



HOUSE COMMITTEE ON
NATURAL RESOURCES
CHAIRMAN BRUCE WESTERMAN

To: Committee on Natural Resources Republican Members
From: Subcommittee on Water, Wildlife and Fisheries staff: Annick Miller, (annick.miller@mail.house.gov), Doug Levine (doug.levine@mail.house.gov), Kirby Struhar (kirby.struhar@mail.house.gov), and Thomas Shipman (thomas.shipman@mail.house.gov) x58331
Date: April 7, 2025
Subject: Legislative Hearing on **H.R. 839, H.R. 1809, H.R. 2293, and H.R. 2316**

The Subcommittee on Water, Wildlife and Fisheries will hold a legislative hearing on H.R. 839 (Rep. Arrington), to prohibit the implementation of a Land Protection Plan at Muleshoe National Wildlife Refuge; H.R. 1809 (Rep. Quigley), “*Great Lakes Fisheries Research Reauthorization Act*”; H.R. 2293 (Rep. Ezell) “*Cormorant Relief Act of 2025*”; and H.R. 2316 (Rep. Hurd), “*Wetlands Conservation and Access Improvement Act of 2025*” on **Tuesday, April 8, 2025, at 10:15 a.m. (EDT) in 1324 Longworth House Office Building.**

Member offices are requested to notify Jackson Renfro (jackson.renfro@mail.house.gov) by 4:30 p.m. on Monday, April 7, 2025, if their Member intends to participate in the hearing.

I. KEY MESSAGES

- House Republicans are holding a hearing on three bills that promote good stewardship of taxpayer dollars and sound management of vital wildlife habitats.
- H.R. 839 would properly steward taxpayer dollars by preventing the potential one-hundred-fold expansion of the Muleshoe National Wildlife Refuge in Texas. At a time when the U.S. Fish and Wildlife Service has billions of dollars in deferred maintenance, the agency should focus on caring for the lands it currently manages rather than expanding the federal estate.
- H.R. 2293 would provide necessary relief to fish farmers who are experiencing severe depredation impacts due to predatory double-crested cormorants.
- H.R. 2316 would ensure the North American Wetlands Conservation Act continues to be properly resourced and conserve millions of acres of vital waterfowl habitat around the nation.

II. WITNESSES

Panel I

- **Members of Congress TBD**

Panel II

- **Mr. Bryan Baker**, President, Board of Directors for Texas Producers Cooperative, Sudan, Texas [H.R. 839]
- **Mr. Chris McGlawn**, President, Delta Cat Fisheries, Swiftown, Mississippi [H.R. 2293]
- **Mr. Mikk Anderson**, Board Member and Colorado Volunteer State Policy Chair, Ducks Unlimited, Aurora, Colorado [H.R. 2316]
- **Mr. John Roley**, Landowner, Lubbock County, Lubbock, Texas [H.R. 839] (*Minority Witness*)

III. BACKGROUND

H.R. 839, (Rep. Arrington, R-TX), To prohibit the implementation of a Land Protection Plan for Muleshoe National Wildlife Refuge.

The National Wildlife Refuge System (System) is a network of U.S. Fish and Wildlife Service (Service) administered lands, submerged lands, and waters that provide habitat for fish and wildlife resources across the United States and U.S. territories.¹ The System is made up of 571 national wildlife refuges (refuges), 38 wetland management districts, five marine national monuments, and 63 refuges with wilderness areas.² These units comprise nearly 900 million acres, with over 90 million acres of refuges located within the 50 states and the remaining acreage located within the U.S. territories and insular areas.³ The System currently has a deferred maintenance backlog of \$2.65 billion.⁴



Picture 1 Sandhill Cranes at Muleshoe National Wildlife Refuge Source: KUNM

H.R. 839 would prohibit the implementation, administration, and enforcement of the finalized land management plan for the Muleshoe (Muleshoe) National Wildlife Refuge. On April 16, 2024, the Service announced the expansion of four refuges to “conserve habitat, protect species

