

BLACK VULTURE RELIEF ACT

OCTOBER 3, 2025.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. WESTERMAN, from the Committee on Natural Resources,
submitted the following

R E P O R T

together with

DISSENTING VIEWS

[To accompany H.R. 2462]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 2462) 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, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Black Vulture Relief Act”.

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

(a) DEFINITIONS.—In this section:

(1) BLACK VULTURE.—The term “black vulture” means a bird of the species *Coragyps atratus*.

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

(A) a livestock producer; or

(B) an employee of a livestock producer when the employee is actively engaged in livestock production.

(3) DIRECTOR.—The term “Director” means the Director of the United States Fish and Wildlife Service.

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

(5) **LIVESTOCK PRODUCER.**—The term “livestock producer” has the meaning given the term in section 602 of the Emergency Livestock Feed Assistance Act of 1988 (7 U.S.C. 1471).

(6) **TAKE.**—The term “take” means—

- (A) to capture, kill, or disperse a black vulture; or
- (B) to transport a black vulture carcass.

(b) **AUTHORIZATION.**—

(1) **IN GENERAL.**—Subject to paragraph (2), notwithstanding the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.), a covered person may—

- (A) take or attempt to take a black vulture that is causing, or that the covered person has a reasonable belief will cause, death, injury, or destruction to livestock; or
- (B) in the course of taking or attempting to take a black vulture described in subparagraph (A), cause injury to the black vulture.

(2) **PROHIBITION.**—A covered person may not take or attempt to take a black vulture through the use of poison.

(c) **REPORTS.**—

(1) **IN GENERAL.**—Not later than January 31 of each year, a covered person that takes a black vulture in accordance with subsection (b) in the preceding 12-month period shall complete and submit to the appropriate United States Fish and Wildlife Service Regional Office (as determined by the geographic jurisdictions described in section 2.2 of title 50, Code of Federal Regulations (or a successor regulation)) an annual report using the form developed by the Director under subsection (d).

(2) **CLARIFICATION.**—A covered person shall not be required to submit a report under paragraph (1) until after the date on which the Director develops and makes available the reporting form under subsection (d).

(d) **REPORTING FORMS.**—

(1) **IN GENERAL.**—Subject to paragraph (2), not later than 180 days after the date of enactment of this Act, the Director shall develop and make available on the website of the United States Fish and Wildlife Service a reporting form the Director determines appropriate for the purposes of accepting reports under subsection (c).

(2) **FORMAT.**—The form developed and made available under paragraph (1) may not be more onerous to complete than similar forms required for permitted take under the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.) as of the date of enactment of this Act.

PURPOSE OF THE LEGISLATION

The purpose of H.R. 2462 is 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.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 2462 would allow livestock producers or their employees to take a black vulture without a permit if it is causing, or if there is a reasonable belief that the black vulture will cause death, injury, or destruction to livestock. The bill defines “take” to mean capture, kill, or disperse or transport the carcass of a black vulture. Livestock producers are required to report to the U.S. Fish and Wildlife Service (FWS) no later than January 31 of each year if they have taken a black vulture in the preceding year and must indicate how many they have taken. The FWS must make available on its website a reporting form no later than 180 days after the enactment.

Black vultures are protected under the Migratory Bird Treaty Act (MBTA)¹ and inhabit much of the eastern and central United States, with a range extending to South America.² The MBTA prohibits the “take,” including the killing, capturing, selling, trading,

¹ 16 U.S.C. 703–712.

² “Black vulture.” Hawk Mountain Global Raptor Conservation. <https://www.hawkmountain.org/raptors/black-vulture>.

and transport, of listed birds without prior authorization by the FWS, which requires an extensive permitting process.³ Permits are usually issued to states or state farm bureaus, which then issue sub-permits to livestock producers. These sub-permits allow for three takes (i.e. three black vultures),⁴ with the option to go up to five in some states.⁵ From 2015–2019, requests to the FWS for depredation permits for the lethal take of black vultures increased by 26 percent.⁶

Black vultures are known to be a threat to livestock, inflicting damage by plucking eyes, eating the tongues of newborn animals, and killing and feeding on smaller farm animals like chickens. Black vultures regularly attack and feed on calves, often killing the animals during birth or immediately after birth. According to a 2017 report by the U.S. Department of Agriculture (USDA), vulture species were responsible for 10 percent of all calves lost to predators.⁷

