

118TH CONGRESS
1ST SESSION

S. 2811

To require the Director of the United States Fish and Wildlife Service and the Assistant Administrator for Fisheries of the National Oceanic and Atmospheric Administration to withdraw proposed rules relating to the Endangered Species Act of 1973, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 14, 2023

Ms. LUMMIS (for herself, Mr. SULLIVAN, Mr. BARRASSO, Mr. DAINES, Mr. MARSHALL, Mr. RISCH, Mr. WICKER, Mr. CRAPO, Mr. RICKETTS, Mrs. FISCHER, Mr. CRAMER, Mr. MORAN, Mr. HOEVEN, Mr. CRUZ, Mr. ROUNDS, Mr. LEE, and Mr. LANKFORD) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To require the Director of the United States Fish and Wildlife Service and the Assistant Administrator for Fisheries of the National Oceanic and Atmospheric Administration to withdraw proposed rules relating to the Endangered Species Act of 1973, 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. WITHDRAWAL OF PROPOSED ENDANGERED**
4 **SPECIES ACT OF 1973 RULES.**

5 (a) WITHDRAWAL OF PROPOSED RULES.—

1 (1) USFWS AND NMFS RULES.—The Director
2 of the United States Fish and Wildlife Service and
3 the Assistant Administrator for Fisheries of the Na-
4 tional Oceanic and Atmospheric Administration shall
5 withdraw the following proposed rules:

6 (A) The proposed rule of the United States
7 Fish and Wildlife Service and the National Ma-
8 rine Fisheries Service entitled “Endangered and
9 Threatened Wildlife and Plants; Revision of
10 Regulations for Interagency Cooperation” (88
11 Fed. Reg. 40753 (June 22, 2023)).

12 (B) The proposed rule of the United States
13 Fish and Wildlife Service and the National Ma-
14 rine Fisheries Service entitled “Endangered and
15 Threatened Wildlife and Plants; Listing Endan-
16 gered and Threatened Species and Designating
17 Critical Habitat” (88 Fed. Reg. 40764 (June
18 22, 2023)).

19 (2) USFWS RULE.—The Director of the
20 United States Fish and Wildlife Service shall with-
21 draw the proposed rule of the United States Fish
22 and Wildlife Service entitled “Endangered and
23 Threatened Wildlife and Plants; Regulations Per-
24 taining to Endangered and Threatened Wildlife and
25 Plants” (88 Fed. Reg. 40742 (June 22, 2023)).

1 (b) NO FINALIZATION, IMPLEMENTATION, OR EN-
2 FORCEMENT.—The Director of the United States Fish
3 and Wildlife Service and the Assistant Administrator for
4 Fisheries of the National Oceanic and Atmospheric Ad-
5 ministration, as applicable, may not take any action to fi-
6 nalize, implement, or enforce the proposed rules described
7 in paragraphs (1) and (2) of subsection (a).

○