

## HR 4315

Endangered Species Transparency and Reasonableness Act

**Congress:** 113 (2013–2015, Ended)

**Chamber:** House

**Policy Area:** Environmental Protection

**Introduced:** Mar 27, 2014

**Current Status:** Received in the Senate and Read twice and referred to the Committee on Environment and Public Works.

**Latest Action:** Received in the Senate and Read twice and referred to the Committee on Environment and Public Works. (Jul 30, 2014)

**Official Text:** <https://www.congress.gov/bill/113th-congress/house-bill/4315>

### Sponsor

---

**Name:** Rep. Hastings, Doc [R-WA-4]

**Party:** Republican • **State:** WA • **Chamber:** House

Cosponsors (28 total)

| Cosponsor                               | Party / State | Role | Date Joined  |
|---|---------------|------|--------------|
| Rep. Amodei, Mark E. [R-NV-2]           | R · NV        |      | Mar 27, 2014 |
| Rep. Bishop, Rob [R-UT-1]               | R · UT        |      | Mar 27, 2014 |
| Rep. Collins, Doug [R-GA-9]             | R · GA        |      | Mar 27, 2014 |
| Rep. Harris, Andy [R-MD-1]              | R · MD        |      | Mar 27, 2014 |
| Rep. Huizenga, Bill [R-MI-2]            | R · MI        |      | Mar 27, 2014 |
| Rep. Lankford, James [R-OK-5]           | R · OK        |      | Mar 27, 2014 |
| Rep. Luetkemeyer, Blaine [R-MO-3]       | R · MO        |      | Mar 27, 2014 |
| Rep. Lummis, Cynthia M. [R-WY-At Large] | R · WY        |      | Mar 27, 2014 |
| Rep. Neugebauer, Randy [R-TX-19]        | R · TX        |      | Mar 27, 2014 |
| Rep. Southerland, Steve II [R-FL-2]     | R · FL        |      | Mar 27, 2014 |
| Rep. Thompson, Glenn [R-PA-5]           | R · PA        |      | Mar 27, 2014 |
| Rep. Valadao, David G. [R-CA-21]        | R · CA        |      | Mar 27, 2014 |
| Rep. Lucas, Frank D. [R-OK-3]           | R · OK        |      | Apr 2, 2014  |
| Rep. Walden, Greg [R-OR-2]              | R · OR        |      | Apr 8, 2014  |
| Rep. Cotton, Tom [R-AR-4]               | R · AR        |      | Apr 29, 2014 |
| Rep. Cramer, Kevin [R-ND-At Large]      | R · ND        |      | Apr 29, 2014 |
| Rep. Gosar, Paul A. [R-AZ-4]            | R · AZ        |      | Apr 29, 2014 |
| Rep. McClintock, Tom [R-CA-4]           | R · CA        |      | Apr 29, 2014 |
| Rep. Olson, Pete [R-TX-22]              | R · TX        |      | May 1, 2014  |
| Rep. Pompeo, Mike [R-KS-4]              | R · KS        |      | May 9, 2014  |
| Rep. Tiberi, Patrick J. [R-OH-12]       | R · OH        |      | May 9, 2014  |
| Rep. Franks, Trent [R-AZ-8]             | R · AZ        |      | May 22, 2014 |
| Rep. Huelskamp, Tim [R-KS-1]            | R · KS        |      | May 22, 2014 |
| Rep. Jones, Walter B., Jr. [R-NC-3]     | R · NC        |      | May 22, 2014 |
| Rep. Smith, Jason [R-MO-8]              | R · MO        |      | May 22, 2014 |
| Rep. Tipton, Scott R. [R-CO-3]          | R · CO        |      | May 22, 2014 |
| Rep. Pearce, Stevan [R-NM-2]            | R · NM        |      | Jun 12, 2014 |
| Rep. McMorris Rodgers, Cathy [R-WA-5]   | R · WA        |      | Jun 18, 2014 |

Committee Activity

| Committee                              | Chamber | Activity    | Date         |
|--|---------|-------------|--------------|
| Environment and Public Works Committee | Senate  | Referred To | Jul 30, 2014 |
| Natural Resources Committee            | House   | Reported By | Jul 17, 2014 |

Subjects & Policy Tags

Policy Area:

Environmental Protection

## Related Bills

| Bill         | Relationship         | Last Action  |
|--------------|----------------------|--|
| 113 HRES 693 | Procedurally related | <b>Jul 29, 2014:</b> On agreeing to the resolution Agreed to by recorded vote: 225 - 192 (Roll no. 459). (text: CR H6989)                |
| 113 S 2635   | Related bill         | <b>Jul 22, 2014:</b> Read twice and referred to the Committee on Environment and Public Works. (text of measure as introduced: CR S4707) |

## Summary (as of Jul 29, 2014)

Endangered Species Transparency and Reasonableness Act - (Sec. 2) Amends the Endangered Species Act of 1973 to require the Secretary of the Interior or the Secretary of Commerce, as appropriate, to make publicly available on the Internet the best scientific and commercial data available that are the basis for the determination of whether a species is an endangered species or a threatened species, including each proposed regulation for the listing of a species.

Prohibits the appropriate Secretary from making the information publicly available when: (1) the public disclosure of the information is prohibited by a state law requiring the protection of personal information, and (2) the state requests that the information be withheld.

