116TH CONGRESS 1ST SESSION

H. R. ____

To amend the Endangered Species Act of 1973 to provide for consideration of the totality of conservation measures in determining the impact of proposed Federal agency action.

IN THE HOUSE OF REPRESENTATIVES

Mr. Newhouse introduced the following bill; which was referred to the Committee on ________________

A BILL

To amend the Endangered Species Act of 1973 to provide for consideration of the totality of conservation measures in determining the impact of proposed Federal agency action.

1  Be it enacted by the Senate and House of Representa-
2  tives of the United States of America in Congress assembled,
3  SECTION 1. SHORT TITLE.
4  This Act may be cited as the “Weigh Habitats Offset-
5  ting Locational Effects Act of 2019” or the “WHOLE Act
6  of 2019”.

(Original Signature of Member)
SEC. 2. CONSIDERATION OF THE TOTALITY OF CONSERVATION MEASURES.

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

“(C) In determining whether a Federal agency action is likely to jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of the critical habitat of a species, the Secretary shall consider the offsetting effects of all avoidance, minimization, and other species-protection or conservation measures that are already in place or proposed to be implemented as part of the action, including the development, improvement, protection, or management of species habitat whether or not it is designated as critical habitat of such species.”.