

# Union Calendar No. 405

113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4317

[Report No. 113–539]

To amend the Endangered Species Act of 1973 to require disclosure to States of the basis of determinations under such Act, to ensure use of information provided by State, tribal, and county governments in decisionmaking under such Act, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 27, 2014

Mr. NEUGEBAUER (for himself, Mr. HASTINGS of Washington, Mrs. LUMMIS, Mr. AMODEI, Mr. BISHOP of Utah, Mr. COLLINS of Georgia, Mr. HARRIS, Mr. HUIZENGA of Michigan, Mr. LANKFORD, Mr. LUETKEMEYER, Mr. SOUTHERLAND, Mr. THOMPSON of Pennsylvania, and Mr. VALADAO) introduced the following bill; which was referred to the Committee on Natural Resources

JULY 17, 2014

Additional sponsors: Mr. LUCAS, Mr. THORNBERRY, Mr. WALDEN, Mr. COTTON, Mr. CRAMER, Mr. GOSAR, Mr. MCCLINTOCK, Mr. TIPTON, Mr. POMPEO, Mr. TIBERI, Mr. JONES, Mr. HUELSKAMP, Mr. GOODLATTE, Mr. SMITH of Missouri, Mr. FRANKS of Arizona, Mr. CONAWAY, and Mr. PEARCE

JULY 17, 2014

Committed to the Committee of the Whole House on the State of the Union  
and ordered to be printed

# **A BILL**

To amend the Endangered Species Act of 1973 to require disclosure to States of the basis of determinations under such Act, to ensure use of information provided by State, tribal, and county governments in decisionmaking under such Act, 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 “State, Tribal, and  
5       Local Species Transparency and Recovery Act”.

6       **SEC. 2. REQUIRING DECISIONAL TRANSPARENCY WITH AF-**  
7               **FFECTED STATES.**

8       Section 6(a) of the Endangered Species Act of 1973  
9       (16 U.S.C. 1535(a)) is amended—

10           (1) by inserting “(1)” before the first sentence;

11           and

12           (2) by striking “Such cooperation shall include”

13           and inserting the following:

14           “(2) Such cooperation shall include—

15               “(A) before making a determination under sec-  
16               tion 4(a), providing to States affected by such deter-  
17               mination all data that is the basis of the determina-  
18               tion; and

19               “(B)”.

20       **SEC. 3. ENSURING USE OF STATE, TRIBAL, AND LOCAL IN-**  
21               **FORMATION.**

22       (a) IN GENERAL.—Section 3 of the Endangered Spe-  
23       cies Act of 1973 (16 U.S.C. 1532) is amended—

1           (1) by redesignating paragraphs (2) through  
2           (21) as paragraphs (3) through (22), respectively;  
3           and

4           (2) by inserting after paragraph (1) the fol-  
5           lowing:

6           “(2) The term ‘best scientific and commercial data  
7           available’ includes all such data submitted by a State, trib-  
8           al, or county government.”.

9           (b) CONFORMING AMENDMENT.—Section 7(n) of  
10          such Act (16 U.S.C. 1536(n)) is amended by striking  
11          “section 3(13)” and inserting “section 3(14)”.



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