¹ “U.S. Fish and Wildlife Service: An Overview.” Christopher R. Field. Congressional Research Service. 7/20/18. <https://crsreports.congress.gov/product/pdf/R/R45265>

² “Visit a National Wildlife Refuge Facility.” U.S. Fish & Wildlife Service. <https://www.fws.gov/visit-us>

³ “U.S. Fish and Wildlife Service: An Overview.” Christopher R. Field. Congressional Research Service. 7/20/18. <https://crsreports.congress.gov/product/pdf/R/R45265>

⁴ “FY 2025 Budget Justification.” U.S. Fish and Wildlife Service. 2024. Page NWRS-35. https://www.fws.gov/sites/default/files/documents/2024-03/fy2025-508-fws-greenbook_revised-pex-4.pdf

and support recreation,” as part of the Biden administration’s 30 by 30 initiative, part of a radical environmental agenda that seeks to lock up American lands and waters.⁵ Among the refuges included in the expansions was Muleshoe, which currently comprises 6,440 acres of land along the West Texas and Eastern New Mexico border. The refuge was established in 1935 and according to the Service, “is best known for hosting one of the largest concentrations of sandhill cranes in North America.”⁶ The proposed expansion would allow the refuge to purchase up to 700,000 acres of additional private lands from willing sellers, growing the refuge to more than 100 times its current size.⁷

Under Service regulations for expanding a refuge, they must first finalize a land protection plan.⁸ This land protection plan includes provisions such as the reasons for expanding the refuge and an Endangered Species Act Section 7 analysis. Also included is an expansion area from which land can be purchased. In the case of Muleshoe, the finalized land protection plan includes an acquisition boundary of 7 million acres, the goal of which is to acquire 700,000 of those acres.⁹ The method of purchase by the Service to accomplish the goal of acquiring 700,000 acres would be by purchasing property outright and adding to the federal estate or by using conservation easements to restrict land uses on private property.

The potential addition of 700,000 acres of federal land will have direct impacts on the areas surrounding Muleshoe. As with any federal land acquisition, local tax revenues will be impacted, as lands under the ownership of the federal government are not taxable. The Service is required to help offset the loss in local tax revenue by making payments to counties that equate to either 25 percent of the net receipts of timber sales and grazing leases on the refuge or 0.75 percent of the adjusted purchase price of refuge lands.¹⁰ It is also unclear how the Service plans to manage lands acquired to expand Muleshoe, given the existing maintenance backlog currently facing the System.

Several counties within the expansion area have passed resolutions opposing the Service’s decision, these include Lamb and Parmer Counties in Texas, and Roosevelt, Lea and Chaves Counties in New Mexico.¹¹

⁵ “Interior Department Announces Expansion of Four National Wildlife Refuges to Conserve Habitat, Protect Species and Support Recreation.” Marilyn Kitchell. U.S. Fish and Wildlife Service. 4/16/2024. <https://www.fws.gov/press-release/2024-04/expansion-4-national-wildlife-refuges-protect-species>

⁶ “Muleshoe National Wildlife Refuge.” U.S. Fish and Wildlife Service. <https://www.fws.gov/refuge/muleshoe/about-us>

⁷ “Final Land Protection Plan & Environmental Assessment.” *Muleshoe National Wildlife Refuge*. U.S. Fish and Wildlife Service. February 2023. <https://iris.fws.gov/APPS/ServCat/DownloadFile/232579>

⁸ [602 FW 2](#)

⁹ “Final Land Protection Plan & Environmental Assessment.” *Muleshoe National Wildlife Refuge*. U.S. Fish and Wildlife Service. February 2023. <https://iris.fws.gov/APPS/ServCat/DownloadFile/232579>

¹⁰ [16 U.S.C. 715s](#)

¹¹ “Muleshoe Wildlife Refuge Update.” American Stewards for Liberty. 9/13/2024. <https://americanstewards.us/muleshoe-wildlife-refuge-update/>

