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111th Congress }
2d Session }

SENATE

{ REPORT
{ 111-234

MULTINATIONAL SPECIES CONSERVATION
FUNDS SEMIPOSTAL STAMP ACT OF 2010

R E P O R T

OF THE

COMMITTEE ON HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE

[TO ACCOMPANY H.R. 1454]

TO PROVIDE FOR THE ISSUANCE OF A MULTINATIONAL SPECIES
CONSERVATION FUNDS SEMIPOSTAL STAMP



JULY 27, 2010.—Ordered to be printed

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Mr. LIEBERMAN, from the Committee on Homeland Security and
Governmental Affairs, submitted the following

R E P O R T

[To accompany H.R. 1454]

The Committee on Homeland Security and Governmental Affairs, to which was referred the bill (H.R. 1454) to provide for the issuance of a Multinational Species Conservation Funds Semipostal Stamp, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

CONTENTS

	Page
I. Purpose and Summary	1
II. Background and Need for the Legislation	2
III. Legislative History	3
IV. Section-by-Section Analysis	3
V. Evaluation of Regulatory Impact	4
VI. Congressional Budget Office Cost Estimate	4
VII. Changes to Existing Law Made by the Bill, as Reported	5

I. PURPOSE AND SUMMARY

H.R. 1454 would require the United States Postal Service to issue a Multinational Species Conservation Funds Semipostal Stamp. The Multinational Species Conservation Funds is a small program administered by the U.S. Fish and Wildlife Service. It supports conservation efforts benefiting tigers, rhinoceroses, Asian and African elephants, marine turtles and great apes. Semipostals are stamps bearing a surcharge above typical postal rates. Members of the public may voluntarily purchase semipostals as a means of donating to the cause promoted by the stamp. Directing funds raised from the sale of this semipostal to the Multinational Species Conservation Funds is an effective way to increase financial sup-

port for the Funds' important work without having to increase its annual appropriations.

II. BACKGROUND AND NEED FOR THE LEGISLATION

Since 1998, the U.S. Postal Service (“the Postal Service” or “USPS”) has issued several “semipostal” stamps—stamps purchasers may use to mail a first class letter, but for which they voluntarily pay a surcharge over the usual first-class rates as a means to donate to the cause commemorated by the stamp. Since that time, all of the semipostals issued have been done so at the direction of Congress.¹ A variety of causes have benefited from the sale of these stamps, including breast cancer research,² domestic violence prevention programs,³ and assistance to the families of rescue workers killed or disabled in the terrorist attacks of September 11, 2001.⁴

The Committee agrees with the House of Representatives that the Multinational Species Conservation Funds (“MSCF” or “the Funds”) is equally deserving of a semipostal stamp. Congress created the MSCF in 1999 to recognize an unprecedented international decline of certain species and to help save some of the world’s fastest disappearing animals in their natural habitats.⁵ The MSCF currently benefits tigers, six species of rhinoceroses, Asian and African elephants, marine turtles, and great apes, and has generated tremendous amounts of interest among interest groups such as the World Conservation Society and citizens. The Funds supports conservation efforts benefiting these species, often in conjunction with efforts under the Convention of International Trade in Endangered Species (CITES), to which the United States is a party. The MSCF provides funding in the form of cost-sharing grants for species and habitat conservation as well as law enforcement. Additionally, the Funds offer technical assistance for conserving species under the MSCF. These efforts also benefit from funding and in-kind support provided by partners and collaborators. According to the U.S. Fish and Wildlife Service, which runs the program, \$75 million was provided by partners and collaborators for efforts under the MSCF from Fiscal Year 2004 to Fiscal Year 2009. This is nearly double the amount appropriated for these efforts during the same period.

Despite the success and 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

¹In 2000, Congress gave the Postal Service authority to issue semipostals pursuant to the Semipostal Authorization Act (P.L. 106–253). However, the Postal Service has not yet issued a semipostal pursuant to the Act because it had decided not to approve new semipostals while any other semipostals are in circulation. Such stamps have been on sale continuously since the initial enactment of the Stamp Out Breast Cancer Act (P.L. 105–41).

²Stamp Out Breast Cancer Act (P.L. 105–41).

³Stamp Out Domestic Violence Act of 2001 (P.L. 107–67).

⁴The 9/11 Heroes Stamp Act of 2001 (P.L. 107–67).

