

AMENDMENT TO RULES COMMITTEE PRINT

119–8

OFFERED BY MR. ROSE OF TENNESSEE

At the end of subtitle B of title XVII, add the following new section:

1 **SEC. 17____. AUTHORIZATION FOR LIVESTOCK PRODUCERS**
2 **AND THEIR EMPLOYEES TO TAKE CERTAIN**
3 **BLACK VULTURES.**

4 (a) AUTHORIZATION.—

5 (1) IN GENERAL.—Subject to paragraph (2),
6 notwithstanding the Migratory Bird Treaty Act (16
7 U.S.C. 703 et seq.), a covered person may—

8 (A) take or attempt to take a black vulture
9 that is causing, or that the covered person has
10 a reasonable belief will cause, death, injury, or
11 destruction to livestock; or

12 (B) in the course of taking or attempting
13 to take a black vulture described in subpara-
14 graph (A), cause injury to the black vulture.

15 (2) PROHIBITION.—A covered person may not
16 take or attempt to take a black vulture through the
17 use of poison.

18 (b) REPORTS.—

1 (1) IN GENERAL.—Not later than January 31
2 of each year, a covered person that takes a black
3 vulture in accordance with subsection (a) in the pre-
4 ceding 12-month period shall complete and submit
5 to the appropriate United States Fish and Wildlife
6 Service Regional Office (as determined by the geo-
7 graphic jurisdictions described in section 2.2 of title
8 50, Code of Federal Regulations (or a successor reg-
9 ulation)) an annual report using the form developed
10 by the Director under subsection (c).

11 (2) CLARIFICATION.—A covered person shall
12 not be required to submit a report under paragraph
13 (1) until after the date on which the Director devel-
14 ops and makes available the reporting form under
15 subsection (c).

16 (c) REPORTING FORMS.—

17 (1) IN GENERAL.—Subject to paragraph (2),
18 not later than 180 days after the date of the enact-
19 ment of this section, the Director shall develop and
20 make available on the website of the United States
21 Fish and Wildlife Service a reporting form the Di-
22 rector determines appropriate for the purposes of ac-
23 cepting reports under subsection (b).

24 (2) FORMAT.—The form developed and made
25 available under paragraph (1) may not be more on-

1 erous to complete than similar forms required for
2 permitted take under the Migratory Bird Treaty Act
3 (16 U.S.C. 703 et seq.) as of the date of the enact-
4 ment of this section.

5 (d) DEFINITIONS.—In this section:

6 (1) The term “black vulture” means a bird of
7 the species *Coragyps atratus*.

8 (2) The term “covered person” means—

9 (A) a livestock producer; or

10 (B) an employee of a livestock producer
11 when the employee is actively engaged in live-
12 stock production.

13 (3) The term “Director” means the Director of
14 the United States Fish and Wildlife Service.

15 (4) The term “livestock” has the meaning given
16 the term in section 602 of the Emergency Livestock
17 Feed Assistance Act of 1988 (7 U.S.C. 1471).

18 (5) The term “livestock producer” has the
19 meaning given the term in section 602 of the Emer-
20 gency Livestock Feed Assistance Act of 1988 (7
21 U.S.C. 1471).

22 (6) The term “take” means—

23 (A) to capture, kill, or disperse a black vul-
24 ture; or

1 (B) to transport a black vulture carcass.

