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Republicans Wrangle over Environmental Legislation

ADRIENNE FROELICH SPONBERG

In real estate, the key to success is location, location, location. In Congress, the key to passing legislation is assignment, assignment, assignment—committee assignment, that is.

In the 109th Congress, Republicans are attempting to reauthorize two pieces of environmental legislation that dictate fisheries and wildlife management in the United States: the Magnuson–Stevens Fisheries Management and Conservation Act and the Endangered Species Act. In both instances, members of the committees considering the legislation—particularly the chairs of the relevant subcommittees—have challenged their party's attempts to weaken environmental protection.

Although Democrats are typically considered the more environmentally friendly of the two major US parties, the Republican party also has members with outstanding environmental credentials. For example, it was Teddy Roosevelt who established the US network of national parks and wildlife refuges, and Richard Nixon who signed the Clean Air Act, the Clean Water Act, and the Environmental Protection Act. In the 109th Congress, Republicans such as Representatives Sherwood Boehlert (R–NY) and Wayne Gilchrest (R–MD) and Senator Lincoln Chaffee (R–RI) are taking the lead within their party as stewards of the environment.

Republicans for Environmental Protection (REP America), a group formed in 1995 to ensure that Republican leaders in Congress and state legislatures “know that Republican voters want conservation to be a bipartisan concern,” recently released a scorecard that rated members of Congress for “their votes and leadership on critical energy, public lands, air, and water legislation during 2005.” Not surprisingly, Boehlert and Chaffee rated highest. Moreover, Republican environmentalists chair several key subcom-

mittees within the committees with jurisdiction over the environment.

Pitted against those subcommittee chairs with environmentalist credentials, however, are the chairs of three of the most powerful committees with environmental jurisdiction: Representative Richard Pombo (R–CA), chair of the House Resources Committee; Representative Joe Barton (R–TX), chair of the House Energy and Commerce Committee; and Senator Ted Stevens (R–AK), chair of the Senate Commerce, Science, and Transportation Committee. These three Republicans, who received REP America's lowest ratings, control the agendas in the committees that deal with the issues affecting fisheries, wildlife, and climate change issues.

In the House Resources Committee, for example, Chairman Pombo introduced his own legislation, H.R. 5018, to reauthorize the Magnuson–Stevens bill for consideration, thus bypassing the Fisheries and Oceans Subcommittee, chaired by Gilchrest. Gilchrest's version of the bill, H.R. 5051, received the endorsement of environmental groups, but Pombo would not allow that bill to be considered by the full committee. However, some provisions in the Gilchrest legislation may be considered when the measure goes to the House floor. Gilchrest did not seek to amend Pombo's legislation in committee because of the composition of the committee, which is heavily biased toward members from the western inland United States. Gilchrest is more optimistic about the chances for further modification on the House floor, where members with coastal constituencies will have a say: “When we hit the House floor, the whole process opens up; it is a brand new dynamic. Some of the things we couldn't pass here, we could likely pass on the House floor.”

In the Senate, environmentally inclined Republicans are having more success in

slowing legislation viewed as damaging by many scientists and most environmentalists. Earlier this year, the House passed Pombo's Endangered Species Act (ESA) reauthorization bill, H.R. 3824, which has been widely denounced as an attempt to gut the act (see “New ESA Amendments: Sound Science or Political Shell Game?” *BioScience* 54: 1070). Representative George Miller (D–CA), ranking member of the Resources Committee, agrees that the ESA needs reform, but cautioned: “‘Reforming’ the law should not be a euphemism for gutting the law, and that's what this bill would do.... The bill weakens just about every feature of law designed to protect species.”

Pombo's bill must now be considered in the Senate, where James Inhofe (R–OK) chairs the relevant committee, Environment and Public Works. So far, Inhofe has held off committee consideration of Pombo's measure, deferring to Chaffee, chair of the Fisheries, Wildlife, and Water Subcommittee. Chaffee, who says the Pombo bill is a “serious setback to species conservation,” has been working with Senator Hillary Clinton (D–NY) to draft a bipartisan bill. While Inhofe could bypass the subcommittee, he concedes that he does not have the votes to move an ESA reform bill through committee. However, he says he is “committed to get a bill on the floor, and I am not too particular” about how that is achieved—either as a stand-alone bill or as an amendment to other legislation moving through the Senate. If such legislation does reach the floor, pro-environment Republican senators will have to muster a lot of support to defeat a “Pombo-ized” bill.

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