

AMENDMENT TO RULES COMMITTEE PRINT 119-

33

OFFERED BY MR. ROSE OF TENNESSEE

At the end of subtitle B of title XVII, insert the following:

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

4 (a) DEFINITIONS.—In this section:

5 (1) BLACK VULTURE.—The term “black vulture” means a bird of the species *Coragyps atratus*.

7 (2) COVERED PERSON.—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) DIRECTOR.—The term “Director” means
14 the Director of the United States Fish and Wildlife
15 Service.

16 (4) LIVESTOCK.—The term “livestock” has the
17 meaning given the term in section 602 of the Emer-

1 agency Livestock Feed Assistance Act of 1988 (7
2 U.S.C. 1471).

3 (5) LIVESTOCK PRODUCER.—The term “live-
4 stock producer” has the meaning given the term in
5 section 602 of the Emergency Livestock Feed As-
6 sistance Act of 1988 (7 U.S.C. 1471).

7 (6) TAKE.—The term “take” means—

8 (A) to capture, kill, or disperse a black vul-
9 ture; or

10 (B) to transport a black vulture carcass.

11 (b) AUTHORIZATION.—

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

15 (A) take or attempt to take a black vulture
16 that is causing, or that the covered person has
17 a reasonable belief will cause, death, injury, or
18 destruction to livestock; or

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

22 (2) PROHIBITION.—A covered person may not
23 take or attempt to take a black vulture through the
24 use of poison.

25 (c) 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 (b) 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 (d).

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 (d).

16 (d) REPORTING FORMS.—

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

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 enactment
4 of this section.

