

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 7408  
OFFERED BY MR. WESTERMAN OF ARKANSAS**

Strike all after the enacting clause and insert the following:

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

2 (a) SHORT TITLE.—This Act may be cited as the  
3 “America’s Wildlife Habitat Conservation Act”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Statement of purpose.
- Sec. 3. GAO study.

**TITLE I—WILDLIFE CONSERVATION AND RESTORATION**

- Sec. 101. Wildlife Conservation and Restoration Subaccount.
- Sec. 102. Technical amendments.
- Sec. 103. Savings clause.

**TITLE II—TRIBAL WILDLIFE CONSERVATION AND RESTORATION**

- Sec. 201. Indian Tribes.

**TITLE III—CONSERVATION AND MANAGEMENT FOR WILDLIFE  
REFUGES**

- Sec. 301. Definitions.
- Sec. 302. Good neighbor authority for United States Fish and Wildlife Service.
- Sec. 303. Stewardship end result contracting projects.
- Sec. 304. Technical amendments.

**TITLE IV—INCENTIVIZING WILDLIFE CONSERVATION ON  
PRIVATE LANDS**

- Sec. 401. Candidate Conservation Agreements with Assurances.
- Sec. 402. Designation of critical habitat.
- Sec. 403. Availability of certain information.

**TITLE V—FOREST INFORMATION REFORM**

Sec. 501. No additional consultation required.

TITLE VI—PROVIDING FOR GREATER INCENTIVES TO RECOVER LISTED SPECIES

Sec. 601. Protective regulations under Endangered Species Act of 1973.

TITLE VII—RESCISSIONS AND REPEALS

Sec. 701. Rescission of funds.

Sec. 702. Repeal of certain programs.

1 **SEC. 2. STATEMENT OF PURPOSE.**

2 The purpose of this Act is to extend financial and  
3 technical assistance to States, territories, the District of  
4 Columbia, and Indian Tribes, including under the Pitt-  
5 man-Robertson Wildlife Restoration Act (16 U.S.C. 669  
6 et seq.), for the purpose of restoring habitat on State,  
7 Tribal, Federal, and private lands—

8 (1) to recover species currently listed as threat-  
9 ened or endangered under the Endangered Species  
10 Act of 1973 (16 U.S.C. 1531 et seq.) or under State  
11 law; and

12 (2) to prevent the need to list species under the  
13 Endangered Species Act of 1973 (16 U.S.C. 1531 et  
14 seq.) or under State law.

15 **SEC. 3. GAO STUDY.**

16 Not later than 5 years after the date of enactment  
17 of this Act, the Comptroller General of the United States  
18 shall conduct a study to examine the progress of States,  
19 territories, the District of Columbia, and Indian Tribes to-  
20 ward achieving the purpose described in section 2.

1 **TITLE I—WILDLIFE CONSERVA-**  
2 **TION AND RESTORATION**

3 **SEC. 101. WILDLIFE CONSERVATION AND RESTORATION**  
4 **SUBACCOUNT.**

5 (a) IN GENERAL.—Section 3 of the Pittman-Robert-  
6 son Wildlife Restoration Act (16 U.S.C. 669b) is amend-  
7 ed—

8 (1) in subsection (a)—

9 (A) by striking “(1) An amount equal to”  
10 and inserting “An amount equal to”; and

11 (B) by striking paragraph (2); and

12 (2) subsection (c)—

13 (A) by redesignating paragraphs (2) and  
14 (3) as paragraphs (10) and (11); and

15 (B) by striking paragraph (1) and insert-  
16 ing the following:

17 “(1) DEFINITIONS.—In this subsection:

18 “(A) RESTORATION.—The term ‘restora-  
19 tion’ means the implementation of conservation  
20 actions and practices that reestablish or en-  
21 hance environmental conditions and ecosystem  
22 functions that benefit the diversity, resilience,  
23 health, and productivity of plants and animals.

24 “(B) REWILDING.—The term ‘rewilding’  
25 means a restoration approach that prohibits

1 human management activities and relies only on  
2 natural processes to maintain or improve habi-  
3 tat.

4 “(C) TERRITORY AND TERRITORIES.—The  
5 terms ‘territory’ and ‘territories’ mean the  
6 Commonwealth of Puerto Rico, Guam, Amer-  
7 ican Samoa, the Commonwealth of the North-  
8 ern Mariana Islands, and the United States  
9 Virgin Islands.

10 “(2) ESTABLISHMENT OF SUBACCOUNT.—

11 “(A) IN GENERAL.—There is established in  
12 the fund a subaccount to be known as the  
13 ‘Wildlife Habitat Conservation and Restoration  
14 Subaccount’.

15 “(B) AVAILABILITY.—Amounts in the Sub-  
16 account shall be available until expended, sub-  
17 ject to future appropriations, for apportionment  
18 in accordance with this Act.

19 “(C) DEPOSITS INTO SUBACCOUNT.—Sub-  
20 ject to the availability of appropriations made  
21 in advance for such purposes, the Secretary  
22 shall allocate not more than \$300,000,000 to  
23 the Subaccount for each of fiscal years 2025  
24 through 2029.

1           “(D) TREATMENT OF REVENUE.—Funds  
2           received by a State fish and wildlife department  
3           as a result of a wildlife conservation and res-  
4           toration program or project of such department  
5           that is carried out on Federal or State land and  
6           funded by the Subaccount shall be retained and  
7           used by such department to carry out additional  
8           authorized wildlife conservation and restoration  
9           programs or projects pursuant to the America’s  
10          Wildlife Habitat Conservation Act.

11          “(E) SUNSET.—No funds may be appro-  
12          priated to the Subaccount after fiscal year  
13          2029.

14          “(3) SUPPLEMENT NOT SUPPLANT.—Amounts  
15          transferred to the Subaccount shall supplement, but  
16          not replace, existing funds available to the States  
17          from—

18                 “(A) the funds distributed pursuant to the  
19                 Dingell-Johnson Sport Fish Restoration Act  
20                 (16 U.S.C. 777 et seq.); and

21                 “(B) the fund.

22          “(4) INNOVATION GRANTS.—

23                 “(A) IN GENERAL.—The Secretary shall  
24                 distribute 10 percent of amounts in the Sub-  
25                 account in each fiscal year through a competi-

1           tive grant program to State fish and wildlife de-  
2           partments, the District of Columbia fish and  
3           wildlife department, fish and wildlife depart-  
4           ments of territories, or to regional associations  
5           of fish and wildlife departments (or any group  
6           composed of more than 1 such entity).

7           “(B) PURPOSE.—Recipients of a grant  
8           issued under subparagraph (A) shall use such  
9           grant funds for the purpose of catalyzing inno-  
10          vation of techniques, tools, strategies, or col-  
11          laborative partnerships that accelerate, expand,  
12          or replicate effective and measurable recovery  
13          efforts for habitat of species of greatest con-  
14          servation need and species listed under the En-  
15          dangered Species Act of 1973 (16 U.S.C. 1531  
16          et seq.).

17          “(C) REVIEW COMMITTEE.—The Secretary  
18          shall appoint a review committee comprised  
19          of—

20                 “(i) 1 State Director from each re-  
21                 gional association of State fish and wildlife  
22                 departments;

23                 “(ii) the head of a department respon-  
24                 sible for fish and wildlife management in a  
25                 territory;

1           “(iii) 1 delegate from the United  
2 States Fish and Wildlife Service, for the  
3 purpose of providing technical assistance;

4           “(iv) 2 individuals who represent 2  
5 different nonprofit organizations, each of  
6 which participated in carrying out wildlife  
7 conservation and restoration activities  
8 using funds apportioned from the Sub-  
9 account during the 5-year period ending on  
10 the date of appointment of such individual;  
11 and

12           “(v) 2 individuals who represent 2 dif-  
13 ferent nonprofit hunting and fishing orga-  
14 nizations who are each a member of—

15           “(I) the Hunting and Wildlife  
16 Conservation Council of the Depart-  
17 ment of the Interior and Department  
18 of Agriculture and classified as rep-  
19 resenting a ‘wildlife & habitat con-  
20 servation/management organization’;  
21 or

22           “(II) the Sport Fishing and  
23 Boating Partnership Council of the  
24 Department of the Interior and classi-  
25 fied as representing a ‘recreational

1 fishery resource conservation organi-  
2 zation’.

3 “(D) SUPPORT FROM UNITED STATES FISH  
4 AND WILDLIFE SERVICE.—Using not more than  
5 3 percent of the amounts distributed under sub-  
6 paragraph (A) to carry out a competitive grant  
7 program, the United States Fish and Wildlife  
8 Service shall provide any personnel or adminis-  
9 trative support services necessary for such com-  
10 mittee to carry out its responsibilities under  
11 this Act.

12 “(E) EVALUATION.—Such committee shall  
13 evaluate each proposal submitted under this  
14 paragraph and recommend projects for funding,  
15 giving preference to solutions that accelerate  
16 the recovery of habitat for species identified as  
17 priorities through regional scientific assess-  
18 ments of species of greatest conservation need.

