

117TH CONGRESS
2D SESSION

H. R. 9597

To create a coordinated domestic wildlife disease surveillance framework for State, Tribal, and local governments to monitor and respond to wildlife disease outbreaks to prevent pandemics, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 15, 2022

Ms. PORTER (for herself, Mr. GRIJALVA, and Mr. LOWENTHAL) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committees on Agriculture, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To create a coordinated domestic wildlife disease surveillance framework for State, Tribal, and local governments to monitor and respond to wildlife disease outbreaks to prevent pandemics, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Wildlife Disease Surveillance for Pandemic Prevention
6 Act of 2022”.

1 (b) TABLE OF CONTENTS.—

- Sec. 1. Short title; table of contents.
 Sec. 2. Definitions.
 Sec. 3. Funding for State and Tribal wildlife disease surveillance.
 Sec. 4. Grant program.
 Sec. 5. Wildlife Disease Surveillance Program.
 Sec. 6. Wildlife Disease Emergency Response Program.
 Sec. 7. Centers for Study and Diagnostics of Wildlife Diseases.
 Sec. 8. Federal One Health Interagency Working Group.
 Sec. 9. Wildlife Disease Surveillance Advisory Committee.
 Sec. 10. National Wildlife Disease Database.
 Sec. 11. Authorization of appropriations.

2 **SEC. 2. DEFINITIONS.**

3 In this Act:

4 (1) **ADVISORY COMMITTEE.**—The term “Advi-
 5 sory Committee” means the Wildlife Disease Surveil-
 6 lance Advisory Committee established under section
 7 9.

8 (2) **DATABASE.**—The term “Database” means
 9 the National Wildlife Diseases Database established
 10 under section 10(a).

11 (3) **DIRECTOR.**—The term “Director” means
 12 the Director of the United States Fish and Wildlife
 13 Service.

14 (4) **INDIAN TRIBE.**—The term “Indian Tribe”
 15 has the meaning given such term in section 4 of the
 16 Indian Self-Determination and Education Assistance
 17 Act (25 U.S.C. 5304).

18 (5) **INTERAGENCY WORKING GROUP.**—The term
 19 “Interagency Working Group” means the Federal

1 One Health Interagency Working Group established
2 under section 8.

3 (6) INSTITUTION OF HIGHER EDUCATION.—The
4 term “institution of higher education” has the
5 meaning given such term in section 101(a) of the
6 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

7 (7) SECRETARY.—The term “Secretary” means
8 the Secretary of the Interior.

9 (8) STATE.—The term “State” means each of
10 the several States, the District of Columbia, and
11 each of the United States Territories.

12 (9) TASK FORCE.—The term “Task Force”
13 means the Disease in Wildlife Trade Task Force es-
14 tablished under section 5(b).

15 (10) WILDLIFE.—The term “wildlife” means
16 any animal that is not livestock or poultry (as such
17 terms are defined in section 2(a) of the Packers and
18 Stockyards Act, 1921 (7 U.S.C. 183(a)).

19 (11) WILDLIFE DISEASES.—The term “wildlife
20 diseases” means any infectious disease of wildlife
21 that can be transmitted, directly or indirectly, from
22 an infected animal, host or vector, inanimate source,
23 or other sources.

24 (12) WILDLIFE DISEASE SURVEILLANCE PRO-
25 GRAM.—The term “Wildlife Disease Surveillance

1 Program” means the program established under sec-
 2 tion 5(a).

3 **SEC. 3. FUNDING FOR STATE AND TRIBAL WILDLIFE DIS-**
 4 **EASE SURVEILLANCE.**

5 (a) **PURPOSES.**—The purposes described in this sub-
 6 section are the following:

7 (1) Monitoring wildlife for wildlife diseases.

8 (2) Research and development of monitoring
 9 methods and technologies to detect and diagnose
 10 wildlife diseases.

11 (3) Participating in information sharing
 12 through the Database.

13 (4) The establishment and maintenance of pro-
 14 grams, facilities, and workforce development pro-
 15 grams to carry out the purposes described in para-
 16 graphs (1) through (3).

