



COMPTROLLER GENERAL OF THE UNITED STATES

WASHINGTON

DEC 30 1936

A-82570

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The Honorable,

The Secretary of the Interior.

Sir:

There has been received your letter of December 21, 1936,

as follows:

"Section 10 of the Taylor Grazing Act (act of June 28, 1934, 48 Stat. 1269), as amended by the act of June 26, 1936 (Public No. 827, 74th Congress), provides in part:

"That, except as provided in sections 9 and 11 hereof, all moneys received under the authority of this Act shall be deposited in the Treasury of the United States as miscellaneous receipts, but 25 per centum of all moneys received under this Act during any fiscal year is hereby made available, when appropriated by the Congress, for expenditure by the Secretary of the Interior for the construction, purchase, or maintenance of range improvements, and 50 per centum of the money received under this Act during any fiscal year shall be paid at the end thereof by the Secretary of the Treasury to the State in which the grazing districts or the lands producing such moneys are situated, to be expended as the State Legislature of such State may prescribe for the benefit of the county or counties in which the grazing districts or the lands producing such moneys are situated: * * *

"A great many of our western ranges are inhabited by coyotes and other predatory animals who prey upon domestic animals using these ranges. The problem of predatory animal control is, therefore, always an important subject of consideration by the livestock men and is considered by the Department as a necessary part of any range improvement program.

"In reply to a direct question by the chairman of the Subcommittee of the House Committee on Appropriations in charge of the Interior Department appropriation bill for 1937, as to what constituted range improvements, the Director of Grazing stated that in addition to construction projects such as water development, drift fences, and so forth, the control of rodents would be one of the important items to be undertaken.

"In my opinion the control of predatory animals may be considered a phase of range improvement in the same manner as rodent control activities. In other words, both of these activities are major factors in improving the conditions pertaining to grazing on western range lands. I would like to have your opinion as to whether funds appropriated by the Interior Department appropriation act for 1937 as follows may be properly spent for predatory animal control:

"For construction, purchase, and maintenance of range improvements within grazing districts, pursuant to the provisions of sections 10 and 11 of the Act of June 28, 1934, (48 Stat., p. 1269), and not including contributions under section 9 of said Act, \$250,000: PROVIDED, That expenditures hereunder in any grazing district shall not exceed 25 per centum of all moneys received under the provisions of said Act from such district during the fiscal years 1936 and 1937."

If administratively determined that the control of predatory animals is necessary to the beneficial use and maintenance of grazing lands as authorized by the Taylor Grazing Act, as amended, 49 Stat. 1978, this office will not be required to object to the otherwise proper use of the appropriation quoted in your submission from the act of June 22, 1936, 49 Stat. 1758, for such control, subject, of course, to the limitations prescribed therein.

Respectfully,

(Signed) R. N. Elliott

Acting Comptroller General
of the United States.