19 “(5) USE OF FUNDS.—

20 “(A) IN GENERAL.—Funds apportioned  
21 from the Subaccount under paragraph (2)(B)—

22 “(i) shall be used for purposes and  
23 practices consistent with section 2 of the  
24 America’s Wildlife Habitat Conservation  
25 Act;



1           “(ii) shall be used to develop, carry  
2 out, revise, or enhance the Wildlife Con-  
3 servation Strategy of a State, territory, or  
4 the District of Columbia, as required under  
5 section 4(e), by carrying out, revising, or  
6 enhancing existing wildlife conservation  
7 and restoration programs or strategies and  
8 developing and implementing new wildlife  
9 conservation and restoration programs or  
10 strategies, as determined by the appro-  
11 priate State fish and wildlife department;

12           “(iii) shall be used to assist in the res-  
13 toration of habitat for species found in the  
14 State, territory, or the District of Colum-  
15 bia that are listed as endangered species,  
16 threatened species, candidate species or  
17 species proposed for listing, or species peti-  
18 tioned for listing under the Endangered  
19 Species Act of 1973 (16 U.S.C. 1531 et  
20 seq.) or under State law;

21           “(iv) may be used for management of  
22 animals, including harvesting;

23           “(v) may be used for the conservation  
24 and restoration of habitat for species of  
25 greatest conservation need whose range is

1 shared with another State, territory, In-  
2 dian Tribe, or foreign government;

3 “(vi) may be used to manage, control,  
4 and prevent invasive species, disease, and  
5 other risks to the habitat of species of  
6 greatest conservation need;

7 “(vii) may be used for forest and  
8 vegetation management activities if a pri-  
9 mary purpose of such activity is to modify,  
10 improve, enhance, or create wildlife habitat  
11 or reduce the risk of damage or destruc-  
12 tion to wildlife habitat due to wildfires, in-  
13 sects, or disease, including—

14 “(I) planting, seeding, and har-  
15 vesting, including planting, seeding,  
16 and harvesting of native seeds;

17 “(II) mechanical thinning;

18 “(III) prescribed burning;

19 “(IV) chemical applications de-  
20 signed to restore natural range vari-  
21 ation including creating and maintain-  
22 ing early seral communities; and

23 “(V) prescribed haying and graz-  
24 ing practices;

1           “(viii) may be used to carry out vol-  
2           untary, collaborative conservation work  
3           with willing landowners consistent with  
4           section 2 of the America’s Wildlife Habitat  
5           Conservation Act to keep private lands  
6           working; and

7           “(ix) may be used to provide incen-  
8           tives to private landowners to carry out  
9           habitat conservation work for threatened  
10          and endangered species or species of great-  
11          est conservation need on the land owned by  
12          such private landowners and to provide fi-  
13          nancial assistance or technical assistance  
14          to such private landowners to carry out  
15          such work.

16          “(B) PROHIBITED USES.—Funds appor-  
17          tioned from the Subaccount may not be used  
18          for—

19                 “(i) rewilding;

20                 “(ii) the reintroduction or manage-  
21          ment of a species in a manner not sup-  
22          ported by the applicable State fish and  
23          wildlife management authorities; or

1                   “(iii) climate-focused decisions that  
2                   lack a connection to the State comprehen-  
3                   sive plan developed under section 4(e)(1).

4                   “(6) MINIMUM REQUIRED SPENDING FOR EN-  
5                   DANGERED SPECIES RECOVERY.—Not less than 15  
6                   percent of the total amount apportioned to a State,  
7                   territory, or the District of Columbia from the Sub-  
8                   account during the period of fiscal years 2025  
9                   through 2029 shall be used for purposes described  
10                  in paragraph (5)(A)(iii).

11                  “(7) PUBLIC ACCESS TO PRIVATE LANDS NOT  
12                  REQUIRED.—Appportionment of funds from the Sub-  
13                  account may not be conditioned upon the provision  
14                  of public access to private lands, waters, or holdings.

15                  “(8) REQUIREMENTS FOR MATCHING FUNDS.—

16                         “(A) IN GENERAL.—For the purposes of  
17                         the non-Federal fund matching requirement for  
18                         a wildlife conservation and restoration program  
19                         or project funded by the Subaccount, a State,  
20                         territory, or the District of Columbia may use  
21                         as matching non-Federal funds—

22                                 “(i) in-kind contributions of services  
23                                 and materials;

24                                 “(ii) voluntarily donated privately  
25                                 owned easements;

1           “(iii) in circumstances described in  
2           subparagraph (B), revenue generated  
3           through the sale of State hunting and fish-  
4           ing licenses; and

5           “(iv) other sources consistent with  
6           part 80 of title 50, Code of Federal Regu-  
7           lations, as in effect on the date of the en-  
8           actment of the America’s Wildlife Habitat  
9           Conservation Act.

10          “(B) CIRCUMSTANCES DESCRIBED.—Rev-  
11          enue described in subparagraph (A)(iii) may  
12          only be used to fulfill the requirements of such  
13          non-Federal fund matching requirement if—

14               “(i) no Federal funds apportioned to  
15               the State fish and wildlife department of  
16               such State from the Wildlife Restoration  
17               Program or the Sport Fish Restoration  
18               Program have been reverted because of a  
19               failure to fulfill such non-Federal fund  
20               matching requirement by such State dur-  
21               ing the previous 2 years; and

22               “(ii) the project or program being  
23               funded benefits the habitat of a species  
24               that is a—

25                       “(I) hunted or fished species; and

1                   “(II) species of greatest con-  
2                   servation need.

3                   “(9) STATE LAND ACQUISITION.—Land ac-  
4                   quired by a State, territory, or the District of Co-  
5                   lumbia using funds apportioned from the Sub-  
6                   account—

7                   “(A) may only be purchased from a willing  
8                   seller;

9                   “(B) may only be so acquired for the pur-  
10                  poses described in paragraph (5)(A)(iii);

11                  “(C) may only be so acquired when no  
12                  other source of Department of the Interior  
13                  funding is available to purchase such land; and

14                  “(D) shall be open to the public for wild-  
15                  life-related outdoor recreation, including hunt-  
16                  ing, trapping, fishing, or recreational shooting  
17                  to the extent allowed by State law.”.

18                  (b) ALLOCATION AND APPORTIONMENT OF AVAIL-  
19                  ABLE AMOUNTS.—Section 4 of the Pittman-Robertson  
20                  Wildlife Restoration Act (16 U.S.C. 669c) is amended—

21                  (1) in subsection (d)—

22                          (A) in paragraph (1)—

23                                  (i) by inserting “, after deducting the  
24                                  amount distributed pursuant to section

1                   3(c)(4),” after “Secretary of the Interior  
2                   shall”;

3                   (ii) in subparagraph (A)—

4                   (I) by striking “to the District of  
5                   Columbia and to the Commonwealth  
6                   of Puerto Rico, each” and inserting  
7                   “To the District of Columbia”; and

8                   (II) by striking “one-half” and  
9                   inserting “one-fourth”;

10                  (iii) in subparagraph (B)—

11                  (I) by striking “to Guam” and  
12                  inserting “To Guam”; and

13                  (II) by striking “not more than  
14                  one-fourth of 1 percent” and inserting  
15                  “not less than one-third of 1 percent”;  
16                  and

17                  (iv) by adding at the end the fol-  
18                  lowing:

19                  “(C) To the Commonwealth of Puerto  
20                  Rico, a sum equal to not less than 1 percent  
21                  thereof.”;

22                  (B) in paragraph (2)(A)—

23                  (i) by amending clause (i) to read as  
24                  follows:

1           “(i) half of which is based on the ratio to  
2           which the land and water area of such State  
3           bears to the total land and water area of all  
4           such States;”;

5                       (ii) in clause (ii)—

6                               (I) by striking “two-thirds” and  
7                               inserting “one-quarter”; and

8                               (II) by striking the period and  
9                               inserting “; and”; and

10                      (iii) by adding at the end the fol-  
11                      lowing:

12                      “(iii) one quarter of which is based upon  
13                      the ratio to which the number of species listed  
14                      as endangered or threatened under the Endan-  
15                      gered Species Act of 1973 in such State bears  
16                      to the total number of such species listed in all  
17                      such States.”;

18                      (C) by amending paragraph (2)(B) to read  
19                      as follows:

20                      “(B) The amounts apportioned under this para-  
21                      graph shall be adjusted equitably so that no such  
22                      State, unless otherwise designated, shall be appor-  
23                      tioned a sum which is less than 1 percent or more  
24                      than 5 percent of the amount available for appor-  
25                      tionment under—



1 “(i) subparagraph (A)(i);  
2 “(ii) subparagraph (A)(ii); and  
3 “(iii) the overall amount available for sub-  
4 paragraph (A).”; and

5 (D) in paragraph (3), by striking “3 per-  
6 cent” and inserting “one-third of 1 percent”;

7 (2) in subsection (e) in paragraph (3), by strik-  
8 ing “75” and inserting “90”; and

9 (3) by adding at the end following:

10 “(f) ACCOUNTABILITY.—

11 “(1) IN GENERAL.—Not later than 1 year after  
12 the date of the enactment of the America’s Wildlife  
13 Habitat Conservation Act and every 2 years there-  
14 after until the last day of fiscal year 2029, the head  
15 of each State fish and wildlife department shall sub-  
16 mit to the Director of the United States Fish and  
17 Wildlife Service a report describing, with respect to  
18 such department during the preceding 2 years, the  
19 following:

20 “(A) A summary of each activity carried  
21 out using funds apportioned from the Sub-  
22 account, including—

23 “(i) an accounting of the administra-  
24 tive costs associated with each such activ-  
25 ity;

1           “(ii) an accounting of land acquired,  
2           if any, from willing sellers by each State  
3           fish and wildlife department using funds  
4           from the Subaccount, including—

5                   “(I) the number of acres ac-  
6                   quired;

7                   “(II) the endangered species,  
8                   threatened species, candidate species  
9                   or species proposed for listing, or spe-  
10                  cies petitioned for listing under the  
11                  Endangered Species Act of 1973 (16  
12                  U.S.C. 1531 et seq.) or State law as-  
13                  sociated with the land acquired;

14                  “(III) the justification for such  
15                  land acquisition; and

16                  “(IV) a detailed explanation re-  
17                  garding why other sources of funding  
18                  were not used for the land acquisition;  
19                  and

20                  “(iii) the number of acres of habitat  
21                  restored, enhanced, created, or conserved  
22                  by each such activity.

