



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

May 3, 2023  
(Senate)

## STATEMENT OF ADMINISTRATION POLICY

**S.J. Res. 9 – Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the United States Fish and Wildlife Service relating to “Endangered and Threatened Wildlife and Plants; Lesser Prairie-Chicken; Threatened Status with Section 4(d) Rule for the Northern Distinct Population Segment and Endangered Status for the Southern Distinct Population Segment”**

(Sen. Marshall, R-KS, and five cosponsors)

The Administration strongly opposes passage of S.J. Res. 9, a joint resolution to disapprove of a final rule that protects the lesser prairie-chicken from extinction. By overturning a science-based rulemaking that follows the requirements of the law, S.J. Res. 9 undermines the Endangered Species Act (ESA).

The rule, issued by the U.S. Fish and Wildlife Service (USFWS), provides ESA protections to an American bird species whose historical habitat on the Great Plains has diminished by approximately 90 percent and whose populations have plummeted toward disappearance. Following a rigorous review of the best available scientific and commercial information regarding the past, present, and future threats, as well as ongoing conservation efforts, the USFWS listed the Southern species of the lesser prairie-chicken as endangered, and the Northern species of the lesser prairie-chicken as threatened. The rule also affirms and protects locally led and crafted voluntary conservation agreements that landowners and land managers have developed in recent years, which provide certainty for industry as well as safeguards for prairie-chicken populations.

Almost every species that has been listed under the ESA since its bipartisan passage 50 years ago is still with us today. The lesser prairie-chicken serves as an indicator for healthy grasslands and prairies, making them an important measure of the overall health of America’s grasslands, a treasured and storied landscape. Overturning common-sense protections for the lesser prairie-chicken would undermine America’s proud wildlife conservation traditions, risk the extinction of a once-abundant American bird, and create uncertainty for landowners and industries who have been working for years to forge the durable, locally led conservation strategies that this rule supports.

For these reasons, if Congress were to pass S.J. Res. 9, the President would veto it.

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