

***In the Senate of the United States,***

*December 10 (legislative day, December 9), 2016.*

*Resolved*, That the bill from the House of Representatives (H.R. 4245) entitled “An Act to exempt exportation of certain echinoderms and mollusks from licensing requirements under the Endangered Species Act of 1973.”, do pass with the following

**AMENDMENT:**

Strike all after the enacting clause and insert the following:

1 ***SECTION 1. EXPEDITED EXPORTATION OF CERTAIN SPE-***  
2 ***CIES.***

3 *(a) IN GENERAL.—Not later than 180 days after the*  
4 *date of enactment of this Act, the Director of the United*  
5 *States Fish and Wildlife Service (referred to in this section*  
6 *as the “Director”) shall issue a proposed rule to amend sec-*  
7 *tion 14.92 of title 50, Code of Federal Regulations, to estab-*  
8 *lish expedited procedures relating to the export permission*  
9 *requirements of section 9(d)(1) of the Endangered Species*

1 *Act of 1973 (16 U.S.C. 1538(d)(1)) for fish or wildlife de-*  
2 *scribed in subsection (c).*

3 (b) *EXEMPTIONS.—*

4 (1) *IN GENERAL.—As part of the rulemaking*  
5 *under subsection (a), subject to paragraph (2), the Di-*  
6 *rector may provide an exemption from the require-*  
7 *ment to procure—*

8 (A) *permission under section 9(d)(1) of the*  
9 *Endangered Species Act of 1973 (16 U.S.C.*  
10 *1538(d)(1)); or*

11 (B) *an export license under subpart I of*  
12 *part 14 of title 50, Code of Federal Regulations.*

13 (2) *LIMITATIONS.—The Director shall not pro-*  
14 *vide an exemption under paragraph (1)—*

15 (A) *unless the Director determines that the*  
16 *exemption will not have a significant negative*  
17 *impact on the conservation of the species that is*  
18 *the subject of the exemption; or*

19 (B) *to an entity that has been convicted of*  
20 *a violation of a Federal law relating to the im-*  
21 *portation, transportation, or exportation of wild-*  
22 *life during a period of not less than 5 years end-*  
23 *ing on the date on which the entity applies for*  
24 *exemption under paragraph (1).*

1       (c) *COVERED FISH OR WILDLIFE.*—*The fish or wildlife*  
2 *described in this subsection are the species commonly known*  
3 *as sea urchins and sea cucumbers (including any product*  
4 *of a sea urchin or sea cucumber) that—*

5           (1) *do not require a permit under part 16, 17,*  
6 *or 23 of title 50, Code of Federal Regulations; and*

7           (2) *are exported for purposes of human or ani-*  
8 *mal consumption.*

Attest:

*Secretary.*

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H.R. 4245**

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**AMENDMENT**