

.....  
(Original Signature of Member)

117TH CONGRESS  
1ST SESSION

**H. R.**

To support research and state management efforts on chronic wasting disease.

---

IN THE HOUSE OF REPRESENTATIVES

Mr. KIND (for himself and Mr. THOMPSON of Pennsylvania) introduced the following bill; which was referred to the Committee on

---

---

**A BILL**

To support research and state management efforts on chronic wasting disease.

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 Research and Management Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Chronic wasting disease, the fatal neuro-  
9 logical disease found in cervids, is a fundamental

1 threat to the health and vibrancy of deer, elk, and  
2 moose populations, and the increased occurrence of  
3 chronic wasting disease in regionally diverse loca-  
4 tions necessitates an escalation in research, surveil-  
5 lance, monitoring, and management activities fo-  
6 cused on containing and managing chronic wasting  
7 disease.

8 (2) A focus on research into the transmission  
9 of, resistance to, diagnosis of, and epidemiology of  
10 chronic wasting disease is needed to inform future  
11 policies to combat the disease and ensure the health  
12 of cervid populations.

13 (3) Because States and Tribes have diverse  
14 policies for addressing chronic wasting disease, the  
15 Federal Government, in consultation with the  
16 Chronic Wasting Disease Task Force established by  
17 section 104 of America's Conservation Enhancement  
18 Act (Public Law 116–188), should coordinate finan-  
19 cial and technical support to States and Tribes,  
20 State and Tribal departments of agriculture, State  
21 and Tribal wildlife agencies, institutions of higher  
22 education, and research centers conducting scientific  
23 research on chronic wasting disease.

1           (4) Pursuant to State and Federal law, the  
2 States retain primacy and policymaking authority  
3 with regard to wildlife management.

4           (5) Under current policies, chronic wasting dis-  
5 ease remains a systemic threat to cervids.

6           (6) Scientific advances that lead to the ability  
7 to stop transmission of chronic wasting disease are  
8 needed to ensure the long-term viability of cervids.

9 **SEC. 3. CHRONIC WASTING DISEASE RESEARCH AND MAN-**  
10 **AGEMENT PROGRAM.**

11 (a) RESEARCH PROGRAM.—

12           (1) IN GENERAL.—Not later than 90 days after  
13 the date on which funds are made available to carry  
14 out this section, the Secretary of Agriculture shall  
15 establish a program under which the Secretary shall  
16 offer to enter into cooperative agreements or other  
17 legal instruments, as authorized under 10413 of the  
18 Animal Health Protection Act (7 U.S.C. 8312), with  
19 eligible entities to conduct research on the trans-  
20 mission of, resistance to, and diagnosis of chronic  
21 wasting disease.

22           (2) CRITERIA FOR SELECTION.—In entering  
23 into cooperative agreements or other legal instru-  
24 ments pursuant to paragraph (1), the Secretary

1 shall give priority to eligible entities that shall con-  
2 duct research relating to—

3 (A)(i) methods and products to effectively  
4 detect infectious chronic wasting disease prions  
5 in live cervids, cervid excreta, the environment,  
6 and inorganic surfaces, and to decontaminate  
7 such infectious prions; or

8 (ii) testing methods that significantly im-  
9 prove sensitivity and accelerate timelines for  
10 test results on non-live cervids;

11 (B) the long-term suppression or eradi-  
12 cation of chronic wasting disease; or

13 (C) determination markers for genetic re-  
14 sistance to chronic wasting disease and strate-  
15 gies for using genetic resistance to combat the  
16 spread of the disease;

17 (D) sustainable cervid harvest management  
18 practices to reduce chronic wasting disease oc-  
19 currence and to prevent or limit spatial spread  
20 of chronic wasting disease; or

21 (E) factors contributing to local emergence  
22 of chronic wasting disease, increased prevalence  
23 of chronic wasting disease, and distribution of  
24 chronic wasting disease, including mechanisms

1           of disease transmission and effective barriers to  
2           transmission.

3           (3) SIZE OF AWARDS.—To the maximum extent  
4           practicable, individual cooperative agreements or  
5           other legal instruments entered into under para-  
6           graph (1) shall be not less than two percent and not  
7           more than 10 percent of the funds appropriated to  
8           carry out this section.

9           (4) ADMINISTRATIVE COSTS BY ELIGIBLE ENTI-  
10          TIES.—Of the amount of a cooperative agreement or  
11          other legal instrument entered into with an eligible  
12          entity under paragraph (1), the eligible entity may  
13          use not more than 10 percent of such amounts for  
14          administrative costs incurred by the eligible entity in  
15          carrying out the research described in such para-  
16          graph.

17          (b) SUPPORT FOR STATE EFFORTS TO MANAGE AND  
18          CONTROL CHRONIC WASTING DISEASE.—

19               (1) IN GENERAL.—Subject to the availability of  
20               appropriations, the Secretary shall offer to enter  
21               into cooperative agreements or other legal instru-  
22               ments, as authorized under section 10413 of the  
23               Animal Health Protection Act (7 U.S.C. 8312), with  
24               State or Tribal wildlife agencies and departments of  
25               agriculture to provide direct financial assistance to

1 support the efforts of such State or Tribal wildlife  
2 agencies and departments of agriculture to develop  
3 and implement management strategies to address  
4 chronic wasting disease within their respective juris-  
5 diction.

6 (2) APPLICATION.—A State or Tribal wildlife  
7 agency or department of agriculture seeking direct  
8 financial assistance under this subsection shall sub-  
9 mit to the Secretary an application at such time and  
10 manner, and containing such information as the Sec-  
11 retary may require.

