

116TH CONGRESS  
2D SESSION

# H. R. 5638

To amend the Endangered Species Act to prevent a species that is not native to the United States from being listed as an endangered species or a threatened species, to prohibit certain types of financial assistance, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 16, 2020

Mr. BIGGS (for himself, Mr. GOSAR, Mr. NEWHOUSE, Ms. CHENEY, Mr. CRAWFORD, and Mr. GIANFORTE) introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

To amend the Endangered Species Act to prevent a species that is not native to the United States from being listed as an endangered species or a threatened species, to prohibit certain types of financial assistance, 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 “American Sovereignty  
5       and Species Protection Act”.

1 **SEC. 2. LIMITATION ON LISTING OF NOT NATIVE SPECIES**  
2 **AND PROVISION OF CERTAIN FINANCIAL AS-**  
3 **SISTANCE.**

4 (a) **LIMITATION ON LISTING OF NOT NATIVE SPE-**  
5 **CIES.**—Section 4(a)(2) of the Endangered Species Act of  
6 1973 (16 U.S.C. 1533(a)(2)) is amended by adding at the  
7 end the following:

8 “(D) **NOT NATIVE SPECIES.**—The Sec-  
9 retary may not determine that a species is an  
10 endangered species or a threatened species pur-  
11 suant to section 4 if such species is not native  
12 to the United States.”.

13 (b) **LIMITATION ON PROVISION OF CERTAIN FINAN-**  
14 **CIAL ASSISTANCE.**—Section 8(a) of the Endangered Spe-  
15 cies Act of 1973 (16 U.S.C. 1537(a)) is amended—

16 (1) by striking “As a demonstration of” and in-  
17 serting the following:

18 “(1) **IN GENERAL.**—As a demonstration of”;

19 (2) by striking “(which includes, but is not lim-  
20 ited to, the acquisition, by lease or otherwise, of  
21 lands, waters, or interests therein)”; and

22 (3) by adding at the end the following:

23 “(2) **PROHIBITION ON PURCHASING LAND IN A**  
24 **FOREIGN COUNTRY.**—No financial assistance pro-  
25 vided under paragraph (1) may be used to acquire,

1 by lease or otherwise, lands, waters, or other inter-  
2 ests in a foreign country.”.

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