

115TH CONGRESS  
1ST SESSION

# H. R. 4454

To support State and tribal efforts to develop and implement management strategies to address chronic wasting disease among deer, elk, and moose populations, to support applied research regarding the causes of chronic wasting disease and methods to control the further spread of the disease, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 21, 2017

Mr. KIND (for himself and Mr. SENSENBRENNER) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To support State and tribal efforts to develop and implement management strategies to address chronic wasting disease among deer, elk, and moose populations, to support applied research regarding the causes of chronic wasting disease and methods to control the further spread of the disease, 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,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the  
3 “Chronic Wasting Disease Management Act”.

4 (b) TABLE OF CONTENTS.—The table of contents for  
5 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

Sec. 3. Findings.

Sec. 4. Support for State efforts to manage and control chronic wasting disease.

Sec. 5. Support for applied research regarding chronic wasting disease.

Sec. 6. Multi-agency cooperation with States to address chronic wasting disease.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) CHRONIC WASTING DISEASE.—The term  
9 “chronic wasting disease” means the animal disease  
10 afflicting among deer, elk, and moose populations  
11 that—

12 (A) is a transmissible disease of the nerv-  
13 ous system resulting in distinctive lesions in the  
14 brain; and

15 (B) belongs to the group of diseases known  
16 as transmissible spongiform encephalopathies,  
17 which group includes scrapie, bovine spongiform  
18 encephalopathy, and Creutzfeldt-Jakob disease.

19 (2) ELIGIBLE GRANT RECIPIENT.—The term  
20 “eligible grant recipient” means a State department  
21 of wildlife, State department of agriculture, college  
22 or university, or related research center conducting

1 scientific applied research regarding chronic wasting  
2 disease.

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

7 (4) SECRETARY.—The term “Secretary” means  
8 the Secretary of Agriculture, acting through the Ani-  
9 mal and Plant Health Inspection Service-Wildlife  
10 Services.

11 **SEC. 3. FINDINGS.**

12 Congress finds the following:

13 (1) Pursuant to State and Federal law, the  
14 States retain primary and policy-making authority  
15 with regard to wildlife management, and nothing in  
16 this Act interferes with or otherwise affects the pri-  
17 mary authority of the States in managing wildlife  
18 generally, or managing, surveying, and monitoring  
19 the incidence of chronic wasting disease.

20 (2) Chronic wasting disease, the fatal neuro-  
21 logical disease found in cervids, is a fundamental  
22 threat to the health and vibrancy of deer, elk, and  
23 moose populations, and the increased occurrence of  
24 chronic wasting disease in regionally diverse loca-  
25 tions in recent months necessitates an escalation in

1 applied research, surveillance, monitoring, and man-  
2 agement activities focused on containing and man-  
3 aging this lethal disease.

4 (3) As the States move to manage existing lev-  
5 els of chronic wasting disease and insulate non-  
6 infected wild and captive cervid populations from the  
7 disease, the Federal Government should endeavor to  
8 provide integrated and holistic financial and tech-  
9 nical support to these States and the many State de-  
10 partments of wildlife, State departments of agri-  
11 culture, colleges and universities, and related re-  
12 search centers conducting scientific applied research  
13 regarding chronic wasting disease.

14 (4) The Secretary should provide consistent, co-  
15 herent, and integrated support structures and pro-  
16 grams for the benefit of State wildlife and agricul-  
17 tural administrators, as chronic wasting disease can  
18 move freely between captive and wild cervids across  
19 the broad array of Federal, State, tribal, and local  
20 land management jurisdictions.

21 (5) The Secretary can provide consistent, coher-  
22 ent, and integrated support systems under existing  
23 legal authorities to States and the many State de-  
24 partments of wildlife, State departments of agri-  
25 culture, colleges and universities, and related re-

1 search centers conducting scientific applied research  
2 regarding chronic wasting disease.

3 **SEC. 4. SUPPORT FOR STATE EFFORTS TO MANAGE AND**  
4 **CONTROL CHRONIC WASTING DISEASE.**

5 (a) AVAILABILITY OF ASSISTANCE.—The Secretary  
6 shall allocate funds made available under subparagraphs  
7 (A) and (B) of subsection (e)(1) directly to State and trib-  
8 al agencies responsible for wildlife management to support  
9 State and tribal efforts to develop and implement manage-  
10 ment strategies to address chronic wasting disease.

11 (b) PETITION PROCESS.—A State or tribal agency  
12 shall petition the Secretary for a portion of the funds  
13 available under subsection (a).

14 (c) FUNDING PRIORITIES.—In determining the  
15 amounts to be allocated to State and tribal agencies under  
16 subsection (a), the Secretary shall give priority to States  
17 and tribal agencies based on the following criteria:

18 (1) Relative scope of incidence of chronic wast-  
19 ing disease on lands of the State or Indian tribe,  
20 with priority given to those States and Indian tribes  
21 with the highest incidence of the disease.

