

Statement to the House Judiciary Committee, faxed on February 10, 2011 by Jeanette Zentgraf, Communications Coordinator for Concerned Women for America:

CWA supports HB 321, because we see it as a way to protect what is left of our timber, coal, and oil industries. The Bill will also protect us from the gray wolf.

The Endangered Species Act has curtailed the social and economic needs of our state. When men and women can no longer support their families with dignity, insecurity especially among the children permeates Montana.

President Bush followed the time consuming Administrative Procedure Act and in the final months of his administration did manage to change section 7 of the Endangered Species Act. The change resulted in a mitigation of the maze of requirements for ESA permits which delay projects for months or years. Consultations that are supposed to be completed in less than one year can take up to 4 times that long according to an analysis from the Government Accountability Office. This fact keeps timber, coal and oil management from making profitable plans in a free market. Pres. Obama disregarded the Administrative Procedure Act and revoked Bush's changes to the Consultation Rule in Section 7 of the ESA. Please support HE 321, as we have the right and need to make the ESA null and void in the State of Montana. We know that the State Department of Fish, Wildlife and Parks can protect our environment and all species with the rules listed in the Montana Code Annotated.

CWA believes that the ESA is unconstitutional, because it places environmental scientists on a higher legal plain than those scientists representing industries and individuals. We support the U.S. Constitution, Amendment XIV, Sec. 1., (which the ESA ignores), "nor deny to any person within its jurisdiction the EQUAL protection of the law."

The ruling against ranchers in Dec 2007 stated that the endangered Preble's jumping mouse's habitat was "adversely modified" by grazing livestock. Only the environmental scientists were respected in that court case.