

108TH CONGRESS  
1ST SESSION

# S. 137

To improve the administration of the Animal and Plant Health Inspection Service of the Department of Agriculture, and for other purposes.

---

IN THE SENATE OF THE UNITED STATES

JANUARY 9, 2003

Mrs. LINCOLN introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

---

## A BILL

To improve the administration of the Animal and Plant Health Inspection Service of the Department of Agriculture, 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. ANIMAL AND PLANT HEALTH INSPECTION**  
4 **SERVICE.**

5 (a) DEFINITIONS.—In this section:

6 (1) SECRETARY.—The term “Secretary” means  
7 the Secretary of Agriculture, acting through the Ad-  
8 ministrator of the Service.

1           (2) SERVICE.—The term “Service” means the  
2           Animal and Plant Health Inspection Service of the  
3           Department of Agriculture.

4           (b) EXEMPTION.—Notwithstanding any other provi-  
5           sion of law, any migratory bird management carried out  
6           by the Secretary shall be exempt from the National Envi-  
7           ronmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)  
8           (including regulations).

9           (c) PERMITS; MANAGEMENT.—An agent, officer, or  
10          employee of the Service that carries out any activity relat-  
11          ing to migratory bird management may, under the Migra-  
12          tory Bird Treaty Act (16 U.S.C. 703 et seq.)—

13                 (1) issue a depredation permit to a stakeholder  
14                 or cooperator of the Service; and

15                 (2) manage and take migratory birds.

○