

(6) Information regarding the source and amount of matching funding available to the applicant.

(7) Any other information the Secretary considers to be necessary for evaluating the eligibility of the project for funding under this chapter.

(c) Project review and approval

(1) In general

Within 30 days after receiving a final project proposal, the Secretary shall provide a copy of the proposal to the Administrator. The Secretary shall review each final project proposal to determine if it meets the criteria set forth in subsection (d).

(2) Consultation; approval or disapproval

Not later than 6 months after receiving a final project proposal, and subject to the availability of funds, the Secretary, after consulting with the Administrator, shall—

(A) request written comments on the proposal from each country within which the project is to be conducted;

(B) after requesting those comments, approve or disapprove the proposal; and

(C) provide written notification of that approval or disapproval to the person who submitted the proposal and the Administrator.

(d) Criteria for approval

The Secretary may approve a final project proposal under this section if the project will enhance programs for conservation of Asian elephants by assisting efforts to—

(1) implement conservation programs;

(2) address the conflicts between humans and elephants that arise from competition for the same habitat;

(3) enhance compliance with provisions of CITES and laws of the United States or a foreign country that prohibit or regulate the taking or trade of Asian elephants or regulate the use and management of Asian elephant habitat;

(4) develop sound scientific information on the condition of Asian elephant habitat, Asian elephant population numbers and trends, or the threats to such habitat, numbers, or trends; or

(5) promote cooperative projects on those topics with other foreign governments, affected local communities, nongovernmental organizations, or others in the private sector.

(e) Project sustainability

To the maximum extent practical, in determining whether to approve project proposals under this section, the Secretary shall give consideration to projects which will enhance sustainable integrated conservation development programs to ensure effective, long-term conservation of Asian elephants.

(f) Project reporting

Each person who receives assistance under this section for a project shall provide periodic reports, as the Secretary considers necessary, to the Secretary and the Administrator. Each report shall include all information required by the Secretary, after consulting with the Admin-

istrator, for evaluating the progress and success of the project.

(g) Matching funds

In determining whether to approve project proposals under this section, the Secretary shall give priority to those projects for which there exists some measure of matching funds.

(h) Limitation on use for captive breeding

Amounts provided as a grant under this chapter may not be used for captive breeding of Asian elephants other than for release in the wild.

(Pub. L. 105–96, § 5, Nov. 19, 1997, 111 Stat. 2151; Pub. L. 110–133, § 2(a), Dec. 6, 2007, 121 Stat. 1362.)

AMENDMENTS

2007—Subsec. (c)(2)(C). Pub. L. 110–133 substituted “and the Administrator” for “, the Administrator, and each of those countries”.

§ 4265. Acceptance and use of donations

The Secretary may accept and use donations to provide assistance under section 4264 of this title. Amounts received by the Secretary in the form of donations shall be transferred to the Secretary of the Treasury for deposit into the Fund.

(Pub. L. 105–96, § 6, Nov. 19, 1997, 111 Stat. 2153; Pub. L. 107–141, § 5(a)(2), Feb. 12, 2002, 116 Stat. 14.)

AMENDMENTS

2002—Pub. L. 107–141 substituted “Acceptance and use of donations” for “Asian Elephant Conservation Fund” as section catchline, struck out subsecs. (a) to (c), which related to establishment, deposits into, and use of the Asian Elephant Conservation Fund, redesignated subsec. (d) as entire section and struck out subsec. heading.

§ 4265a. Advisory group

(a) In general

To assist in carrying out this chapter, the Secretary may convene an advisory group consisting of individuals representing public and private organizations actively involved in the conservation of Asian elephants.

(b) Public participation

(1) Meetings

The Advisory Group shall—

(A) ensure that each meeting of the advisory group is open to the public; and

(B) provide, at each meeting, an opportunity for interested persons to present oral or written statements concerning items on the agenda.

(2) Notice

The Secretary shall provide to the public timely notice of each meeting of the advisory group.

(3) Minutes

Minutes of each meeting of the advisory group shall be kept by the Secretary and shall be made available to the public.

(c) Exemption from Federal Advisory Committee Act

The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the advisory group.