AMENDMENT TO NATIONAL DEFENSE AUTHORIZATION BILL - H.R. 5315
OFFERED BY MR. BISHOP OF UTAH

At the appropriate place insert the following:

SEC. ___. STATE MANAGEMENT AND CONSERVATION OF SPECIES.

(a) SAGE-GROUSE AND PRAIRIE-CHICKEN.—

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

(2) SUBSEQUENT DETERMINATIONS.—In determining conservation efficacy for purposes of making any determination of such status after such 10-year period, the Secretary of the Interior shall fully consider all conservation actions of States, Federal agencies, and military installations.

(b) AMERICAN BURYING BEETLE.—Notwithstanding the final rule of the United States Fish and Wildlife Service entitled "Endangered and Threatened Wildlife and
Plants; Determination of Endangered Status for the American Burying Beetle" (54 Fed. Reg. 29652 (July 13, 1989)), the American burying beetle (Nicrophorus americanus) may not be listed as a threatened species or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

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