

118TH CONGRESS
1ST SESSION

H. R. 1437

To authorize livestock producers and their employees to take black vultures in order to prevent death, injury, or destruction to livestock, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 8, 2023

Mr. ROSE (for himself and Mr. SOTO) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To authorize livestock producers and their employees to take black vultures in order to prevent death, injury, or destruction to livestock, 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 “Black Vulture Relief
5 Act of 2023”.

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

4 (a) **IN GENERAL.**—Notwithstanding any provision of
5 the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.),
6 a covered person may—

7 (1) take or attempt to take a black vulture that
8 is causing, or that the covered person has a reason-
9 able belief will cause, death, injury, or destruction to
10 livestock; or

11 (2) in the course of taking or attempting to
12 take a black vulture described in paragraph (1),
13 cause injury to such black vulture.

14 (b) **REPORTING REQUIREMENTS.**—Not later than
15 January 31 of each year, a covered person that takes a
16 black vulture pursuant to subsection (a) in the preceding
17 12-month period shall complete and submit to the appro-
18 priate United States Fish and Wildlife Service Regional
19 Office (as determined by the geographic jurisdictions de-
20 scribed in section 2.2 of title 50, Code of Federal Regula-
21 tions) an annual report using the form developed under
22 subsection (c).

23 (c) **ISSUANCE OF FORM.**—The Director of the United
24 States Fish and Wildlife Service shall, not later than 180
25 days after the date of enactment of this Act, make avail-
26 able on the agency website such reporting form as the Di-

1 rector determines appropriate for the purposes of taking
2 reports under subsection (b). Such form may not be more
3 onerous to complete than similar forms for permitted take
4 under the Migratory Bird Treaty Act (16 U.S.C. 703 et
5 seq.) required as of the date of the enactment of this sec-
6 tion.

7 (d) DEFINITIONS.—In this section:

8 (1) BLACK VULTURE.—The term “black vul-
9 ture” means a bird of the species *Coragyps atratus*.

10 (2) COVERED PERSON.—The term “covered
11 person” means—

12 (A) a livestock producer; or

13 (B) an employee of a livestock producer
14 when such employee is actively engaged in live-
15 stock production.

16 (3) LIVESTOCK.—The term “livestock” has the
17 meaning given such term in section 602 of the
18 Emergency Livestock Feed Assistance Act of 1988
19 (7 U.S.C. 1471).

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

1 (5) TAKE.—The term “take” means to capture,
2 kill, disperse, or transport.

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