

H.R. 1245, Grizzly Bear State Management Act of 2023

As ordered reported by the House Committee on Natural Resources on April 28, 2023

By Fiscal Year, Millions of Dollars	2023	2023-2028	2023-2033
Direct Spending (Outlays)	0	*	*
Revenues	0	*	*
Increase or Decrease (-) in the Deficit	0	*	*
Spending Subject to Appropriation (Outlays)	*	*	*
Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2034?	No	Statutory pay-as-you-go procedures apply?	Yes
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2034?	< \$5 billion	Mandate Effects	
		Contains intergovernmental mandate?	Yes, Under Threshold
		Contains private-sector mandate?	Yes, Under Threshold
* = between -\$500,000 and \$500,000.			

H.R. 1245 would direct the Secretary of the Interior, without regard to other provisions of law, to reissue the final rule, “[Endangered and Threatened Wildlife and Plants; Removing the Greater Yellowstone Ecosystem Population of Grizzly Bears From the Federal List of Threatened and Endangered Wildlife](#).” The bill also would exempt that reissued rule from judicial review. The rule was submitted by the U.S. Fish and Wildlife Service (USFWS), published in the *Federal Register* on June 30, 2017, and took effect on July 31, 2017. A court order in 2018 reinstated protection of the grizzly bears as a threatened species under the Endangered Species Act (ESA). Under H.R. 1245, the reinstated rule would again remove grizzly bears in the Greater Yellowstone Ecosystem from protection under the ESA.

USFWS is authorized to collect permitting fees for lawful activities that involve protected species, including scientific research, conservation, and unintentional taking of animals while performing permitted activities. Under H.R. 1245, permits would no longer be required for such activities involving grizzly bears in the Greater Yellowstone Ecosystem. Permitting fees are recorded in the budget as offsetting receipts (or reductions in direct spending) and are available to be spent without further appropriation. Using information from USFWS, CBO estimates that enacting H.R. 1245 would reduce those receipts and the consequent spending by an insignificant amount over the 2024-2033 period so that the net increase in direct spending would be negligible.

See also

[CBO’s Cost Estimates Explained](#), [CBO Describes Its Cost-Estimating Process](#), [Glossary](#)



Violators of the ESA are subject to civil and criminal penalties, which are recorded as revenues and available for spending without further appropriation. Using information from USFWS, CBO estimates that any reductions in penalties or associated spending would be insignificant because of the small number of related cases expected to occur over the 2024-2033 period.

Finally, CBO estimates that the administrative costs to reissue the regulation under H.R. 1245 would be insignificant; any spending would be subject to the availability of appropriated funds.

H.R. 1245 would impose an intergovernmental and private-sector mandate as defined in the Unfunded Mandates Reform Act (UMRA) by eliminating a right of action for entities to seek judicial review of the administrative rule required by the bill. Because the rights of action precluded under the bill do not generally result in monetary damages, CBO estimates that the cost of the mandates would fall well below the intergovernmental and private-sector thresholds established in UMRA (\$99 million and \$198 million in 2023, respectively, adjusted annually for inflation).

The CBO staff contact for this estimate is Lilia Ledezma (for federal costs) and Brandon Lever (for mandates). The estimate was reviewed by Emily Stern, Senior Adviser for Budget Analysis.

A handwritten signature in black ink, appearing to read "Phillip Swagel".

Phillip L. Swagel
Director, Congressional Budget Office