

MULTINATIONAL SPECIES CONSERVATION FUNDS
SEMIPOSTAL STAMP ACT OF 2009

DECEMBER 7, 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. 1454]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 1454) to provide for the issuance of a Multinational Species Conservation Funds Semipostal Stamp, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Multinational Species Conservation Funds Semipostal Stamp Act of 2009”.

SEC. 2. MULTINATIONAL SPECIES CONSERVATION FUNDS SEMIPOSTAL STAMP.

(a) **IN GENERAL.**—In order to afford a convenient way for members of the public to contribute to funding for the operations supported by the Multinational Species Conservation Funds, the United States Postal Service shall issue a semipostal stamp (hereinafter in this Act referred to as the “Multinational Species Conservation Funds Semipostal Stamp”) in accordance with succeeding provisions of this section.

(b) **COST.**—The Multinational Species Conservation Funds Semipostal Stamp shall be offered at a cost equal to the cost of mailing a letter weighing 1 ounce or less at the nonautomation single-piece first-ounce letter rate, in effect at the time of purchase, plus a differential of not less than 25 percent.

(c) **OTHER TERMS AND CONDITIONS.**—The issuance and sale of the Multinational Species Conservation Funds Semipostal Stamp shall be governed by the provisions of section 416 of title 39, United States Code, and regulations issued under such section, subject to subsection (b) and the following:

(1) **DISPOSITION OF PROCEEDS.**—

(A) IN GENERAL.—All amounts becoming available from the sale of the Multinational Species Conservation Funds Semipostal Stamp (as determined under section 416(d) of such title 39) shall be transferred to the United States Fish and Wildlife Service, for the purpose described in subsection (a), through payments which shall be made at least twice a year, with the proceeds to be divided equally among the African Elephant Conservation Fund, the Asian Elephant Conservation Fund, the Great Ape Conservation Fund, the Marine Turtle Conservation Fund, the Rhinoceros and Tiger Conservation Fund, and other international wildlife conservation funds authorized by the Congress after the date of the enactment of this Act and administered by the Service as part of the Multinational Species Conservation Fund.

(B) PROCEEDS NOT TO BE OFFSET.—In accordance with section 416(d)(4) of such title 39, amounts becoming available from the sale of the Multinational Species Conservation Funds Semipostal Stamp (as so determined) shall not be taken into account in any decision relating to the level of appropriations or other Federal funding to be furnished in any year to—

- (i) the United States Fish and Wildlife Service; or
- (ii) any of the funds identified in subparagraph (A).

(2) DURATION.—The Multinational Species Conservation Funds Semipostal Stamp shall be made available to the public for a period of at least 5 years, beginning no later than 12 months after the date of the enactment of this Act.

(3) STAMP DEPICTIONS.—Stamps issued under this Act shall depict images of flagship multinational species, such as African and Asian elephants, rhinoceros and tigers, marine turtles, and certain species of great apes.

(4) LIMITATION.—The Multinational Species Conservation Funds Semipostal Stamp shall not be subject to, or taken into account for purposes of applying, any limitation under section 416(e)(1)(C) of such title 39.

(5) RESTRICTION ON USE OF FUNDS.—Amounts transferred under paragraph (1) shall not be used to fund or support the Wildlife Without Borders Program or to supplement funds made available for the Neotropical Migratory Bird Conservation Fund.

(d) DEFINITION.—For purposes of this Act, the term “semipostal stamp” refers to a stamp described in section 416(a)(1) of title 39, United States Code.

PURPOSE OF THE BILL

The purpose of H.R. 1454 is to provide for the issuance of a Multinational Species Conservation Funds Semipostal Stamp.

BACKGROUND AND NEED FOR LEGISLATION

The United States Postal Service (hereafter, the Postal Service) is authorized to issue a variety of stamp products, including semipostal stamps. Semipostal stamps have been defined as stamps issued and sold by the Postal Service, at a premium, in order to help provide funding for a specific cause considered to be appropriate and in the national interest. The price of a semipostal stamp reflects the First-Class single-piece postage rate in effect at the time of purchase plus an amount to generate additional funds. By law, revenue from sales (minus postage and the reasonable costs of the Postal Service) is to be transferred to a selected executive agency or agencies.

