



AMENDMENT NO. _____ Calendar No. _____

Purpose: To require the delisting of Mexican gray wolves under the Endangered Species Act of 1973 on a determination that the subspecies has been sufficiently recovered in the United States.

IN THE SENATE OF THE UNITED STATES—114th Cong., 2d Sess.

AMENDMENT N^o 3164

By Flake _____ y of _____

To: Am _____ and _____

s. 2012

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Page(s)

GPO: 2014 91-623 (mac)

AM _____ by _____ to the amendment (No. 2953) proposed by Ms. MURKOWSKI

Viz:

1 At the appropriate place, insert the following:

2 **SEC. ____ . DELISTING OF MEXICAN GRAY WOLVES.**

3 (a) DEFINITIONS.—In this section:

4 (1) DIRECTOR.—The term “Director” means
5 the Director of the United States Fish and Wildlife
6 Service.

7 (2) MEXICAN GRAY WOLF.—

8 (A) IN GENERAL.—The term “Mexican
9 gray wolf” means the subspecies Mexican gray

1 wolf (*Canis lupus baileyi*) of the species gray
2 wolf (*Canis lupus*).

3 (B) INCLUSION.—The term “Mexican gray
4 wolf” includes any subspecies, distinct popu-
5 lation segment, or experimental population of
6 the species gray wolf (*Canis lupus*) that the Di-
7 rector determines after the date of enactment of
8 this Act will take the place of, or correspond
9 with, the subspecies designated as Mexican gray
10 wolf (*Canis lupus baileyi*) on that date of enact-
11 ment.

12 (b) REQUIREMENT.—Notwithstanding any other pro-
13 vision of law (including regulations), effective beginning
14 on the date on which the Director makes a positive deter-
15 mination under subsection (c)—

16 (1) the Mexican gray wolf shall no longer be in-
17 cluded on any list of endangered species, threatened
18 species, or experimental populations under the En-
19 dangered Species Act of 1973 (16 U.S.C. 1531 et
20 seq.); and

21 (2) management of the Mexican gray wolf shall
22 be assumed by each State in which the Mexican gray
23 wolf is present, effective beginning on the date of the
24 determination.

25 (c) DETERMINATION BY DIRECTOR.—

1 (1) IN GENERAL.—Not later than 90 days after
2 the date of enactment of this Act, the Director shall
3 determine whether a population of not fewer than
4 100 Mexican gray wolves in a 5,000-square-mile
5 area within the historic range of the Mexican gray
6 wolf has been established, as described in the Mexi-
7 can Wolf Recovery Plan of 1982 prepared by the
8 Mexican Wolf Recovery Team (U.S. Fish and Wild-
9 life Service. 1982. Mexican Wolf Recovery Plan.
10 U.S. Fish and Wildlife Service, Albuquerque, New
11 Mexico. 103 pp.)

12 (2) STANDARDS AND PROCEDURES.—A deter-
13 mination under paragraph (1) shall be made in ac-
14 cordance with applicable standards and procedures
15 used by the Director in determining the status of a
16 species under the Endangered Species Act of 1973
17 (16 U.S.C. 1531 et seq.).