



119TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To establish grant programs to sustain populations of species of migratory waterfowl through the deployment of tools and practices that complement habitat conservation, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

Mrs. HYDE-SMITH introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To establish grant programs to sustain populations of species of migratory waterfowl through the deployment of tools and practices that complement habitat conservation, 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 "Habitat Enhancement  
5 Now Act".

6 **SEC. 2. GRANT PROGRAMS TO SUSTAIN POPULATIONS OF**  
7 **SPECIES OF MIGRATORY WATERFOWL.**

8 (a) FINDINGS.—Congress finds that—

1           (1) the maintenance of healthy populations of  
2           migratory birds in North America is largely depend-  
3           ent on the protection, restoration, and management  
4           of wetland ecosystems and other habitats, as identi-  
5           fied in the Implementation Plans of Joint Ventures  
6           authorized under the North American Waterfowl  
7           Management Plan;

8           (2) duck populations in North America are  
9           being threatened by the loss in the quantity and  
10          quality of breeding habitat, which leads to declining  
11          nest success;

12          (3) low nest success has been widely docu-  
13          mented to be the key annual driver in duck popu-  
14          lations;

15          (4) additional tools can be employed to increase  
16          nest success to complement the private, State, and  
17          Federal habitat conservation programs and efforts in  
18          order to sustain healthy waterfowl populations;

19          (5) relatively modest investments in manage-  
20          ment can make meaningful impacts towards  
21          supplementing waterfowl production in areas where  
22          waterfowl production outcomes have not been fully  
23          met;

24          (6) numerous studies have made it clear that  
25          nesting structures, in particular "hen houses", are

1 the most efficient and cost-effective tool for increas-  
2 ing nest success; and

3 (7) providing incentives to private landowners  
4 to establish nesting cover, create or restore brood  
5 ponds, and provide brood water is a priority to en-  
6 hance production of mallards, gadwalls, and other  
7 breeding ducks in California.

8 (b) DEFINITIONS.—In this section:

9 (1) ELIGIBLE ENTITY.—The term “eligible enti-  
10 ty” means—

11 (A) a State, local, or Tribal government;

12 (B) a nonprofit organization; and

13 (C) an individual.

14 (2) HEN HOUSE.—The term “hen house”  
15 means a type of cylindrical nest structure installed  
16 on a post in a prairie pothole.

17 (3) PRAIRIE POTHOLE.—The term “prairie pot-  
18 hole” means a depressional wetland, including a  
19 freshwater marsh, that provides vital habitat to spe-  
20 cies of nesting waterfowl and other species.

21 (4) PRAIRIE POTHOLE REGION.—The term  
22 “prairie pothole region” means the primary nesting  
23 grounds of the majority of North American ducks.

24 (5) SECRETARY.—The term “Secretary” means  
25 the Secretary of the Interior.

1 (c) GRANT PROGRAMS.—

2 (1) HEN HOUSE GRANT PROGRAM.—

3 (A) IN GENERAL.—Not later than 180  
4 days after the date of enactment of this Act,  
5 the Secretary shall establish a competitive grant  
6 program to award amounts to eligible entities  
7 to strategically place, build, and maintain hen  
8 houses in the prairie pothole region for the pur-  
9 pose of improving the nesting success rates of  
10 populations of species of migratory waterfowl.

11 (B) APPLICATIONS.—To be eligible to re-  
12 ceive a grant under this paragraph, an eligible  
13 entity shall submit to the Secretary an applica-  
14 tion in such form, at such time, and containing  
15 such information as the Secretary determines  
16 appropriate.

17 (2) BREEDING HABITAT GRANT PROGRAM.—

18 (A) IN GENERAL.—Not later than 180  
19 days after the date of enactment of this Act,  
20 the Secretary shall establish a competitive grant  
21 program to award amounts to eligible entities  
22 to develop breeding habitat for species of migra-  
23 tory waterfowl within California for the purpose  
24 of enhancing the breeding success rates of pop-

1           ulations of species of migratory waterfowl, in-  
2           cluding by—

- 3                   (i) establishing nesting cover;  
4                   (ii) creating brood ponds; and  
5                   (iii) providing incentives to willing  
6           landowners to carry out the activities de-  
7           scribed in this subparagraph on land under  
8           the control of those landowners within  
9           California.

10           (B) APPLICATIONS.—To be eligible to re-  
11           ceive a grant under this paragraph, an eligible  
12           entity shall submit to the Secretary an applica-  
13           tion in such form, at such time, and containing  
14           such information as the Secretary determines  
15           appropriate.

16           (d) FUNDING.—For each of fiscal years 2026  
17           through 2030, of the amounts appropriated or otherwise  
18           made available to the “Department of the Interior—Office  
19           of the Secretary—Departmental Operations” account for  
20           each such fiscal year—

- 21                   (1) \$3,500,000 shall be made available to carry  
22           out subsection (c)(1); and  
23                   (2) \$3,500,000 shall be made available to carry  
24           out subsection (c)(2).