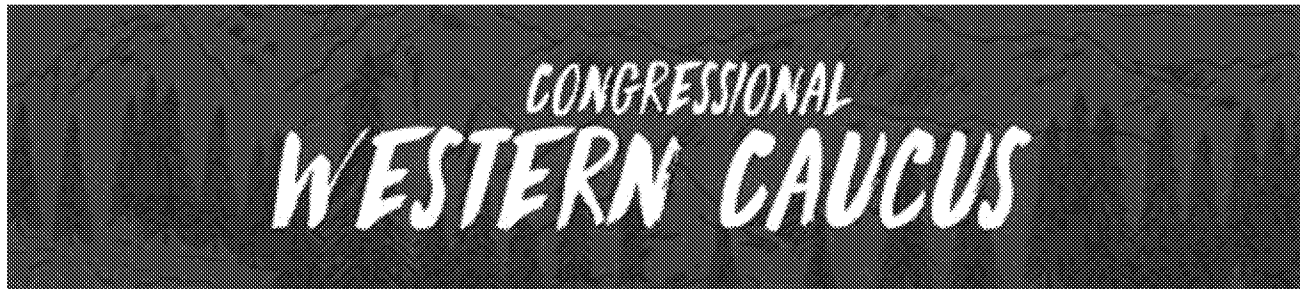


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Subject: Caucus Kicks Off Bipartisan Endangered Species Act Modernization Package



For Immediate Release
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Date: July 12, 2018
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Caucus Kicks Off Bipartisan Endangered Species Act Modernization Package



WASHINGTON, D.C. – Today, Members of the Congressional Western Caucus including Chairman **Paul Gosar (AZ-04)**, Executive Vice Chairman **Scott Tipton (CO-03)**, House Natural Resources Chairman **Rob Bishop (UT-01)** Chief Infrastructure and Forestry Officer **Bruce Westerman (AR-04)**, Chief Regulatory Reform Officer **Andy Biggs (AZ-05)**, Chairman Emeritus **Steve Pearce (NM-02)**, Vice-Chairman for Indian Affairs and Oceans **Don Young (AK-At Large)**, House Committee on Energy and Commerce Chairman **Greg Walden (OR-02)** and Western Caucus Members **Debbie Lesko (AZ-08)**, **Mike Johnson (LA-04)**, **Ralph Norman (SC-05)**, **Greg Gianforte (MT-At Large)**, **Markwayne Mullin (OK-02)**, **Doug LaMalfa (CA-01)**, **Kevin Cramer (ND-At Large)**, **Ron Estes (KS-04)**, **Roger Marshall (KS-**

01) and Doug Collins (GA-09) released statements after Members of Congress introduced a bipartisan slate of nine bills enjoying over 115 endorsing national and regional organizations – called the "Western Caucus Endangered Species Act Modernization Package" - which delivers broad and long-overdue improvements to the underlying 1973 Act:

Congressman Gosar said, "15 Members of Congress, 12 panelists, nine bills, and a combined thousands of hours of experience dealing with the Endangered Species Act at all levels. That's what we put on display today when we introduced our ESA modernization package and held a packed Legislative Forum and press conference. We showed everyone that Congress can come together to scope out a problem, listen and learn from affected parties, set out clear principles, devise bipartisan proposals and introduce them in a show of unity. Just one of those is usually enough to derail a Congressional effort, so I am very proud of this group of Members for coming together and unveiling a package of smart, targeted, thoughtful modernization amendments to the Endangered Species Act of 1973. My friend and Democratic Caucus Member from Oregon Kurt Schrader even came onboard to cosponsor the LOCAL and WHOLE Acts - and he tells me he's reviewing the other bills closely to see how they read to him. I challenge all Members, advocacy and industry groups and media observers to follow Rep. Schrader's lead and look closely at what we've proposed here, to consider carefully the testimony of millions of Americans as to the longstanding and fixable failures of the ESA to conserve species and balance interests appropriately - to do all of that, and then tell me you can't come onboard with our effort."

Congressman Bishop stated, "We're all aware that the Endangered Species Act hasn't undergone any significant updates in over 40 years. Neither endangered species, nor the American people, are benefited by this lack of modernization. It's past time for reform. The law needs to be updated to ensure it maintains its original intent and focus of species recovery and not simply serve as a tool for endless litigation. The Committee has worked for many years to put the ESA back on the right track. Now is the time to modernize this antiquated law to simultaneously benefit both endangered species and the American people."