23                  “(B) A summary of the results and effec-  
24                  tiveness of each activity carried out using funds

1           apportioned from the Subaccount, including, if  
2           determinable—

3                   “(i) any change in the population  
4                   trends of species of greatest conservation  
5                   need; and

6                   “(ii) any reduction in threats to spe-  
7                   cies of greatest conservation need.

8           “(2) SUMMARY REPORT.—The Secretary shall,  
9           not later than 180 days after each deadline for the  
10          submission of reports under paragraph (1), submit  
11          a report summarizing each report received by the  
12          Secretary under paragraph (1) to—

13                   “(A) the Committee on Environment and  
14                   Public Works of the Senate; and

15                   “(B) the Committee on Natural Resources  
16                   of the House of Representatives.

17          “(3) STATE DEFINED.—In this subsection, the  
18          term ‘State’ includes the District of Columbia, the  
19          Commonwealth of Puerto Rico, Guam, American  
20          Samoa, the Commonwealth of the Northern Mariana  
21          Islands, and the United States Virgin Islands.”.

22   **SEC. 102. TECHNICAL AMENDMENTS.**

23          (a) DEFINITIONS.—Section 2 of the Pittman-Robert-  
24          son Wildlife Restoration Act (16 U.S.C. 669a) is amend-  
25          ed—

1 (1) in paragraph (7), by striking “including  
2 fish,”; and

3 (2) in paragraph (9)—

4 (A) by striking “section 304(d)” and in-  
5 serting “section 4(e)”;

6 (B) by inserting “Indian Tribes,” before  
7 “wildlife conservation organizations”.

8 (b) CONFORMING AMENDMENTS.—The Pittman-Rob-  
9 ertson Wildlife Restoration Act (16 U.S.C. 669 et seq.)  
10 is amended—

11 (1) in section 2—

12 (A) by redesignating paragraphs (6)  
13 through (11) as paragraphs (7) through (12),  
14 respectively;

15 (B) by inserting after paragraph (5) the  
16 following:

17 “(6) the term ‘species of greatest conservation  
18 need’ means, with respect to funds apportioned to a  
19 State, terrestrial, aquatic, or marine fauna or flora  
20 that the State fish and wildlife department of such  
21 State determines are—

22 “(A) of low or declining population; or

23 “(B) facing threats and in need of con-  
24 servation attention;”;

1 (C) by redesignating paragraphs (8)  
2 through (12), as so redesignated by subpara-  
3 graph (A) of this paragraph, as paragraphs (9)  
4 through (13), respectively; and

5 (D) by inserting after paragraph (7) the  
6 following:

7 “(8) the term ‘Subaccount’ means the Wildlife  
8 Habitat Conservation and Restoration Subaccount  
9 established by section 3(c)(2)(A);”;

10 (2) in section 3—

11 (A) in subsection (c)—

12 (i) in paragraph (10), as so redesign-  
13 ated by section 101(a)(3) of this Act, by  
14 striking “or an Indian tribe”; and

15 (ii) in paragraph (11), as so redesign-  
16 ated by section 101(a)(3) of this Act—

17 (I) by striking “Wildlife Con-  
18 servation and Restoration Account”  
19 and inserting “Subaccount”; and

20 (II) by striking “those species  
21 with the greatest conservation need as  
22 defined by the State wildlife conserva-  
23 tion and restoration program” and in-  
24 serting “species of greatest conserva-  
25 tion need”; and

1 (B) in subsection (d), by striking “Wildlife  
2 Conservation and Restoration Account” and in-  
3 serting “Subaccount”;

4 (3) in section 4 (16 U.S.C. 669c)—

5 (A) in subsection (d)—

6 (i) in the heading, by striking “WILD-  
7 LIFE CONSERVATION AND RESTORATION  
8 ACCOUNT” and inserting “SUBACCOUNT”;  
9 and

10 (ii) by striking “Wildlife Conservation  
11 and Restoration Account” each place it ap-  
12 pears and inserting “Subaccount”; and

13 (B) in subsection (e)(1), by striking “Wild-  
14 life Conservation and Restoration Account” and  
15 inserting “Subaccount”; and

16 (4) in section 8 (16 U.S.C. 669g), in subsection  
17 (a), by striking “Wildlife Conservation and Restora-  
18 tion Account” and inserting “Subaccount”.

19 **SEC. 103. SAVINGS CLAUSE.**

20 The Pittman-Robertson Wildlife Restoration Act (16  
21 U.S.C. 669 et seq.) is amended—

22 (1) by redesignating section 14 as section 16;

23 and

24 (2) by inserting after section 13 the following:

1 **“SEC. 14. SAVINGS CLAUSE.**

2 “(a) IN GENERAL.—Nothing in this Act may be con-  
3 strued to enlarge or diminish the authority, jurisdiction,  
4 or responsibility of a State, territory, or the District of  
5 Columbia to manage, control, or regulate fish and wildlife  
6 on lands and waters within the State, territory, or the Dis-  
7 trict of Columbia including on Federal lands and waters.

8 “(b) NO FUNDS AUTHORIZED FOR DAM REMOVAL  
9 OR MODIFICATION.— None of the funds made available  
10 under this Act may be used to remove a federally owned  
11 dam or modify a federally owned dam in a manner that  
12 reduces storage or diversion capacity.

13 “(c) PROHIBITION ON LAND TRANSFERS.—The Fed-  
14 eral Government may not accept a transfer, donation, or  
15 exchange of land or an interest in land from a State gov-  
16 ernment, a fish and wildlife department of the District of  
17 Columbia or a territory, or a regional association of fish  
18 and wildlife departments if such land or interest in land  
19 was purchased using funds apportioned under this Act.

20 “(d) TERRITORY DEFINED.—In this section, the  
21 term ‘territory’ has the meaning given the term in section  
22 3(c)(1).

23 **“SEC. 15. STATUTORY CONSTRUCTION WITH RESPECT TO**  
24 **ALASKA.**

25 “If any conflict arises between any provision of this  
26 Act and any provision of the Alaska National Interest

1 Lands Conservation Act or the Alaska Native Claims Set-  
2 tlement Act, then the provision in the Alaska National In-  
3 terest Lands Conservation Act or the Alaska Native  
4 Claims Settlement Act shall prevail.”.

5 **TITLE II—TRIBAL WILDLIFE**  
6 **CONSERVATION AND RES-**  
7 **TORATION**

8 **SEC. 201. INDIAN TRIBES.**

9 (a) DEFINITIONS.—In this section:

10 (1) ACCOUNT.—The term “Account” means the  
11 Tribal Wildlife Conservation and Restoration Ac-  
12 count established by subsection (b)(1).

13 (2) CONSERVATION.—The term “conservation”  
14 has the meaning given such term in section 2 of the  
15 Pittman-Robertson Wildlife Restoration Act (16  
16 U.S.C. 669a).

17 (3) INDIAN TRIBE.—The term “Indian Tribe”  
18 has the meaning given such term in section 4 of the  
19 Indian Self-Determination and Education Assistance  
20 Act (25 U.S.C. 5304).

21 (4) RESTORATION.—The term “restoration”  
22 means the implementation of conservation actions  
23 and practices that reestablish or enhance environ-  
24 mental conditions and ecosystem functions that ben-



1       efit the diversity, resilience, health, and productivity  
2       of plants and animals.

3           (5) REWILDING.—The term “rewilding” means  
4       a restoration approach that prohibits human man-  
5       agement activities and relies only on natural proc-  
6       esses to maintain or improve habitat.

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

9           (7) TRIBAL ORGANIZATION.—The term “Tribal  
10       organization” has the meaning given such term in  
11       section 4 of the Indian Self-Determination and Edu-  
12       cation Assistance Act (25 U.S.C. 5304).

13           (8) TRIBAL SPECIES OF GREATEST CONSERVA-  
14       TION NEED.—The term “Tribal species of greatest  
15       conservation need” means, with respect to an Indian  
16       Tribe, any terrestrial, aquatic, or marine fauna or  
17       flora that such Indian Tribe determines is—

18                   (A) of low or declining population,

19                   (B) facing threats and in need of conserva-  
20       tion attention; or

21                   (C) of cultural importance to such Indian  
22       Tribe.

