

115TH CONGRESS  
1ST SESSION

# H. R. 1274

To amend the Endangered Species Act of 1973 to require making available to States affected by determinations that species are endangered species or threatened species all data that is the basis of such determinations, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 1, 2017

Mr. NEWHOUSE (for himself, Mr. TIPTON, Mr. ABRAHAM, Mr. GOSAR, Mr. PEARCE, Mr. HARPER, Mr. YOHO, Mr. JONES, Mr. MARSHALL, and Mr. CRAMER) 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 of 1973 to require making available to States affected by determinations that species are endangered species or threatened species all data that is the basis of such determinations, 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”.

1 **SEC. 2. DECISIONAL TRANSPARENCY AND USE OF STATE,**  
2 **TRIBAL, AND LOCAL INFORMATION.**

3 (a) **REQUIRING DECISIONAL TRANSPARENCY WITH**  
4 **AFFECTED STATES.**—Section 6(a) of the Endangered  
5 Species Act of 1973 (16 U.S.C. 1535(a)) is amended—

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

7 and

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

9 and inserting the following:

10 “(2) Such cooperation shall include—

11 “(A) before making a determination under  
12 section 4(a), providing to States affected by  
13 such determination all data that is the basis of  
14 the determination; and

15 “(B)”.

16 (b) **ENSURING USE OF STATE, TRIBAL, AND LOCAL**  
17 **INFORMATION.**—

18 (1) **IN GENERAL.**—Section 3 of the Endangered  
19 Species Act of 1973 (16 U.S.C. 1532) is amended—

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

23 (B) by inserting after paragraph (1) the  
24 following:

1           “(2) The term ‘best scientific and commercial  
2 data available’ includes all such data submitted by  
3 a State, tribal, or county government.”.

4           (2) CONFORMING AMENDMENT.—Section 7(n)  
5 of such Act (16 U.S.C. 1536(n)) is amended by  
6 striking “section 3(13)” and inserting “section  
7 3(14)”.

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