Congressman Tipton stated, "The most effective approach to species recovery and conservation is through proactive localized efforts that take into account the unique landscape, habitat and ecological conditions of an area. When empowering those who have their boots on the ground every day to lead these critical conservation and recovery efforts, we can best assure the health and success of the species. The LOCAL Act would engage non-federal landowners, incentivize voluntary conservation efforts, and assist local communities in drafting and implementing conservation plans for threatened and endangered species. I urge my colleagues who want to be proactive about conservation and species recovery, rather than reactive, to support this bill and the Endangered Species Act modernization package as a whole."

Congressman Westerman said, "It is long past time that we reform the Endangered Species Act. In the more than 40 years since its introduction and passage, much has changed in our nation and its environment, but the law has not kept up with the evolving realities of the 21st Century. The PETITION Act would give the Interior Secretary the tools necessary to prevent frivolous lawsuits from stopping the work of the Fish and Wildlife Service, while ensuring more resources are available to protect truly endangered species. I thank my colleagues from the Congressional Western Caucus for their leadership on this issue and I look forward to our collective efforts to modernize an important piece of American law."

Congressman Biggs stated, "I thank Chairman Gosar and Chairman Bishop for their leadership on the Endangered Species Act modernization package. This action is long overdue, and will help millions of Americans around the country by protecting local interests – not special interests. As a part of this package, I introduced the LIST Act, which makes a number of improvements to bring

the ESA up-to-date. Most notably, the LIST Act authorizes the Secretary of the Interior to de-list species when he receives an objective, measurable, and scientific study demonstrating a species has recovered. This will allow us to focus resources to protect species that actually need it. I support all of the bills introduced today, and I look forward to their movement through Congress.”

Congressman Pearce stated, “This bill would simply require the federal government to consult with states before making a listing decision under the Endangered Species Act (ESA). Recent listings under the ESA have lacked adequate consultation and communication with the states who have these animals. Lack of communication is a lost opportunity for the Fish and Wildlife Service to utilize state expertise and information on species under review. Decisions to list species under the ESA often have serious adverse economic consequences, which is why the federal government should review all relevant information before making a decision. The EMPOWERS Act will help prevent rushed decisions that hurt local economies. Improvements must be made to the substance of listing decisions, and I look forward to working with my colleagues to move this commonsense bill forward.”

Congressman Don Young said, “The Endangered Species Act (ESA) has been weaponized and misused by environmental groups for too long. I am pleased to be part of the Western Caucus’ efforts to reign in the ESA, and to sponsor the Localizing Authority of Management Plans (LAMP) Act. This legislation, along with other bills introduced today by my colleagues, will work to truly modernize the ESA and return the focus of the law to its original intent of species conservation and recovery.”

Congressman Mike Johnson said, “The ESA has been exploited for decades placing unnecessary burdens on our nation’s hard-working farmers and ranchers. And while protecting wildlife and their habitats is of the utmost importance, the agriculture community is already proactively and heavily involved in conservation programs that implement critical protections for both. My bill helps modernize the ESA so we can continue to protect endangered species and let our farmers and ranchers get back to what they do best - providing a safe, sustainable food source for the American people.”

Congressman Norman said, “I am happy to join my colleagues of the Western Caucus in support of the Endangered Species Act Modernization Package of Legislation, which makes necessary and common-sense updates to the Endangered Species Act. These bills continue to ensure protects for endangered species and successful species conservation, while increasing transparency, bringing accountability to the decision making process, and including States and local governments in the efforts to protect species. Importantly I am proud to have introduced the PREDICTS Act, which codifies the 'No Surprises' regulation and provides for greater certainty and improved planning for incidental take permit holders and landowners entering into agreements to improve the status and recovery of at-risk and listed species.”

Congressman Walden stated, “We’ve seen time and again the impact of Endangered Species Act listings on communities across rural Oregon. Too often, the ESA decision making process has ignored local input and science on the ground. It’s past time to bring greater transparency to this process, and recognize and reward the contributions our farmers, ranchers, and other private land owners make towards improving habitat. By making common-sense changes to modernize the ESA, we can protect the livelihoods of Oregonians and people across the rural West, while still achieving the goal I share with all Americans of recovering endangered species. These bills are an important step towards achieving those results.”

