119TH CONGRESS
2D SESSION

S. _____

To require the Secretary of the Interior to promulgate regulations for the development of regional management frameworks for the take of double-crested cormorants, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. CRUZ (for himself and Mrs. BRITT) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To require the Secretary of the Interior to promulgate regulations for the development of regional management frameworks for the take of double-crested cormorants, and for other purposes.

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 ''Responsible Cormorant Management and Control Act of 2026''.

SEC. 2. REGIONAL MANAGEMENT FRAMEWORKS FOR TAKE OF DOUBLE-CRESTED CORMORANTS.

(a) DEFINITIONS.—In this section:

(1) DOUBLE-CRESTED CORMORANT.—The term ''double-crested cormorant'' means the species *Nannopterum auritum*.

(2) 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. 5304).

(3) LAKE MANAGER.—The term ''lake manager'' means a person that is licensed or otherwise authorized by a State regulatory agency to manage a private lake.

(4) MIGRATORY BIRDS.—The term ''migratory birds'' has the meaning given the term in section 11 of the Migratory Bird Conservation Act (16 U.S.C. 715j).

(5) POND MANAGER.—The term ''pond manager'' means a person that is licensed or otherwise authorized by a State regulatory agency to manage a private pond.

(6) REGIONAL FLYWAY COUNCIL.—The term ''Regional Flyway Council'' means—

(A) the Atlantic Flyway Council;

(B) the Central Flyway Council;

(C) the Mississippi Flyway Council; and

(D) the Pacific Flyway Council.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service.

(8) TAKE.—The term ''take'' has the meaning given the term in section 10.12 of title 50, Code of Federal Regulations (as in effect on the date of the enactment of this section).

(b) REGIONAL MANAGEMENT FRAMEWORKS.—Not later than 1 year after the date of enactment of this Act, the Secretary, in coordination with the Regional Flyway Councils and in accordance with section 3 of the Migratory Bird Treaty Act (16 U.S.C. 704), shall promulgate regulations for the development of regional management frameworks for the management of double-crested cormorants based on the best available scientific information.

(c) REQUIREMENTS.—Each regional management framework developed pursuant to subsection (b) shall—

(1) ensure that each breeding population of double-crested cormorants is managed at a level that is sufficient to ensure the conservation of double-crested cormorants, and that cumulative authorized take of double-crested cormorants does not exceed a biologically sustainable level using the best available scientific information—

(A) consistent with the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.) and compatible with the applicable conventions; and

(B) as informed by the most recent population-level survey of double-crested cormorants;

(2) include, with respect to double-crested cormorants—

(A) allowable methods of take;

(B) allowed time periods of take;

(C) required annual reporting of total take, including target and non-target birds, which shall be made publicly available;

(D) measures to avoid the take of non-target birds and other species;

(E) documented conflicts at an identified location that authorized take can feasibly resolve; and

(F) non-lethal measures that shall be implemented;

(3) identify entities that may conduct authorized take of double-crested cormorants, which may include—

(A) State and Tribal fish and wildlife agencies; and

(B) entities permitted, trained, or otherwise authorized in a manner the Secretary determines appropriate, which shall include—

(i) lake managers; and

(ii) pond managers;

(4) provide for—

(A) States and Indian Tribes to take specific management actions with respect to double-crested cormorants in accordance with the regional management framework; and

(B) the implementation of management actions identified under subsection (d);

(5) consider the documented effects of double-crested cormorants within the applicable region on—

(A) fisheries;

(B) sensitive vegetation;

(C) populations of other migratory birds;

(D) human health and safety;

(E) water quality; and

(F) species listed as threatened species or endangered species under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533);

(6) include a long-term plan for identifying and monitoring the effects of the regional management

framework on the effects identified under paragraph (5);

(7) consider the effects of take authorized under the regional management framework on non-target birds, species that are listed as birds of conservation concern pursuant to the Fish and Wildlife Conservation Act of 1980 (16 U.S.C. 2901 et seq.), and species listed as threatened species or endangered species under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533); and

(8) develop best practices for additional measures, including—

(A) non-lethal deterrents;

(B) exclusion and habitat modifications;

(C) habitat restoration; and

(D) other non-lethal methods to rebuild or stabilize the populations of fauna and flora that have suffered detrimental effects because of double-crested cormorants.

(d) INCORPORATION OF NATIONAL WILDLIFE REFUGE SYSTEM.—In developing each regional management framework pursuant to subsection (b), the Secretary, in cooperation with the heads of State and Tribal game and fish agencies and the applicable Regional Flyway Council, shall make recommendations that can be taken within

units of the National Wildlife Refuge System that are in compliance with the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.) and meet the management objectives of States, Indian Tribes, the Regional Flyway Councils, and such units with respect to double-crested cormorants while fulfilling the primary purposes of such units.

(e) POPULATION SURVEYS.—Not later than 5 years after the date of enactment of this Act, and every 5 years thereafter, the Secretary, in coordination with the Regional Flyway Councils, shall carry out a survey of the population of double-crested cormorants.

(f) UPDATES.—

(1) IN GENERAL.—Not later than 5 years after the date of enactment of this Act, and every 5 years thereafter, the Secretary, in coordination with the applicable Regional Flyway Council, shall review and update each regional management framework developed pursuant to subsection (b).

(2) INCORPORATION OF POPULATION SURVEYS.—In reviewing and updating a regional management framework under paragraph (1), the Secretary shall incorporate the results of the most recent survey carried out under subsection (e).

(g) REPORT.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Natural Resources of the House of Representatives a report relating to the feasibility of issuing licenses to hunt double-crested cormorants to meet the requirements of the regional management frameworks developed pursuant to subsection (b).

(h) SUNSET.—This Act shall cease to have force or effect on January 1, 2034.

(i) REGULATIONS.—The Secretary may promulgate such regulations to carry out this Act as the Secretary determines necessary and appropriate.