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SENATE

{ REPORT
110-405

NATIONAL FISH AND WILDLIFE FOUNDATION ESTABLISHMENT ACT AMENDMENT OF 2007

JUNE 27, 2008.—Ordered to be printed

Mrs. BOXER, from the Committee on Environment and Public
Works, submitted the following

R E P O R T

[To accompany H.R. 3891]

[Including cost estimate of the Congressional Budget Office]

The Committee on Environment and Public Works, to whom was referred the bill (H.R. 3891) to amend the National Fish and Wildlife Foundation Establishment Act to increase the number of Directors on the Board of Directors of the National Fish and Wildlife Foundation, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

GENERAL STATEMENT AND BACKGROUND

The National Fish and Wildlife Foundation (Foundation) was established by Congress in 1984. The Foundation is a charitable and nonprofit corporation and is not an agency or establishment of the United States. The purposes of the Foundation are—

(1) to encourage, accept, and administer private gifts for the benefit of, or in connection with, the activities and services of the United States Fish and Wildlife Service and the National Oceanic and Atmospheric Administration, to further the conservation and management of fish, wildlife, plants, and other natural resources;

(2) to undertake and conduct such other activities as will further the conservation and management of fish, wildlife, and plant resources of the United States, and its territories and possessions, for present and future generations of Americans; and

(3) to participate with, and otherwise assist, foreign governments, entities, and individuals in undertaking and conducting activities that will further the conservation and management of the fish, wildlife and plant resources of other countries.

The Foundation receives federal funds through appropriations and directly from federal agencies for the purposes of administering conservation programs. All appropriated monies received must be matched by private dollars on at least a one-to-one basis, thereby leveraging the impact of federal funds.

In addition, appropriated funds may not be used for the administrative expenses of the Foundation, including for salaries, travel and transportation expenses, and other overhead expenses. While the Foundation and its conservation programs have grown dramatically since it was established, and fund-raising for conservation programs has also grown, it is more difficult to raise money for the administrative expenses of the Foundation which have also increased. Expanding the size of the Board of Directors should improve the ability of the Foundation to raise private funds to cover its administrative expenses and improve the implementation of its conservation programs.

OBJECTIVES OF THE LEGISLATION

The purpose of H.R. 3891 is to amend the National Fish and Wildlife Foundation Establishment Act to increase the number of Directors on the Board of Directors of the National Fish and Wildlife Foundation.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 cites the Act as the “National Fish and Wildlife Foundation Establishment Act Amendment of 2007.”

Section 2. Board of Directors of the Foundation

Section 2 amends section 3(a) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3702(a)) by increasing the appointed number of Directors on the Foundation’s governing Board of Directors to 30.

LEGISLATIVE HISTORY

On April 1, 2008, after favorable action on H.R. 3891 by the House of Representatives on March 31, 2008, the bill was received in the Senate, read twice and referred to the Senate Committee on Environment and Public Works. The Committee met on May 21, 2008, to consider the bill, and H.R. 3891 was ordered to be reported favorably without amendment.

HEARINGS

No committee hearings were held on H.R. 3891.

ROLLCALL VOTES

The Committee on Environment and Public Works met to consider H.R. 3891 on May 21, 2008. The bill was ordered favorably

reported without amendment by voice vote. No rollcall votes were taken.

REGULATORY IMPACT STATEMENT

In compliance with section 11(b) of rule XXVI of the Standing Rules of the Senate, the committee finds that H.R. 3891 does not create any additional regulatory burdens, nor will it cause any adverse impact on the personal privacy of individuals.

MANDATES ASSESSMENT

In compliance with the Unfunded Mandates Reform Act of 1995 (Public Law 104–4), the committee finds that H.R. 3891 imposes no Federal intergovernmental mandates on State, local or tribal governments.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

H.R. 3891—National Fish and Wildlife Foundation Establishment Act Amendment of 2008

H.R. 3891 would amend the National Fish and Wildlife Foundation Establishment Act to increase the number of members on the foundation's board of directors from 25 to 30. CBO estimates that implementing H.R. 3891 would have no effect on the federal budget. The National Fish and Wildlife Foundation is a nonprofit entity chartered by the federal government.

H.R. 3891 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.

On March 19, 2008, CBO transmitted a cost estimate for H.R. 3891 as ordered reported by the House Committee on Natural Resources on March 12, 2008. The two versions of H.R. 3891 are nearly identical, and the CBO cost estimates are the same.

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

CHANGES IN EXISTING LAW

In compliance with section 12 of rule XXVI of the Standing Rules of the Senate, 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:

NATIONAL FISH AND WILDLIFE FOUNDATION ESTABLISHMENT ACT

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SECTION 1. SHORT TITLE.

This Act may be cited as the “National Fish and Wildlife Foundation Establishment Act”.

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SEC. 3. BOARD OF DIRECTORS OF THE FOUNDATION.

(a) ESTABLISHMENT AND MEMBERSHIP.

【(1) IN GENERAL.—The Foundation shall have a governing Board of Directors (referred to in this Act as the “Board”), which shall consist of 25 Directors appointed in accordance with subsection (b), each of whom shall be a United States citizen.】

(1) IN GENERAL.—The Foundation shall have a governing Board of Directors (referred to in this Act as the “Board”), which shall consist of 30 Directors appointed in accordance with subsection (b), each of whom shall be a United States citizen.

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