

LOG 22162

AMENDMENT TO NATIONAL DEFENSE

AUTHORIZATION BILL - H.R. 5315

OFFERED BY MR. BISHOP OF UTAH

At the appropriate place insert the following:

1 **SEC. ____.** **STATE MANAGEMENT AND CONSERVATION OF**
2 **SPECIES.**

3 (a) **SAGE-GROUSE AND PRAIRIE-CHICKEN.**—

4 (1) **IN GENERAL.**—During the 10-year period
5 beginning on the date of the enactment of this Act,
6 the conservation status of each of the Greater Sage-
7 grouse (*Centrocercus urophasianus*) and the Lesser
8 Prairie-Chicken (*Tympanuchus pallidicinctus*) under
9 section 4 of the Endangered Species Act of 1973 (16
10 U.S.C. 1533) shall be not-warranted for listing.

11 (2) **SUBSEQUENT DETERMINATIONS.**—In deter-
12 mining conservation efficacy for purposes of making
13 any determination of such status after such 10-year
14 period, the Secretary of the Interior shall fully con-
15 sider all conservation actions of States, Federal
16 agencies, and military installations.

17 (b) **AMERICAN BURYING BEETLE.**—Notwithstanding
18 the final rule of the United States Fish and Wildlife Serv-
19 ice entitled “Endangered and Threatened Wildlife and

1 Plants; Determination of Endangered Status for the
2 American Burying Beetle” (54 Fed. Reg. 29652 (July 13,
3 1989)), the American burying beetle (*Nicrophorus*
4 *americanus*) may not be listed as a threatened species or
5 endangered species under the Endangered Species Act of
6 1973 (16 U.S.C. 1531 et seq.).

7 (c) JUDICIAL REVIEW.—Notwithstanding any other
8 provision of statute or regulation, this section shall not
9 be subject to judicial review.