23           (9) WILDLIFE.—The term “wildlife” means any  
24       species of—

1 (A) wild, free-ranging fauna, including  
2 fish; and

3 (B) fauna in a captive breeding program  
4 the object of which is to reintroduce individuals  
5 of a depleted indigenous species into previously  
6 occupied range of such species.

7 (b) TRIBAL WILDLIFE CONSERVATION AND RES-  
8 TORATION ACCOUNT.—

9 (1) IN GENERAL.—There is established in the  
10 Treasury an account to be known as the “Tribal  
11 Wildlife Conservation and Restoration Account”.

12 (2) AVAILABILITY.—Amounts in the Account  
13 shall be available until expended, subject to future  
14 appropriations, for each fiscal year for appor-  
15 tionment in accordance with this section.

16 (3) DEPOSITS INTO ACCOUNT.—There is au-  
17 thorized to be appropriated to the Account  
18 \$20,000,000 for each of fiscal years 2025 through  
19 2029.

20 (4) SUNSET.—No funds may be appropriated to  
21 the Account after fiscal year 2029.

22 (c) DISTRIBUTION OF AMOUNTS TO INDIAN TRIBES  
23 AND TRIBAL ORGANIZATIONS.—Each fiscal year, the Sec-  
24 retary shall distribute amounts in the Account through a  
25 noncompetitive grant program according to guidelines, cri-

1 teria, and reporting requirements determined by the Sec-  
2 retary, acting through the Director of the Bureau of In-  
3 dian Affairs, in consultation with Indian Tribes and Tribal  
4 organizations.

5 (d) WILDLIFE MANAGEMENT RESPONSIBILITIES.—

6 (1) IN GENERAL.—The distribution guidelines  
7 and criteria described in subsection (c) shall be  
8 based, in part, upon the wildlife management re-  
9 sponsibilities of an Indian Tribe.

10 (2) INDIAN TRIBES AND TRIBAL ORGANIZA-  
11 TIONS IN ALASKA.—

12 (A) IN GENERAL.—Any amounts allocated  
13 to an Indian Tribe or Tribal organization in  
14 Alaska under this section may only be used in  
15 a manner consistent with the Alaska Native  
16 Claims Settlement Act (43 U.S.C. 1601 et  
17 seq.), the Alaska National Interest Lands Con-  
18 servation Act (16 U.S.C. 3101 et seq.), and  
19 Public Law 85–508 (commonly known as the  
20 “Alaska Statehood Act”) (48 U.S.C. note prec.  
21 21).

22 (B) COOPERATIVE AGREEMENTS.—An In-  
23 dian Tribe or Tribal organization in Alaska  
24 may enter into a cooperative agreement with

1           the State of Alaska regarding a conservation  
2           project of mutual concern.

3       (e) USE OF AMOUNTS.—

4           (1) IN GENERAL.—Except as provided in para-  
5       graph (2), amounts distributed to an Indian Tribe  
6       or Tribal organization under subsection (c)—

7           (A) shall be used for purposes consistent  
8       with section 2;

9           (B) shall be used to carry out, develop, or  
10       enhance wildlife and habitat conservation and  
11       restoration programs;

12          (C) shall be used to assist in the restora-  
13       tion of habitat for species found in the lands  
14       and waters of such Indian Tribe or Tribal orga-  
15       nization that are listed as endangered species,  
16       threatened species, candidate species or species  
17       proposed for listing, or species petitioned for  
18       listing under the Endangered Species Act of  
19       1973 (16 U.S.C. 1531 et seq.) or under State  
20       or Tribal law;

21          (D) may be used for management of ani-  
22       mals, including harvesting;

23          (E) may be used for the conservation and  
24       restoration of habitat for Tribal species of  
25       greatest conservation need whose range is

1 shared with another State, territory, Indian  
2 Tribe, or foreign government;

3 (F) may be used to manage, control, and  
4 prevent invasive species, disease, and other  
5 risks to the habitat of Tribal species of greatest  
6 conservation need; and

7 (G) may be used for forest and vegetation  
8 management activities if the primary purpose of  
9 such activity is to modify, improve, enhance, or  
10 create wildlife habitat or reduce the risk of  
11 damage or destruction to wildlife habitat due to  
12 wildfires, insects, or disease, including—

13 (i) planting, seeding, and harvesting,  
14 including planting, seeding, and harvesting  
15 of native seeds;

16 (ii) mechanical thinning;

17 (iii) prescribed burning;

18 (iv) chemical applications designed to  
19 restore natural range of variation including  
20 creating and maintaining early seral com-  
21 munities; and

22 (v) prescribed haying and grazing  
23 practices.

1           (2) PROHIBITED USES.—Amounts distributed  
2           to an Indian Tribe or Tribal organization under sub-  
3           section (c) may not be used for—

4                   (A) rewilding; or

5                   (B) the reintroduction or management of a  
6           species in a manner not supported by the appli-  
7           cable Tribal fish and wildlife management au-  
8           thorities.

9           (f) MATCHING REQUIREMENT.—With respect to any  
10          grant issued under subsection (c) that exceeds \$100,000,  
11          the Federal share of total costs of the project funded  
12          through such grant may not exceed 90 percent.

13          (g) PUBLIC ACCESS NOT REQUIRED.—Amounts dis-  
14          tributed to an Indian Tribe or Tribal organization under  
15          subsection (c) may not be conditioned upon the provision  
16          of public or non-Tribal access to Tribal or private lands,  
17          waters, or holdings.

18          (h) ADMINISTRATIVE COSTS.—Of the amounts de-  
19          posited under subsection (b)(3) for each fiscal year, not  
20          more than 3 percent may be used by the Secretary for  
21          administrative costs.

22          (i) ACCOUNTABILITY.—

23                   (1) TRIBAL REPORTS.—Not later than the last  
24          day of fiscal year 2029, each Indian Tribe and Trib-  
25          al organization that receives funds under this section

1 shall submit to the Director of the Bureau of Indian  
2 Affairs a report describing, with respect to such In-  
3 dian Tribe or Tribal organization during the pre-  
4 ceding 5 years, the following:

5 (A) A summary of each activity carried out  
6 using funding received under subsection (c), in-  
7 cluding—

8 (i) an accounting of the administrative  
9 costs associated with each such activity;  
10 and

11 (ii) the number of acres of habitat re-  
12 stored, enhanced, or conserved by each  
13 such activity.

14 (B) A summary of the results and effec-  
15 tiveness of each activity carried out using fund-  
16 ing received under subsection (c), including, if  
17 determinable—

18 (i) any change in the population  
19 trends of species of greatest conservation  
20 need; and

21 (ii) any reduction in threats to species  
22 of greatest conservation need.

23 (2) SUMMARY REPORT.—The Director of the  
24 Bureau of Indian Affairs shall, not later than 180  
25 days after each deadline for the submission of re-

1       ports under paragraph (1), submit a report summa-  
2       rizing each report received by the Director under  
3       paragraph (1) to—

4               (A) the Committee on Environment and  
5               Public Works of the Senate; and

6               (B) the Committee on Natural Resources  
7               of the House of Representatives.

8       (j) SAVINGS CLAUSE.—Nothing in this section may  
9       be construed as modifying or abrogating a treaty with any  
10      Indian Tribe, or as enlarging or diminishing the authority,  
11      jurisdiction, or responsibility of an Indian Tribe or Tribal  
12      organization to manage, control, or regulate wildlife.

13      (k) STATUTORY CONSTRUCTION WITH RESPECT TO  
14      ALASKA.—If any conflict arises between any provision of  
15      this section and any provision of the Alaska National In-  
16      terest Lands Conservation Act (16 U.S.C. 3101 et seq.)  
17      or the Alaska Native Claims Settlement Act (43 U.S.C.  
18      1601 et seq.), then the provision in the Alaska National  
19      Interest Lands Conservation Act or the Alaska Native  
20      Claims Settlement Act shall prevail.

21      **TITLE III—CONSERVATION AND**  
22              **MANAGEMENT FOR WILDLIFE**  
23              **REFUGES**

24      **SEC. 301. DEFINITIONS.**

25      In this title:



1           (1) AUTHORIZED RECREATION SERVICES.—The  
2 term “authorized recreation services” means similar  
3 and complementary recreation enhancement or im-  
4 provement services carried out—

5           (A) on lands and waters administered by  
6 the United States Fish and Wildlife Service,  
7 non-Federal land, or lands and waters owned by  
8 or held in trust for an Indian Tribe; and

9           (B) by the Secretary or a Governor, Indian  
10 Tribe, or county, as applicable, pursuant to a  
11 good neighbor agreement.

12          (2) AUTHORIZED RESTORATION SERVICES.—  
13 The term “authorized restoration services” means  
14 similar and complementary forest, rangeland, and  
15 watershed restoration services—

16           (A) carried out—

17           (i) on lands and waters administered  
18 by the United States Fish and Wildlife  
19 Service, non-Federal land, or lands and  
20 waters owned by an Indian Tribe; and

21           (ii) by the Secretary or a Governor,  
22 Indian Tribe, or county, as applicable, pur-  
23 suant to a good neighbor agreement; and

24           (B) in the case of forest, rangeland, and  
25 watershed restoration services carried out on

1 lands and waters administered by the United  
2 States Fish and Wildlife Service, such services  
3 shall be consistent with the purposes for which  
4 such lands were established.

