

“SEC. 6201. DEFINITIONS.

“In this subtitle:

“(1) INDIAN TRIBE.—The term ‘Indian tribe’ has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b) [now 25 U.S.C. 5304].

“(2) LIVESTOCK.—The term ‘livestock’ means cattle, swine, horses, mules, sheep, goats, livestock guard animals, and other domestic animals, as determined by the Secretary.

“(3) PROGRAM.—The term ‘program’ means the demonstration program established under section 6202(a).

“(4) SECRETARIES.—The term ‘Secretaries’ means the Secretary of the Interior and the Secretary of Agriculture, acting jointly.

“SEC. 6202. WOLF COMPENSATION AND PREVENTION PROGRAM.

“(a) IN GENERAL.—The Secretaries shall establish a 5-year demonstration program to provide grants to States and Indian tribes—

“(1) to assist livestock producers in undertaking proactive, non-lethal activities to reduce the risk of livestock loss due to predation by wolves; and

“(2) to compensate livestock producers for livestock losses due to such predation.

“(b) CRITERIA AND REQUIREMENTS.—The Secretaries shall—

“(1) establish criteria and requirements to implement the program; and

“(2) when promulgating regulations to implement the program under paragraph (1), consult with States that have implemented State programs that provide assistance to—

“(A) livestock producers to undertake proactive activities to reduce the risk of livestock loss due to predation by wolves; or

“(B) provide compensation to livestock producers for livestock losses due to such predation.

“(c) ELIGIBILITY.—To be eligible to receive a grant under subsection (a), a State or Indian tribe shall—

“(1) designate an appropriate agency of the State or Indian tribe to administer the 1 or more programs funded by the grant;

“(2) establish 1 or more accounts to receive grant funds;

“(3) maintain files of all claims received under programs funded by the grant, including supporting documentation;

“(4) submit to the Secretary—

“(A) annual reports that include—

“(i) a summary of claims and expenditures under the program during the year; and

“(ii) a description of any action taken on the claims; and

“(B) such other reports as the Secretary may require to assist the Secretary in determining the effectiveness of activities provided assistance under this section; and

“(5) promulgate rules for reimbursing livestock producers under the program.

“(d) ALLOCATION OF FUNDING.—The Secretaries shall allocate funding made available to carry out this subtitle—

“(1) equally between the uses identified in paragraphs (1) and (2) of subsection (a); and

“(2) among States and Indian tribes based on—

“(A) the level of livestock predation in the State or on the land owned by, or held in trust for the benefit of, the Indian tribe;

“(B) whether the State or Indian tribe is located in a geographical area that is at high risk for livestock predation; or

“(C) any other factors that the Secretaries determine are appropriate.

“(e) ELIGIBLE LAND.—Activities and losses described in subsection (a) may occur on Federal, State, or private land, or land owned by, or held in trust for the benefit of, an Indian tribe.

“(f) FEDERAL COST SHARE.—The Federal share of the cost of any activity provided assistance made available

under this subtitle shall not exceed 50 percent of the total cost of the activity.

“SEC. 6203. AUTHORIZATION OF APPROPRIATIONS.

“There is authorized to be appropriated to carry out this subtitle \$1,000,000 for fiscal year 2009 and each fiscal year thereafter.”

§ 8352. Authorization of expenditures for the eradication and control of predatory and other wild animals

The Secretary of Agriculture is authorized to make such expenditures for equipment, supplies, and materials, including the employment of persons and means in the District of Columbia and elsewhere, and to employ such means as may be necessary to execute the functions imposed upon him by section 8351 of this title.

(Mar. 2, 1931, ch. 370, § 3, 46 Stat. 1469.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 426b of this title prior to editorial reclassification and renumbering as this section.

Executive Documents

TRANSFER OF FUNCTIONS

Functions of Secretary of Agriculture administered through Bureau of Biological Survey, relating to conservation of wildlife, game, and migratory birds, transferred to Secretary of the Interior by 1939 Reorg. Plan No. II, § 4(f), eff. July 1, 1939, set out in the Appendix to Title 5, Government Organization and Employees. See also sections 401 to 404 of said plan for provisions relating to transfer of functions, records, property, personnel, and funds.

§ 8353. Control of nuisance mammals and birds and those constituting reservoirs of zoonotic diseases; exception

On and after December 22, 1987, the Secretary of Agriculture is authorized, except for urban rodent control, to conduct activities and to enter into agreements with States, local jurisdictions, individuals, and public and private agencies, organizations, and institutions in the control of nuisance mammals and birds and those mammal and bird species that are reservoirs for zoonotic diseases, and to deposit any money collected under any such agreement into the appropriation accounts that incur the costs to be available immediately and to remain available until expended for Animal Damage Control activities.

(Pub. L. 100-202, § 101(k) [title I], Dec. 22, 1987, 101 Stat. 1329-322, 1329-331.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 426c of this title prior to editorial reclassification and renumbering as this section.

§ 8354. Expenditures for cooperative agreements to lease aircraft

On and after November 10, 2005, notwithstanding any other provision of law, the Secretary of Agriculture may use appropriations