

JUNIOR DUCK STAMP CONSERVATION AND DESIGN
PROGRAM REAUTHORIZATION ACT OF 2009

OCTOBER 9, 2009.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

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

R E P O R T

[To accompany H.R. 3537]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 3537) to amend and reauthorize the Junior Duck Stamp Conservation and Design Program Act of 1994, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 3537 is to amend and reauthorize the Junior Duck Stamp Conservation and Design Program Act of 1994.

BACKGROUND AND NEED FOR LEGISLATION

Initiated in 1989 by the National Fish and Wildlife Foundation and the U.S. Fish and Wildlife Service through its authority under the Fish and Wildlife Act of 1956, Congress passed the Junior Duck Stamp Conservation and Design Program Act on October 6, 1994 (Public Law 103-340) to formalize the program. The Junior Duck Stamp Program (JDS) Program provides students with a broad exposure to migratory waterfowl, including lesson plans to help increase students' knowledge and appreciation of migratory birds and their ecology. The program also provides activities geared to motivate students to take an active role in conserving these species. In the JDS curriculum guide, which is distributed free of charge to requesting schools, students can research any species of North Amer-

ican waterfowl and then artistically portray the selected bird and its habitat.

Students may then choose to enter their artwork in state JDS contests. All students from kindergarten through high school are eligible to participate at the state level. Entries are judged by local artists, stamp collectors, hunters, wildlife biologists and conservationists. The first place National winner receives a \$5,000 cash award and their design is reproduced as the Federal Junior Duck Stamp for that year. The winner is also provided a free trip to our nation's capital for themselves, their art teacher, one parent or guardian and the State JDS Coordinator to attend the First Day of Sales Ceremony for the Federal Duck Stamp, held towards the end of June each year.

Today, more than 27,000 students participate in the nationwide JDS wildlife art contest. The proceeds from the sale of the Junior Duck Stamp, which costs \$5, are returned to the program to be used for awards and conservation education. In 2008, the sale of Junior Duck Stamps generated \$106,949. The Administration, for the first time, requested funds to administer JDS Program in its FY 2010 budget submission.

COMMITTEE ACTION

H.R. 3537 was introduced on September 9, 2009 by Congressman Solomon Ortiz (D-TX). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Insular Affairs, Oceans and Wildlife. On September 22, 2009, the Subcommittee held a hearing on the bill.

On September 30, 2009, the Subcommittee was discharged from further consideration of H.R. 3537 and the full Natural Resources Committee met to consider the bill. The bill was ordered favorably reported to the House of Representatives by unanimous consent.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 provides that this Act may be cited as the "Junior Duck Stamp Conservation and Design Program Reauthorization Act of 2009".

Section 2. Findings

Section 2 provides Congressional findings that sales of the Junior Duck Stamp have successfully provided educational materials and scholarships for students, promoting the program's goal of connecting children with nature. The program has also built strong partnerships with schools, federal and state government agencies, non-governmental organizations, and the private sector in promoting youth conservation initiatives and stewardship.

Section 3. Reporting requirement

Section 3 amends the reporting requirements to direct the U.S. Fish and Wildlife Service to report to Congress on the status of the program in each state once every five years instead of biennially.

Section 4. Authorization of appropriations

Section 4 amends the Act to increase the annual authorized appropriations for program administration from \$350,000 to \$500,000 for each of fiscal years 2010 through 2015.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

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

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. General Performance Goals and Objectives. As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to amend and reauthorize the Junior Duck Stamp Conservation and Design Program Act of 1994.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

H.R. 3537—Junior Duck Stamp Conservation and Design Program Reauthorization Act of 2009

H.R. 3537 would authorize appropriations for the junior duck stamp program for fiscal years 2010 through 2015. The proposed authorization level of \$500,000 a year is \$150,000 more than the amount currently authorized for 2010 (after which funding for the program expires). Assuming appropriation of the authorized amounts each year (including the additional \$150,000 authorized for 2010), CBO estimates that implementing H.R. 3537 would cost about \$2 million over the 2010–2014 period and \$500,000 in 2015. Currently, the U.S. Fish and Wildlife Service, which administers this program, spends less than \$100,000 a year for this purpose, mostly to conduct the annual competition for the design of junior duck stamps.

The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contact for this estimate is Deborah Reis. The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

EARMARK STATEMENT

H.R. 3537 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

JUNIOR DUCK STAMP CONSERVATION AND DESIGN PROGRAM ACT OF 1994

* * * * *

SEC. 2. ESTABLISHMENT OF PROGRAM.

(a) * * *

* * * * *

(c) **EFFORT TO CONDUCT PROGRAM IN ALL STATES.—**

(1) * * *

[(2) **ANNUAL REPORT.—**The Secretary shall annually submit a report to the Congress on the status of the Program in each of the States.]

(2) *REPORTING REQUIREMENT.—Beginning in 2010 and every 5 years thereafter, the Secretary shall submit to Congress a report on the status of the Program in each State.*

* * * * *

[SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

[(a) **AUTHORIZATION.—**There are authorized to be appropriated to the Secretary for administrative expenses of the Program \$350,000 for each of the fiscal years 2006 through 2010.]

[(b) **LIMITATIONS ON USE FOR DISTRIBUTION TO STATE AND REGIONAL COORDINATORS TO IMPLEMENT COMPETITIONS.—**Of the amount appropriated under this section for a fiscal year—

[(1) not more than \$100,000 may be used by the Secretary to administer the Program; and

【(2) not more than \$250,000 may be distributed to State and regional coordinators to implement competitions under the Program.】

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Secretary for administrative expenses of the Program \$500,000 for each of fiscal years 2010 through 2015.

