



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

July 29, 2014
(House)

STATEMENT OF ADMINISTRATION POLICY

H.R. 4315 – 21st Century Endangered Species Transparency Act

(Rep. Hastings, R-Washington, and 28 cosponsors)

The Administration strongly opposes H.R. 4315, which is a bill that would rigidly constrain science, public input, and data in making Endangered Species Act (ESA) determinations. H.R. 4315 would require several changes detrimental to the implementation of the ESA, which provides a critical safety net for America's native fish, wildlife, and plants and which has produced remarkable successes. The ESA is implemented in a transparent, accessible, science-based, and flexible manner that encourages landowners and communities to work cooperatively to benefit endangered species and the public.

Key ESA decisions are required to be based on the best available scientific and commercial data. H.R. 4315 would deem all data from a State, tribal, or county government to be "best available" without regard to the quality or merit of the data. This would compromise the scientific basis for ESA decisions by requiring Federal agencies to consider information based on its source rather than its substance.

The bill would also require Federal agencies to publish on the internet all data used in ESA listing determinations. Such a requirement would limit the amount and quality of information supporting ESA decisions by discouraging data sharing by scientists, State and local governments, and particularly private landowners, who do not want their information disclosed online. This provision could also expose vulnerable wildlife and rare plants to increased poaching or vandalism.

In addition, H.R. 4315 would add yet another administratively burdensome reporting requirement to an already long list of reporting requirements, diverting limited agency resources away from species recovery efforts toward more paperwork. Finally, the bill would limit the ability of citizens to seek recourse in the courts against unlawful Federal actions, diminishing a critical tool for citizens.

If the President were presented with H.R. 4315, his senior advisers would recommend that he veto the bill.

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