

AMENDMENT TO RULES COMMITTEE PRINT 117-

47

OFFERED BY MR. STAUBER OF MINNESOTA

Add at the end the following new title:

1 **TITLE IV—PROTECTIVE REGULA-**
2 **TIONS FOR ENDANGERED**
3 **SPECIES**

4 **SEC. 401. PROTECTIVE REGULATIONS FOR ENDANGERED**
5 **SPECIES.**

6 (a) PROTECTIVE REGULATIONS.—Section 4(d) of the
7 Endangered Species Act of 1973 (16 U.S.C. 1533(d)) is
8 amended to read as follows:

9 “(d) PROTECTIVE REGULATIONS.—

10 “(1) THREATENED SPECIES.—Whenever any
11 species is listed as a threatened species pursuant to
12 subsection (c), the Secretary shall issue such regula-
13 tions as the Secretary deems necessary and advisable
14 to provide for the conservation of such species.

15 “(2) ENDANGERED SPECIES.—Whenever any
16 species is listed as an endangered species pursuant
17 to subsection (c), the Secretary may issue such regu-
18 lations as the Secretary deems necessary and advis-
19 able to provide for the conservation of such species.

1 “(3) PROHIBITION ON CERTAIN ACTIVITIES.—
2 Except as provided in paragraph (4), the Secretary
3 may, by regulation issued under this subsection, pro-
4 hibit with respect to any threatened or endangered
5 species any act prohibited under section 9(a)(1), in
6 the case of fish or wildlife, or section 9(a)(2) in the
7 case of plants.

8 “(4) EXCEPTION.—Regulations described by
9 paragraph (3) shall apply in any State which has en-
10 tered into a cooperative agreement pursuant to sec-
11 tion 6(c) only to the extent that such regulations
12 have also been adopted by such State.”.

13 (b) EXCEPTION TO PROHIBITED ACTS.—Paragraphs
14 (1) and (2) of section 9(a) of such Act (15 U.S.C.
15 1538(a)(1) and (2)) are each amended by inserting “by
16 regulations issued under section 4(d) or” after “as pro-
17 vided”.

