

104TH CONGRESS
1ST SESSION

S. 191

To amend the Endangered Species Act of 1973 to ensure that constitutionally protected private property rights are not infringed until adequate protection is afforded by reauthorization of the Act, to protect against economic losses from critical habitat designation, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 11 (legislative day, JANUARY 10), 1995

Mrs. HUTCHISON (for herself, Mr. LOTT, Mr. GRAMM, Mr. GRASSLEY, and Mr. NICKLES) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend the Endangered Species Act of 1973 to ensure that constitutionally protected private property rights are not infringed until adequate protection is afforded by reauthorization of the Act, to protect against economic losses from critical habitat designation, and for other purposes.

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 “Farm, Ranch, and
5 Homestead Protection Act of 1995”.

1 **SEC. 2. MORATORIUM ON DETERMINATION OF ENDAN-**
2 **GERED SPECIES AND THREATENED SPECIES**
3 **AND DESIGNATION OF CRITICAL HABITAT.**

4 Section 4(a) of the Endangered Species Act of 1973
5 (16 U.S.C. 1533(a)) is amended by adding at the end the
6 following:

7 “(4) MORATORIUM.—Notwithstanding para-
8 graphs (1) and (3), during the period beginning on
9 the date of enactment of this paragraph and ending
10 on the effective date of the first subsequent reau-
11 thorization of this Act, the Secretary may not—

12 “(A) determine that a species is an endan-
13 gered species or a threatened species under
14 paragraph (1); or

15 “(B) designate habitat of a species to be
16 critical habitat under paragraph (3).”.

17 **SEC. 3. AGENCY ACTIONS.**

18 Section 7(a) of the Endangered Species Act of 1973
19 (16 U.S.C. 1536(a)) is amended by adding at the end the
20 following:

21 “(5) MORATORIUM.—Notwithstanding para-
22 graphs (1) through (4), during the period beginning
23 on the date of enactment of this paragraph and end-
24 ing on the effective date of the first subsequent re-
25 authorization of this Act, a Federal agency shall not

- 1 be required to comply with paragraphs (1) through
- 2 (4).”.