Congresswoman Lesko said, “As a cosponsor of the LIST Act, I am proud to be a part of this reform package championed by the Western Caucus. This bill allows the Secretary of the Interior

to remove certain species from the endangered list when scientific evidence shows the species has recovered. Recovery has always been the primary goal of the Endangered Species Act, and this bill will allow more time and resources to go back into protecting the species that need help the most. The current Endangered Species Act is outdated and reforms are needed to achieve these outcomes. Thank you to my colleague, Congressman Andy Biggs, for introducing this commonsense measure.”

Congressman Gianforte stated, "Montanans have a deep respect for and appreciation of our lands and the wildlife that occupy them. Montanans believe we can support multiple use of lands while conserving species. Unfortunately, environmental extremist groups have distorted the Endangered Species Act from its original intent and use it to unnecessarily shut down needed projects throughout Montana. Today’s package of bills offers us an opportunity to modernize the ESA with targeted reforms that will encourage greater input from leaders on the ground, spur partnerships between communities to preserve habitats, and bring some common sense back to protecting endangered species."

Congressman Mullin said, “For over 40 years, the Endangered Species Act has created burdensome red tape and unnecessary obstacles for landowners, small businesses, and communities to comply with, all without making species any safer from extinction. With the introduction of these nine bills, Congress has an opportunity to modernize the Endangered Species Act by increasing transparency in the listing and delisting process as well as giving states a seat at the table when discussing in-state conservation efforts. I look forward to the House’s consideration of these bills in order to streamline the Department of Interior’s conservation efforts in a practical, responsible way.”

Congressman LaMalfa said, “While the Endangered Species Act was signed into law over 40 years ago to protect and recover vulnerable species, only 2% of species listed as endangered have been fully recovered. That is far from a desirable success rate, and it’s clear that reforms are needed. For example, the Gray Wolf and Valley Elderberry Longhorn Beetle are two species in my district that have been on the endangered species list for nearly 40 years. Despite overwhelming evidence that these species have recovered, environmental groups threaten litigation to hamstring the recovery and delisting process. The ESA was never intended to be used a tool for activist attorneys to use to sue the government as a business plan. It’s about time we update and modernize the ESA to implement a more practical approach to managing and recovering endangered species. This way, hardworking Americans, businesses, and our wildlife will all benefit.”

Congressman Kevin Cramer said, “The stream of frivolous lawsuits we’ve seen aimed at exploiting the Endangered Species Act has crippled its ability to protect the interests of both species and people. We are taking a careful approach to reform with the goals of common sense species protection and transparency. These changes are significant and reasonable steps towards ensuring private property rights and economic livelihood of North Dakotans are respected.”

Congressman Estes said, “This package addresses a long overdue need to modernize the Endangered Species Act,” said Rep. Ron Estes. “I am especially encouraged by an included initiative to count voluntary conservation efforts toward endangered species listings, including the Lesser Prairie Chicken. Recently, the Fish and Wildlife Service restarted efforts to list the Lesser Prairie Chicken as a threatened species under the Endangered Species Act, despite millions of dollars in conservation efforts from Kansas farmers and ranchers through the range-wide plan. As someone who learned the importance of conservation of land and wildlife not from government,

but from growing up on a farm in rural Kansas, I am glad this package will allow voluntary conservation efforts to be recognized when determining future endangered species listings.”

Congressman Marshall stated, "The heartland and at-risk species benefit most when conservation efforts work hand-in-hand with landowners. The Endangered Species Act was created 45 years ago and has only achieved recovery for about 2 percent of the listed threatened species – with that track record, seeking improvements to the Act should be a no-brainer. As an avid outdoorsman, I've seen first-hand the success of public and private dollars working with landowners to rebuild and preserve habitats for our Lesser Prairie Chicken (LPC) – without the bird being a listed species. On-the-ground conservation efforts, along with a little cooperation from Mother Nature has increased the LPC population by almost 71 percent since the 2013 drought. While there is still more that we can and should do, a top-down ESA approach only threatens conservation and is proven to be ineffective, that's why I am a proud cosponsor of the Western Caucuses Endangered Species Act Modernization Package. Local personnel have the greatest resources and knowledge of our wildlife needs, not Washington D.C."

Congressman Collins said, “Northeast Georgia is well known for its impressive lakes, mountains, flora and fauna. Like many in our region, I support conservation efforts to preserve these natural resources. Unfortunately, some of our laws—particularly the Endangered Species Act—have failed to live up to their purpose. The ESA has too often been weaponized by special interest groups, wasting taxpayer resources and needlessly burdening Americans without accomplishing its intended goal of recovering vulnerable species. The ESA reforms ushered in by the Western Caucus today would make commonsense updates to the law and allow communities to enhance their conservation efforts in order to protect wildlife more thoughtfully, and I welcome them.”

