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**U.S. House of Representatives**  
**Committee on Natural Resources**  
**Washington, DC 20515**

**Opening Statement of**  
**Chairman Doc Hastings**  
**Committee on Natural Resources**

**On Tuesday, September 09, 2014**  
**1324 Longworth House Office Building**  
**Full Committee Endangered Species Act Legislative Hearing on**  
**H.R. 1314, H.R. 1927, H.R. 4256, H.R. 4284, H.R. 4319, H.R. 4866**

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"The Committee meets for the second time this year to consider a number of legislative proposals relating to the Endangered Species Act (ESA), a law that has not been reauthorized in over 25 years, and which has a less than two percent recovery rate.

Over the past three years, the Committee has held numerous oversight hearings about the Obama Administration's lack of ESA data transparency, inadequate deference to states, local county governments and private property owners relating to ESA decisions, and costly serial litigation and close-door settlements with certain groups that are forcing hundreds of new listings and millions of acres of habitat designations. I am pleased that the House took an important step forward to address those issues in July with H.R. 4315, which passed with bipartisan support.

The bills before us today are not the only solutions ESA issues. But, these bills demonstrate a continuing and growing awareness that ESA as it currently exists is not serving people or species well, not just in the West, but in many other areas of the country as well.

Among other things, these bills would instill greater transparency, more accurate economic analyses, counting of species, adding sunshine to ESA "sue and settle" policies, and greater deference to states that are already conserving species.

In short, they are a sampling of ideas that follow a number of recommendations included in a report released earlier this year by the ESA Congressional Working Group I co-chaired with Representative Lummis and a number of Members representing districts affected by ESA around the country.

Some of those opposed to any changes to ESA will undoubtedly claim the ESA is working and support the Obama Administration's executive orders and sweeping federal ESA administrative rules that impose control over states' conservation plans. They also think that the federal government's unpublished studies or opinions are better than actual transparent data.

Earlier this year, despite federal endorsement of a comprehensive five-state plan designed to manage and keep the Lesser Prairie Chicken off the list, and despite improved numbers, the Fish and Wildlife Service listed it anyway, showing it was more fearful of environmental litigation threats than giving the states a reasonable amount of time to let their plan work. Many in the 200 million acres affected by a potential listing next year of the Greater Sage Grouse fear the same will happen there.

While it appears the Administration has made it a primary priority to settle or bow to environmental groups and setting arbitrary deadlines for hundreds of ESA listing decisions, at the same time, they have repeatedly ignored ESA's statutory deadlines for their own delisting proposals, such as in the case of the gray wolf.

To make matters worse, the Administration proposed three federal regulations that could be finalized next month which would radically change how they designate critical habitat nationwide. Concerns have been raised that these rules, if enacted, would give the Services sweeping discretion to designate habitat for areas where a species may be present only seasonally, or not at all, and could make it more difficult for private, state and local entities to ever conserve sufficiently to be exempted from such designations.

Clearly, ESA as written and implemented can be improved upon, and I look forward to hearing from the witnesses on the bills before us today that will begin to do that, and continue a discussion on sound legislative updates and improvements that I expect will continue well beyond this Congress."

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