17 (b) **WILDLIFE HEALTH ACTION PLAN.**—

18 (1) **SUBMISSION FOR APPROVAL.**—A State or
 19 Tribe may submit a wildlife health action plan, in-
 20 cluding each of the following, to the Director in such
 21 form, time, and manner as the Director determines
 22 appropriate:

23 (A) Descriptions of wildlife disease surveil-
 24 lance actions proposed for monitoring wildlife
 25 disease in the full array of the State or Tribe’s

1 wildlife and priorities for implementing such ac-
2 tions.

3 (B) Plans for adapting these wildlife dis-
4 ease surveillance actions to respond to new in-
5 formation or changing conditions.

6 (C) Plans for managing a wildlife disease
7 outbreak, including potential containment meas-
8 ures and appropriate biosafety and biosecurity
9 measures.

10 (D) A plan to coordinate with relevant
11 Federal, Tribal, State, and local governments,
12 institutes of higher education, and private orga-
13 nizations.

14 (E) Procedures for reviewing such plan not
15 less frequently than every 5 years.

16 (2) APPROVAL PROCESS.—The Director shall,
17 not later than 90 days after receiving a submission
18 under paragraph (1), approve or deny such wildlife
19 health action plan and, in the case of a denial, pro-
20 vide feedback to the submitting entity.

21 (3) PILOT FUNDING FOR WILDLIFE HEALTH
22 PLANNING.—

23 (A) ESTABLISHMENT.—The Director and
24 the Director of the Bureau of Indian Affairs

1 shall jointly establish a program through
2 which—

3 (i) the Director shall provide grants to
4 States with a demonstrated financial need
5 or lack of institutional incapacity to de-
6 velop a wildlife health action plan under
7 paragraph (1); and

8 (ii) the Director of the Bureau of In-
9 dian Affairs shall provide grants to Indian
10 Tribes with a demonstrated financial need
11 or lack of institutional incapacity to de-
12 velop a wildlife health action plan under
13 paragraph (1).

14 (B) USE OF FUNDS.—A recipient may use
15 grant funds received under this paragraph to
16 develop a wildlife health action plan to be sub-
17 mitted under paragraph (1).

18 (C) LIMITATION ON AMOUNT OF FUNDS.—

19 (i) STATE FUNDS.—The Director may
20 not distribute under subparagraph (A) an
21 amount in any fiscal year that exceeds 20
22 percent of the total amount of funds avail-
23 able for distribution to States under this
24 section in such fiscal year.

1 (ii) FUNDS FOR INDIAN TRIBES.—The
2 Director of the Bureau of Indian Affairs
3 may not distribute under subparagraph
4 (A)) an amount in any fiscal year that ex-
5 ceeds 75 percent of the total amount of
6 funds available for distribution to Indian
7 Tribes under this section in such fiscal
8 year.

9 (c) DISTRIBUTION TO STATES.—The Director shall,
10 in each fiscal year beginning after the date that is 1 year
11 after the date of the enactment of this Act, distribute not
12 less than \$15,500,000 to the States with a wildlife health
13 action plan for the applicable fiscal year approved under
14 subsection (b)(1). In determining the allocation of such
15 amount among such States, the Director shall take into
16 account—

- 17 (1) the land area of each such State;
18 (2) the population of each such as determined
19 in the most recent census;
20 (3) the presence of any source of increased risk
21 or occurrence of wildlife diseases affecting a State;
22 and
23 (4) the need to develop capacity to surveil wild-
24 life diseases in each State.

25 (d) DISTRIBUTION TO INDIAN TRIBES.—

1 (1) IN GENERAL.—The Director of the Bureau
2 of Indian affairs shall, in each fiscal year beginning
3 after the date that is 1 year after the date of the
4 enactment of this Act, distribute not less than
5 \$3,000,000 to Indian Tribes through a noncompeti-
6 tive grant program.

7 (2) CRITERIA.—The Director of the Bureau of
8 Indian Affairs shall, in consultation with Indian
9 Tribes, establish criteria for the distribution of funds
10 under paragraph (1).

