



News from the
Committee on Natural Resources
Rep. Nick J. Rahall, II - Chairman

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Statement of U.S. Rep. Nick J. Rahall, II
Chairman, Committee on Natural Resources
Oversight Hearing on
“The Danger of Deception: Do Endangered Species Have a Chance?”
May 21, 2008

One year ago, this Committee convened to examine the mess created by former Deputy Assistant Secretary for Fish, Wildlife and Parks Julie MacDonald. At the time, I had high hopes that the Interior Department would take a serious look at how that poorly placed political appointee was allowed to tinker with the work of agency scientists to the detriment of the Endangered Species program.

As a result of that hearing, the agency undertook a review of the decisions that fell under MacDonald's purview and pledged to work to correct any wrongdoing it uncovered.

Now, one year after MacDonald's demise, we find that instead of cleaning up its mess, the agency has merely swept it under a rug.

Today, much to my chagrin, we are about to hear that the agency's well-publicized post-MacDonald review, ostensibly designed to correct listing and critical habitat decisions -- decisions tainted by politics -- was a boondoggle; it is fixing nothing. It was too narrow, too fast, and too sloppy.

Among other things, our Government Accountability Office witness will tell us that agency reviewers automatically discounted from scrutiny any decisions that could not be directly linked to tampering by MacDonald. Yet her fingerprints may have been all over countless decisions that were given automatic immunity from the Fish and Wildlife Service's review. Among them were decisions that scientists crafted not based purely on the science but, rather, according to what they anticipated might gain MacDonald's political seal of approval.

Worse still, GAO now reveals to us that other Interior officials also influenced ESA decisions, and those folks are still roaming the halls of the Interior Department, unchecked.

As a result, we can have no confidence that political tinkering with the ESA program is being addressed any better now than it was under MacDonald's reign.

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Today, we will also hear testimony about the untenable delay of a rule designed to protect the severely depleted North Atlantic right whale from ship strikes -- the latest public example of covert White House interference with endangered species.

It has become abundantly clear that this Administration does not give one whit about the ESA. Its strong-arming of Federal scientists, slow-walking of listing decisions, and stonewalling of new rules have convinced me that every attempt to fix the mismanagement of the endangered species program under this Administration is a lost cause.

No matter how deeply this Committee looks or how hard we push to conduct real, valid oversight, we are hamstrung by secrecy and deception. For example, I, along with Representatives Peter DeFazio and Jay Inslee requested documents related to the northern spotted owl. But of the boxes of documents sent to us in response to that request, we find barely any that mention the names of Agriculture Undersecretary Mark Rey, Deputy Undersecretary of Agriculture Dave Tenney, or Interior Deputy Secretary Lynn Scarlett, who all served on the "Washington Oversight Committee." Though it may be a bad pun, my reaction is: something smells fishy here.

As Chairman of this Committee, I am forced to conclude that not only has the endangered species program been sorely politicized, but effort after effort supposedly designed to correct the mishandling of the program by this Administration and its agencies has also been badly bungled.

At this point, the best hope for endangered species may simply be to cling to life until after January when this President and his cronies, at long last, hit the unemployment line.