

.....  
(Original Signature of Member)

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”.

1 **SEC. 2. CONSIDERATION OF THE TOTALITY OF CONSERVA-**  
2 **TION MEASURES.**

3 Section 7(b)(3) of the Endangered Species Act of  
4 1973 (16 U.S.C. 1536(b)(3)) is amended by adding at the  
5 end the following:

6 “(C) In determining whether a Federal agency action  
7 is likely to jeopardize the continued existence of any en-  
8 dangered species or threatened species or result in the de-  
9 struction or adverse modification of the critical habitat of  
10 a species, the Secretary shall consider the offsetting ef-  
11 fects of all avoidance, minimization, and other species-pro-  
12 tection or conservation measures that are already in place  
13 or proposed to be implemented as part of the action, in-  
14 cluding the development, improvement, protection, or  
15 management of species habitat whether or not it is des-  
16 ignated as critical habitat of such species.”.