Requires the appropriate Secretary to execute an agreement with the Department of Defense (DOD) that prevents the disclosure of classified information pertaining to DOD personnel, facilities, lands, or waters.

(Sec. 3) Requires the appropriate Secretary to: (1) provide to affected states all data that is used as the basis of a determination on whether a species is an endangered species or a threatened species before making a determination; and (2) use data submitted by a state, tribal, or county government in making such a determination.

(Sec. 4) Requires the Secretary of the Interior to submit an annual report detailing federal expenditures for civil actions brought under the ESA containing claims that are based on the actions of the Department of the Interior, the Forest Service, the National Marine Fisheries Service, the Bonneville Power Administration, the Western Area Power Administration, the Southwestern Power Administration, or the Southeastern Power Administration. Requires Interior to make the information available online in a searchable database.

Requires the report to include the total funds expended to respond to ESA lawsuits, the number of full-time federal employees dedicated to ESA lawsuits, attorneys' fees awarded in the course of ESA lawsuits and settlements, and any federal funding used in bringing a claim under the ESA.

(Sec. 5) Replaces the current standard for awarding court costs, including attorney's fees, in citizen suits with the federal judicial code standard for awarding costs to a prevailing party.

## Actions Timeline

---

- **Jul 30, 2014:** Received in the Senate and Read twice and referred to the Committee on Environment and Public Works.
- **Jul 29, 2014:** Rule H. Res. 693 passed House.
- **Jul 29, 2014:** Considered under the provisions of rule H. Res. 693. (consideration: CR H7007-7024; text of amendment in the nature of a substitute: CR H7015-7016)
- **Jul 29, 2014:** Rule provides for consideration of H.R. 4315 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order.
- **Jul 29, 2014:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 693 and Rule XVIII.
- **Jul 29, 2014:** The Speaker designated the Honorable Rodney Davis to act as Chairman of the Committee.
- **Jul 29, 2014:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 4315.
- **Jul 29, 2014:** DEBATE - Pursuant to the provisions of H. Res. 693, the Committee of the Whole proceeded with 10 minutes of debate on the Hastings (WA) amendment No. 1.
- **Jul 29, 2014:** DEBATE - Pursuant to the provisions of H. Res. 693, the Committee of the Whole proceeded with 10 minutes of debate on the DeFazio amendment No. 2.
- **Jul 29, 2014:** POSTPONED PROCEEDINGS - At the conclusion of debate on the DeFazio amendment No. 2, the Chair put the question on adoption of the amendment and by voice vote, announced the noes had prevailed. Mr. DeFazio demanded a recorded vote and the Chair postponed further proceedings on the amendment until later in the legislative day.
- **Jul 29, 2014:** DEBATE - Pursuant to the provisions of H. Res. 693, the Committee of the Whole proceeded with 10 minutes of debate on the Holt amendment No. 3.
- **Jul 29, 2014:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Holt amendment No. 3, the Chair put the question on adoption of the amendment and by voice vote, announced the noes had prevailed. Mr. Holt demanded a recorded vote and the Chair postponed further proceedings on the amendment until later in the legislative day.
- **Jul 29, 2014:** DEBATE - Pursuant to the provisions of H. Res. 693, the Committee of the Whole proceeded with 10 minutes of debate on the Duffy amendment No. 4.
- **Jul 29, 2014:** UNFINISHED BUSINESS - The Chair announced that, pursuant to clause 6 of Rule XVIII, the unfinished business was the question of adoption of amendments which had been debated earlier and on which further proceedings had been postponed.
- **Jul 29, 2014:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 4315.
- **Jul 29, 2014:** The previous question was ordered pursuant to the rule. (consideration: CR H7022)
- **Jul 29, 2014:** The House adopted the amendment in the nature of a substitute as agreed to by the Committee of the Whole House on the state of the Union.
- **Jul 29, 2014:** Mrs. Kirkpatrick moved to recommit with instructions to the Committee on Natural Resources. (consideration: CR H7022-7023; text: CR H7022)
- **Jul 29, 2014:** DEBATE - The House proceeded with 10 minutes of debate on the motion to recommit with instructions. The instructions contained in the motion seek to require the bill to be reported back to the House with an amendment to require the Secretary of the Interior to consult with affected Indian tribes to ensure that the Federal trust responsibility with respect to Indian tribes is fulfilled when carrying out any provision of H.R. 4315.
- **Jul 29, 2014:** On motion to recommit with instructions Failed by recorded vote: 197 - 225 (Roll no. 462).
- **Jul 29, 2014:** Passed/agreed to in House: On passage Passed by recorded vote: 233 - 190 (Roll no. 463).
- **Jul 29, 2014:** On passage Passed by recorded vote: 233 - 190 (Roll no. 463).
- **Jul 28, 2014:** Rules Committee Resolution H. Res. 693 Reported to House. Rule provides for consideration of H.R. 4315 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order.
- **Jul 17, 2014:** Reported (Amended) by the Committee on Natural Resources. H. Rept. 113-537.
- **Jul 17, 2014:** Placed on the Union Calendar, Calendar No. 403.
- **Apr 30, 2014:** Committee Consideration and Mark-up Session Held.
- **Apr 30, 2014:** Ordered to be Reported (Amended) by the Yeas and Nays: 17 - 15.
- **Apr 8, 2014:** Committee Hearings Held.

**Mar 27, 2014:** Introduced in House

- **Mar 27, 2014:** Referred to the House Committee on Natural Resources.