11 (e) PARTICIPATION IN INFORMATION SHARING.—
12 Each State, Indian Tribe, and grant recipient under this
13 section shall participate in the Wildlife Disease Surveil-
14 lance Program and contribute wildlife disease data to the
15 Database.

16 **SEC. 4. GRANT PROGRAM.**

17 (a) ESTABLISHMENT.—The Director shall establish a
18 grant program to provide grants to eligible entities for the
19 purposes described in section 3(a).

20 (b) ADMINISTRATIVE EXPENSES.—The Director may
21 not expend more than 3 percent of the amounts made
22 available to carry out this section for administrative ex-
23 penses.

24 (c) ELIGIBLE ENTITIES.—For the purposes of this
25 subsection, the term “eligible entities” means an entity

1 with expertise in carrying out the purposes described in
2 section 3(a) that is—

3 (1) an organization described in section
4 501(c)(3) of the Internal Revenue Code of 1986 and
5 is exempt from taxation under section 501(a) of
6 such Code;

7 (2) an institution of higher education (as such
8 term is defined in section 101(a) of the Higher Edu-
9 cation Act of 1965 (20 U.S.C. 1001(a));

10 (3) a part B institution (as such term is defined
11 in section 322 of the Higher Education Act of 1965
12 (20 U.S.C. 1061));

13 (4) a Tribal College or University (as such term
14 is defined in section 317(d) of the Higher Education
15 Act of 1965 (20 U.S.C. 1059d(d));

16 (5) a partnership of State, local, and Tribal
17 agencies or governments that includes at representa-
18 tion from not less than 2 States or 1 State and 1
19 Tribe; or

20 (6) a partnership between entities described in
21 paragraph (1) or (2).

22 **SEC. 5. WILDLIFE DISEASE SURVEILLANCE PROGRAM.**

23 (a) ESTABLISHMENT.—The Director, acting through
24 the Wildlife Health Office of the United States Fish and
25 Wildlife Service and in consultation with the Director of

1 the United States Geological Survey, shall establish a pro-
2 gram to—

3 (1) monitor wildlife disease threats to evaluate
4 the risk posed by and impact of such diseases on the
5 United States;

6 (2) conduct research and development to create
7 statistically supported sampling frameworks for
8 broad-scale surveillance of wildlife disease threats;

9 (3) conduct research on wildlife disease trans-
10 mission and on effective outreach to stakeholders to
11 help manage wildlife disease;

12 (4) conduct statistical modeling to understand
13 and predict wildlife disease movement; and

14 (5) develop testing protocols for samples sus-
15 pected of carrying wildlife diseases.

16 (b) WILDLIFE TRADE TASK FORCE.—

17 (1) ESTABLISHMENT.—The Secretary shall, not
18 later than 90 days after the date of the enactment
19 of this Act, establish the Disease in Wildlife Trade
20 Task Force to carry out the following purposes:

21 (A) Develop a comprehensive surveillance
22 system of wildlife imports to the United States.

23 (B) Perform risk analysis of wildlife dis-
24 eases.

1 (C) Perform data analysis relating to wild-
2 life disease surveillance.

3 (D) Provide technical assistance to Fed-
4 eral, State, Tribal, and local governments car-
5 rying out wildlife disease prevention and en-
6 forcement with respect to the wildlife trade.

7 (2) MEMBERSHIP.—The Task Force shall be
8 composed of a representative of each of the fol-
9 lowing:

10 (A) The United States Fish and Wildlife
11 Service.

12 (B) The United States Geological Survey.

13 (C) The Secretary of State.

14 (D) The Administrator of the United
15 States Agency for International Development.

16 (E) The Secretary of Homeland Security.

17 (F) Such State and Tribal wildlife agencies
18 that submit a request to the Secretary to par-
19 ticipate in the Task Force as do not exceed 1
20 State representative per regions of the United
21 States as identified by the Director and 1 Trib-
22 al representative per region of the United
23 States identified by the Director of the Bureau
24 of Indian Affairs.

1 (G) The Director of the Centers for Dis-
2 ease Control.

3 (H) The Secretary of Agriculture.

4 (I) The Secretary of Commerce.