22 (2) State or tribal expenditures on chronic  
23 wasting disease management, monitoring, surveil-  
24 lance, and applied research, with priority given to  
25 those States and Indian tribes that have shown the

1       greatest financial commitment to managing, moni-  
2       toring, surveying, and researching chronic wasting  
3       disease.

4           (3) Comprehensive and integrated State or trib-  
5       al policies and programs focused on chronic wasting  
6       disease management between involved State or tribal  
7       wildlife and agricultural agencies, with priority given  
8       to those States and Indian tribes that have inte-  
9       grated the programs and policies of all involved  
10      agencies related to chronic wasting disease manage-  
11      ment.

12          (4) Rapid response to new outbreaks of chronic  
13      wasting disease, whether occurring in areas in which  
14      chronic wasting disease is already found or areas  
15      with first infections, with the intent of containing  
16      the disease in any new area of infection.

17      (d) RAPID RESPONSE FUND.—The Secretary shall  
18      use funds made available under subsection (e)(1)(C) as  
19      a rapid response fund to support State and tribal efforts  
20      to control the spread of chronic wasting disease upon the  
21      detection of chronic wasting disease among deer, elk, or  
22      moose populations not previously infected.

23      (e) AUTHORIZATION OF APPROPRIATIONS.—

24          (1) IN GENERAL.—There are authorized to be  
25      appropriated to the Secretary \$35,000,000 to sup-

1 port State and tribal efforts to manage and control  
2 chronic wasting disease, of which—

3 (A) \$20,000,000 shall be allocated to  
4 States under subsection (a);

5 (B) \$5,000,000 shall be allocated to tribal  
6 agencies under subsection (a); and

7 (C) \$10,000,000 shall be retained for the  
8 rapid response fund under subsection (d).

9 (2) AVAILABILITY.—Funds appropriated pursu-  
10 ant to the authorization of appropriations in para-  
11 graph (1) shall remain available until expended.

12 (3) LIMITATION ON ADMINISTRATIVE COSTS.—  
13 Not more than three percent of the amount appro-  
14 priated pursuant to the authorization of appropria-  
15 tions in paragraph (1) may be used to cover admin-  
16 istrative expenses incurred by the Secretary.

17 **SEC. 5. SUPPORT FOR APPLIED RESEARCH REGARDING**  
18 **CHRONIC WASTING DISEASE.**

19 (a) EXPANSION OF APPLIED RESEARCH GRANTS.—  
20 The Secretary shall make grants to support efforts to ex-  
21 pand and accelerate applied research on chronic wasting  
22 disease, including (but not limited to) research regarding  
23 the following:

24 (1) Sustainable cervid harvest management  
25 practices to reduce chronic wasting disease occur-

1       rence and to prevent or limit spatial spread of  
2       chronic wasting disease.

3               (2) Management experiments and strategies de-  
4       signed for long-term suppression of chronic wasting  
5       disease.

6               (3) Harvest management practices and other  
7       practices that exacerbate chronic wasting disease oc-  
8       currence, with an emphasis on retrospective analyses  
9       of available harvest management and chronic wast-  
10      ing disease trend data.

11              (4) Factors contributing to local emergence of  
12      chronic wasting disease, increased prevalence of  
13      chronic wasting disease, and distribution of chronic  
14      wasting disease, including mechanisms of disease  
15      transmission and effective barriers to transmission.

16              (5) Methods and products to effectively detect  
17      infectious prions in, and decontaminate infectious  
18      prions from natural environments and inorganic sur-  
19      faces.

20      (b) AUTHORIZATION OF APPROPRIATIONS.—

21              (1) IN GENERAL.—There are authorized to be  
22      appropriated to the Secretary \$10,000,000 to make  
23      grants under subsection (a).



1           (2) AVAILABILITY.—Funds appropriated pursu-  
2           ant to the authorization of appropriations in para-  
3           graph (1) shall remain available until expended.

4           (3) LIMITATION ON ADMINISTRATIVE COSTS.—  
5           Not more than three percent of the amount appro-  
6           priated pursuant to the authorization of appropri-  
7           ations in paragraph (1) may be used to cover admin-  
8           istrative expenses incurred by the Secretary.

9   **SEC. 6. MULTI-AGENCY COOPERATION WITH STATES TO AD-**  
10                   **DRESS CHRONIC WASTING DISEASE.**

11           Land management agencies of the Department of Ag-  
12           riculture and the Department of the Interior shall work  
13           cooperatively with States—

14           (1) in the conduct of applied research regarding  
15           chronic wasting disease; and

16           (2) in the implementation of State chronic  
17           wasting disease response plans to reduce the spread  
18           and prevalence of chronic wasting disease.

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