



Committee on Natural Resources U.S. House of Representatives

Chairman Doc Hastings

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House Approves Legislation to Improve and Update the Endangered Species Act

Bipartisan Measure will Enhance Data Transparency & Species Recovery in the Law

WASHINGTON, D.C. – Today, the House of Representatives passed [H.R. 4315](#), the *Endangered Species Transparency and Reasonableness Act* with a bipartisan vote of 233-190. This common sense legislation focuses on sensible and specific updates to the Endangered Species Act in the areas of data transparency and species recovery.

“It’s been over 40 years since the Endangered Species Act was enacted and over 25 years since the law was renewed by Congress; it’s time this law was brought into the 21st Century. This common sense legislation to update and improve the Endangered Species Act aims to increase transparency, to enlist greater consultation by states, localities, and Indian tribes in species listings, and to reduce taxpayer-financed attorneys fees to help invest more funding in actual species recovery,” said Natural Resources Committee Chairman Doc Hastings (WA-04). “The House’s bipartisan approval of this legislation to make modest, sensible updates to the ESA is an important step forward to making this law more effective for both species and people while respecting the original intent of this law which is to conserve species.”

Since its enactment in 1973, over 1,500 species have been listed as a result of the Endangered Species Act (ESA) and only 2 percent have been recovered. The last time the ESA was renewed by Congress was in 1988 – long before the internet and cell phones were as widespread and available for commercial use as they are today. With new technological capabilities readily available and strong support for conserving endangered species, there are key areas where improvements could be made to make the law more effective for both species and people in the 21st century.

Specifically, the *Endangered Species Transparency & Reasonableness Act* would:

- Require data used by federal agencies for ESA listing decisions to be made publicly available and accessible through the internet, while respecting state data privacy laws and private property.
- Require the federal government to disclose to affected states data used *prior* to an ESA listing decision and it would require the “best available scientific and commercial data” used by the federal government to incorporate data provided by

states, tribes, and local county governments.

- Require the U.S. Fish and Wildlife Service to track, report to Congress, and make available online the federal taxpayer funds used to respond to ESA lawsuits, the number of employees dedicated to ESA litigation, and attorneys' fees awarded in the course of ESA litigation and settlement agreements.
- Prioritize species protection and protect taxpayer dollars by placing reasonable caps on attorneys fees to make the ESA consistent with existing federal law. For example, the federal government limits the prevailing attorneys fees to \$125 per hour in most circumstances, including federal suits involving veterans, Social Security, and disability. But under the ESA, attorneys are being awarded huge sums, in many cases, at a rate much as \$600 per hour.

For more information on H.R. 4315, click [here](#).

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