5 (3) REPORT.—The Task Force shall, not later
6 than 1 year after the date of the enactment of this
7 Act, submit to Congress a report on—

8 (A) the available quarantine facilities for
9 animals with wildlife diseases, including
10 through public-private partnerships;

11 (B) the sufficiency of such facilities to ful-
12 fill the purposes of this Act; and

13 (C) legislative and regulatory recommenda-
14 tions, determined in consultation with the Advi-
15 sory Committee, to improve the availability of
16 such facilities for Federal, State, and Tribal
17 users.

18 **SEC. 6. WILDLIFE DISEASE EMERGENCY RESPONSE PRO-**
19 **GRAM.**

20 (a) ESTABLISHMENT.—The Director shall establish
21 the Wildlife Disease Emergency Response Program to—

22 (1) provide and coordinate Federal incident
23 command training, operations, and resources specific
24 to wildlife health issues;

1 (2) support emergency containment and re-
2 search activities in response to wildlife disease emer-
3 gencies; and

4 (3) establish and provide training to Federal,
5 State, and Tribal agencies on animal welfare best
6 practices during wildlife disease emergency planning
7 and response activities.

8 (b) FEDERAL WILDLIFE DISEASE EMERGENCY RE-
9 SPONSE FUND.—There is hereby established in the Treas-
10 ury an account to be known as the “Federal Wildlife Dis-
11 ease Emergency Response Fund” which shall be available
12 to the Secretary for the purposes described in subsection
13 (c).

14 (c) AUTHORITY.—

15 (1) DECLARATION OF EMERGENCY.—The Sec-
16 retary may declare a wildlife health emergency at
17 the request of a Governor of a State or the head of
18 a Tribal Government. During the period of such an
19 emergency, the Secretary may—

20 (A) use the authorities and the resources
21 granted to the Secretary under Federal law to
22 support State, Tribal, and local wildlife disease
23 emergency management efforts relating to such
24 emergency;

1 (B) coordinate emergency assistance (in-
2 cluding voluntary assistance) provided by Fed-
3 eral agencies, private organizations, and State,
4 Tribal, and local governments relating to such
5 emergency;

6 (C) provide technical and advisory assist-
7 ance to affected State, Tribal, and local govern-
8 ments relating to—

9 (i) wildlife health and safety meas-
10 ures;

11 (ii) issuance of warnings of risks or
12 hazards; and

13 (iii) providing public information re-
14 lating to wildlife health and safety;

15 (D) authorize Federal spending from the
16 Federal Wildlife Disease Emergency Response
17 fund established under subsection (b) to carry
18 out the activities described in this paragraph or
19 distributions of funds from such fund to States
20 and Tribes to carry out such activities.

21 (2) FEDERAL SHARE.—The Federal share of
22 emergency costs for the activities described in para-
23 graph (1) with respect to 1 emergency may not ex-
24 ceed the lesser of—

25 (A) 80 percent of such costs; or

1 (B) \$3,000,000, or such amount as the
2 Secretary determines appropriate if the Sec-
3 retary determines, in consultation with relevant
4 Federal agencies with responsibilities relating to
5 human health, that there is an immediate risk
6 to human health or that no other source of as-
7 sistance is available to address such emergency
8 in a timely manner.

9 (d) WILDLIFE DISEASE EMERGENCY.—The term
10 “wildlife disease emergency” means the occurrence of a
11 wildlife disease that has been identified by an appropriate
12 State agency that—

13 (1) is caused by—

14 (A) a newly discovered pathogen;

15 (B) a known wildlife disease that is ex-
16 panding its geographic range; or

17 (C) a wildlife disease that is affecting a
18 previously unaffected population of a wildlife
19 species;

20 (2) poses significant threats to the sustain-
21 ability of wildlife populations; or

22 (3) poses a significant threat to ecosystem func-
23 tion, including ecosystem processes or resilience.