12 (3) FUNDING PRIORITIES.—In allocating funds  
13 made available to carry out this subsection for a fis-  
14 cal year among State and Tribal wildlife agencies or  
15 departments of agriculture that submit an applica-  
16 tion for direct financial assistance under this sub-  
17 section, the Secretary shall give priority to States  
18 and Indian tribes that have—

19 (A) within their respective jurisdictions,  
20 the highest incidence of chronic wasting disease;

21 (B) shown the greatest financial commit-  
22 ment to managing, monitoring, surveying, and  
23 researching chronic wasting disease;

24 (C) comprehensive policies and programs  
25 focused on chronic wasting disease management

1 that have integrated the programs and policies  
2 of all involved agencies related to chronic wast-  
3 ing disease management;

4 (D) the greatest risk of an initial occur-  
5 rence of chronic wasting disease originating  
6 from surrounding areas; or

7 (E) the greatest need for response to new  
8 outbreaks of chronic wasting disease occurring  
9 in—

10 (i) areas in which chronic wasting dis-  
11 ease is already found; or

12 (ii) areas with first infections, with  
13 the intent of containing chronic wasting  
14 disease in any new area of infection.

15 (4) RAPID RESPONSE.—If a State or Indian  
16 tribe detects chronic wasting disease in a cervid pop-  
17 ulation within its jurisdiction that was not previously  
18 infected, the Secretary may, notwithstanding para-  
19 graphs (2) and (3), immediately issue funds made  
20 available under subsection (e), in an amount to be  
21 determined by the Secretary, to support State and  
22 Tribal efforts to immediately control the spread of  
23 chronic wasting disease within that population.

24 (5) PUBLIC EDUCATION ON CHRONIC WASTING  
25 DISEASE.—The Secretary, in consultation with State

1 and Tribal departments of agriculture and wildlife  
2 agencies, organizations representing the farmed  
3 cervid industry, and organizations representing deer  
4 hunters, shall develop and maintain materials based  
5 on the latest scientific knowledge to be used to edu-  
6 cate the public on chronic wasting disease and tech-  
7 niques to help prevent the spread of the disease.

8 (c) DEFINITIONS.—In this section:

9 (1) CHRONIC WASTING DISEASE.—The term  
10 “chronic wasting disease” means the animal disease  
11 afflicting deer, elk, and moose populations 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 includes scrapie, bovine spongiform  
18 encephalopathy, and Cruetzfeldt-Jakob disease.

19 (2) ELIGIBLE ENTITY.—The term “eligible enti-  
20 ty” means—

21 (A) a State or Tribal department of agri-  
22 culture;

23 (B) a State or Tribal wildlife agency;

24 (C) a Tribal research facility;



1 (D) an institution of higher education (as  
2 defined in section 101 of the Higher Education  
3 Act (20 U.S.C. 1001)); and

4 (E) a research center conducting or quali-  
5 fied to conduct scientific research on chronic  
6 wasting disease.

7 (d) REVIEW OF HERD CERTIFICATION PROGRAM  
8 STANDARDS.—Not later than 18 months after the date  
9 of the enactment of this Act, the Secretary shall publish  
10 a notice in the Federal Register soliciting public feedback  
11 on potential updates and improvements to the chronic  
12 wasting disease herd certification program standards with  
13 special consideration given to—

14 (1) minimizing or eliminating the interaction of  
15 captive and wild deer;

16 (2) reviewing and updating indemnity practices,  
17 including the use of live testing, to ensure the timely  
18 and targeted removal of chronic wasting disease  
19 positive deer from the landscape; and

20 (3) increasing participation in the herd certifi-  
21 cation program.

22 (e) AUTHORIZATION OF APPROPRIATIONS.—

23 (1) IN GENERAL.—There is authorized to be  
24 appropriated to the Secretary to carry out this sec-  
25 tion \$70,000,000 for each of fiscal years 2022

1 through fiscal year 2028, to remain available until  
2 expended.

3 (2) ALLOCATION AMONG PROGRAMS.—To the  
4 extent practicable, the Secretary shall allocate the  
5 funds made available under paragraph (1) evenly be-  
6 tween the research program under subsection (a)  
7 and the management program under subsection (b).

8 (3) SET-ASIDE FOR WILDLIFE AGENCIES.—The  
9 Secretary shall ensure that, of the funds made avail-  
10 able and allocated to carry out subsection (b), not  
11 less than 75 percent of such funds are made avail-  
12 able to State or Tribal wildlife agencies.

13 (f) ADMINISTRATIVE COSTS.—Of the funds made  
14 available under subsection (e) for a fiscal year to carry  
15 out this section, the Secretary may use not more than 10  
16 percent of such funds for administrative costs incurred by  
17 the Secretary in carrying out this section.

18 (g) RULE OF CONSTRUCTION.—Nothing in this sec-  
19 tion shall be construed as interfering with, or otherwise  
20 affecting, the authority of the Federal Government or  
21 States to manage wildlife and livestock on land within  
22 their respective jurisdictions, including managing, sur-  
23 veying, and monitoring the incidence of chronic wasting  
24 disease.

**1 SEC. 4. TECHNICAL AMENDMENT.**

2 Section 10403(8) of the Animal Health Protection  
3 Act (7 U.S.C. 8302(8)) is amended by striking “(25  
4 U.S.C. 450b)” and inserting “(25 U.S.C. 5304)”.