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## **LEGISLATIVE ALERT**

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**July 21, 2004**

### **ESA VICTORY: ESA Modernization Legislation Passes House Resources Committee**

Earlier today, the House Resources Committee, with bi-partisan support, passed H.R. 1662, the “Endangered Species Data Quality Act of 2004,” and H.R. 2933, the “Critical Habitat Reform Act,” marking a significant legislative achievement in ongoing efforts to update and modernize the ESA. H.R. 1662 passed by a vote of 26-15, while H.R. 2933 passed 28-14. The persistence of NESARC members who have diligently worked to muster the support of Committee members has helped to send lawmakers the strong message that the thirty-year-old ESA must be modernized! NESARC also commends the leadership and commitment of a bipartisan group of Members of Congress led by Chairman Richard Pombo (R-CA), Representative Dennis Cardoza (D-CA) and Representative Greg Walden (R-OR) that worked diligently to ensure the successful passage of these bills by the full Committee.

The Resources Committee approved a substitute version of H.R. 2933 offered by the bill’s original sponsor, Representative Dennis Cardoza (D-CA) with an additional amendment by Rep. Joe Baca (D-CA). HR 2933, as amended by the Committee, will improve the critical habitat designation process by ensuring that sufficient data is collected before a designation, encouraging the use of field survey data and increasing involvement by state and local governments as well as landowners. Rep. Baca’s amendment, supported by Chairman Pombo and others, excludes from critical habitat designations lands which are subject to tribal land conservation or species management programs. House Resources Committee Ranking Member Nick Rahall (D-WV) also offered a substitute amendment, which was defeated by an overwhelming majority.

Representative Greg Walden (R-OR) also offered a substitute version of H.R. 1662, which was praised by members on both sides of the aisle as bringing necessary improvements to the quality of data used in ESA decision-making. The substitute amendment supports sound decision-making under the ESA by ensuring that data used in ESA decisions comply with guidelines issued under the federal Data Quality Act, encouraging the use of timely field survey data and establishing an independent peer review process for data to be relied upon in the agency’s decision. These common-sense improvements will give federal agencies new and better tools to ensure that the right steps are taken so that the ESA’s goal of recovering species can be achieved.

In order to ensure that our current advocates in Congress remain committed to updating and modernizing the ESA, we are asking that you call, e-mail, or write members of the House Resources Committee to **thank them for voting this afternoon to improve the ESA.** The following page lists the final Committee vote on the two bills.

Thanks again to all NESARC members for your efforts in bringing about today’s ESA victory!

**Members voting in support of H.R. 2933 (28 Total – 22 Republicans, 6 Democrats)**

Rep. Richard Pombo (R-CA)	Rep. Reg Walden (R-OR)	Rep. Devin Nunes (R-CA)
Rep. Elton Gallegly (R-CA)	Rep. Thomas Tancredo (R-CO)	Rep. Randy Neugebauer (R-TX)
Rep. John Duncan (R-TN)	Rep. J.D. Hayworth (R-AZ)	Rep. Cal Dooley (D-CA)
Rep. Ken Calvert (R-CA)	Rep. Tom Osborne (R-NE)	Rep. Brad Carson (D-OK)
Rep. Barbara Cubin (R-WY)	Rep. Jeff Flake (R-AZ)	Rep. Dennis Cardoza (D-CA)
Rep. George Radanovich (R-CA)	Rep. Dennis Rehberg (R-MT)	Rep. Madeleine Bordallo (D-GU)
Rep. Chris Cannon (R-UT)	Rep. Rick Renzi (R-AZ)	Rep. Stephanie Herseth (D-SD)
Rep. John Peterson (R-PA)	Rep. Tom Cole (R-OK)	Rep. Joe Baca (D-CA)
Rep. Jim Gibbons (R-NV)	Rep. Steve Pearce (R-NM)	
Rep. Marc Souder (R-IN)	Rep. Rob Bishop (R-UT)	

**Members voting against H.R. 2933 (14 Total – 1 Republican, 13 Democrats)**

Rep. Nick Rahall (D-WV)	Rep. Neil Abercrombie (D-OH)	Rep. Tom Udall (D-NM)
Rep. George Miller (D-CA)	Rep. Frank Pallone (D-NJ)	Rep. Mark Udall (D-CO)
Rep. Ed Markey (D-MA)	Rep. Donna Christensen (D-VI)	Rep. Raul Grijalva (D-AZ)
Rep. Dale Kildee (D-MI)	Rep. Jay Inslee (D-WA)	Rep. Wayne Gilchrest (R-MD)
Rep. Eni Faleomavaega (D-AS)	Rep. Grace Napolitano (D-CA)	

**Members voting in support of H.R. 1662 (26 Total - 22 Republicans, 4 Democrats)**

Rep. Richard Pombo (R-CA)	Rep. Marc Souder (R-IN)	Rep. Steve Pearce (R-NM)
Rep. Elton Gallegly (R-CA)	Rep. Greg Walden (R-OR)	Rep. Rob Bishop (R-UT)
Rep. John Duncan (R-TN)	Rep. Thomas Tancredo (R-CO)	Rep. Devin Nunes (R-CA)
Rep. Ken Calvert (R-CA)	Rep. J.D. Hayworth (R-AZ)	Rep. Randy Neugebauer (R-TX)
Rep. Barbara Cubin (R-WY)	Rep. Tom Osborne (R-NE)	Rep. Cal Dooley (D-CA)
Rep. George Radanovich (R-CA)	Rep. Jeff Flake (R-AZ)	Rep. Brad Carson (D-OK)
Rep. Chris Cannon (R-UT)	Rep. Dennis Rehberg (R-MT)	Rep. Dennis Cardoza (D-CA)
Rep. John Peterson (R-PA)	Rep. Rick Renzi (R-AZ)	Rep. Joe Baca (D-CA)
Rep. Jim Gibbons (R-NV)	Rep. Tom Cole (R-OK)	

**Members voting against H.R. 1662 (15 Total - 1 Republican, 14 Democrats)**

Rep. Nick Rahall (D-WV)	Rep. Neil Abercrombie (D-OH)	Rep. Mark Udall (D-CO)
Rep. George Miller (D-CA)	Rep. Frank Pallone (D-NJ)	Rep. Raul Grijalva (D-AZ)
Rep. Ed Markey (D-MA)	Rep. Jay Inslee (D-WA)	Rep. Madeleine Bordallo (D-GU)
Rep. Dale Kildee (D-MI)	Rep. Grace Napolitano (D-CA)	Rep. Stephanie Herseth (D-SD)
Rep. Eni Faleomavaega (D-AS)	Rep. Tom Udall (D-NM)	Rep. Wayne Gilchrest (R-MD)

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