1 **SEC. 7. CENTERS FOR STUDY AND DIAGNOSTICS OF WILD-**
2 **LIFE DISEASES.**

3 (a) APPLICATION.—Institutions of Higher Education
4 may submit an application to the Director of the United
5 States Geological Survey in such time, place, and manner
6 as the Director determines appropriate to enter into a co-
7 operative agreement to operate a Center for the Study and
8 Diagnostics of Wildlife Diseases.

9 (b) CRITERIA FOR EVALUATION.—The Director of
10 the United States Geological Survey, in consultation with
11 the Interagency Working Group and the Advisory Com-
12 mittee, shall establish criteria for evaluation of applica-
13 tions submitted under subsection (a), including—

- 14 (1) including laboratory capabilities;
15 (2) strength of veterinary, public health, and
16 ecology programs;
17 (3) dedicated expert staff; and
18 (4) working relationships with State agencies,
19 Indian Tribes, and other key partners.

20 (c) MINIMUM NUMBER OF CENTERS.—The Director
21 shall, not later than 2 years after the date of the enact-
22 ment of this Act, approve not less than 3 complete applica-
23 tions submitted under subsection (a).

24 (d) GEOGRAPHIC DISTRIBUTION.—In approving ap-
25 plications under this section, the Director shall ensure

1 that the centers are geographically distributed across the
2 United States.

3 (e) PURPOSE.—Each center established under this
4 section shall—

5 (1) provide technical assistance to States and
6 Indian Tribes to carry out the purposes described in
7 section 3(a);

8 (2) establish partnerships with local institutions
9 of higher education to conduct surveillance and
10 treatment of wildlife diseases and research, including
11 relevant ecological research;

12 (3) advance wildlife disease surveillance work-
13 force development;

14 (4) develop, validate, and deploy diagnostic
15 tests for wildlife diseases;

16 (5) provide diagnostic services to Federal,
17 State, and Tribal government agencies.

18 **SEC. 8. FEDERAL ONE HEALTH INTERAGENCY WORKING**
19 **GROUP.**

20 (a) ESTABLISHMENT.—The Secretary of the Interior,
21 the Director of the Centers for Disease Control, the Sec-
22 retary of Commerce, and the Secretary of Agriculture
23 shall establish the Federal One Health Interagency Work-
24 ing Group to strengthen One Health collaboration related
25 to the prevention, detection, control, and response for the

1 prioritized zoonotic diseases and related One Health work
2 across the Federal Government.

3 (b) CHAIR.—The members of the Interagency Work-
4 ing Group shall rotate serving as Chair of such Unit at
5 a frequency to be determined jointly by such members.

6 (c) DETERMINATION OF AGENCY RESPONSIBILITY.—
7 The Interagency Working Group shall determine the re-
8 sponsibilities of each member agency with respect to the
9 surveillance and treatment of and research and develop-
10 ment programs relating to wildlife diseases.

11 (d) PARTICIPATION OF OTHER FEDERAL AGEN-
12 CIES.—The Interagency Working Group may invite a Fed-
13 eral agency with a mission related to the purposes of this
14 Act to participate as a member in such working group.

15 (e) UNIT COORDINATOR.—Each Federal agency that
16 is a member of the Interagency Working Group shall ap-
17 point a dedicated coordinator to coordinate the activities
18 of such agency with such working group.

19 (f) COORDINATOR FOR SECRETARY OF INTERIOR.—
20 The Coordinator appointed by the Secretary of the Inte-
21 rior under subsection (e) shall be a direct subordinate of
22 such Secretary.

1 **SEC. 9. WILDLIFE DISEASE SURVEILLANCE ADVISORY COM-**
2 **MITTEE.**

3 (a) ESTABLISHMENT.—The Secretary shall establish
4 the Wildlife Disease Surveillance Advisory Committee
5 within the Department of the Interior.

6 (b) APPOINTMENT OF MEMBERS.—The Advisory
7 Committee shall be composed of—

8 (1) representatives of—

9 (A) the Chairperson of the Association of
10 Fish and Wildlife Agencies' Fish and Wildlife
11 Health Committee;

12 (B) the Director of the United States Geo-
13 logical Survey;

14 (C) the Director of the Animal and Plant
15 Health Inspection Service;

16 (D) the Director of the National Oceanic
17 and Atmospheric Administration;

18 (E) the Director;

19 (F) each of the regional Associations of
20 Fish And Wildlife Agencies;

21 (G) each of the Wildlife Disease Centers;
22 and

23 (H) Indian Tribes from each region of the
24 United States identified by the Director of the
25 Bureau of Indian Affairs.