The FWS works in partnership with the USDA’s Animal and Plant Health Inspection Service (APHIS) to help livestock producers experiencing black vulture-related problems. According to APHIS’ Fiscal Year (FY) 2025 Budget Justification they “conducted direct control in 26 States in 2022, removing 13,675 black vultures and dispersing 57,087 black vultures to protect agriculture, human health and safety, and property.”⁸ However, problems persist for livestock producers dealing with predatory black vultures, with depredations being confirmed in 18 states.⁹ For example, results from a 2022 study conducted by APHIS and Purdue University in Indiana showed that 38 percent of cattle producers in Indiana reported livestock losses due to black vultures.¹⁰

COMMITTEE ACTION

H.R. 2462 was introduced on March 27, 2025, by Representative John Rose (R–TN). The bill was referred to the Committee on Natural Resources. On July 15, 2025, the Committee on Natural Resources met to consider the bill. Chairman Bruce Westerman (R–AR) offered an Amendment in the Nature of a Substitute designated Westerman 027 ANS. The Amendment in the Nature of a Substitute was agreed to by voice vote. Ranking Member Jared Huffman (D–CA) offered an amendment to the Amendment in the

³“Migratory Bird Treaty Act of 1918.” U.S. Fish and Wildlife Service. <https://www.fws.gov/law/migratory-bird-treaty-act-1918>.

⁴“Black Vulture Depredation Permit Program.” Maryland Farm Bureau. <https://mdfarmbureau.com/depredation-permit/>.

⁵“VDACS Launches Black Vulture Depredation Permit Pilot Program to Assist Commonwealth’s Livestock Producers.” Virginia Department of Agriculture and Consumer Services. <https://www.vdacs.virginia.gov/press-releases-220927-black-vulture.shtml>.

⁶“Black vulture conflict and management in the United States: damage trends, management overview, and research needs.” U.S. Department of Agriculture. Kluever, et al. 2020. <https://digitalcommons.usu.edu/cgi/viewcontent.cgi?article=1669&context=hwi>.

⁷“Managing Vulture Damage.” U.S. Department of Agriculture. September 2019. https://www.aphis.usda.gov/publications/wildlife_damage/content/printable_version/fs_vulture_damage_man.pdf.

⁸“2025 USDA Explanatory Notes—Animal and Plant Health Inspection Service.” Animal and Plant Health Inspection Service. 2024. Page 22–112. <https://www.usda.gov/sites/default/files/documents/22-APHIS-2025-ExNotes.pdf>.

⁹“Spatial risk modeling of cattle depredation by black vultures in the midwestern United States.” The Journal of Wildlife Management. Quinby, et al. April 12, 2022. <https://wildlife.onlinelibrary.wiley.com/doi/full/10.1002/jwmg.22231>.

¹⁰“2024 USDA Explanatory Notes—Animal and Plant Health Inspection Service.” Animal and Plant Health Inspection Service. 2023. Page 23–116. <https://www.usda.gov/sites/default/files/documents/23-2024-APHIS.pdf>.

Nature of a Substitute designated Huffman #1. The amendment was not agreed to by a roll call vote of 17 yeas to 23 nays, as follows:

Committee on Natural Resources

U.S. House of Representatives

119th Congress

Date: July 15, 2025

Recorded Vote #: 5

Meeting on / Amendment on: **Huffman #1 amendment to Westerman_027 ANS** to H.R. 2462 (Rep. Rose),
"Black Vulture Relief Act of 2025"

MEMBERS	Yea	Nay	Pres	MEMBERS	Yea	Nay	Pres
Mr. Westerman, AR, Chairman		X		Mr. Huffman, CA	X		
Mr. Wittman, VA		X		Mr. Neguse, CO	X		
Mr. McClintock, CA		X		Ms. Leger Fernandez, NM	X		
Mr. Gosar, AZ		X		Ms. Stansbury, NM	X		
Mrs. Radewagen, AS				Ms. Hoyle, OR	X		
Mr. LaMalfa, CA		X		Mr. Magaziner, RI	X		
Mr. Webster, FL		X		Mr. Golden, ME	X		
Mr. Fulcher, ID		X		Mr. Min, CA	X		
Mr. Stauber, MN		X		Ms. Dexter, OR	X		
Mr. Tiffany, WI				Mr. Hernández, PR	X		
Ms. Boebert, CO		X		Ms. Randall, WA	X		
Mr. Bentz, OR		X		Ms. Ansari, AZ	X		
Ms. Kiggans, VA		X		Ms. Elfreth, MD	X		
Mr. Hunt, TX				Mr. Gray, CA		X	
Mr. Collins, GA		X		Ms. Rivas, CA	X		
Ms. Hageman, WY		X		Ms. Velázquez, NY			
Mr. Amodei, NV		X		Mrs. Dingell, MI	X		
Mr. Walberg, MI				Mr. Soto, FL		X	
Mr. Ezell, MS		X		Ms. Brownley, CA	X		
Ms. Maloy, UT		X		Ms. Lee, NV	X		
Mr. McDowell, NC		X					
Mr. Crank, CO		X					
Mr. Begich, AK		X					
Mr. Hurd, CO		X					
Mr. Kennedy, UT		X		TOTAL:	17	23	

