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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Chronic Wasting Disease Research and Management Act”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Chronic wasting disease, the fatal neurological disease found in cervids, is a fundamental
threat to the health and vibrancy of deer, elk, and moose populations, and the increased occurrence of chronic wasting disease in regionally diverse locations necessitates an escalation in research, surveillance, monitoring, and management activities focused on containing and managing chronic wasting disease.

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

(3) Because States and Tribes have diverse policies for addressing chronic wasting disease, the Federal Government, in consultation with the Chronic Wasting Disease Task Force established by section 104 of America’s Conservation Enhancement Act (Public Law 116–188), should coordinate financial and technical support to States and Tribes, State and Tribal departments of agriculture, State and Tribal wildlife agencies, institutions of higher education, and research centers conducting scientific research on chronic wasting disease.
(4) Pursuant to State and Federal law, the States retain primacy and policymaking authority with regard to wildlife management.

(5) Under current policies, chronic wasting disease remains a systemic threat to cervids.

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

SEC. 3. CHRONIC WASTING DISEASE RESEARCH AND MANAGEMENT PROGRAM.

(a) Research Program.—

(1) In general.—Not later than 90 days after the date on which funds are made available to carry out this section, the Secretary of Agriculture shall establish a program under which the Secretary shall offer to enter into cooperative agreements or other legal instruments, as authorized under 10413 of the Animal Health Protection Act (7 U.S.C. 8312), with eligible entities to conduct research on the transmission of, resistance to, and diagnosis of chronic wasting disease.

(2) Criteria for selection.—In entering into cooperative agreements or other legal instruments pursuant to paragraph (1), the Secretary
shall give priority to eligible entities that shall conduct research relating to—

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

(ii) testing methods that significantly improve sensitivity and accelerate timelines for test results on non-live cervids;

(B) the long-term suppression or eradication of chronic wasting disease; or

(C) determination markers for genetic resistance to chronic wasting disease and strategies for using genetic resistance to combat the spread of the disease;

(D) sustainable cervid harvest management practices to reduce chronic wasting disease occurrence and to prevent or limit spatial spread of chronic wasting disease; or

(E) factors contributing to local emergence of chronic wasting disease, increased prevalence of chronic wasting disease, and distribution of chronic wasting disease, including mechanisms
of disease transmission and effective barriers to
transmission.

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

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

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

(1) **IN GENERAL.**—Subject to the availability of
appropriations, the Secretary shall offer to enter
into cooperative agreements or other legal instru-
ments, as authorized under section 10413 of the
Animal Health Protection Act (7 U.S.C. 8312), with
State or Tribal wildlife agencies and departments of
agriculture to provide direct financial assistance to
support the efforts of such State or Tribal wildlife agencies and departments of agriculture to develop and implement management strategies to address chronic wasting disease within their respective jurisdiction.

(2) APPLICATION.—A State or Tribal wildlife agency or department of agriculture seeking direct financial assistance under this subsection shall submit to the Secretary an application at such time and manner, and containing such information as the Secretary may require.

(3) FUNDING PRIORITIES.—In allocating funds made available to carry out this subsection for a fiscal year among State and Tribal wildlife agencies or departments of agriculture that submit an application for direct financial assistance under this subsection, the Secretary shall give priority to States and Indian tribes that have—

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

(B) shown the greatest financial commitment to managing, monitoring, surveying, and researching chronic wasting disease;

(C) comprehensive policies and programs focused on chronic wasting disease management
that have integrated the programs and policies
of all involved agencies related to chronic wast-
ing disease management;

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

(E) the greatest need for response to new
outbreaks of chronic wasting disease occurring

in—

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

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

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

(5) PUBLIC EDUCATION ON CHRONIC WASTING
DISEASE.—The Secretary, in consultation with State
and Tribal departments of agriculture and wildlife agencies, organizations representing the farmed cervid industry, and organizations representing deer hunters, shall develop and maintain materials based on the latest scientific knowledge to be used to educate the public on chronic wasting disease and techniques to help prevent the spread of the disease.

(c) DEFINITIONS.—In this section:

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

(A) is a transmissible disease of the nervous system resulting in distinctive lesions in the brain; and

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

(2) **ELIGIBLE ENTITY.**—The term “eligible entity” means—

(A) a State or Tribal department of agriculture;

(B) a State or Tribal wildlife agency;

(C) a Tribal research facility;
(D) an institution of higher education (as defined in section 101 of the Higher Education Act (20 U.S.C. 1001)); and

(E) a research center conducting or qualified to conduct scientific research on chronic wasting disease.

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

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

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

(3) increasing participation in the herd certification program.

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary to carry out this section $70,000,000 for each of fiscal years 2022
through fiscal year 2028, to remain available until expended.

(2) ALLOCATION AMONG PROGRAMS.—To the extent practicable, the Secretary shall allocate the funds made available under paragraph (1) evenly between the research program under subsection (a) and the management program under subsection (b).

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

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

(g) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as interfering with, or otherwise affecting, the authority of the Federal Government or States to manage wildlife and livestock on land within their respective jurisdictions, including managing, surveying, and monitoring the incidence of chronic wasting disease.
Sec. 4. Technical Amendment.