENERAL.*—Section 810 of the Tropical Forest
20 and Coral Reef Conservation Act of 1998 (22 U.S.C.
21 2431h), as renamed by section 2(a), is amended—

22 (1) in the section heading, by striking “**TROP-**
23 **ICAL FOREST FUND**” and inserting “**CONSERVA-**
24 **TION FUND**”; and

25 (2) in subsection (a)—

1 (A) by striking “Tropical Forest Agree-
 2 ment” and inserting “Conservation Agreement”;
 3 and

4 (B) by striking “Tropical Forest Fund” and
 5 inserting “Conservation Fund”.

6 (b) *CONFORMING AMENDMENTS TO DEFINITIONS.*—
 7 *Such Act is further amended—*

8 (1) *in section 803(9) (22 U.S.C. 2431a(9))—*

9 (A) *in the heading, by striking “TROPICAL*
 10 *FOREST FUND” and inserting “CONSERVATION*
 11 *FUND”;* and

12 (B) *by striking “Tropical Forest Fund”*
 13 *both places it appears and inserting “Conserva-*
 14 *tion Fund”;*

15 (2) *in section 806(c)(2) (22 U.S.C. 2431d(c)(2)),*
 16 *by striking “Tropical Forest Fund” and inserting*
 17 *“Conservation Fund”;* and

18 (3) *in section 807(c)(2) (22 U.S.C. 2431e(c)(2)),*
 19 *by striking “Tropical Forest Fund” and inserting*
 20 *“Conservation Fund”.*

21 **SEC. 10. CHANGES TO DUE DATES OF ANNUAL REPORTS TO**
 22 **CONGRESS.**

23 *Section 813 of the Tropical Forest and Coral Reef Con-*
 24 *servation Act of 1998 (22 U.S.C. 2431k), as renamed by*
 25 *section 2(a), is amended—*

1 (1) in subsection (a)—

2 (A) by striking “(a) IN GENERAL.—Not
3 later than December 31” and inserting “Not
4 later than April 15”; and

5 (B) by striking “fiscal year” both places it
6 appears and inserting “calendar year”; and

7 (2) by striking subsection (b).

8 **SEC. 11. NEW AUTHORIZATION OF APPROPRIATIONS FOR**
9 **THE REDUCTION OF DEBT AND AUTHORIZA-**
10 **TION FOR AUDIT, EVALUATION, MONITORING,**
11 **AND ADMINISTRATION EXPENSES.**

12 Section 806 of the Tropical Forest and Coral Reef Con-
13 servation Act of 1998 (22 U.S.C. 2431d), as renamed by
14 section 2(a), is amended—

15 (1) in subsection (d), by adding at the end the
16 following new paragraphs:

17 “(7) \$20,000,000 for fiscal year 2019.

18 “(8) \$20,000,000 for fiscal year 2020.

19 “(9) \$20,000,000 for fiscal year 2021.

20 “(10) \$20,000,000 for fiscal year 2022.”; and

21 (2) by amending subsection (e) to read as fol-
22 lows:

23 “(e) USE OF FUNDS TO CONDUCT PROGRAM AUDITS,
24 EVALUATIONS, MONITORING, AND ADMINISTRATION.—Of
25 the amounts made available to carry out this part for a

1 *fiscal year, \$300,000 is authorized to be made available to*
2 *carry out audits, evaluations, monitoring, and administra-*
3 *tion of programs under this part, including personnel costs*
4 *associated with such audits, evaluations, monitoring and*
5 *administration.”.*

Calendar No. 544

115TH CONGRESS
2^D Session

S. 1023

A BILL

To reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2021, and for other purposes.

JULY 30, 2018

Reported with an amendment