

## DISSENTING VIEWS

Section 314: To prohibit the Greater Sage Grouse and Lesser Prairie Chicken from being listed under the Endangered Species Act (ESA) for a period of 10 years and to reverse a 1989 determination of endangered status for the American Burying Beetle, and for other purposes.

Section 314 of the National Defense Authorization Act as reported out of the House Armed Services Committee prohibits the Greater Sage Grouse and Lesser Prairie Chicken from being listed under the Endangered Species Act (ESA) for a period of 10 years, reverses a 1989 determination of endangered status for the American Burying Beetle, and would further exempt this provision from judicial review.

ESA listing decisions should be made with the best-available-science and not by a Congressional mandate. Sections 314 undermine science-based decision-making and State and Federal cooperative efforts to protect imperiled species. Furthermore, Section 314 set a terrible precedent for the management of species in need of conservation by having Congress micromanage specific species.

Pursuant to the Rules of the House of Representatives, the House Natural Resources Committee—not the House Armed Services Committee—has jurisdiction over wildlife and conservation, so it is only appropriate that any proposed legislative changes pertaining to the ESA, wildlife, or conservation go through the appropriate authorizing committee.

The language should be struck from the bill as it is non-germane. The Department of Defense has stated that it already has sufficient statutory authorities to protect the interest of the Department and its training and readiness activities. We should not jeopardize the progress of this bill with unnecessary environmental riders.

NIKI TSONGAS.  
A. DONALD MCEACHIN.  
JACKIE SPEIER.  
ANTHONY G. BROWN.