5 (3) COUNTY.—The term “county” means—

6 (A) the appropriate executive official of an  
7 affected county or parish; or

8 (B) in any case in which multiple counties  
9 or parishes are affected, the appropriate execu-  
10 tive official of a compact of the affected coun-  
11 ties or parishes.

12 (4) FOREST, RANGELAND, AND WATERSHED  
13 RESTORATION SERVICES.—

14 (A) The term “forest, rangeland, and wa-  
15 tershed restoration services” means—

16 (i) activities to reduce hazardous  
17 fuels;

18 (ii) activities to restore or improve  
19 fish, wildlife, and their habitats;

20 (iii) activities to remove vegetation or  
21 other activities to promote healthy forest  
22 structure and composition;

23 (iv) activities to treat insect- or dis-  
24 ease-infected trees;

1 (v) activities to control noxious or ex-  
2 otic weeds;

3 (vi) activities to reestablish native  
4 plant species;

5 (vii) activities to maintain a road or  
6 trail to restore or maintain water quality;

7 (viii) any other activities to restore or  
8 improve forest, rangeland, and watershed  
9 health, including fish and wildlife habitat;  
10 or

11 (ix) any combination of activities de-  
12 scribed in clauses (i) through (viii).

13 (B) The term “forest, rangeland, and wa-  
14 tershed restoration services” does not include—

15 (i) construction, reconstruction, re-  
16 pair, or restoration of paved roads or park-  
17 ing areas, other than—

18 (I) activities described in sub-  
19 paragraph (A)(vii); or

20 (II) the reconstruction, repair, or  
21 restoration of a National Wildlife Ref-  
22 uge System road or other road on  
23 United States Fish and Wildlife Serv-  
24 ice land that is necessary to carry out

1 authorized restoration services pursu-  
2 ant to a good neighbor agreement; or  
3 (ii) construction, alteration, repair, or  
4 replacement of public buildings or works.

5 (5) GOOD NEIGHBOR AGREEMENT.—The term  
6 “good neighbor agreement” means a cooperative  
7 agreement or contract, including a sole source con-  
8 tract, entered into between the Secretary and a Gov-  
9 ernor, Indian Tribe, or county, as applicable, to  
10 carry out authorized recreation services or author-  
11 ized restoration services.

12 (6) GOVERNOR.—The term “Governor” means  
13 the Governor or any other appropriate executive offi-  
14 cial of an affected State, Indian Tribe, or territory  
15 or possession of the United States.

16 (7) INDIAN TRIBE.—The term “Indian Tribe”  
17 has the meaning given such term in section 4 of the  
18 Indian Self-Determination and Education Assistance  
19 Act (25 U.S.C. 5304).

20 (8) RECREATION ENHANCEMENT OR IMPROVE-  
21 MENT SERVICES.—The term “recreation enhance-  
22 ment or improvement services” means—

23 (A) establishing, repairing, restoring, im-  
24 proving, relocating, constructing, or recon-  
25 structing new or existing—

- 1 (i) trails or trailheads;
- 2 (ii) picnic areas or other day use
- 3 areas;
- 4 (iii) restroom or shower facilities;
- 5 (iv) shooting ranges;
- 6 (v) paved or permanent roads or park-
- 7 ing areas that serve existing recreation fa-
- 8 cilities or areas;
- 9 (vi) fishing piers, wildlife viewing plat-
- 10 forms, docks, or other constructed features
- 11 at a recreation site;
- 12 (vii) boat landings;
- 13 (viii) hunting or fishing sites;
- 14 (ix) visitor centers or other interpreta-
- 15 tive sites; or
- 16 (x) levees and drainage structures to
- 17 improve wetland habitat; and
- 18 (B) activities that create, improve, or re-
- 19 store access to existing recreation facilities or
- 20 areas.
- 21 (9) SECRETARY.—The term “Secretary” means
- 22 the Secretary of the Interior, acting through the Di-
- 23 rector of the United States Fish and Wildlife Serv-
- 24 ice.

1 **SEC. 302. GOOD NEIGHBOR AUTHORITY FOR UNITED**  
2 **STATES FISH AND WILDLIFE SERVICE.**

3 (a) IN GENERAL.—The Secretary may enter into a  
4 good neighbor agreement with a Governor, Indian Tribe,  
5 or county to carry out authorized restoration services or  
6 authorized recreation services in accordance with this title.

7 (b) RESTORATION ACTIVITIES REQUIRING TIMBER  
8 SALES.—

9 (1) APPROVAL OF SILVICULTURE PRESCRIP-  
10 TIONS AND MARKING GUIDES.—The Secretary shall  
11 provide or approve all silviculture prescriptions and  
12 marking guides to be applied on Federal land in all  
13 timber sale projects conducted under this section.

14 (2) TREATMENT OF RESTORATION SERVICES  
15 REVENUE.—Funds received from the sale of timber  
16 by a Governor, Indian Tribe, or county under a good  
17 neighbor agreement shall be retained and used by  
18 the Governor, Indian Tribe, or county, as applica-  
19 ble—

20 (A) to carry out authorized restoration  
21 services under the good neighbor agreement;  
22 and

23 (B) if there are funds remaining after car-  
24 rying out subparagraph (A), to carry out au-  
25 thorized restoration services or authorized

1 recreation services under other good neighbor  
2 agreements.

3 (3) TERMINATION OF AUTHORITY.—The au-  
4 thority provided under paragraph (2) shall terminate  
5 on October 1, 2032.

6 (c) RECREATION SERVICES FEES.—Nothing in this  
7 title may be construed to allow a Governor, Indian Tribe,  
8 or county to charge entrance, standard amenity, or ex-  
9 panded amenity fees on National Wildlife Refuge System  
10 lands and waters as described in section 803 of the Fed-  
11 eral Lands Recreation Enhancement Act (16 U.S.C.  
12 6802).

13 (d) RETENTION OF NATIONAL ENVIRONMENTAL  
14 PROTECTION ACT OF 1969 RESPONSIBILITIES.—Any de-  
15 cision required to be made under the National Environ-  
16 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with  
17 respect to any authorized restoration services or author-  
18 ized recreation services carried out under this section on  
19 lands and waters administered by the United States Fish  
20 and Wildlife Service may not be delegated to a Governor,  
21 Indian Tribe, or county.

22 (e) PUBLIC AVAILABILITY.—The Secretary shall  
23 make each good neighbor agreement available to the pub-  
24 lic.

1 (f) EXCLUSIONS.—The authority provided by this  
2 section does not apply to—

3 (1) a component of the National Wilderness  
4 Preservation System;

5 (2) Federal land on which the removal of vege-  
6 tation is prohibited or restricted by an Act of Con-  
7 gress or a Presidential proclamation (including the  
8 applicable implementation plan); or

9 (3) a wilderness study area.

10 **SEC. 303. STEWARDSHIP END RESULT CONTRACTING**  
11 **PROJECTS.**

12 (a) IN GENERAL.—The Secretary, through an agree-  
13 ment or contract, as appropriate, may enter into steward-  
14 ship contracting projects with a private person or other  
15 public or private entity to perform forest, rangeland, and  
16 watershed restoration services on lands and waters admin-  
17 istered by the United States Fish and Wildlife Service that  
18 meet local and rural community needs.

19 (b) AGREEMENTS OR CONTRACTS.—

20 (1) PROCUREMENT PROCEDURE.—A source for  
21 performance or an agreement or contract entered  
22 into under subsection (a) shall be selected on a best-  
23 value basis, including consideration of source under  
24 other public and private agreements or contracts.



1           (2) CONTRACT FOR SALE OF TIMBER OR FOR-  
2           EST PRODUCTS.—A contract entered into under this  
3           section may, at the discretion of the Secretary, be  
4           considered a contract for the sale of timber or forest  
5           products under such terms as the Secretary may  
6           prescribe without regard to any other provision of  
7           law.

8           (3) TERM.—The Secretary may enter into an  
9           agreement or contract under subsection (a) for an  
10          initial period of not more than 20 years.

11          (4) OFFSETS.—

12                (A) IN GENERAL.—The Secretary may  
13                apply the value of timber or forest products re-  
14                moved as an offset against the cost of forest,  
15                rangeland, and watershed restoration services  
16                received pursuant to an agreement or contract  
17                under this section.

18                (B) VALUE OF OFFSET.—The value of tim-  
19                ber or other forest products used as an offset—

20                       (i) shall be determined using appro-  
21                       priate methods of appraisal commensurate  
22                       with the quantity of products to be re-  
23                       moved; and

24                       (ii) may—

1 (I) be determined using a unit of  
2 measure appropriate to the contracts;  
3 and

4 (II) may include valuing products  
5 on a per-acre basis.

6 (C) CONTRACTING OFFICER.—Notwith-  
7 standing any other provision of law, the Sec-  
8 retary may determine the appropriate con-  
9 tracting officer to enter into and administer an  
10 agreement or contract under this section.