[H.R. 2293](#), (Rep. Ezell, R-MS), “*Cormorant Relief Act of 2025*”

Double-crested cormorants (cormorants) are one of six cormorant species that are native to North America, with their largest concentration being in the Great Lakes region. Cormorants were listed under the Migratory Bird Treaty Act (MBTA) in 1972, as the abundance of the species had decreased considerably due to the use of chemicals such as dichloro-diphenyl-trichloroethane (DDT).¹² Today, however, the Service estimates the population of cormorants in the continental U.S. and Canada to be between 871,001 and 1,031,757 birds.¹³



Picture 2 Double-crested cormorant eating a fish
Source: National Audubon Society

Cormorants’ diet consists mostly of fish, eating on average a pound of fish per day. According to the Service, “[t]hey are opportunistic and generalist feeders, preying on many species of fish by concentrating on those that are easiest to catch.”¹⁴ This can make commercial aquaculture facilities optimal feeding grounds for cormorants, causing significant damage and economic harm to these facilities. According to a 2021 study, economic losses to fish farms from cormorants are estimated to be \$64.7 million per year, including the cost of non-lethal management techniques, and the revenue lost from cormorant depredation.¹⁵

In 1998, the Service created an Aquaculture Depredation Order (Aquaculture Order) under the authorities provided in the MBTA.¹⁶ The Aquaculture Order allowed the Department of Agriculture’s Animal and Plant Inspection Service (APHIS) Wildlife Services to work with fish farmers to implement non-lethal and lethal techniques to prevent cormorants from eating fish in commercial aquaculture ponds. Fish farmers were required to report the number of cormorants killed each year. The intent of the Aquaculture Order was to reduce administrative costs for the Service and provide more timely relief for fish farmers. The Aquaculture Order was renewed three times, in 2003, 2009, and 2014 for five-year increments.¹⁷

In 2003, the Service also issued a Public Resource Depredation Order (Public Order), which was intended to reduce the risks to public resources from cormorants through both lethal and non-lethal means.¹⁸ The Public Order was renewed three times, in 2003, 2008, and 2014,¹⁹ with its 2014 renewal triggering a lawsuit from the organization Public Employees for Environmental Responsibility (PEER) on the grounds that the renewal violated the National Environmental

¹² “Expanding Management of Conflicts Associated with Double-crested Cormorants.” *Frequently Asked Questions*. U.S. Fish and Wildlife Service. <https://www.fws.gov/node/417891>

¹³ “Expanding Management of Conflicts Associated with Double-crested Cormorants.” *Frequently Asked Questions*. U.S. Fish and Wildlife Service. <https://www.fws.gov/node/417891>

¹⁴ *Id.*

¹⁵ Engle CR, Christie TW, Dorr BS, et al. Principal economic effects of cormorant predation on catfish farms. *J World Aquacult Soc.* 2021;52:41–56. <https://doi.org/10.1111/jwas.12728>

¹⁶ [50 CFR 21.47](#)

¹⁷ [79 FR 12458](#)

¹⁸ [50 CFR 21.48](#)

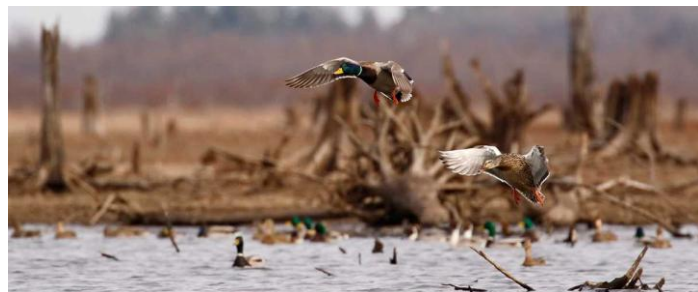
¹⁹ [79 FR 12458](#)

Policy Act (NEPA).²⁰ The Aquaculture Order was also challenged in PEER’s lawsuit. On May 25, 2016, Judge John D. Bates of the U.S. District Court for the District of Columbia ruled in PEER’s favor, concluding the Service violated NEPA by reissuing the Public Order without an adequate Environmental Assessment (EA). Judge Bates also vacated the Aquaculture Order for not having an adequate EA.²¹

With the removal of the Aquaculture and Public Orders, the Service created an individual permit system based on a Population Take Limit (PTL) model. The PTL model is based upon nest counts and currently allows an annual take of up to 121,504 cormorants.²² When the Service issues a permit to take a cormorant, it indicates the number of cormorants allowed to be taken under that permit.