1 (2) 4 academic representatives from institutions
2 of higher education appointed by the Secretary for
3 expertise in wildlife population health, epidemiology,
4 biology, ecology, conservation, or natural resource
5 management; and

6 (3) 1 representative of a relevant public or pri-
7 vate organization appointed by the Secretary for ex-
8 pertise in wildlife population health, epidemiology,
9 biology, ecology, conservation, or natural resource
10 management.

11 (c) TERM OF APPOINTMENT.—Each council member
12 appointed under paragraphs (2) and (3) of subsection (b)
13 shall serve a term of up to 4 years.

14 **SEC. 10. NATIONAL WILDLIFE DISEASE DATABASE.**

15 (a) ESTABLISHMENT.—The Secretary shall establish
16 and maintain the National Wildlife Disease Database to
17 centralize data relating to wildlife diseases.

18 (b) REQUIRED SUBMISSION OF INFORMATION.—
19 Each Federal agency and each recipient of a grant under
20 section 4 with information relating to domestic wildlife
21 diseases shall submit such data to the Database as the
22 Secretary, in consultation with the Advisory Committee,
23 determines appropriate.

1 (c) FORMAT OF INFORMATION.—The Advisory Com-
2 mittee shall establish a uniform format for data submis-
3 sions to the Database.

4 (d) DISEASES INCLUDED.—The Advisory Committee
5 and the Interagency Working Group shall jointly, not later
6 than 18 months after the date of the enactment of this
7 Act, establish and maintain a list of diseases subject to
8 reporting under this section.

9 (e) FEDERAL AGENCY ACCESS.—The Secretary shall
10 provide access to the database to—

11 (1) the Director of the Centers for Disease
12 Control;

13 (2) the Secretary of Agriculture;

14 (3) the Secretary of Commerce; and

15 (4) such other heads of Federal, State, and
16 Tribal agencies as the Secretary determines appro-
17 priate.

18 (f) REGULATIONS.—The Secretary may issue such
19 regulations as the Secretary determines appropriate to
20 carry out this section.

21 (g) STUDY.—The Secretary shall, not later than 180
22 days after the date of the enactment of this Act, submit
23 a report to Congress on the most appropriate way to struc-
24 ture the National Wildlife Disease Database to make data
25 as available to the public as possible without disclosing

1 sensitive data relating to Tribal sovereign data, data that
2 poses a threat to national security or public health, or sen-
3 sitive State or private data.

4 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

5 (a) IN GENERAL.—There is hereby authorized to be
6 appropriated for fiscal year 2023 and each fiscal year
7 thereafter the following amounts:

8 (1) to the Director—

9 (A) \$19,505,000 to carry out section 3;

10 (B) \$15,000,000 to carry out section 5;

11 (C) \$5,000,000 to carry out section 6; and

12 (D) \$10,000,000, to remain available until
13 expended, to be deposited in the Federal Wild-
14 life Disease Emergency Response Fund estab-
15 lished under section 6(b);

16 (2) to the Director of the United States Geo-
17 logical Survey—

18 (A) \$20,000,000 to be distributed to the
19 Centers for the Study and Diagnostics of Wild-
20 life Diseases established under section 7; and

21 (B) \$10,000,000 million to carry out sec-
22 tion 5;

23 (3) to the Secretary—

24 (A) \$400,000 to carry out section 9; and

1 (B) \$10,000,000 for the purposes of car-
2 rying out section 10.

3 (b) GRANT PROGRAM.—There is hereby authorized to
4 be appropriated to the Director \$27,000,000 for fiscal
5 years 2023 through 2025 to carry out section 4.

6 (c) REPORT.—There is authorized to be appropriated
7 \$1,000,000 to the Secretary for fiscal year 2023, to re-
8 main available until expended, to carry out section 5(b)(3).

○