11 (c) RECEIPTS.—

12 (1) IN GENERAL.—The Secretary may collect  
13 monies from an agreement or contract under this  
14 section if the collection is a secondary objective of  
15 negotiating the contract that will best achieve the  
16 purpose of this section.

17 (2) DISPOSITION AND AVAILABILITY OF MON-  
18 EYS.—Monies from an agreement or contract under  
19 this section shall remain available until expended for  
20 forest, rangeland, and watershed restoration services  
21 at the project site from which the monies are col-  
22 lected, or at another project site.

23 (d) RELATION TO OTHER LAWS.—Notwithstanding  
24 any other provision of law, the value of services received  
25 by the Secretary under a stewardship contract project con-

1 ducted under this section, and any payments made or re-  
2 sources provided by the contractor or Secretary, shall not  
3 be considered monies received from United States Fish  
4 and Wildlife Service lands.

5 (e) COSTS OF REMOVAL.—Notwithstanding the fact  
6 that a contractor did not harvest the timber or forest  
7 product, the Secretary may collect deposits from a con-  
8 tractor covering the costs of removal of timber or other  
9 forest products.

10 (f) PERFORMANCE AND PAYMENT GUARANTEES.—

11 (1) IN GENERAL.—The Secretary may require  
12 performance and payment bonds under sections  
13 28.103–2 and 28.103–3 of the Federal Acquisition  
14 Regulation, in an amount that the contracting offi-  
15 cer considers sufficient to protect the investment in  
16 receipts by the Federal Government generated by  
17 the contractor from the estimated value of the forest  
18 products to be removed under a contract under this  
19 section.

20 (2) EXCESS OFFSET VALUE.—If the offset  
21 value of the timber or forest products exceeds the  
22 value of the resource improvement treatments, the  
23 Secretary may—

1 (A) use the excess to satisfy any out-  
2 standing liabilities from cancelled agreements or  
3 contracts; or

4 (B) if there are no outstanding liabilities  
5 described in subparagraph (A), apply the excess  
6 to other authorized stewardship projects.

7 (g) CANCELLATION CEILINGS.—Notwithstanding  
8 section 3903(b)(1) of title 41, United States Code, the  
9 Secretary may obligate funds in stages that are economi-  
10 cally or programmatically viable to cover any potential  
11 cancellation or termination costs for an agreement or con-  
12 tract under this section.

13 (h) MONITORING AND EVALUATION.—

14 (1) IN GENERAL.—The Secretary shall establish  
15 a monitoring and evaluation process that accesses  
16 the stewardship contracting projects conducted  
17 under this section.

18 (2) PARTICIPANTS.—Other than the Secretary,  
19 participants in the process described in this para-  
20 graph may include—

21 (A) any cooperating governmental agen-  
22 cies, including Tribal governments; and

23 (B) other interested groups or individuals.

1 **SEC. 304. TECHNICAL AMENDMENTS.**

2 (a) GOOD NEIGHBOR AUTHORITY.—Section 8206 of  
3 the Agricultural Act of 2014 (16 U.S.C. 2113a) is amend-  
4 ed—

5 (1) in subsection (a)—

6 (A) in paragraph (1)(B), by inserting “,  
7 Indian tribe,” after “Governor”;

8 (B) in paragraph (3)(A)—

9 (i) in clause (i), by striking “or” at  
10 the end;

11 (ii) in clause (ii), by striking “or” at  
12 the end;

13 (iii) in clause (iii), by striking “; or”  
14 at the end and inserting a period; and

15 (iv) by striking clause (iv).

16 (C) in paragraph (4)(B)(i), by striking  
17 “National Park Service, or National Wildlife  
18 Refuge” and inserting “or National Park Serv-  
19 ices”;

20 (D) in paragraph (5), by inserting “, In-  
21 dian tribe,” after “Governor”; and

22 (E) in paragraph (6), by striking “or In-  
23 dian tribe”; and

24 (2) in subsection (b)—

25 (A) in paragraph (1)(A), by inserting “,  
26 Indian tribe,” after “Governor”;

1 (B) in paragraph (2)(C)—

2 (i) by amending clause (i) to read as  
3 follows:

4 “(i) IN GENERAL.—Funds received  
5 from the sale of timber by a Governor, In-  
6 dian tribe, or county under a good neigh-  
7 bor agreement shall be retained and used  
8 by the Governor, Indian tribe, or county,  
9 as applicable—

10 “(I) to carry out authorized res-  
11 toration services under the good  
12 neighbor agreement; and

13 “(II) if there are funds remain-  
14 ing after carrying out subclause (I),  
15 to carry out authorized restoration  
16 services under other good neighbor  
17 agreements.”; and

18 (ii) in clause (ii), by striking “2024”  
19 and inserting “2029”;

20 (C) in paragraph (3), by inserting “, In-  
21 dian tribe,” after “Governor”; and

22 (D) by striking paragraph (4).

23 (b) APPLICABILITY.—The amendments made by this  
24 title apply to any project initiated pursuant to a good

1 neighbor agreement (as defined in 8206(a) of the Agricul-  
2 tural Act of 2014 (16 U.S.C. 2113a(a))—

3 (1) before the date of the enactment of this  
4 Act, if the project was initiated after the date of the  
5 enactment of the Agriculture Improvement Act of  
6 2018 (Public Law 115–334); or

7 (2) on or after the date of the enactment of this  
8 Act.

9 **TITLE IV—INCENTIVIZING WILD-**  
10 **LIFE CONSERVATION ON PRI-**  
11 **VATE LANDS**

12 **SECTION 401. CANDIDATE CONSERVATION AGREEMENTS**  
13 **WITH ASSURANCES.**

14 (a) LISTING DETERMINATIONS.—Section 4(b)(1) of  
15 the Endangered Species Act of 1973 (16 U.S.C.  
16 1533(b)(1)) is amended by adding at the end the fol-  
17 lowing:

18 “(C) CANDIDATE CONSERVATION AGREEMENTS  
19 WITH ASSURANCES.—In making a determination  
20 under subsection (a)(1) with respect to a species, the  
21 Secretary shall take into account and document the  
22 effect of any net conservation benefit (as that term  
23 is defined in section 10(k)) of any Candidate Con-  
24 servation Agreement with Assurances or any pro-  
25 grammatic Candidate Conservation Agreement with

1       Assurances (as those terms are defined in that sub-  
2       section) relating to such species.”.

3       (b) CANDIDATE CONSERVATION AGREEMENTS WITH  
4       ASSURANCES.—Section 10 of the Endangered Species Act  
5       of 1973 (16 U.S.C. 1539) is amended by adding at the  
6       end the following:

7       “(k) CANDIDATE CONSERVATION AGREEMENTS  
8       WITH ASSURANCES.—

9               “(1) PROPOSED AGREEMENT.—A covered party  
10       may submit a proposed Agreement to the Secretary.

11              “(2) APPROVAL.—Not later than 120 days  
12       after the date of the receipt of a proposed Agree-  
13       ment under paragraph (1), the Secretary shall ap-  
14       prove the proposed Agreement if the Secretary de-  
15       termines that the proposed Agreement—

16              “(A) sets forth specific management activi-  
17       ties that the covered party will undertake to  
18       conserve the covered species;

19              “(B) provides a positive estimate of the net  
20       conservation benefit of such management activi-  
21       ties to the covered species;

22              “(C) describes, to the maximum extent  
23       practicable, the existing population levels of the  
24       covered species or the existing quality of habi-  
25       tat;



1           “(D) includes a monitoring plan to be car-  
2           ried out by the parties to the Agreement; and

3           “(E) provides assurances to the covered  
4           party that no additional conservation measures  
5           will be required and additional land, water, or  
6           resource use restrictions will not be imposed on  
7           the covered party if the covered species becomes  
8           listed after the effective date of such Agree-  
9           ment.

10          “(3) DENIAL.—Not later than 120 days after  
11          the date of the receipt of a proposed Agreement  
12          under paragraph (1), the Secretary shall—

13                 “(A) deny the proposed Agreement if the  
14                 Secretary determines that the proposed Agree-  
15                 ment does not meet the requirements described  
16                 in paragraph (2); and

17                 “(B) provide the submitting covered party  
18                 a written explanation for such determination  
19                 and the adjustments required for the Secretary  
20                 to approve such proposed Agreement.

21          “(4) PROGRAMMATIC CANDIDATE CONSERVA-  
22          TION AGREEMENT WITH ASSURANCES.—

23                 “(A) IN GENERAL.—The Secretary may  
24                 enter into a Candidate Conservation Agreement

1 with Assurances with a covered party that au-  
2 thorizes such covered party—

3 “(i) to administer such Candidate  
4 Conservation Agreement with Assurances;

5 “(ii) to hold any permit issued under  
6 this section with regard to such Candidate  
7 Conservation Agreement with Assurances;

8 “(iii) to enroll other covered parties  
9 within the area covered by such Candidate  
10 Conservation Agreement with Assurances  
11 in such Candidate Conservation Agreement  
12 with Assurances; and

13 “(iv) to convey any permit authoriza-  
14 tion held by such covered party under  
15 clause (ii) to each covered party enrolled  
16 under clause (iii).

