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# United States Senate

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

WASHINGTON, DC 20510-6175

BETTINA POIRIER, MAJORITY STAFF DIRECTOR  
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July 24, 2013

Secretary Sally Jewell  
U.S. Department of the Interior  
1849 C Street, NW  
Washington, DC 20240

Director Dan Ashe  
U.S. Fish and Wildlife Service  
1849 C Street, NW  
Washington, DC 20240

Dear Secretary Jewell and Director Ashe,

As Ranking Member of the Environment and Public Works Committee, I have oversight jurisdiction of the Lacey Act. On July 1, 2013, the U.S. Fish and Wildlife Service (FWS) published a notice in the Federal Register pertaining to the process for adding a species to the injurious wildlife list under the Lacey Act.<sup>1</sup> The FWS seeks to create a new categorical exclusion under the National Environmental Policy Act (NEPA) to be used when the FWS seeks to add species to the injurious wildlife list. The comment period is currently slated to close 30 days after publication of that notice on July 31, 2013. I am writing today to request you extend the comment period for 90 days.

The decision to list a species on the injurious wildlife list makes it illegal to import a species or transport that species across state lines. Creating a categorical exclusion would make that listing easier because categorical exclusions allow the agencies to bypass more extensive environmental impact statements or environmental assessments.

The proposal was released the week of the July 4 holiday. I have also been told that the Small Business Administration's Office of Advocacy may have some concerns about its impact on small businesses. Because that is the case, I am concerned that stakeholders on both sides of this issue will not have adequate opportunity to understand the impacts of this proposal and weigh in with appropriate comments if the comment period closes in 30 days as the FWS originally contemplated. As such, I request that you extend the comment period for 90 days.

Thank you for considering my request. I look forward to your prompt response. Should you have any questions, please contact me or have you staff contact Chris Tomassi on my staff at 202-224-6176.

Sincerely,



David Vitter  
Ranking Member  
Senate Committee on Environment and Public Works

<sup>1</sup> Comment Notice, 78 Fed. Reg. 126 (July 1, 2013).