



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

May 11, 2023
(Senate)

STATEMENT OF ADMINISTRATION POLICY

S.J. Res. 23 - Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the National Marine Fisheries Service relating to "Endangered and Threatened Wildlife and Plants; Regulations for Listing Endangered and Threatened Species and Designating Critical Habitat".

(Sen. Lummis, R-WY, and 20 cosponsors)

The Administration strongly opposes passage of S.J. Res. 23, a joint resolution that would limit the ability of the National Marine Fisheries Service and the U.S. Fish and Wildlife Service (collectively "the Services") to conserve and recover threatened and endangered species under the Endangered Species Act.

We are in the midst of a global extinction crisis for which the chief driver is the destruction, degradation, and loss of habitat. In the United States, the Endangered Species Act provides essential protections for plants and animals and the habitat they need to survive and recover. In fact, almost every species that has been protected by the law – now in its 50th year – is still with us today.

The designation of critical habitat, which only directly affects federal agency actions and federally funded or permitted activities, is essential to avoiding the destruction or degradation of habitat that threatened and endangered species need to survive and recover. S.J. Res. 23 would severely limit the ability of the Services to identify and designate, based upon the best available science and consideration of other relevant impacts, all the areas that are necessary to the survival and recovery of a particular species now and in the future. As a result, S.J. Res. 23 could heighten the risk of extinctions and undermine America's proud and successful conservation traditions.

For these reasons, if Congress were to pass S.J. Res. 23, the President would veto it.