Background:

Today, Members of the Congressional Western Caucus unveiled a bipartisan package of nine bills, all united by the goal of modernizing and improving the Endangered Species Act of 1973 (ESA).

The ESA has been modified only sparingly since its introduction, with the result being that the hundreds of thousands of interactions that take place every day between parties affected by the Act and the statute as implemented have had almost no bearing on the way species conservation is managed in the United States at the federal level. Even Executive branch regulations governing implementation of the Act lie mostly untouched - and have for years.

Consequently, the sum total of experience and exposure to the ESA across decades by thousands of hugely different parties throughout the United States has been decisively ignored when it comes to improving the Act. Not a Caucus to let such an embarrassment of riches lie wasted, we saw an opportunity for serious reform.

The ultimate goal which every Member involved in the Modernization Package agreed on was that the ESA *must* be retooled in order to: 1) Fulfill its original intent of prioritizing real recovery and conservation of eligible species, and; 2) More effectively balance the interests of all parties involved in and affected by species and habitat listings - including species themselves, private citizens, industry, local governments, public infrastructure projects, nonprofit organizations and other entities.

The nine bills in question were sponsored by **Reps. Scott Tipton of Colorado (the LOCAL**

Act), Tom McClintock of California (the Endangered Species Transparency & Reasonableness Act), Steve Pearce of New Mexico (the EMPOWERS Act), Don Young of Alaska (the LAMP Act), Andy Biggs of Arizona (the LIST Act), Bruce Westerman of Arkansas (the PETITION Act), Ralph Norman of South Carolina (the PREDICTS Act), Paul Gosar of Arizona (the STORAGE Act) and Mike Johnson of Louisiana (the WHOLE Act).

For bill text, descriptions of individual provisions, full endorsements list and much more, click [HERE](#) to see the dedicated Western Caucus ESA Modernization Package launch page. In all, over 115 stakeholder and advocacy groups endorsed the package, including substantial bipartisan support.

Over two dozen Members, stakeholders and advocacy groups gathered today, first for a 'Legislative Forum' that featured bill sponsors and other Members in dialogue with citizen and industry groups. Groups in attendance included representatives of: the American Farm Bureau Federation, the National Endangered Species Act Reform Coalition, the Western Energy Alliance, the Independent Petroleum Association of America, Americans for Limited Government, the Competitive Enterprise Institute, the American Exploration & Mining Association, the Arizona Farm Bureau, the National Association of Home Builders, the American Petroleum Institute, the National Water Resources Association, the National Rural Electric Cooperative, and several others.

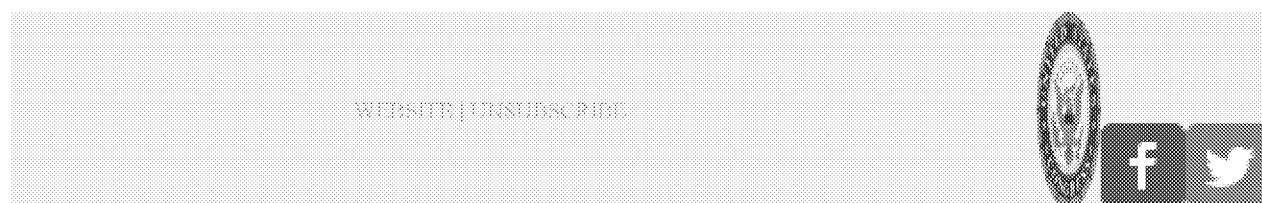
Former Utah Democratic Member of Congress Jim Matheson, President of the National Rural Electric Cooperative Association, stated: "NRECA applauds the Congressional Western Caucus' commitment to improve the Endangered Species Act. These efforts will protect threatened species while improving the efficiency and cost of maintaining electric co-ops' critical infrastructure that serves one in eight Americans."

Subsequent to the Legislative Forum, Members and participants proceeded to a scheduled press conference with a gaggle of reporters to issue statements on bill introductions and answer questions.

The entire Legislative Forum can be seen [here](#). Watch a livestream of the press conference which included remarks by several Members and bill sponsors [here](#).

Immediate reactions by media and outside groups to the package ranged from glowing endorsement (see [here](#) and [here](#)), to dispassionate reporting of facts and perspectives - to downright unhinged.

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