

**Opening Statement – Chairman Rob Bishop
House Committee on Natural Resources**

“Legislative Hearing on: H.R. 424, H.R. 717, H.R. 1274, H.R. 2603, and H.R. 3131”

July 19, 2017

More than 40 years ago, the Endangered Species Act was enacted to protect and encourage recovery of imperiled species. Though passed with the best of intentions, the ESA has veered away from this mission. All-too-often, the Act has been misused to control land, block a host of economic activities important for jobs, our energy and resources infrastructure and forest management. It has proliferated costly litigation that drains taxpayer resources away from actual conservation efforts.

Over just the past four congresses, this Committee has held more than 50 hearings examining the ESA. Dozens of witnesses have testified about litigation costs, the failure to use transparent scientific data, endless consultation processes, negative economic impacts, failure to include states and stakeholders in the process, unachievable goalposts to delist healthy species and promoting more petitions and listings over recovery. The results speak volumes: less than two percent of more than 1,500 listed species have ever recovered.

It is my hope that, in coordination with our colleagues in the Senate and this Administration, we can lay the foundation for ESA reform that creates better outcomes for both species and communities. The five bills before us today--two of which are bipartisan, and two that previously passed the House in some form would begin to lay this foundation.

First, H.R. 1274, introduced by Representative Newhouse, fosters greater federal and state cooperation and data transparency in species designations.

Second, H.R. 424, introduced by Agriculture Committee Ranking Member Collin Peterson, is a bipartisan measure to delist and ensure state management of gray wolves in the Western Great Lakes, maintain Wyoming management without further litigation, and provides a model for how recovered species should be managed under the ESA—by states that have proven capable of doing so.

H.R. 717—the Listing Reform Act, sponsored by Representative Pete Olson would allow for the consideration of economic factors in listing decisions. Countless witnesses have testified in prior hearings about the impacts ESA can have on economic activity and private property rights. The bill also provides agencies more flexibility in processing listing petitions to mitigate excessive litigation, allowing the agency to focus resources on actual species conservation.

Fourth, H.R. 2603, the “SAVES Act” sponsored by our colleague Representative Gohmert, which removes duplicative permitting requirements for nonnative endangered species.

And finally, H.R. 3131, sponsored by Representative Huizenga, would cap ESA-related attorneys’ fees, allowing them only to prevailing parties, and bringing them into conformance with fee caps allowed for other types of citizen lawsuits against the government, such as Social Security and

veterans. In recent years, ESA litigation has become a lucrative industry, draining resources away from conservation and placing taxpayer funds squarely in the pockets of environmental attorneys and special interest groups, often at rates of \$500 or more per hour.

We can improve outcomes for both species and taxpayers if we build consensus to address existing failures and pursue targeted, common sense reforms. I extend my hand to Ranking Member Grijalva and my colleagues from both sides of the aisle as we move forward today, and in the coming months, in this long-overdue reform effort.

I want to thank our witnesses and bill sponsors for being here today, and I look forward to hearing their testimony about these important measures.