

**AMENDMENT IN THE NATURE OF A SUBSTITUTE**  
**TO H.R. 181**  
**OFFERED BY MR. MCCLINTOCK OF CALIFORNIA**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. CONSIDERATION OF NATURALLY AND ARTIFI-**  
**2 Cially PROPAGATED POPULATIONS.**

3 Section 7(a) of the Endangered Species Act of 1973  
4 (16 U.S.C. 1536(a))) is amended by adding at the end  
5 the following:

6 “(5) CONSIDERATION OF NATURALLY AND ARTIFI-  
7 Cially PROPAGATED POPULATIONS.—The Secretary  
8 shall consider both naturally propagated and artificially  
9 propagated populations of a species for purposes of para-  
10 graphs (2) and (4).”.

**11 SEC. 2. ARTIFICIAL PROPAGATION FOR MITIGATION PUR-**  
**12 POSES.**

13 (a) IN GENERAL.—Section 14 of the Endangered  
14 Species Act of 1973 (relating to repeals of provisions of  
15 law, which have executed) is amended to read as follows:

16 “ARTIFICIAL PROPAGATION FOR MITIGATION PURPOSES

17 “SEC. 14. The Secretary shall authorize the use of  
18 artificial propagation of a species for purposes of any miti-

1 gation proposed by an action agency or applicant under  
2 this Act with respect to such species.”.

3 (b) CONFORMING AMENDMENT.—The table of con-  
4 tents in the first section of the Endangered Species Act  
5 of 1973 (16 U.S.C. 1531 note) is amended by striking  
6 the item relating to section 14 and inserting the following:

“Sec. 14. Artificial propagation for mitigation purposes.”.

7 **SEC. 3. APPLICATION.**

8 The amendments made by this Act shall apply with  
9 respect to a species without regard to whether the species  
10 was determined to be an endangered species or threatened  
11 species under the Endangered Species Act of 1973 (16  
12 U.S.C. 1531 et seq.) before, on, or after the date of the  
13 enactment of this Act.