⁵The MSCF was created as part of Title I of the Department of the Interior and Relation Agencies Appropriations Act (16 U.S.C. 4246) which was later incorporated into Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (P.L. 105–277).

issuance of a semipostal stamp benefiting the MSCF would be an effective way to increase financial support for wildlife conservation without affecting appropriations for other programs outside the MSCF.

III. LEGISLATIVE HISTORY

On December 7, 2009, the House of Representatives passed H.R. 1454, sponsored by Representative Henry E. Brown, Jr. and 154 co-sponsors, by voice vote. The bill was received in the Senate on December 9, 2009, and referred to the Homeland Security and Governmental Affairs Committee, where it was subsequently referred to the Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security (FFM), which has jurisdiction over matters relating to the U.S. Postal Service.

Having been polled out of the Subcommittee, the full Committee considered the bill on April 28, 2010. Senator Carper, Chairman of the FFM Subcommittee, offered an amendment in the nature of a substitute to address concerns of the Postal Service. The substitute amendment makes the MSCF semipostal stamp consistent with requirements under the Semipostal Authorization Act (39 U.S.C. § 14) by lowering the rate of the semipostal from “no less than 25%” to “no less than 15%” above the rate of a first class stamp and mandating that the MSCF semipostal be sold at an amount that is evenly divisible by 5. Additionally, the substitute amendment lowers the authorization period for the MSCF semipostal stamp from five years to two years and eliminates the requirement in the original bill that the images of the flagship multinational species be depicted on the semipostal. The Committee adopted the substitute amendment by voice vote, but the April 28, 2010, meeting adjourned before the Committee had a chance to vote on reporting the bill. Members present for the voice vote on the substitute amendment were Senators Lieberman, Akaka, Carper, Pryor, Kaufman, Collins, and Graham. The Committee met again on May 17, 2010 and reported the bill, as amended, by voice vote with a recorded “no” for Senators Akaka and Burris.⁶ Additional Senators present were Lieberman, Carper, Pryor, Landrieu, Collins, Brown, Voinovich, and Graham.

IV. SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 designates the name of the act as the “Multinational Species Conservation Funds Semipostal Stamp Act of 2010.”

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 which would be available for voluntary purchase on the part of postal patrons for a period of two years after the enactment of this bill. In keeping

⁶During debate over this bill, Senator Akaka stated that while he supports the MSCF and funding for the program, he opposed the bill because he believes that the Postal Service, not Congress, should determine the issuance of semipostals through the process it established as a result of enactment of the Semipostal Authorization Act in 2000.

with the requirements of the Semipostal Authorization Act (39 U.S.C. § 14), Section 2 sets the rate of the semipostal at a cost equal to the rate of a first class stamp, plus a differential of no less than 15%. It also requires the rate to be evenly divisible by 5.

The Section also directs the transfer of all amounts available from the sale of the stamp twice yearly to the U.S. Fish and Wildlife Service and directs the Fish and Wildlife Service to divide the proceeds equally 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 the Act. These funds are not to be considered as an offset in the level of appropriations or other federal funding.

V. EVALUATION OF REGULATORY IMPACT

Pursuant to the requirements of paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee has considered the regulatory impact of this bill. The Congressional Budget Office states that the bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandate Reform Act and would impose no costs on state, local, or tribal governments, or private entities. The enactment of this legislation will not have significant regulatory impact.

VI. CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

MAY 26, 2010.

Hon. JOSEPH I. LIEBERMAN,
Chairman, Committee on Homeland Security and Governmental Affairs, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1454, the Multinational Species Conservation Funds Semipostal Stamp Act of 2010.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Mark Grabowicz.

Sincerely,

DOUGLAS W. ELMENDORF.

Enclosure.

H.R. 1454—Multinational Species Conservation Funds Semipostal Stamp Act of 2010

CBO estimates that implementing H.R. 1454 would have no significant discretionary cost to the federal government. Because the act would affect direct spending, pay-as-you-go procedures would apply, but CBO estimates that those effects would not be significant. H.R. 1454 would not affect revenues. H.R. 1454 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 15 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 two years after that.

Payments of amounts above the regular first-class postage rate (currently 44 cents) would be treated as offsetting collections (that is, a credit against spending) of the Postal Service. Based on sales of other semipostals in recent years, we expect that the increase in offsetting collections would total 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.

On June 23, 2009, CBO transmitted a cost estimate for H.R. 1454 as ordered reported by the House Committee on Natural Resources on June 10, 2009. The two versions of the legislation are similar, and the estimated costs are the same.

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

VII. CHANGES TO EXISTING LAW MADE BY THE BILL, AS REPORTED

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

