118TH CONGRESS  
1ST Session

S. ______

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 SENATE OF THE UNITED STATES

Mr. MERKLEY (for himself, Ms. DUCKWORTH, Mr. BOOKER, Mr. PADILLA, Mr. VAN HOLLEN, Mr. WHITEHOUSE, Mr. Luján, Mrs. FEINSTEIN, Mr. WYDEN, and Mr. HEINRICH) introduced the following bill; which was read twice and referred to the Committee on ____________________

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 Representatives of the United States of America in Congress assembled,

2  SECTION 1. SHORT TITLE.

3  This Act may be cited as the “Monarch Action, Recovery, and Conservation of Habitat Act of 2023” or the “MONARCH Act of 2023”.

4  SEC. 2. FINDINGS.

5  Congress finds that—
(1) the population of western monarch butterflies is at imminent risk of extinction;

(2) over the past 3 decades, the population of western monarch butterflies has declined by more than 99 percent due to prolonged drought, loss of milkweed and native pollinator habitat, loss of breeding and overwintering habitat, and climate change;

(3) in 2020, the population of western monarch butterflies reached a new historic low of 1,914 butterflies, falling below the predicted extinction threshold for the third year in a row;

(4) the extinction of the population of migratory western monarch butterflies is now likely to occur within the next 2 decades if urgent action is not taken;

(5) actively restoring native milkweed and nectar plants, monarch overwintering habitat, and other pollinator habitat, and ensuring that key habitats are protected from destruction, are critical to ensuring the survival of western monarch butterflies and can also help facilitate conservation of other essential pollinators; and

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

In this Act:

(1) CONSERVATION.—The term “conservation” means the use of each method or procedure necessary to protect habitats of western monarch butterflies and other pollinators within the range of western monarch butterflies, including—

(A) the protection, restoration, and management of overwintering, breeding, and migratory habitats;

(B) assistance in the development and implementation of national, regional, State, Tribal, and local conservation and management plans; and

(C) community outreach and education.

(2) FUND.—The term “Fund” means the Western Monarch Butterfly Rescue Fund established by section 5(a).

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

(4) TRIBAL GOVERNMENT.—The term “Tribal government” means the governing body of a federally recognized Indian Tribe.

(5) WESTERN MONARCH BUTTERFLY.—The term “western monarch butterfly” means the monarch butterfly population that overwinters along the

SEC. 4. WESTERN MONARCH BUTTERFLY CONSERVATION

GRANT PROGRAM.

(a) In General.—Subject to the availability of funds and in consultation with other relevant Federal agencies, amounts deposited in the Fund shall be available to the Secretary to provide grants for projects for the conservation of western monarch butterflies, and other pollinators within the range of western monarch butterflies, for which project proposals are approved by the Secretary in accordance with this section.

(b) Project Proposals.—

(1) Eligible Entities.—An entity that is eligible to receive a grant for a project under this section is—

(A) a relevant local government or Tribal government agency, research institution, or nonprofit organization with expertise required for the conservation of western monarch butterflies and other pollinators within the range of western monarch butterflies; and

(B) any other entity, as determined appropriate by the Secretary, with the expertise re-
quired for the conservation of western monarch
butterflies and other pollinators within the
range of western monarch butterflies.

(2) **FEDERAL PARTNERSHIP OPPORTUNITIES.**—

A State or Federal agency—

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

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

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

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

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

(C) a description of—

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

(ii) methods for project implemen-
tation and outcome assessment; and

(iii) anticipated outcomes;

(D) assurances that the project will be im-
plemented in consultation with relevant wildlife
management authorities, Indian Tribes, and
other appropriate local government, State govern-
ment, and Federal Government agencies;

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

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

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

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

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

(2) review each proposal described in paragraph
(1) on a timeline that recognizes the urgency of the
decreasing number of western monarch butterflies and
other pollinators within the range of western mon-
arch butterflies to determine whether the proposal
meets the criteria specified in subsection (d).

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

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

(f) PROJECT REPORTING.—

(1) IN GENERAL.—Each entity that receives a grant for a project under this section shall submit to the Secretary, at such intervals as the Secretary may require, reports that include any information that the Secretary determines is necessary to evaluate the progress and success of the project for the purposes of ensuring positive results, assessing problems, and fostering improvements.

(2) AVAILABILITY TO STATE LEGISLATURES.—At the request of the Governor of the State in which a project is conducted, each entity that receives a grant for a project under this section shall submit each report under paragraph (1) to the State legislature of that State.

(3) AVAILABILITY TO THE PUBLIC.—The Secretary shall make available to the public, in a timely manner—

(A) each report submitted under paragraph (1); and
(B) any other documents relating to projects for which a grant is provided under this section.

SEC. 5. WESTERN MONARCH BUTTERFLY RESCUE FUND.

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

(b) Administrative Expenses.—Of the amounts available in the Fund for each fiscal year, the Secretary may expend not more than 3 percent to pay the administrative expenses necessary to carry out this Act.

(c) Authorization of Appropriations.—There is authorized to be appropriated for deposit into the Fund $12,500,000 for each of fiscal years 2023 through 2027, to remain available until expended.

SEC. 6. IMPLEMENTATION OF THE WESTERN MONARCH BUTTERFLY CONSERVATION PLAN.

(a) In General.—The Secretary shall enter into an agreement with the National Fish and Wildlife Foundation pursuant to the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701 et seq.) to facilitate updating and implementing the Western Monarch Butterfly Conservation Plan prepared by the Western Association of Fish and Wildlife Agencies and dated January 2019.
(b) Administration.—Section 10(a) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3709(a)) shall not apply with respect to—

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

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

(c) Authorization of Appropriations.—There is authorized to be appropriated to the Secretary to carry out this section $12,500,000 for each of fiscal years 2023 through 2027.

SEC. 7. REPORT TO CONGRESS.

Not later than January 31 of each year, the Secretary shall submit to Congress a report describing the status of western monarch butterflies, including, with respect to the year for which the report is submitted—

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

(2) a summary of the projects for which the Secretary has provided funding through the Western Monarch Butterfly Conservation Plan prepared by the Western Association of Fish and Wildlife Agencies and dated January 2019.