

108TH CONGRESS
1ST SESSION

S. 1366

To authorize the Secretary of the Interior to make grants to State and tribal governments to assist State and tribal efforts to manage and control the spread of chronic wasting disease in deer and elk herds, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 26, 2003

Mr. ALLARD (for himself, Mr. FEINGOLD, and Mr. CRAPO) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To authorize the Secretary of the Interior to make grants to State and tribal governments to assist State and tribal efforts to manage and control the spread of chronic wasting disease in deer and elk herds, 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 “Chronic Wasting Dis-
5 ease Financial Assistance Act of 2003”.

1 **SEC. 2. DEFINITION AND FINDINGS.**

2 (a) CHRONIC WASTING DISEASE DEFINED.—In this
3 Act, the term “chronic wasting disease” means the animal
4 disease afflicting deer and elk that—

5 (1) is a transmissible disease of the nervous
6 system resulting in distinctive lesions in the brain;
7 and

8 (2) belongs to the group of diseases known as
9 transmissible spongiform encephalopathies, which
10 group includes scrapie, bovine spongiform
11 encephalopathy, and Cruetzfeldt-Jakob disease.

12 (b) FINDINGS.—Congress finds the following:

13 (1) The States retain undisputed primacy and
14 policy-making authority with regard to wildlife man-
15 agement, and nothing in this Act interferes with or
16 otherwise affects the primacy of the States in man-
17 aging wildlife generally, or managing, surveying, and
18 monitoring the incidence of chronic wasting disease
19 in animal populations.

20 (2) Chronic wasting disease is a fundamental
21 threat to the health and vibrancy of deer and elk
22 populations, and the increased occurrence of chronic
23 wasting disease in the United States necessitates
24 government action to manage and eradicate this le-
25 thal disease.

1 (3) As the States and tribal government move
2 to manage existing incidence of chronic wasting dis-
3 ease and insulate non-infected wild cervid popu-
4 lations from the disease, it is appropriate for the
5 Federal Government to support their efforts with fi-
6 nancial assistance.

7 **SEC. 3. STATE CHRONIC WASTING DISEASE MANAGEMENT**
8 **CAPACITY BUILDING GRANTS.**

9 (a) GRANTS AUTHORIZED.—The Secretary of the In-
10 terior shall make grants to State wildlife management
11 agencies to assist States in developing and implementing
12 long term management strategies to address chronic wast-
13 ing disease in wild cervids.

14 (b) ELIGIBILITY.—A wildlife management agency of
15 a State whose comprehensive wildlife conservation plan in-
16 clude chronic wasting disease management activities is eli-
17 gible for a grant under this section.

18 (c) FUNDING PRIORITIES.—In determining the
19 amount of grant funds to be provided to eligible applicants
20 under this section, the Secretary shall prioritize applicants
21 based on the following criteria:

22 (1) States in which chronic wasting disease has
23 been detected and States located adjacent or in
24 proximity to States in which chronic wasting disease
25 has been detected.

1 (2) States that have expended State funds for
2 chronic wasting disease management, monitoring,
3 surveillance, and research, with additional priority
4 given to those States that have shown the greatest
5 financial commitment to managing, monitoring, sur-
6 veying, and researching chronic wasting disease.

7 (3) States with comprehensive and integrated
8 policies and programs focused on chronic wasting
9 disease management between involved State wildlife
10 and agricultural agencies and tribal governments,
11 with additional priority given to States that have in-
12 tegrated the programs and policies of all involved
13 agencies related to chronic wasting disease manage-
14 ment.

15 (4) States that are seeking to develop a rapid
16 response capacity to address outbreaks of chronic
17 wasting disease, whether occurring in States in
18 which chronic wasting disease is already found or
19 States with first infections, for the purpose of con-
20 taining the disease in any new area of infection.

21 (d) AUTHORIZATION OF APPROPRIATIONS.—There
22 are authorized to be appropriated \$7,500,000 to carry out
23 this section.

SEC. 4. GRANTS FOR STATES WITH CHRONIC WASTING DISEASE OUTBREAKS.

(a) **GRANTS AUTHORIZED.**—The Secretary of the Interior shall make grants to State wildlife management agencies to assist States in responding to chronic wasting disease outbreaks in wild cervids.

(b) **ELIGIBILITY.**—A wildlife management agency of a State whose comprehensive wildlife conservation plan include chronic wasting disease management activities is eligible for a grant under this section.

(c) **FUNDING PRIORITIES.**—In determining the amount of grant funds to be provided to eligible applicants under this section, the Secretary shall prioritize applicants based on the following criteria:

(1) State expenditures on chronic wasting disease management, monitoring, surveillance, and research in response to management of an on-going outbreak.

(2) The number of chronic wasting disease cases detected in the State.

(3) The wild cervid population of the State.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated \$10,000,000 to carry out this section.

SEC. 5. TRIBAL CHRONIC WASTING DISEASE MANAGEMENT GRANTS.

(a) **GRANTS AUTHORIZED.**—The Secretary of the Interior shall make grants to tribal wildlife management agencies to assist Indian tribes in developing and implementing long term management strategies to address chronic wasting disease in wild cervids.

(b) **ELIGIBILITY.**—A wildlife management agency of an Indian tribe whose comprehensive wildlife conservation plan include chronic wasting disease management activities is eligible for a grant under this section.

(c) **FUNDING PRIORITIES.**—In determining the amount of grant funds to be provided to eligible applicants under this section, the Secretary shall prioritize applicants based on the following criteria:

(1) Tribal governments managing lands on which cervids with chronic wasting disease have been detected, or managing lands located adjacent or in proximity to lands on which cervids with chronic wasting disease have been detected.

(2) Tribal governments that have expended tribal funds for chronic wasting disease management, monitoring, surveillance, and research, with additional priority given to tribal governments that have shown the greatest financial commitment to

managing, monitoring, and surveying chronic wasting disease.

(3) Tribal governments with cooperative arrangements with Federal and State wildlife and agricultural agencies and State governments, with additional priority given to tribal governments that are working with other involved agencies on issues of chronic wasting disease management.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$3,000,000 to carry out this section.

SEC. 6. ADMINISTRATION.

The Secretary of the Interior shall carry out this Act acting through the Director, United States Fish and Wildlife Service. Funds appropriated to carry out this Act shall be administered through the Federal Assistance Program in the United States Fish and Wildlife Service. Not more than three percent of such funds may be expended for administrative expenses of the United States Fish and Wildlife Service to carry out this Act.

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