

110TH CONGRESS  
2D SESSION

# S. 2875

To authorize the Secretary of the Interior to provide grants to designated States and tribes to carry out programs to reduce the risk of livestock loss due to predation by gray wolves and other predator species or to compensate landowners for livestock loss due to predation.

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## IN THE SENATE OF THE UNITED STATES

APRIL 16, 2008

Mr. TESTER (for himself and Mr. BARRASSO) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To authorize the Secretary of the Interior to provide grants to designated States and tribes to carry out programs to reduce the risk of livestock loss due to predation by gray wolves and other predator species or to compensate landowners for livestock loss due to predation.

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 “Gray Wolf Livestock  
5   Loss Mitigation Act of 2008”.

### 6   **SEC. 2. DEFINITIONS.**

7       In this Act:

1           (1) INDIAN TRIBE.—The term “Indian tribe”  
2       has the meaning given the term in section 4 of the  
3       Indian Self-Determination and Education Assistance  
4       Act (25 U.S.C. 450b).

5           (2) LIVESTOCK.—The term “livestock” means  
6       cattle, swine, horses, mules, sheep, goats, livestock  
7       guard animals, and other animals, as determined by  
8       the Secretary.

9           (3) PREDATORY SPECIES.—The term “preda-  
10      tory species” means gray wolves, grizzly bear, and  
11      other predatory species, as determined by the Sec-  
12      retary.

13          (4) SECRETARY.—The term “Secretary” means  
14      the Secretary of the Interior, acting through the Di-  
15      rector of the United States Fish and Wildlife Serv-  
16      ice.

17 **SEC. 3. GRANT PROGRAM.**

18          (a) IN GENERAL.—The Secretary may provide grants  
19      to States and Indian tribes described in subsection (b) to  
20      pay the Federal share of carrying out programs to com-  
21      pensate livestock producers for—

22           (1) activities undertaken to reduce the risk of  
23      livestock loss due to predation by predatory species;  
24      or

25           (2) livestock losses due to such predation.

1 (b) REQUIREMENTS.—

2 (1) IN GENERAL.—The Secretary shall des-  
3 ignate as eligible to receive grants under this sec-  
4 tion—

5 (A) the States of Montana, Wyoming, and  
6 Idaho; and

7 (B) such other States and Indian tribes as  
8 the Secretary determines from among States  
9 and Indian tribes that have populations of pred-  
10 atory species.

11 (2) ELIGIBILITY.—To be eligible to receive a  
12 grant under subsection (a), a State or Indian tribe  
13 shall—

14 (A) designate an appropriate agency in the  
15 State or Indian tribe to administer the 1 or  
16 more programs funded by the grant;

17 (B) establish 1 or more accounts to receive  
18 grant funds;

19 (C) maintain files of all claims received  
20 under programs funded by grant, including sup-  
21 porting documentation;

22 (D) submit to the Secretary—

23 (i) annual reports that include—

1 (I) a summary of claims and ex-  
2 penditures under the program during  
3 the year; and

4 (II) a description of any action  
5 taken on the claims; and

6 (ii) such other reports as the Sec-  
7 retary may require to assist the Secretary  
8 in determining the effectiveness of pro-  
9 grams carried out under this section; and

10 (E) promulgate rules for reimbursing live-  
11 stock producers under the program in accord-  
12 ance with subsection (c).

13 (3) ALLOCATION OF FUNDING.—The Secretary  
14 shall allocate funding made available to carry out  
15 this section among States and Indian tribes based  
16 on—

17 (A) the level of livestock predation in the  
18 State or on the land owned by, or held in trust  
19 for the benefit of, the Indian tribe;

20 (B) whether the State or Indian tribe is lo-  
21 cated in a geographical area that is at high risk  
22 for livestock predation; or

23 (C) such other factors as the Secretary de-  
24 termines.

25 (c) FUNDED PROGRAMS.—

1           (1) PREVENTATIVE PROGRAMS.—A program  
 2 funded by a grant under subsection (a)(1) shall com-  
 3 pensate livestock producers for activities that reduce  
 4 the risk of livestock loss due to predation, includ-  
 5 ing—

6                   (A) fencing;

7                   (B) fladry;

8                   (C) night penning;

9                   (D) increased human presence in the form  
 10 of livestock herders and riders;

11                   (E) guard animals;

12                   (F) provision of hay and dog food;

13                   (G) voluntary rental of private land or al-  
 14 ternative pasture allotments on a temporary  
 15 basis;

16                   (H) delayed turnouts; and

17                   (I) other successful preventative measures,  
 18 as determined by the agency administering the  
 19 program.

20           (2) COMPENSATORY PROGRAMS.—A program  
 21 funded by a grant under subsection (a)(2) shall com-  
 22 pensate livestock producers for losses due to preda-  
 23 tion of the livestock of the livestock producers.

24           (3) ELIGIBLE LAND.—Activities described in  
 25 paragraph (1) and losses described in paragraph (2)

1        may occur on Federal, State, or private land, or land  
2        owned by, or held in trust for the benefit of, an In-  
3        dian tribe.

4            (4) FEDERAL COST SHARE.—The Federal share  
5        of the cost of carrying out a program described in  
6        paragraph (1) or (2) for any fiscal year shall not ex-  
7        ceed 50 percent of the total annual cost of the pro-  
8        gram.

9            (d) AUTHORIZATION OF APPROPRIATIONS.—There  
10       are authorized to be appropriated such sums as are nec-  
11       essary to carry out this section.

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