

116TH CONGRESS
2D SESSION

H. R. 6267

To establish a process for State determinations with respect to *Canis lupus* reintroduction, to protect ungulate, stock animal, and dog populations, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 12, 2020

Mr. TIPTON introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To establish a process for State determinations with respect to *Canis lupus* reintroduction, to protect ungulate, stock animal, and dog populations, and for other purposes.

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 “State- and Science-
5 based Gray Wolf Reintroduction Act of 2020”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) For the last 20 years, scientists at the
9 United States Fish and Wildlife Service have rec-

ommended against further reintroduction of gray wolves in the Northern Rocky Mountains where the species has already exceeded recovery goals.

(2) The United States Fish and Wildlife Service wrote in the final rule titled “Endangered and Threatened Wildlife and Plants; Final Rule To Re-classify and Remove the Gray Wolf From the List of Endangered and Threatened Wildlife in Portions of the Conterminous United States; Establishment of Two Special Regulations for Threatened Gray Wolves” (68 Fed. Reg. 15803; April 1, 2003) that “[e]stablishing additional populations would provide no additional genetic benefits to wolf recovery under the Act. . .” and “new recovery programs are not necessary to achieve recovery of the gray wolf under the Act either as formerly listed in the 48 States and Mexico or under the new listings established by this final rule”.

(3) Under President Obama, the United States Fish and Wildlife Service published a final rule on April 2, 2009, titled “Endangered and Threatened Wildlife and Plants; Final Rule To Identify the Western Great Lakes Populations of Gray Wolves as a Distinct Population Segment and To Revise the List of Endangered and Threatened Wildlife” (74

1 Fed. Reg. 15070), which states that the United
2 States Fish and Wildlife Service has identified a dis-
3 tinct population segment of the gray wolf in the
4 Northern Rocky Mountains of the United States and
5 revises the List of Endangered and Threatened
6 Wildlife by removing gray wolves within the North-
7 ern Rocky Mountain distinct population segment
8 boundary, except in Wyoming.

9 (4) Under President Obama, the United States
10 Fish and Wildlife Service published a final rule on
11 September 10, 2012 (77 Fed. Reg. 55530), that was
12 reinstated on March 3, 2017, by the decision of the
13 United States Court of Appeals for the District of
14 Columbia (No. 14–5300), and further republished on
15 May 1, 2017 (82 Fed. Reg. 20284), which states
16 that the best scientific and commercial data avail-
17 able indicate that gray wolves in Wyoming have re-
18 covered and are no longer in need of protection
19 under the Endangered Species Act of 1973.

20 **SEC. 3. STATE REINTRODUCTION OF *CANIS LUPUS*.**

21 (a) STATE PETITION FOR REINTRODUCTION.—If
22 *Canis lupus* is listed as an endangered species or threat-
23 ened species pursuant to section 4(a) of the Endangered
24 Species Act of 1973 (16 U.S.C. 1533(a)), or is part of
25 a monitoring strategy under section (4)(g) of such Act,

1 a State may not reintroduce *Canis lupus* within the bound-
2 aries of such State unless—

3 (1) the Governor of such State submits to the
4 Secretary a petition that includes the information
5 described in subsection (b); and

6 (2) such petition is approved by the Secretary.

7 (b) INFORMATION DESCRIBED.—The information de-
8 scribed in this subsection is the following:

9 (1) A science-based finding from the State fish
10 and wildlife department that reintroduction of *Canis*
11 *lupus* is necessary—

12 (A) to support a *Canis lupus* recovery plan
13 developed under section 4(f) of the Endangered
14 Species Act of 1973 (16 U.S.C. 1533(f)); or

15 (B) to support *Canis lupus* monitoring
16 under section 4(g) of such Act.

17 (2) A description of the impact that *Canis*
18 *lupus* reintroduction will have on the wild ungulate
19 population of the State.

20 (3) A description of—

21 (A) the wild ungulate population manage-
22 ment objectives of such State;

23 (B) the Federal resources the State uses to
24 maintain and meet such objectives; and

1 (C) how *Canis lupus* reintroduction may
2 impact such objectives and resources.

3 (c) NOTICE OF PETITION.—Not later than 30 days
4 after the date on which the Secretary receives a State peti-
5 tion for reintroduction of *Canis lupus* under subsection
6 (a), the Secretary shall—

7 (1) provide to each chief executive of an af-
8 fected county notice of the State petition; and

9 (2) solicit from each such chief executive—

10 (A) information about the anticipated ef-
11 fects of such reintroduction, including how—

12 (i) hunting opportunities for wild
13 ungulate populations in the county could
14 be impacted by such reintroduction and the
15 estimated economic effect of any expected
16 reduction in such opportunities; and

17 (ii) such reintroduction could result in
18 losses of stock animals within the county
19 and the economic impact of such losses;
20 and

21 (B) a recommendation for approval or de-
22 nial of the petition.

23 (d) EFFECT OF COUNTY DETERMINATION.—Not
24 later than 6 months after the date on which the Secretary
25 makes a solicitation under subsection (c)(2), if a chief ex-

1 ecutive of an affected county submits to the Secretary a
 2 recommendation under subsection (c)(2)(B) that the rel-
 3 evant petition be denied, the Secretary may not approve
 4 such petition pursuant to subsection (a)(2).

5 (e) PROTECTION OF STOCK ANIMALS AND DOGS.—

6 (1) IN GENERAL.—If the Secretary approves a
 7 petition pursuant to subsection (a)(2), and if a per-
 8 son meets the requirements described in paragraph
 9 (2), such person may take a *Canis lupus* that is at-
 10 tacking a stock animal or dog.

11 (2) REQUIREMENTS DESCRIBED.—The require-
 12 ments described in this paragraph are the following:

13 (A) The person is not—

14 (i) trespassing; or

15 (ii) on land administered by the Di-
 16 rector of the National Park Service.

17 (B) The person did not intentionally bait,
 18 feed, or otherwise attract the *Canis lupus*.

19 (f) DEFINITIONS.—In this section:

20 (1) CHIEF EXECUTIVE OF AN AFFECTED COUN-
 21 TY.—The term “chief executive of an affected coun-
 22 ty” means the highest elected or appointed executive
 23 of each county in which *Canis lupus* would be re-
 24 introduced pursuant to a State petition submitted
 25 under subsection (a).

1 (2) SECRETARY.—The term “Secretary” means
2 the Secretary of the Interior.

3 (3) STATE FISH AND WILDLIFE DEPART-
4 MENT.—The term “State fish and wildlife depart-
5 ment” has the meaning given such term in section
6 2 of the Pittman-Robertson Wildlife Restoration Act
7 (16 U.S.C. 669a).

8 (4) STOCK ANIMAL.—The term “stock animal”
9 means cattle, sheep, horses, goats, and other domes-
10 tic animals ordinarily raised or used on a farm.

11 (5) TAKE.—The term “take” has the meaning
12 given such term in section 3 of the Endangered Spe-
13 cies Act of 1973 (16 U.S.C. 1532).

14 (6) WILD UNGULATE POPULATION.—The term
15 “wild ungulate population” means deer, elk, moose,
16 bighorn sheep, mountain goats, antelope, and bison.

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