# [***HOUSE COMMITTEE ADVANCES BILLS THAT GUT THE ENDANGERED SPECIES ACT***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:5PN1-CKW1-JCBF-S19V-00000-00&context=1516831)

States News Service

October 5, 2017 Thursday

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**Length:** 1200 words

**Byline:** States News Service

**Dateline:** WASHINGTON

**Body**

The following information was ***released by Defenders of Wildlife***:

The House Natural Resources Committee moved forward a series of bills that would gut protections for endangered and threatened wildlife and their habitat under the Endangered Species Act. The bills H.R. 424, Gray Wolf State Management Act; H.R. 717 Listing Reform Act; H.R. 1274 State, Tribal, and Local Species Transparency Recovery Act; H.R. 2603 Saving Americas Endangered Species Act; and H.R. 3131 Endangered Species Litigation Reasonableness Act would undermine the Endangered Species Act and the species that benefit from its protections by prioritizing politics over science and undercutting citizens ability to help enforce the law.

Committee chairman Rob Bishop (R-UT 1) originally scheduled the markup for September 13 but delayed the markup to today for unknown reasons. The legislation now moves to the House of Representatives for full consideration.

The following statement is from Jamie Rappaport Clark, President and CEO of Defenders of Wildlife:

Todays vote is another step towards repealing Americas most successful law in protecting wildlife in danger of extinction. The Endangered Species Act has proven time after time that it can help save species on the brink of extinction. But if these bills become law, the Endangered Species Act will itself become extinct.

The Endangered Species Act works. States and local municipalities cant recover species on their own. It takes a coordinated effort among all stakeholders, public and private, to save imperiled species from extinction. What some in Congress doesnt seem to understand is that the Endangered Species Act is already enormously flexible, requiring that federal, state, local and tribal officials work together to prevent extinction.

Rather than spending their time attacking a law that works, Congress should improve the laws implementation by fully funding recovery efforts for endangered species.

Background:

H.R. 424 the Gray Wolf State Management Act of 2017

H.R. 424, a damaging bill that would be more aptly named the War On Wolves Act, would override a unanimous D.C. Circuit Court of Appeals decision issued on August 1, 2017 and remove existing Endangered Species Act protections for gray wolves in Michigan, Minnesota, and Wisconsin. This bill would also codify a March 3, 2017 decision by that same appellate federal court that stripped Endangered Species Act protections for wolves in Wyoming. Further, this bill would preclude judicial review of the two agency wolf delistings at issue and thus sets a damaging trend for undermining all laws that allow citizens from across the political spectrum to go to court to hold the government accountable for its actions.

H.R. 717 the Listing Reform Act

H.R. 717, the Listing Reform Act, would make drastic amendments to the Endangered Species Acts (ESA) listing process. These procedural changes would undermine science as the basis for decision-making under the ESA. Moreover, the bill could have severe negative consequences for species in need of listing under the ESA. If enacted, H.R. 717 would make the following changes to the ESA:

Remove any deadline for FWS to make its initial 90-day findings in response to listing petitions.

Prohibit FWS from prioritizing listing petitions over delisting petitions.

Remove any deadline to the 12-month petition finding by changing shall to as expeditiously as practicable. The 12-month deadline would now be a mere ambition not a requirement, meaning that threatened and endangered species could linger in the warranted but precluded category indefinitely.

Allow FWS to refuse to list a species it believes warrants a threatened listing based on the potential economic impacts of either the listing or the likely critical habitat designation. ESA listings would no longer be determined using only science, but would add economic considerations.

Prevent FWS from reconsidering the decision to preclude listing based on economic considerations unless it subsequently finds the species is suffering from endangerment or extinction, or it gets a new petition with a complete economic analysis conducted by the petitioner saying that protecting the species will have no economic impacts.

H.R. 1274 the "State, Tribal, and Local Species Transparency and Recovery Act"

H.R. 1274, the State, Tribal, and Local Species Transparency and Recovery Act," would subvert the Endangered Species Acts science-based listing process by allowing any information provided by states, ***tribes***, or counties to constitute best available science. By automatically assuming such a broad swath of information to be defined as such without any scientific input or review, the bill contradicts the meaning of best available science. Moreover, H.R. 1274 would direct the federal government to utilize state and local data in its listing decisions, regardless of whether the data is based in science. H.R. 1274 is not only contradictory, but duplicative: under the Endangered Species Act, the federal government already works extensively with the states, considers state and local data when making listing decisions, and notifies affected states of proposed listing determinations.

H.R. 2603 the Saving Americas Endangered Species Act

H.R. 2603, the Saving Americas Endangered Species Act, has enormously far-reaching and destructive implications. It would strip ESA protections from non-native species within the United States, including chimpanzees, tigers, elephants, addax, several species of antelope, several species of parrots, pangolins, and giant pandas. This bill would obstruct the U.S. Fish and Wildlife Services ability to regulate illegal wildlife trafficking or issue permits for exhibitors of foreign endangered and threatened species. Despite this bills misleading name, eliminating permitting requirements for foreign species under the Endangered Species Act will not benefit American species it would only harm some of the most severely endangered species in the world and contribute to the decline of foreign species on the brink of extinction.

H.R. 3131 Endangered Species Litigation Reasonableness Act

H.R. 3131, Endangered Species Litigation Reasonableness Act, would have a chilling effect on the ability of everyday citizens seeking to enforce the Endangered Species Act and violates the American democracy principle of equal access to justice. If enacted, the bill would place an unreasonable cap on the recovery of attorneys fees in suits brought under the Endangered Species Act. By limiting fee recoveries to below"market rates, H.R. 3131 would make it difficult for many citizens to obtain effective legal representationundermining enforcement of the law. The bill would also establish a dangerous precedent, threatening every other statute that Congress has secured with a fee recovery provision.

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Defenders of Wildlife is dedicated to the protection of all native animals and plants in their natural communities. With nearly 1.2 million members and activists, Defenders of Wildlife is a leading advocate for innovative solutions to safeguard our wildlife heritage for generations to come. For more information, visit Newsroom.Defenders.org and follow us on Twitter @DefendersNews.

**Classification**

**Language:** ENGLISH

**Publication-Type:** Newswire

**Subject:** ENVIRONMENTAL LAW (94%); WILDLIFE (94%); WILDLIFE CONSERVATION (93%); BIOLOGY (90%); CONSERVATION (90%); ENDANGERED SPECIES (90%); LEGISLATION (90%); NATURAL RESOURCES (90%); THREATENED & SENSITIVE SPECIES (90%); US ENVIRONMENTAL LAW (90%); APPEALS (89%); MAMMALS (89%); NEGATIVE PERSONAL NEWS (89%); LEGISLATIVE BODIES (79%); PUBLIC OFFICIALS (79%); REGIONAL & LOCAL GOVERNMENTS (79%); US REPUBLICAN PARTY (79%); ECOSYSTEMS & HABITATS (78%); GOVERNMENT & PUBLIC ADMINISTRATION (75%); POLITICS (75%); EXECUTIVES (72%); LITIGATION (71%); LAW ENFORCEMENT (69%); DECISIONS & RULINGS (68%); APPEALS COURTS (66%); APPELLATE DECISIONS (66%); LAW COURTS & TRIBUNALS (66%)

**Organization:** DEFENDERS OF WILDLIFE (91%)

**Person:** ROB BISHOP (58%)

**Geographic:** DISTRICT OF COLUMBIA, USA (79%); MICHIGAN, USA (79%); MINNESOTA, USA (79%); WISCONSIN, USA (79%); UNITED STATES (79%)

**Load-Date:** October 5, 2017

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