

118TH CONGRESS
1ST SESSION

H. R. 4350

To encourage and facilitate efforts by States and other stakeholders to conserve and sustain the western population of monarch butterflies, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 23, 2023

Mr. PANETTA (for himself, Mr. CARBAJAL, Mrs. DINGELL, Ms. BONAMICI, Ms. TOKUDA, Mr. CARSON, Mr. PETERS, Mr. HUFFMAN, Mr. THOMPSON of California, Mr. ESPAILLAT, Ms. PINGREE, and Ms. NORTON) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To encourage and facilitate efforts by States and other stakeholders to conserve and sustain the western population of monarch butterflies, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Monarch Action, Re-
5 covery, and Conservation of Habitat Act of 2023” or the
6 “MONARCH Act of 2023”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) the population of western monarch butter-
4 flies is at imminent risk of extinction;

5 (2) over the past 3 decades, the population of
6 western monarch butterflies has declined by more
7 than 99 percent due to prolonged drought, loss of
8 milkweed and native pollinator habitat, loss of breed-
9 ing and overwintering habitat, and climate change;

10 (3) in 2020, the population of western monarch
11 butterflies reached a new historic low of 1,914 but-
12 terflies, falling below the predicted extinction thresh-
13 old for the third year in a row;

14 (4) the extinction of the population of migra-
15 tory western monarch butterflies is now likely to
16 occur within the next 2 decades if urgent action is
17 not taken;

18 (5) actively restoring native milkweed and nec-
19 tar plants, monarch overwintering habitat, and other
20 pollinator habitat, and ensuring that key habitats
21 are protected from destruction, are critical to ensur-
22 ing the survival of western monarch butterflies and
23 can also help facilitate conservation of other essen-
24 tial pollinators; and

1 (6) enhancing pollinator populations can result
2 in improved pollination services for neighboring land,
3 including agriculture and wildlife ecosystems.

4 **SEC. 3. DEFINITIONS.**

5 In this Act:

6 (1) CONSERVATION.—The term “conservation”
7 means the use of each method or procedure nec-
8 essary to protect habitats of western monarch but-
9 terflies and other pollinators within the range of
10 western monarch butterflies, including—

11 (A) the protection, restoration, and man-
12 agement of overwintering, breeding, and migra-
13 tory habitats;

14 (B) assistance in the development and im-
15 plementation of national, regional, State, Trib-
16 al, and local conservation and management
17 plans; and

18 (C) community outreach and education.

19 (2) FUND.—The term “Fund” means the West-
20 ern Monarch Butterfly Rescue Fund established by
21 section 5(a).

22 (3) SECRETARY.—The term “Secretary” means
23 the Secretary of the Interior.

1 (4) TRIBAL GOVERNMENT.—The term “Tribal
2 government” means the governing body of a feder-
3 ally recognized Indian Tribe.

4 (5) WESTERN MONARCH BUTTERFLY.—The
5 term “western monarch butterfly” means the mon-
6 arch butterfly population that overwinters along the
7 coast of the State of California and breeds across
8 the States of California, Arizona, Nevada, Wash-
9 ington, Oregon, Idaho, and Utah.

10 **SEC. 4. WESTERN MONARCH BUTTERFLY CONSERVATION**
11 **GRANT PROGRAM.**

12 (a) IN GENERAL.—Subject to the availability of
13 funds and in consultation with other relevant Federal
14 agencies, amounts deposited in the Fund shall be available
15 to the Secretary to provide grants for projects for the con-
16 servation of western monarch butterflies and other polli-
17 nators within the range of western monarch butterflies for
18 which project proposals are approved by the Secretary in
19 accordance with this section.

20 (b) PROJECT PROPOSALS.—

21 (1) ELIGIBLE ENTITIES.—An entity that is eli-
22 gible to receive a grant for a project under this sec-
23 tion is—

24 (A) a relevant local government or Tribal
25 government agency, research institution, or

1 nonprofit organization with expertise required
2 for the conservation of western monarch butter-
3 flies and other pollinators within the range of
4 western monarch butterflies; and

5 (B) any other entity, as determined appro-
6 priate by the Secretary, with the expertise re-
7 quired for the conservation of western monarch
8 butterflies and other pollinators within the
9 range of western monarch butterflies.

10 (2) FEDERAL PARTNERSHIP OPPORTUNITIES.—

11 A State or Federal agency—

12 (A) may not be a lead entity or receive a
13 grant for a project under this section; but

14 (B) may be included as a partner or col-
15 laborator on a project that receives a grant
16 under this section.

