

104TH CONGRESS
1ST SESSION

S. 275

To establish a temporary moratorium on the Interagency Memorandum of Agreement Concerning Wetlands Determinations until enactment of a law that is the successor to the Food, Agriculture, Conservation, and Trade Act of 1990, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 25 (legislative day, JANUARY 10), 1995

Mr. GRASSLEY (for himself, Mr. BOND, Mr. BURNS, Mr. HELMS, Mr. McCONNELL, Mr. PRESSLER, and Mr. NICKLES) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To establish a temporary moratorium on the Interagency Memorandum of Agreement Concerning Wetlands Determinations until enactment of a law that is the successor to the Food, Agriculture, Conservation, and Trade Act of 1990, 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,*

1 **SECTION 1. TEMPORARY MORATORIUM ON THE INTER-**
2 **AGENCY MEMORANDUM OF AGREEMENT**
3 **CONCERNING WETLANDS DETERMINATIONS.**

4 (a) IN GENERAL.—Notwithstanding any other provi-
5 sion of law, during the period beginning on the date of
6 enactment of this Act and ending on the date of enactment
7 of a law that is the successor to the Food, Agriculture,
8 Conservation, and Trade Act of 1990 (Public Law 101-
9 624), the Secretary of Agriculture, the Secretary of the
10 Army, the Secretary of the Interior, and the Administrator
11 of the Environmental Protection Agency may not carry
12 out—

13 (1) the Interagency Memorandum of Agreement
14 Concerning Wetlands Determinations for Purposes
15 of Section 404 of the Clean Water Act and Subtitle
16 B of the Food Security Act (59 Fed. Reg. 2920) (re-
17 ferred to in this section as the “Memorandum of
18 Agreement”); or

19 (2) any method of delineating wetlands based
20 on the Memorandum of Agreement for purposes of
21 carrying out subtitle C of title XII of the Food Secu-
22 rity Act of 1985 (16 U.S.C. 3821 et seq.) or section
23 404 of the Federal Water Pollution Control Act (33
24 U.S.C. 1344).

25 (b) SAVINGS PROVISION.—Wetlands may be delin-
26 eated based on a policy or practice in effect prior to the

- 1 proposed effective date of the Memorandum of Agreement.
- 2 This Act shall not constitute acceptance or approval of the
- 3 policy or practice.

