Public Law 94-207
94th Congress

An Act

Feb. 4, 1976
[H.R. 11510]

To provide for starling and blackbird control in Kentucky and Tennessee.

Starling and blackbird control, Ky.-Tenn.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress finds that in Kentucky and Tennessee large concentrations of starlings, grackles, blackbirds, and other birds found in "blackbird roosts" pose a hazard to human health and safety, livestock and agriculture, that the roosts are reestablished each winter, that dispersal techniques have been unsuccessful, that control is most effective when birds are concentrated in winter roosts, and that an emergency does exist which requires immediate action with insufficient time to comply with the National Environmental Policy Act.

SEC. 2. (a) Upon certification by the Governor of Kentucky and/or Tennessee to the Secretary of the Interior that "blackbird roosts" are a significant hazard to human health, safety or property in his state, the Secretary of the Interior shall provide for roosts determined through normal survey practices of the Department of the Interior to contain in excess of 500,000 birds to be treated with chemicals registered for bird control purposes, unless the Secretary determines that treatment of a particular roost would pose a hazard to human health, safety or property.

42 USC 4321 note.
7 USC 136 note.

(b) The provisions of the National Environmental Policy Act of 1969 (83 Stat. 852), the Federal Environmental Pesticide Control Act (86 Stat. 975), or any other provision of law shall not apply to any such blackbird control activities undertaken, on or before April 15, 1976, by the States of Kentucky or Tennessee or the Federal Government within the States of Kentucky or Tennessee.

Approved February 4, 1976.

LEGISLATIVE HISTORY:

CONGRESSIONAL RECORD, Vol. 122 (1976):
Jan. 27, considered and passed House and Senate, in lieu of S. 2873.

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