17 (3) REQUIRED ELEMENTS.—A proposal for a
18 project under this section shall include—

19 (A) a statement of the purposes of the
20 project;

21 (B) the name of the entity with overall re-
22 sponsibility for the project;

23 (C) a description of—

24 (i) the qualifications of the entity that
25 will conduct the project;

1 (ii) methods for project implementa-
2 tion and outcome assessment; and

3 (iii) anticipated outcomes;

4 (D) assurances that the project will be im-
5 plemented in consultation with relevant wildlife
6 management authorities, Indian Tribes, and
7 other appropriate local government, State gov-
8 ernment, and Federal Government agencies;

9 (E) assurances that the conservation ef-
10 forts outlined in the proposal do not conflict
11 with food safety measures or practices;

12 (F) information that demonstrates the
13 clear potential of the project to contribute to
14 the conservation and recovery of western mon-
15 arch butterflies and other pollinators within the
16 range of western monarch butterflies; and

17 (G) such other information as the Sec-
18 retary may require.

19 (c) PROJECT REVIEW AND APPROVAL.—The Sec-
20 retary shall annually—

21 (1) solicit project proposals for funding under
22 this section; and

23 (2) review each proposal described in paragraph
24 (1) on a timeline that recognizes the urgency of the
25 declining number of western monarch butterflies and

1 other pollinators within the range of western mon-
2 arch butterflies to determine whether the proposal
3 meets the criteria specified in subsection (d).

4 (d) CRITERIA FOR APPROVAL.—The Secretary may
5 approve a project proposal under this section if the pro-
6 posal demonstrates a likelihood that the project will con-
7 tribute to the conservation of western monarch butterfly
8 populations in the wild.

9 (e) TECHNICAL ASSISTANCE.—The Secretary shall
10 provide technical assistance for a project that receives a
11 grant under this section.

12 (f) PROJECT REPORTING.—

13 (1) IN GENERAL.—Each entity that receives a
14 grant for a project under this section shall submit
15 to the Secretary, at such intervals as the Secretary
16 may require, reports that include any information
17 that the Secretary determines is necessary to evalu-
18 ate the progress and success of the project for the
19 purposes of ensuring positive results, assessing prob-
20 lems, and fostering improvements.

21 (2) AVAILABILITY TO STATE LEGISLATURES.—
22 At the request of the Governor of the State in which
23 a project is conducted, each entity that receives a
24 grant for a project under this section shall submit

1 each report under paragraph (1) to the State legisla-
2 ture of that State.

3 (3) AVAILABILITY TO THE PUBLIC.—The Sec-
4 retary shall make available to the public, in a timely
5 manner—

6 (A) each report submitted under para-
7 graph (1); and

8 (B) any other documents relating to
9 projects for which a grant is provided under
10 this section.

11 **SEC. 5. WESTERN MONARCH BUTTERFLY RESCUE FUND.**

12 (a) ESTABLISHMENT.—There is established in the
13 Treasury of the United States a fund, to be known as the
14 “Western Monarch Butterfly Rescue Fund”.

15 (b) ADMINISTRATIVE EXPENSES.—Of the amounts
16 available in the Fund for each fiscal year, the Secretary
17 may expend not more than 3 percent to pay the adminis-
18 trative expenses necessary to carry out this Act.

19 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
20 authorized to be appropriated for deposit into the Fund
21 \$12,500,000 for each of fiscal years 2023 through 2027,
22 to remain available until expended.

1 **SEC. 6. IMPLEMENTATION OF THE WESTERN MONARCH**
2 **BUTTERFLY CONSERVATION PLAN.**

3 (a) **IN GENERAL.**—The Secretary shall enter into an
4 agreement with the National Fish and Wildlife Founda-
5 tion pursuant to the National Fish and Wildlife Founda-
6 tion Establishment Act (16 U.S.C. 3701 et seq.) to facili-
7 tate updating and implementing the Western Monarch
8 Butterfly Conservation Plan prepared by the Western As-
9 sociation of Fish and Wildlife Agencies and dated January
10 2019.

11 (b) **ADMINISTRATION.**—Section 10(a) of the National
12 Fish and Wildlife Foundation Establishment Act (16
13 U.S.C. 3709(a)) shall not apply with respect to—

14 (1) the agreement entered into under subsection
15 (a); or

16 (2) amounts made available to carry out this
17 section.

18 (c) **AUTHORIZATION OF APPROPRIATIONS.**—There is
19 authorized to be appropriated to the Secretary to carry
20 out this section \$12,500,000 for each of fiscal years 2023
21 through 2027.

22 **SEC. 7. REPORT TO CONGRESS.**

23 Not later than January 31 of each year, the Sec-
24 retary shall submit to Congress a report describing the
25 status of western monarch butterflies, including, with re-
26 spect to the year for which the report is submitted—

1 (1) a summary of the projects for which the
2 Secretary has provided funding under section 4 and
3 an evaluation of those projects; and

4 (2) a summary of the projects for which the
5 Secretary has provided funding through the Western
6 Monarch Butterfly Conservation Plan prepared by
7 the Western Association of Fish and Wildlife Agen-
8 cies and dated January 2019.

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