The Multinational Species Conservation Fund (MSCF) was created by Congress in 1999 as part of Title I of the Department of the Interior and Related Agencies Appropriations Act (16 U.S.C. 4246). Within the MSCF are specific wildlife conservation funds authorized under separate statutes that receive annual appropriations from Congress to support conservation activities in a wide range of countries to protect, recover or restore threatened and endangered species (specifically tigers, rhinoceroses, African elephants, Asian elephants, great apes and sea turtles). These wildlife species are all considered “keystone” or “umbrella” species, which

means that they enrich ecosystem function in a unique or significant manner through their activities, and that their effect is disproportionate to their number. More than \$115 million in matching funds or in-kind support has been obtained since the first grant was awarded under the African Elephant Conservation Act in 1990, nearly tripling the effect of the \$43 million in federal appropriated funds. Including all of the funds, over 500 partners have worked with the U.S. Fish and Wildlife Service (hereafter, the Service) under such grants in 44 countries to protect and conserve these species. In addition, coordination with the other federal agencies overseas, such as the U.S. Agency for International Development (USAID), has linked up species conservation and habitat management with economic development within range states.

Despite the conservation success and high popularity of the MSCF programs, annual appropriations for the MSCF have never exceeded \$10 million. Demand for grant funding, however, remains high and applications under the different MSCF programs far exceed available funding. In addition, proponents of MSCF programs note that each federal dollar invested in the MSCF routinely leverages three or four times the amount in non-federal matching contributions and increases overall financial support for wildlife conservation. The issuance of a semipostal stamp with the images of charismatic wildlife would be an effective way to increase financial support for wildlife conservation without negative implications for other programs outside the MSCF.

COMMITTEE ACTION

H.R. 1454 was introduced on March 12, 2009 by Representative Henry E. Brown, Jr. (R-SC). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Insular Affairs, Oceans and Wildlife. On May 5, 2009 the Subcommittee held a hearing on the bill.

On June 10, 2009, the Subcommittee was discharged from further consideration of H.R. 1454 and the full Natural Resources Committee met to consider the bill. Subcommittee Chairwoman Madeleine Bordallo (D-GU) offered an amendment in the nature of a substitute to clarify that stamp revenues transferred to the Service under the bill would apply only to the existing MSCF funds, or to new MSCF funds (such as funds for great cats and rare canids and for cranes) authorized by the Congress subsequent to the date of enactment and administered by the Service. Funds transferred would not be available to support activities implemented through the Wildlife Without Borders Program or to supplement funds available to support grants awarded under the Neotropical Migratory Bird Conservation Act (16 U.S.C. 6101 *et seq.*). The amendment was adopted by unanimous consent. The bill, as amended, was then 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 “Multi-national Species Conservation Funds Semipostal Stamp Act of 2009.”

Section 2. Multinational Species Conservation Funds Semipostal Stamp.

Section 2 directs the U.S. Postal Service to issue a Multinational Species Conservation Funds Semipostal Stamp depicting flagship multinational species which would be available for purchase for five years following enactment. All amounts available from the sale of the stamp are to be transferred twice yearly to the U.S. Fish and Wildlife Service and equally divided for operations among the African Elephant Conservation Fund, the Asian Elephant Conservation Fund, the Great Ape Conservation Fund, the Marine turtle Conservation Fund, the Rhinoceros and Tiger Conservation Fund, and other international wildlife conservation funds authorized by Congress after the date of the enactment of this Act. These funds are not to be considered as an offset in the level of appropriations or other federal funding.

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 provide for the issuance of a Multinational Species Conservation Funds Semipostal Stamp.

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:

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CBO estimates that implementing H.R. 1454 would have no significant discretionary cost to the federal government. Enacting the

bill would affect direct spending, but such costs would not be significant. This legislation contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of State, local, or tribal governments.

H.R. 1454 would direct the United States Postal Service to issue a special postage stamp for first-class mail that would cost participating customers at least 25 percent more than the regular rate. Any amounts collected from the special stamp (called a semipostal), after accounting for the Postal Service's administrative costs, would be transferred to the United States Fish and Wildlife Service (USFWS) for expenditure on programs to support endangered species. The Postal Service would have 12 months after enactment to make the semipostal available to the public, and the program would terminate no sooner than five years after that.

Payments of amounts above the regular first-class postage rate (currently 44 cents) would be treated as offsetting collections (that is, negative outlays) of the Postal Service. Based on sales of sales of other semipostals in recent years, we expect that the increase in offsetting collections would be less than \$1 million annually. Payments of those funds to the USFWS would be outlays of the Postal Service and offsetting collections to the USFWS, which would spend those amounts mostly in the same year. CBO estimates that the net change in outlays of the Postal Service (which is off-budget) and the USFWS (which is on-budget) would not be significant in any year.

The CBO staff contact for this estimate is Mark Grabowicz. 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. 1454 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.

CHANGE IN EXISTING LAW

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