H.R. 2316 (Rep. Hurd, R-CO), “Wetlands Conservation and Access Improvement Act of 2025”

The Pittman-Robertson Wildlife Restoration Act (Pittman-Robertson), enacted in 1937, distributes federal aid to all 50 states and 5 U.S. territories to carry out wildlife restoration, conservation, and hunter education and safety programs. Revenue for Pittman-Robertson is generated through an excise tax on all firearms, ammunition, and archery equipment.²³ The Service administers Pittman-Robertson and allocates funding through three programs: the Wildlife Restoration Program, the Basic Hunter Education and Safety Program, and the Enhanced Hunter Education and Safety Program. The Wildlife Restoration Program aids in funding state fish and wildlife programs and allocates funding for projects that restore, conserve, and enhance native habitats. Through this program states may use funding to purchase, restore, manage, and facilitate public access to wildlife areas.²⁴ The formula used for apportionment to each state is one-third based on the total land area of the state and two-thirds based on the population of each state.²⁵



Picture 3 Waterfowl in flood timber Source: Ducks Unlimited

H.R. 2316 extends the period in which the interest accrued on unallocated Pittman-Robertson funds can be used to supplement congressional appropriations to the North American Wetlands Conservation Act (NAWCA). This provision is set to expire on September 30, 2025.²⁶ Without

²⁰ Memorandum Opinion on Vacatur. *Public Employees for Environmental Responsibility, et al., v. U.S. Fish and Wildlife Service, et al.* 5/25/2016. [5 26 16 Cormorant Court Ruling and Order.pdf](#)

²¹ *Id.*

²² “Expanding Management of Conflicts Associated with Double-crested Cormorants.” *Frequently Asked Questions*. U.S. Fish and Wildlife Service. <https://www.fws.gov/node/417891>

²³ “The Pittman-Robertson Wildlife Restoration Act.” Mark DeSantis, Pervaze Sheikh, Erin Ward. Congressional Research Service. 10/12/2022. <https://www.congress.gov/crs-product/IF12229>

²⁴ *Id.*

²⁵ “About State Wildlife Action Plans.” *Origins of the State Wildlife Action Plans*. University of Michigan Department of Natural Resources and Environment. https://seas.umich.edu/ecomgt/swap/About_SWAPs.html.

²⁶ [16 U.S.C. 669b](#)

reauthorization of this provision, the interest would be distributed to states and territories under the current Pittman-Robertson apportionment formula. The Association of Fish and Wildlife Agencies, which represents the states, is supportive of H.R. 2316.²⁷

NAWCA provides grants to projects that conserve wetland habitats critical for migratory birds in the United States, Canada, and Mexico. According to the Service, over its nearly 40-year history NAWCA has benefitted nearly 34 million acres of wetland habitat for migratory waterfowl through 3,300 individual projects.²⁸ This success is why Congress reauthorized NAWCA as a part of the America’s Conservation Enhancement (ACE) Reauthorization Act in December 2024.²⁹

H.R. 1809 (Rep. Quigley, D-IL), “Great Lakes Fishery Research Reauthorization Act”