17 “(B) PUBLICATION.—Upon receipt of a  
18 proposed programmatic Candidate Conservation  
19 Agreement with Assurances under paragraph  
20 (1) and before approving or denying such a pro-  
21 posed programmatic Candidate Conservation  
22 Agreement with Assurances under paragraph  
23 (2) or (3), respectively, the Secretary shall—

24 “(i) not later than 30 days after the  
25 date of such receipt, publish the proposed

1                    programmatic Candidate Conservation  
2                    Agreement with Assurances in the Federal  
3                    Register for public comment for a period  
4                    of not less than 60 days;

5                    “(ii) review any comments received  
6                    under clause (i); and

7                    “(iii) after the close of the public com-  
8                    ment period for the proposed pro-  
9                    grammatic Candidate Conservation Agree-  
10                    ment with Assurances, publish in the Fed-  
11                    eral Register—

12                    “(I) any comments received  
13                    under clause (i); and

14                    “(II) the approval or denial of  
15                    the proposed programmatic Candidate  
16                    Conservation Agreement with Assur-  
17                    ances under paragraph (2) or (3), re-  
18                    spectively.

19                    “(5) INCIDENTAL TAKE AUTHORIZATION.—If a  
20                    covered species is listed under section 4, the Sec-  
21                    retary shall issue a permit to the relevant covered  
22                    party under this section allowing incidental take of  
23                    and modification to the habitat of such covered spe-  
24                    cies consistent with the Agreement.

1           “(6) TECHNICAL ASSISTANCE.—The Secretary  
2 shall, upon request, provide a covered party with  
3 technical assistance in developing a proposed Agree-  
4 ment.

5           “(7) APPLICABILITY TO FEDERAL LAND.—An  
6 Agreement may apply to a covered party that con-  
7 ducts activities on land administered by any Federal  
8 agency pursuant to a permit or lease issued to the  
9 covered party by that Federal agency.

10           “(8) EXEMPTION FROM CONSULTATION RE-  
11 QUIREMENT.—An Agreement approved under this  
12 subsection shall be deemed to have been granted an  
13 exemption under section 7(h) for the purposes of  
14 that section.

15           “(9) EXEMPTION FROM DISCLOSURE.—Infor-  
16 mation submitted by a private party to the Secretary  
17 under this subsection shall be exempt from disclo-  
18 sure under section 552(b)(3)(B) of title 5, United  
19 States Code.

20           “(10) DEFINITIONS.—In this subsection:

21                   “(A) AGREEMENT.—The term ‘Agreement’  
22 means—

23                           “(i) a Candidate Conservation Agree-  
24 ment with Assurances; or

1                   “(ii) a programmatic Candidate Con-  
2                   servation Agreement with Assurances.

3                   “(B) CANDIDATE CONSERVATION AGREE-  
4                   MENT WITH ASSURANCES.—The term ‘Can-  
5                   didate Conservation Agreement with Assur-  
6                   ances’ means any voluntary agreement, includ-  
7                   ing a conservation benefit agreement, between  
8                   the Secretary and a covered party in which—

9                   “(i) the covered party commits to im-  
10                  plementing mutually agreed upon conserva-  
11                  tion measures for a candidate species; and

12                  “(ii) the Secretary provides assur-  
13                  ances that, if such candidate species is list-  
14                  ed pursuant to section 4—

15                  “(I) the covered party shall incur  
16                  no additional obligations beyond ac-  
17                  tions agreed to in the agreement with  
18                  respect to conservation activities re-  
19                  quired under this Act; and

20                  “(II) no additional land, water,  
21                  or resource use restrictions shall be  
22                  imposed on the covered party beyond  
23                  those included in the agreement.

24                  “(C) CANDIDATE SPECIES.—The term  
25                  ‘candidate species’ means a species—

1 “(i) designated by the Secretary as a  
2 candidate species under this Act; or

3 “(ii) proposed to be listed pursuant to  
4 section 4.

5 “(D) COVERED PARTY.—The term ‘covered  
6 party’ means a—

7 “(i) party that conducts activities on  
8 land administered by a Federal agency  
9 pursuant to a permit or lease issued to the  
10 party;

11 “(ii) private property owner;

12 “(iii) county;

13 “(iv) State or State agency; or

14 “(v) Tribal government.

15 “(E) COVERED SPECIES.—The term ‘cov-  
16 ered species’ means, with respect to an Agree-  
17 ment, the species that is the subject of such  
18 Agreement.

19 “(F) NET CONSERVATION BENEFIT.—The  
20 term ‘net conservation benefit’ means the net  
21 effect of an Agreement, determined by com-  
22 paring the existing situation of the candidate  
23 species without the Agreement in effect and a  
24 situation in which the Agreement is in effect,  
25 on a candidate species, including—

1 “(i) the net effect on threats to such  
2 species;

3 “(ii) the net effect on the number of  
4 individuals of such species; or

5 “(iii) the net effect on the habitat of  
6 such species.

7 “(G) PROGRAMMATIC CANDIDATE CON-  
8 SERVATION AGREEMENT WITH ASSURANCES.—  
9 The term ‘programmatic Candidate Conserva-  
10 tion Agreement with Assurances’ means a Can-  
11 didate Conservation Agreement with Assurances  
12 described in paragraph (4)(A).”.

13 **SEC. 402. DESIGNATION OF CRITICAL HABITAT.**

14 Section 4(a)(3) of the Endangered Species Act of  
15 1973 (16 U.S.C. 1533(a)(3)) is amended by adding at the  
16 end the following:

17 “(C) PRIVATELY OWNED OR CONTROLLED  
18 LAND.—The Secretary may not designate as critical  
19 habitat under subparagraph (A) any privately owned  
20 or controlled land or other geographical area that is  
21 subject to a land management plan that—

22 “(i) the Secretary determines is similar in  
23 nature to an integrated natural resources man-  
24 agement plan described in section 101 of the  
25 Sikes Act (16 U.S.C. 670a);

1           “(ii)(I) is prepared in cooperation with the  
2           Secretary and the head of each applicable State  
3           fish and wildlife agency of each State in which  
4           such land or other geographical area is located;  
5           or

6           “(II) is submitted to the Secretary in  
7           a manner that is similar to the manner in  
8           which an applicant submits a conservation  
9           plan to the Secretary under section  
10          10(a)(2)(A);

11          “(iii) includes an activity or a limitation on  
12          an activity that the Secretary determines will  
13          likely conserve the species concerned;

14          “(iv) the Secretary determines will result  
15          in—

16                 “(I) an increase in the population of  
17                 the species concerned above the population  
18                 of such species on the date that such spe-  
19                 cies is listed as threatened or endangered;  
20                 or

21                 “(II) maintaining the same population  
22                 of such species on the land or other geo-  
23                 graphical area as the population that  
24                 would likely occur if such land or other



1                   geographical area is designated as critical  
2                   habitat; and

3                   “(v) to the maximum extent practicable,  
4                   will minimize and mitigate the impacts of any  
5                   activity that will likely result in an incidental  
6                   taking of the species concerned.”.

7 **SEC. 403. AVAILABILITY OF CERTAIN INFORMATION.**

8           (a) IN GENERAL.—Except as provided in subsection  
9 (b), information regarding the occurrence of, including the  
10 specific location of, a species of fish or wildlife or plant  
11 may not be made available to the public under section 552  
12 of title 5, United States Code.

13           (b) EXCEPTION.—

14                   (1) VOLUNTARY PUBLIC DISCLOSURE OF OC-  
15                   CURRENCES ON FEDERAL LAND.—The Secretary  
16                   may make publicly available information described in  
17                   subsection (a) with respect to Federal land.

18                   (2) SHARING INFORMATION WITH PARTICULAR  
19                   ENTITIES.—

20                           (A) IN GENERAL.—The Secretary may  
21                           make publicly available, to an entity listed in  
22                           subparagraph (B), information described in  
23                           subsection (a) upon receipt—

24                                   (i) of a written request submitted by  
25                                   that entity; and

1 (ii) written permission from each  
2 owner or manager of the land or water  
3 within which the species of fish or wildlife  
4 or plant occurs.

5 (B) ENTITIES.—An entity referred to in  
6 clause (i) is—

7 (i) a Federal agency;

8 (ii) a State governmental agency;

9 (iii) an Indian Tribe (as such term is  
10 defined in section 4 of the Indian Self-De-  
11 termination and Education Assistance Act  
12 (25 U.S.C. 5304));

13 (iv) a bona fide educational or re-  
14 search institution; or

15 (v) a landowner or land manager of  
16 privately owned land.

17 (C) REQUIREMENTS.—A written request  
18 submitted under subparagraph (A) by an entity  
19 listed in subparagraph (B) shall—

20 (i) describe the specific site or area  
21 for which information described in sub-  
22 section (a) is sought;

23 (ii) explain the purpose for which such  
24 information is sought; and

1 (iii) describe the manner and degree  
2 to which the entity is able to maintain the  
3 confidentiality of such information.

