

**AMENDMENT TO H.R. 6355**

**OFFERED BY MR. WESTERMAN OF ARKANSAS**

Beginning at page 2, strike line 1 and all that follows through page 4, line 11.

Page 17, beginning at line 1, strike “(i) Except” and all that follows through “Notwithstanding” at line 17 and insert “Notwithstanding”.

Page 17, line 25, strike the closing quotation marks and the second period, and after line 25 insert the following:

1           “(M)(i) The Secretary shall enter into a  
2           contract with any person under which the per-  
3           son agrees to reimburse the Federal Govern-  
4           ment for all costs incurred for review of and de-  
5           cision upon any petition under this Act to add  
6           a species to a list of species under section 4(c),  
7           including petitions to move a species from the  
8           list of threatened species to the list of endan-  
9           gered species.

10           “(ii) Such a contract—

11                   “(I) shall require the person to reim-  
12           burse such costs monthly during the period

1 the petition is under review by the Sec-  
2 retary; and

3 “(II) if payment of reimbursement is  
4 made in accordance with subclause (I)  
5 without lapse, shall require the Secretary,  
6 notwithstanding any other provision of this  
7 Act, to—

8 “(aa) issue a decision on the pe-  
9 tition; and

10 “(bb) continuously study, review,  
11 or render such a decision during the  
12 period the contract is in effect;”.

Page 18, after line 5, add the following:

13 (c) EFFECT OF DISMISSAL OF PETITION.—Section  
14 4(b)(3) of the Endangered Species Act of 1973 (16 U.S.C.  
15 1533(b)(3)), as amended by subsection (a), is further  
16 amended by adding at the end the following:

17 “(N) Dismissal of a petition by backlog  
18 procedures shall not affect the review of any  
19 subsequent petition for any species”.

