

removal of vegetation is restricted or prohibited; or

(4) in an area in which the eligible activity would be inconsistent with the applicable land and resource management plan.

(g) Accountability

(1) Initial report

Not later than 1 year after November 15, 2021, the Secretary shall submit to Congress a report providing recommendations to Congress relating to the Program, including a review of—

- (A) funding mechanisms for the Program;
- (B) staff capacity to carry out the Program;
- (C) privacy laws applicable to the Program;
- (D) data collection under the Program;
- (E) monitoring and outcomes under the Program; and
- (F) such other matters as the Secretary considers to be appropriate.

(2) Additional reports

For each of fiscal years 2022 and 2023, the Chiefs shall submit to the Committee on Agriculture, Nutrition, and Forestry and the Committee on Appropriations of the Senate and the Committee on Agriculture and the Committee on Appropriations of the House of Representatives a report describing projects for which funding is provided under the Program, including the status and outcomes of those projects.

(h) Funding

(1) Authorization of appropriations

There is authorized to be appropriated to the Secretary to carry out the Program \$90,000,000 for each of fiscal years 2022 and 2023.

(2) Additional funds

In addition to the funds described in paragraph (1), the Secretary may obligate available funds from accounts used to carry out the existing Joint Chiefs' Landscape Restoration Partnership prior to November 15, 2021, to carry out the Program.

(3) Duration of availability

Funds made available under paragraph (1) shall remain available until expended.

(4) Distribution of funds

Of the funds made available under paragraph (1)—

- (A) not less than 40 percent shall be allocated to carry out eligible activities through the Natural Resources Conservation Service;
- (B) not less than 40 percent shall be allocated to carry out eligible activities through the Forest Service; and
- (C) the remaining funds shall be allocated by the Chiefs to the Natural Resources Conservation Service or the Forest Service—
 - (i) to carry out eligible activities; or
 - (ii) for other purposes, such as technical assistance, project development, or local capacity building.

(Pub. L. 117-58, div. D, title VIII, §40808, Nov. 15, 2021, 135 Stat. 1114.)

Editorial Notes

REFERENCES IN TEXT

The Food Security Act of 1985, referred to in subsec. (b)(2)(A), is Pub. L. 99-198, Dec. 23, 1985, 99 Stat. 1354. Title XII of the Act is classified principally to chapter 58 (§3801 et seq.) of this title. Subchapter B of chapter 1 of subtitle D of title XII of the Act is classified generally to subpart B (§3831 et seq.) of part I of subchapter IV of chapter 58 of this title. For complete classification of this Act to the Code, see Short Title of 1985 Amendment note set out under section 1281 of Title 7, Agriculture, and Tables.

CODIFICATION

Section was enacted as part of the Infrastructure Investment and Jobs Act, and not as part of the Healthy Forests Restoration Act of 2003 which comprises this chapter.

Statutory Notes and Related Subsidiaries

WAGE RATE REQUIREMENTS

For provisions relating to rates of wages to be paid to laborers and mechanics on projects for construction, alteration, or repair work funded under div. D or an amendment by div. D of Pub. L. 117-58, including authority of Secretary of Labor, see section 18851 of Title 42, The Public Health and Welfare.

DEFINITIONS

For definition of “Indian Tribe” as used in this section, see section 5304 of Title 25, Indians, as made applicable by section 18701(2) of Title 42, The Public Health and Welfare.

CHAPTER 85—MARINE TURTLE CONSERVATION

| Sec. | |
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§ 6601. Findings and purposes

(a) Findings

The Congress finds that—

(1) marine turtle populations have declined to the point that the long-term survival of the loggerhead, green, hawksbill, Kemp's ridley, olive ridley, and leatherback turtle in the wild is in serious jeopardy;

(2) 6 of the 7 recognized species of marine turtles are listed as threatened or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), and all 7 species have been included in Appendix I of CITES;

(3) because marine turtles are long-lived, late-maturing, and highly migratory, marine turtles are particularly vulnerable to the impacts of human exploitation and habitat loss;

(4) illegal international trade seriously threatens wild populations of some marine turtle species, particularly the hawksbill turtle;

(5) the challenges facing marine turtles are immense, and the resources available have not been sufficient to cope with the continued loss of nesting habitats caused by human activities and the consequent diminution of marine turtle populations;

(6) because marine turtles are flagship species for the ecosystems in which marine turtles are found, sustaining healthy populations of marine turtles provides benefits to many other species of wildlife, including many other threatened or endangered species;

(7) marine turtles are important components of the ecosystems that they inhabit, and studies of wild populations of marine turtles have provided important biological insights;

(8) changes in marine turtle populations are most reliably indicated by changes in the numbers of nests and nesting females; and

(9) the reduction, removal, or other effective addressing of the threats to the long-term viability of populations of marine turtles will require the joint commitment and effort of—

(A) countries that have within their boundaries marine turtle nesting habitats; and

(B) persons with expertise in the conservation of marine turtles.

