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Hastings: Focus ESA on Species Recovery, Halt Debilitating Lawsuits

WASHINGTON, D.C. – House Natural Resources Committee Chairman Doc Hastings delivered the following speech on the House floor in opposition to the Endangered Species Act (ESA) amendment offered by Rep. Norm Dicks to the FY 2012 Interior Appropriations bill:



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“I oppose this amendment and urge its defeat.

The Interior Appropriations bill that Chairman Simpson has brought to the House Floor prioritizes funding to ensure that core responsibilities and environmental protections are met.

When it comes to the Endangered Species Act, this bill focuses funding on the actual recovery of species. It does this by both 1) continuing funds for recovery activities. This despite the fact that the legal authorization for such spending was last renewed in 1988. 2) by limiting funds for lawsuit-driven new listings and habitat designations.

This bill sends a clear message that the Endangered Species Act needs to be updated and improved. It needs to be reauthorized. It's been 23 years since the law was renewed by

Congress. A person can be born and graduate from college in the amount of time that has passed since Congress last acted to make serious, responsible improvements to this law. As Chairman of the Natural Resources Committee, which has jurisdiction over the Endangered Species Act, I can inform the House that the Committee will be conducting robust oversight of the need to update this law in the coming months. The current law is failing to truly recover species while it frequently hamstring jobs and economic prosperity. And the Committee will examine legislative proposals.

In my view, the real obstacle to improving the ESA is the fact that a number of groups are invested in a litigation mindset. A litigation mindset that prefers lawsuits against the government over improving the act and improving the recovery of species. These groups have filed lawsuits by the hundreds against the Fish and Wildlife Service and the National Marine Fisheries Services.

This bill, under Chairman Simpson's leadership, halts these lawsuits. By limiting any spending on new listings or habitat designations, this bill will allow biologists to get back to work recovering species rather than responding to new court cases. Both funding and personnel will again be able to focus on the real work of bringing species back from the brink.

By striking this provision, the Dicks amendment would reopen the litigation floodgates. The same activist groups that file these lawsuits endorse this amendment. As we speak, they are waging an expensive paid advertising campaign on its behalf. Because they profit from these lawsuits it appears. They're more concerned about their ability to go to court, get a settlement and get paid, than they are about recovering species.

I urge my colleagues to oppose the amendment. This bill strikes the right balance by directing funding to actual recovery of species. And it strikes the right balance by bringing to a halt litigation over new listings and habitat designations. This bill will create an opportunity where Congress can do its job to update and modernize the Endangered Species Act. It's time that the Congress undertake a thoughtful analysis of the inadequacies of the current law. Inadequacies that allow the ESA to be abused through lawsuits rather than serving as a true conduit for species recovery."

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