The bill, as amended, was ordered favorably reported to the House of Representatives by a roll call vote of 22 yeas to 18 nays, as follows:

Committee on Natural Resources

U.S. House of Representatives

119th Congress

Date: July 15, 2025

Recorded Vote #: 6

Meeting on / Amendment on: **On Favorably Reporting, as amended, H.R. 2462 (Rep. Rose), "Black Vulture Relief Act of 2025"**

MEMBERS	Yea	Nay	Pres	MEMBERS	Yea	Nay	Pres
Mr. Westerman, AR, Chairman	X			Mr. Huffman, CA		X	
Mr. Wittman, VA	X			Mr. Neguse, CO		X	
Mr. McClintock, CA	X			Ms. Leger Fernandez, NM			
Mr. Gosar, AZ	X			Ms. Stansbury, NM		X	
Mrs. Radewagen, AS				Ms. Hoyle, OR		X	
Mr. LaMalfa, CA	X			Mr. Magaziner, RI		X	
Mr. Webster, FL	X			Mr. Golden, ME		X	
Mr. Fulcher, ID	X			Mr. Min, CA		X	
Mr. Stauber, MN	X			Ms. Dexter, OR		X	
Mr. Tiffany, WI				Mr. Hernández, PR		X	
Ms. Boebert, CO	X			Ms. Randall, WA		X	
Mr. Bentz, OR	X			Ms. Ansari, AZ		X	
Ms. Kiggans, VA	X			Ms. Elfreth, MD		X	
Mr. Hunt, TX				Mr. Gray, CA		X	
Mr. Collins, GA	X			Ms. Rivas, CA		X	
Ms. Hageman, WY	X			Ms. Velázquez, NY			
Mr. Amodei, NV	X			Mrs. Dingell, MI		X	
Mr. Walberg, MI				Mr. Soto, FL	X		
Mr. Ezell, MS	X			Ms. Brownley, CA		X	
Ms. Maloy, UT	X			Ms. Lee, NV		X	
Mr. McDowell, NC	X						
Mr. Crank, CO	X						
Mr. Begich, AK	X						
Mr. Hurd, CO	X						
Mr. Kennedy, UT	X			TOTAL:	22	18	

HEARINGS

For the purposes of clause 3(c)(6) of House rule XIII, the following hearing was used to develop or consider this measure: hearing in the 118th Congress by the Subcommittee on Water, Wildlife, and Fisheries held on July 27, 2023.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

This Act may be cited as the “Black Vulture Relief Act”.

Section 2. Authorization for livestock producers and their employees to take certain black vultures

Section 2 would allow livestock producers or their employees to take a black vulture without a permit if the vulture is causing, or if there is a reasonable belief that it will cause, death, injury, or destruction to livestock. The bill requires livestock producers to report to the FWS no later than January 31 of each year if they have taken a black vulture in the preceding year and disclose how many they have taken. To facilitate this process, the FWS must make available on its website a reporting form no later than 180 days after the enactment of the bill.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources’ oversight findings and recommendations are reflected in the body of this report.

COMPLIANCE WITH HOUSE RULE XIII AND
CONGRESSIONAL BUDGET ACT

1. *Cost of Legislation and the Congressional Budget Act.* With respect to the requirements of clause 3(c)(2) and (3) of rule XIII of the Rules of the House of Representatives and sections 308(a) and 402 of the Congressional Budget Act of 1974, the Committee has received the following estimate for the bill from the Director of the Congressional Budget Office:

H.R. 2462, Black Vulture Relief Act			
As ordered reported by the House Committee on Natural Resources on July 15, 2025			
By Fiscal Year, Millions of Dollars	2025	2025-2030	2025-2035
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	0	*	Not estimated
Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2036?	No	Statutory pay-as-you-go procedures apply?	No
		Mandate Effects	
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2036?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between zero and \$500,000.			