(b) Purpose

The purpose of this chapter is to assist in the conservation of marine turtles, freshwater turtles, and tortoises and the habitats of marine turtles, freshwater turtles, and tortoises in foreign countries and territories of the United States by supporting and providing financial resources for projects—

(1) to conserve marine turtle, freshwater turtle, and tortoise habitats under the jurisdiction of United States Fish and Wildlife Service programs;

(2) to conserve marine turtles, freshwater turtles, and tortoises in those habitats; and

(3) to address other threats to the survival of marine turtles, freshwater turtles, and tortoises, including habitat loss, poaching of turtles or their eggs, and wildlife trafficking.

(Pub. L. 108-266, §2, July 2, 2004, 118 Stat. 791; Pub. L. 116-9, title VII, §7001(c)(3)(A), Mar. 12, 2019, 133 Stat. 786.)

Editorial Notes

REFERENCES IN TEXT

The Endangered Species Act of 1973, referred to in subsec. (a)(2), is Pub. L. 93-205, Dec. 28, 1973, 87 Stat. 884, as amended, which is classified principally to chapter 35 (§1531 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1531 of this title and Tables.

AMENDMENTS

2019—Subsec. (b). Pub. L. 116-9 added subsec. (b) and struck out former subsec. (b). Prior to amendment, text read as follows: “The purpose of this chapter is to assist in the conservation of marine turtles and the nesting habitats of marine turtles in foreign countries by supporting and providing financial resources for projects to conserve the nesting habitats, conserve marine turtles in those habitats, and address other threats to the survival of marine turtles.”

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 108-266, §1, July 2, 2004, 118 Stat. 791, provided that: “This Act [enacting this chapter] may be cited as the ‘Marine Turtle Conservation Act of 2004.’”

§ 6602. Definitions

In this chapter:

(1) CITES

The term “CITES” means the Convention on International Trade in Endangered Species of Wild Fauna and Flora (27 UST 1087; TIAS 8249).

(2) Conservation

The term “conservation” means the use of all methods and procedures necessary to protect marine turtles, freshwater turtles, and tortoises, and the habitats of marine turtles, freshwater turtles, and tortoises, in foreign countries and territories of the United States under the jurisdiction of United States Fish and Wildlife Service programs, including—

(A) protection, restoration, and management of habitats;

(B) onsite research and monitoring of populations, habitats, annual reproduction, and species population trends;

(C) assistance in the development, implementation, and improvement of national and regional management plans for habitat ranges;

(D) enforcement and implementation of CITES and laws of foreign countries—

(i) to protect and manage populations and habitats; and

(ii) to prevent illegal trade of marine turtles;

(E) training of local law enforcement officials in the interdiction and prevention of—

(i) the illegal killing of marine turtles, freshwater turtles, and tortoises; and

(ii) illegal trade in marine turtles;

(F) initiatives to resolve conflicts between humans and marine turtles, freshwater turtles, and tortoises over habitats used by marine turtles, freshwater turtles, and tortoises;

(G) community outreach and education; and

(H) strengthening of the ability of local communities to implement population and habitat conservation programs.

(3) Freshwater turtle

(A) In general

The term “freshwater turtle” means any member of the family Carettochelyidae, Chelidae, Chelydridae, Dermatemydidae, Emydidae, Geoemydidae, Kinosternidae, Pelomedusidae, Platysternidae, Podocnemididae, or Trionychidae.

(B) Inclusions

The term “freshwater turtle” includes—

(i) any part, product, egg, or offspring of a turtle described in subparagraph (A); and

(ii) a carcass of such a turtle.

(4) Fund

The term “Fund” means the Marine Turtle Conservation Fund established by section 6604 of this title.

(5) Habitat

The term “habitat” means any marine turtle, freshwater turtle, or tortoise habitat (including a nesting habitat) that is under the jurisdiction of United States Fish and Wildlife Service programs.