



H.R. 6784 — Manage our Wolves Act (Rep. Duffy, R-WI)

FLOOR SCHEDULE:

Expected to be considered on November 16, 2018, under a closed [rule](#).

The rule would provide for management of the House during the Thanksgiving District Work Period.

The rule would further provide that [section 7 of the War Powers Resolution](#) (which provides for [expedited consideration](#) of a concurrent resolution introduced pursuant to [Section 5\(c\) the War Powers Resolution](#) that directs the President to remove forces engaged in hostilities without a declaration of war or specific statutory authorization; some have expressed the [view](#) that such a concurrent resolution under 5(c) would be non-binding or perhaps unconstitutional as an example of a legislative veto) shall not apply to [H. Con. Res 138](#), a concurrent resolution that “directs the President to remove United States Armed Forces from hostilities in the Republic of Yemen, except United States Armed Forces engaged in operations authorized under the [2001 Authorization for Use of Military Force](#)” within 30 days “unless and until a declaration of war or specific authorization for such use of United States Armed Forces has been enacted into law.”

TOPLINE SUMMARY:

[H.R. 6784](#) would: (1) exempt the rule that removes the gray wolf from the endangered species list in Wyoming from judicial review; (2) reinstitute the rule that removes the gray wolf from the endangered species list in the Western Great Lakes region and exempt that rule from judicial review; and, (3) require the secretary to issue a rule delisting the gray wolf from the endangered species list in the 48 contiguous states.

COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing H.R. 6784 could cost less than \$500,000, subject to appropriation. Since the bill could affect direct spending, paygo would apply.

CONSERVATIVE VIEWPOINTS:

- **Expand the Size and Scope of the Federal Government?** No.

Some conservatives may be pleased that the bill would remove the gray wolf from the endangered species list and return management of the species to the states.

- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

H.R. 6784 would prevent the final [rule](#), entitled “Endangered and Threatened Wildlife and Plants; Removal of the Gray Wolf in Wyoming From the Federal List of Endangered and Threatened Wildlife and Removal of the Wyoming Wolf Population’s Status as an Experimental Population” from being subject to judicial review.

The bill would require the Secretary of the Interior to reissue the final [rule](#) entitled “Gray Wolf in Wyoming and the Western Great Lakes; Reinstatement of Final Rules in Compliance With Court Orders” within 60 days of enactment. The reissuance shall not be subject to judicial review.

The bill would require the Secretary of the Interior to issue a rule to remove the grey wolf from the [List of Endangered and Threatened Wildlife](#) in each of the 48 contiguous states. This issuance shall not be subject to judicial review. The inclusion of the Mexican gray wolf is not affected by this bill.

Background Information: In 1973 gray wolves were listed as an endangered species under the [Endangered Species Act of 1973](#). According to the committee [report](#), after a rapid recovery of wolf populations, the states of Idaho, Montana and Wyoming began developing plans with the U.S. Fish and Wildlife Service to transition management responsibility to the states after the gray wolf was removed from the endangered species list. Within the last ten years, the gray wolf has been removed from the endangered species list in Idaho, Montana, Wyoming, Minnesota, Wisconsin, and Michigan, placed under state management, and then, as a result of court decisions, relisted and removed from state management. Gray wolves were again removed from the endangered species list in Minnesota, Wisconsin, Michigan, and Wyoming, and, again, relisted by a court decision affecting Wyoming and the Western Great Lakes region. To prevent the continued delisting and relisting of the gray wolf that has been ongoing for the last ten years, the bill would: (1) exempt the rule that removes the gray wolf from the endangered species list in Wyoming from judicial review; (2) reinstate the rule that removes the gray wolf from the endangered species list in the Western Great Lakes region and exempt that rule from judicial review; and, (3) require the secretary to issue a rule delisting the gray wolf from the endangered species list in the 48 contiguous states.

The House Report (H. Rept. 115-1012) accompanying H.R. 6784 can be found [here](#).

COMMITTEE ACTION:

H.R. 6784 was introduced on September 12, 2018, and referred to the House Committee on Natural Resources. The bill was marked up on September 26, 2018, and reported by a vote of 19-15.

ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

CONSTITUTIONAL AUTHORITY:

According to the bill’s sponsor: “Congress has the power to enact this legislation pursuant to the following: Article I, Section 8.” No specific enumerating clause was cited.

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