H.R. 2462 would allow livestock producers to take (that is, capture, kill, or disperse) black vultures that are causing death, injury, or destruction to livestock. The bill also would direct the U.S. Fish and Wildlife Service to publish a form on the agency's website that livestock producers would be required to fill out each year they take one or more black vultures.

Based on the cost of similar activities, CBO estimates that creating the form and collecting completed ones from livestock producers would cost less than \$500,000 over the 2025–2030 period. Any related spending would be subject to the availability of appropriated funds.

The CBO staff contact for this estimate is Lilia Ledezma. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

PHILLIP L. SWAGEL,
Director, Congressional Budget Office.

2. *General Performance Goals and Objectives.* As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is 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.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

UNFUNDED MANDATES REFORM ACT STATEMENT

According to the Congressional Budget Office, H.R. 2462 contains no unfunded mandates as defined by the Unfunded Mandates Reform Act.

EXISTING PROGRAMS

Directed Rule Making. This bill does not contain any directed rule makings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95–220, as amended by Public Law 98–169) as relating to other programs.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

Any preemptive effect of this bill over state, local, or tribal law is intended to be consistent with the bill's purposes and text and the Supremacy Clause of Article VI of the U.S. Constitution.

CHANGES IN EXISTING LAW

As ordered reported by the Committee on Natural Resources, H.R. 2462 would make no changes in existing law.

DISSENTING VIEWS

H.R. 2462, the “Black Vulture Relief Act of 2025,” is an unnecessary piece of legislation that would undermine the Migratory Bird Treaty Act and violate our treaty obligations with Mexico by removing federal protections from black vultures.¹ This bill creates a “solution” in search of a problem, ignoring the fact that effective management tools for livestock producers are already readily available and working successfully.

The legislation addresses a non-existent crisis. The enacted 2024 America’s Conservation Enhancement Reauthorization Act² provides livestock producers with comprehensive access to lethal and non-lethal black vulture management tools through an efficient permit system.³ Fish and Wildlife Service data clearly show that permit availability has consistently outpaced demand in every state since the program’s inception. In Tennessee, farmers can obtain permits within just a few days at no cost through the Farm Bureau, demonstrating that the current system works effectively.^{4 5}

H.R. 2462 would remove critical safeguards by granting unlimited authorization for livestock producers to “take” black vultures based on vague “reasonable belief” standards. The bill fails to specify how many birds can be killed, what constitutes “reasonable belief,” or how violations will be enforced. This would create a regulatory free-for-all that could lead to widespread killing of protected migratory birds based solely on speculation rather than documenting the number of birds that can be killed and what constitutes a threat.

Black vultures play an essential ecological role by cleaning up carcasses and limiting disease spread. With a stable population of 1.3 million individuals,⁶ these birds are protected under the Migratory Bird Treaty Act for good reason. Conflicts with livestock typically occur due to poor management practices, such as failing to properly dispose of carcasses or keeping vulnerable animals away from human activity.

This legislation sets a dangerous precedent for Congressional interference in science-based wildlife management. When current permits exceed demand across all states, the logical response should be to maintain existing programs, not abandon protections entirely. The argument that farmers need more than the current

¹ United States Fish and Wildlife Service (USFWS). “*Migratory Bird Treaty Act of 1918*”. Last visited on July 9, 2025.

² The Wildlife Society. “*America’s Conservation Enhancement Reauthorization Act*” December 26, 2024.

³ (Pub. L. 116–188, title I, § 103, Oct. 30, 2020, 134 Stat. 911; Pub. L. 118–198, title I, § 102, Dec. 23, 2024, 138 Stat. 2678.)

⁴ Brandon, Hembree. Farm Progress. *Black vultures: How Tennessee deals with them* (June 13, 2018).

⁵ Ward, Mindy & McMurtry, Dan. Farm Progress. “*USDA wildlife biologist answers 5 questions about black vultures*” (June 14, 2024).

⁶ Birdful. “*How rare is a Black Vulture?*”. Last accessed on July 9, 2025.

ten-bird annual limit ignores the reality that most producers aren't even using their full allocation under existing permits.

By removing federal oversight and violating international treaty obligations, H.R. 2462 threatens to transform reasonable wildlife management into unregulated killing. Rather than advancing this unnecessary legislation, Congress should support existing programs that successfully balance legitimate agricultural needs with species protection.

H.R. 2462 represents a dangerous step toward dismantling the Migratory Bird Treaty Act and sets a precedent for removing protections from other species whenever economic interests claim inconvenience, regardless of scientific evidence or conservation necessity.

JARED HUFFMAN,
Ranking Member.