On December 20, 2019, President Trump signed the consolidated appropriations bill for Fiscal Year (FY) 2020.³⁰ Included in this law was an authorization for the Director of the United States Geological Survey (USGS) to establish the Great Lakes Fishery Research Program (program).³¹ This program was established to conduct “monitoring, assessment, science, and research, in support of the binational fisheries within the Great Lakes Basin.”³² In authorizing this program, Congress found that to support the diverse ecosystem and economic engine of the Great Lakes, fisheries management and research requires sound science and new technologies.³³ The program carries out research, monitoring, and assessment of issues like fish movement and behavior, deepwater ecosystem science, fish habitat investigations, invasive species science, and how to leverage existing and new technology, vessels, and other scientific tools to help inform and serve fisheries managers.³⁴

Fish in the Great Lakes region do not observe borders between the two nations, which is why USGS partners with the Great Lakes Fishery Commission (GLFC) to carry out this program.³⁵ The GLFC was first established in 1957 and facilitates management of the Great Lakes between the United States and Canada.³⁶ An example of research carried under the program is USGS’s extensive work to support the management the invasive sea lamprey,³⁷ which has been present in the Great Lakes for decades. The program provides technical assistance, research into technology to control this invasive species, and assists with regulatory affairs.³⁸ The science gained by this research is used to support the tribal, commercial, and recreational fisheries in the Great Lakes

²⁷ “Support for the North American Wetlands Conservation Act.” Association of Fish and Wildlife Agencies. Resolution 2024-05-10. https://www.fishwildlife.org/application/files/6117/2778/9800/Compilation_of_resolutions_2024.pdf

²⁸ “FY 2025 Budget Justification.” U.S. Fish and Wildlife Service. 2024. Page NAW-3.

https://www.fws.gov/sites/default/files/documents/2024-03/fy2025-508-fws-greenbook_revised-pex-4.pdf

²⁹ [P.L. 118-198](#)

³⁰ [P.L. 116-94](#)

³¹ *Id.*

³² [16 U.S.C. 941h\(c\)\(1\).](#)

³³ [16 U.S.C. 941h\(b\).](#)

³⁴ [16 U.S.C. 941\(h\)\(c\)\(3\).](#)

³⁵ Great Lakes Fishery Commission. Great Lakes Fishery Commission Research: Science to Inform Management.

<https://www.glfcc.org/science-research.php>

³⁶ Great Lakes Fishery Commission. Established by treaty to protect our fishery. <https://www.glfcc.org/about.php>

³⁷ Great Lakes Fishery Commission. Resources for Researchers. <https://www.glfcc.org/science-resources-facilities.php>

³⁸ *Id.*

region. The latest studies estimate the economic value of the Great Lakes fishery to be more than \$7 billion annually and show that it supports upwards of 75,000 jobs.³⁹

P.L. 116-94 authorized this program through FY 2025 at \$15 million per year. H.R. 1809 would extend the authorization of this program for another five years, until FY 2030, at existing authorization levels.

IV. MAJOR PROVISIONS & ANALYSIS

H.R. 839 (Rep. Arrington, R-TX), To prohibit the implementation of a Land Protection Plan for Muleshoe National Wildlife Refuge.

- Prohibits the implementation of the 2024 Land Protection Plan for the Muleshoe National Wildlife Refuge.

H.R. 1809 (Rep. Quigley, D-IL), “*Great Lakes Fishery Research Reauthorization Act*”

- Reauthorizes the Great Lakes Fishery Research program at currently authorized funding levels.

H.R. 2293 (Rep. Ezell, R-MS), “*Cormorant Relief Act of 2025*”

- Requires the U.S. Fish and Wildlife Service to reinstate the Aquaculture Depredation Order for double-crested cormorants.
- Adds additional states to the order and adds definitions for “Lake Manager” and “Pond Manager.”

H.R. 2316 (Rep. Hurd, R-CO), “*Wetlands Conservation and Access Improvement Act of 2025*”

- Extends the authorization to direct the interest accrued on unallocated Pittman Robertson Wildlife Restoration Act funds to the North American Wetlands Conservation Act to 2033.

V. EFFECT ON CURRENT LAW

H.R. 1809

H.R. 2316

³⁹ Great Lakes Fishery Commission. The Great Lakes Fishery: A world-class resource! <https://www.glfrc.org/the-fishery.php>