## 4 **TITLE V—FOREST INFORMATION** 5 **REFORM**

### 6 **SEC. 501. NO ADDITIONAL CONSULTATION REQUIRED.**

7 (a) FOREST SERVICE PLANS.—Section 6(d)(2) of the  
8 Forest and Rangeland Renewable Resources Planning Act  
9 of 1974 (16 U.S.C. 1604(d)(2)) is amended to read as  
10 follows:

11 “(2) NO ADDITIONAL CONSULTATION RE-  
12 QUIRED UNDER CERTAIN CIRCUMSTANCES.—Not-  
13 withstanding any other provision of law, the Sec-  
14 retary shall not be required to reinitiate consultation  
15 under section 7(a)(2) of the Endangered Species Act  
16 of 1973 (16 U.S.C. 1536(a)(2)) or section 402.16 of  
17 title 50, Code of Federal Regulations (or a successor  
18 regulation), on a land management plan approved,  
19 amended, or revised under this section when—

20 “(A) a new species is listed or critical habi-  
21 tat is designated under the Endangered Species  
22 Act of 1973 (16 U.S.C. 1531 et seq.); or

23 “(B) new information reveals effects of the  
24 land management plan that may affect a spe-  
25 cies listed or critical habitat designated under

1           that Act in a manner or to an extent not pre-  
2           viously considered.”.

3           (b) BUREAU OF LAND MANAGEMENT PLANS.—Sec-  
4           tion 202 of the Federal Land Policy and Management Act  
5           of 1976 (43 U.S.C. 1712) is amended by adding at the  
6           end the following:

7           “(g) NO ADDITIONAL CONSULTATION REQUIRED  
8           UNDER CERTAIN CIRCUMSTANCES.—Notwithstanding  
9           any other provision of law, the Secretary shall not be re-  
10          quired to reinitiate consultation under section 7(a)(2) of  
11          the Endangered Species Act of 1973 (16 U.S.C.  
12          1536(a)(2)) or section 402.16 of title 50, Code of Federal  
13          Regulations (or a successor regulation), on a land use plan  
14          approved, amended, or revised under this section when—

15                 “(1) a new species is listed or critical habitat  
16                 is designated under the Endangered Species Act of  
17                 1973 (16 U.S.C. 1531 et seq.); or

18                 “(2) new information reveals effects of the land  
19                 use plan that may affect a species listed or critical  
20                 habitat designated under that Act in a manner or to  
21                 an extent not previously considered.”.

1 **TITLE VI—PROVIDING FOR**  
2 **GREATER INCENTIVES TO RE-**  
3 **COVER LISTED SPECIES**

4 **SEC. 601. PROTECTIVE REGULATIONS UNDER ENDAN-**  
5 **GERED SPECIES ACT OF 1973.**

6 (a) AMENDMENT TO DEFINITION.—Section 3(3) of  
7 the Endangered Species Act of 1973 (16 U.S.C. 1532(3))  
8 is amended by striking “and transplantation, and, in the  
9 extraordinary case where population pressures within a  
10 given ecosystem cannot be otherwise relieved, may in-  
11 clude” and inserting “transplantation, and, at the discre-  
12 tion of the Secretary,”.

13 (b) PROTECTIVE REGULATIONS.—Section 4 of the  
14 Endangered Species Act of 1973 (16 U.S.C. 1533) is  
15 amended—

16 (1) in subsection (d), to read as follows:

17 “(d) PROTECTIVE REGULATIONS.—

18 “(1) IN GENERAL.—Whenever any species  
19 is listed as a threatened species pursuant to  
20 subsection (c), the Secretary shall issue such  
21 regulations as are necessary and advisable to  
22 provide for the conservation of that species.

23 “(2) RECOVERY GOALS.—If the Secretary  
24 issues a regulation under paragraph (1) that  
25 prohibits an act described in section 9(a), the

1 Secretary shall, with respect to the species that  
2 is the subject of such regulation—

3 “(A) establish objective, incremental  
4 recovery goals;

5 “(B) provide for the stringency of  
6 such regulation to decrease as such recov-  
7 ery goals are met; and

8 “(C) provide for State management  
9 within such State, if such State is willing  
10 to take on such management, beginning on  
11 the date on which the Secretary determines  
12 all such recovery goals are met and, if such  
13 recovery goals remain met, continuing until  
14 such species is removed from the list of  
15 threatened species published pursuant to  
16 subsection (c).

17 “(3) COOPERATIVE AGREEMENT.—A regu-  
18 lation issued under paragraph (1) that prohibits  
19 an act described in section 9(a)(1) with respect  
20 to a resident species shall apply with respect to  
21 a State that has entered into a cooperative  
22 agreement with the Secretary pursuant to sec-  
23 tion 6(c) only to the extent that such regulation  
24 is adopted by such State.

25 “(4) STATE RECOVERY STRATEGY.—

1           “(A) IN GENERAL.—A State may de-  
2           velop a recovery strategy for a threatened  
3           species or a candidate species and submit  
4           to the Secretary a petition for the Sec-  
5           retary to use such recovery strategy as the  
6           basis for any regulation issued under para-  
7           graph (1) with respect to such species  
8           within such State.

9           “(B) APPROVAL OR DENIAL OF PETI-  
10          TION.—Not later than 120 days after the  
11          date on which the Secretary receives a pe-  
12          tition submitted under subparagraph (A),  
13          the Secretary shall—

14                 “(i) approve such petition if the  
15                 recovery strategy is reasonably certain  
16                 to be implemented by the petitioning  
17                 State and to be effective in conserving  
18                 the species that is the subject of such  
19                 recovery strategy; or

20                 “(ii) deny such petition if the re-  
21                 quirements described in clause (i) are  
22                 not met.

23          “(C) PUBLICATION.—Not later than  
24          30 days after the date on which the Sec-  
25          retary approves or denies a petition under

1                   subparagraph (B), the Secretary shall pub-  
2                   lish such approval or denial in the Federal  
3                   Register.

4                   “(D) DENIAL OF PETITION.—

5                   “(i) WRITTEN EXPLANATION.—If  
6                   the Secretary denies a petition under  
7                   subparagraph (B), the Secretary shall  
8                   include in such denial a written expla-  
9                   nation for such denial, including a de-  
10                  scription of the changes to such peti-  
11                  tion that are necessary for the Sec-  
12                  retary to approve such petition.

13                  “(ii) RESUBMISSION OF DENIED  
14                  PETITION.—A State may resubmit a  
15                  petition that is denied under subpara-  
16                  graph (B).

17                  “(E) USE IN PROTECTIVE REGULA-  
18                  TIONS.—If the Secretary approves a peti-  
19                  tion under subparagraph (B), the Sec-  
20                  retary shall—

21                  “(i) issue a regulation under  
22                  paragraph (1) that adopts the recov-  
23                  ery strategy as such regulation with  
24                  respect to the species that is the sub-



1                   ject of such recovery strategy within  
2                   the petitioning State; and

3                   “(ii) establish objective criteria to  
4                   evaluate the effectiveness of such re-  
5                   covery strategy in conserving such  
6                   species within such State.

7                   “(F) REVISION.—If a recovery strat-  
8                   egy that is adopted as a regulation issued  
9                   under paragraph (1) is determined by the  
10                  Secretary to be ineffective in conserving  
11                  the species that is the subject of such re-  
12                  covery strategy in accordance with the ob-  
13                  jective criteria established under subpara-  
14                  graph (E)(ii) for such recovery strategy,  
15                  the Secretary shall revise such regulation  
16                  and reissue such regulation in accordance  
17                  with paragraph (1).”; and

18                  (2) in subsection (f)(1)(B)—

19                   (A) in clause (ii), by striking “and” at the  
20                   end;

21                   (B) in clause (iii), by striking the period at  
22                   the end and inserting “; and”; and

23                   (C) by adding at the end the following:

24                   “(iv) with respect to an endangered spe-  
25                   cies, objective, incremental recovery goals in ac-

1 cordance with subsection (d)(2)(A) for use  
2 under that subsection if such endangered spe-  
3 cies is changed in status from an endangered  
4 species to a threatened species under subsection  
5 (c)(2)(B)(ii).”.

## 6 **TITLE VII—RESCISSIONS AND** 7 **REPEALS**

### 8 **SEC. 701. RESCISSION OF FUNDS.**

9 (a) IN GENERAL.—Any unobligated covered funds  
10 are hereby rescinded.

11 (b) COVERED FUNDS DEFINED.—In this section, the  
12 term “covered funds” means—

13 (1) any funds appropriated or otherwise made  
14 available by sections 40002, 50224, 50232, 60401,  
15 and 60402 of Public Law 117–169 (commonly  
16 known as the “Inflation Reduction Act”); and

17 (2) \$700,000,000 of the \$2,600,000,000 appro-  
18 priated to the National Oceanic and Atmospheric  
19 Administration in section 40001 of Public Law 117–  
20 169 (commonly known as the “Inflation Reduction  
21 Act”).

### 22 **SEC. 702. REPEAL OF CERTAIN PROGRAMS.**

23 The following sections of division AA of the Consoli-  
24 dated Appropriations Act, 2021 (Public Law 116–260)  
25 are repealed:

1 (1) Section 507 (16 U.S.C. 4701 note).

2 (2) Section 508 (16 U.S.C. 742b note).

3 (3) Section 510 (16 U.S.C. 742b note).

