

**AMENDMENT IN THE NATURE OF A SUBSTITUTE**  
**TO H.R. 2462**  
**OFFERED BY MR. WESTERMAN OF ARKANSAS**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

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

**4 SEC. 2. AUTHORIZATION FOR LIVESTOCK PRODUCERS AND**  
**5                   THEIR EMPLOYEES TO TAKE CERTAIN BLACK**  
**6                   VULTURES.**

7       (a) DEFINITIONS.—In this section:

8           (1) BLACK VULTURE.—The term “black vul-  
9       ture” means a bird of the species *Coragyps atratus*.

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

12               (A) a livestock producer; or

13               (B) an employee of a livestock producer  
14       when the employee is actively engaged in live-  
15       stock production.

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

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

5           (5) LIVESTOCK PRODUCER.—The term “live-  
6           stock producer” has the meaning given the term in  
7           section 602 of the Emergency Livestock Feed As-  
8           sistance Act of 1988 (7 U.S.C. 1471).

9           (6) TAKE.—The term “take” means—

10                   (A) to capture, kill, or disperse a black vul-  
11                   ture; or

12                   (B) to transport a black vulture carcass.

13           (b) AUTHORIZATION.—

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

17                   (A) take or attempt to take a black vulture  
18                   that is causing, or that the covered person has  
19                   a reasonable belief will cause, death, injury, or  
20                   destruction to livestock; or

21                   (B) in the course of taking or attempting  
22                   to take a black vulture described in subpara-  
23                   graph (A), cause injury to the black vulture.

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

4       (c) REPORTS.—

5           (1) IN GENERAL.—Not later than January 31  
6       of each year, a covered person that takes a black  
7       vulture in accordance with subsection (b) in the pre-  
8       ceding 12-month period shall complete and submit  
9       to the appropriate United States Fish and Wildlife  
10      Service Regional Office (as determined by the geo-  
11      graphic jurisdictions described in section 2.2 of title  
12      50, Code of Federal Regulations (or a successor reg-  
13      ulation)) an annual report using the form developed  
14      by the Director under subsection (d).

15          (2) CLARIFICATION.—A covered person shall  
16      not be required to submit a report under paragraph  
17      (1) until after the date on which the Director devel-  
18      ops and makes available the reporting form under  
19      subsection (d).

20      (d) REPORTING FORMS.—

21          (1) IN GENERAL.—Subject to paragraph (2),  
22      not later than 180 days after the date of enactment  
23      of this Act, the Director shall develop and make  
24      available on the website of the United States Fish  
25      and Wildlife Service a reporting form the Director

1 determines appropriate for the purposes of accepting  
2 reports under subsection (c).

3 (2) FORMAT.—The form developed and made  
4 available under paragraph (1) may not be more on-  
5 erous to complete than similar forms required for  
6 permitted take under the Migratory Bird Treaty Act  
7 (16 U.S.C. 703 et seq.) as of the date of enactment  
8 of this Act.

