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CONTACT: [Crystal Feldman](#) , [Spencer Pederson](#) or [Jill Strait](#)
202-226-9019

Chairman Hastings Seeks Answers from DOJ on Endangered Species Act Litigation and Settlement Costs

WASHINGTON, D.C. – Earlier this week, House Natural Resources Committee Chairman Doc Hastings (WA-04) sent a [letter](#) to U.S. Department of Justice Assistant Attorney General Ignacia Moreno asking for detailed information on how much taxpayer money is being spent on Endangered Species Act (ESA) related litigation and settlements involving the Department of Justice’s Environment and Natural Resources Department (ENRD). The letter raises concerns over the disproportionate amount of ESA appropriated funds that are spent on legal actions and responding to petitions—and the lack of transparency on how these funds are being spent.

“The goal of the ESA was to preserve, protect and recover key domestic species. However, today the law is failing to achieve its primary purpose of species recovery and instead has become a tool for litigation that drains resources away from real recovery efforts and blocks job-creating economic activities,” writes Hastings in the letter. “Given the lack of clarity and transparency over how much taxpayer money is being spent by the federal government in connection with litigation and legal settlements involving the ESA, including the amount of money paid to cover the attorney’s fees and legal costs of activist groups filing these dozens of lawsuits, the Committee is conducting oversight over the implementation of the ESA.”

In May and July 2011, the Obama Administration agreed to two separate litigation settlements involving petitions to list 779 species under the ESA through more than 85 lawsuits and legal actions. These settlements mandate that over 250 candidate species must be reviewed for final listing as either threatened or endangered under the ESA by 2016. The U.S. Fish and Wildlife Service’s FY 2013 budget request includes an increase in funding that could result in 88 more species being listed and critical habitat being designated in just this year alone.

On February 15, 2012, Chairman Hastings [questioned](#) Secretary Ken Salazar how much the Department of the Interior spends on litigation and settlements involving the ESA at the Committee’s hearing to consider the Department of the Interior’s FY2013 budget request. Secretary Salazar admitted that he did not know.

Click [here](#) to read a full copy of the letter.

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