

Published on *The National Law Review* <https://natlawreview.com>

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# House Hearings on Litigation Costs Paid by the Government in Endangered Species Act Cases

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On Tuesday, June 18, 2012, [U.S. Rep. Dan Rostenkowski](#) (Chairman of the [House Natural Resources Committee](#)) held a hearing entitled “[Litigation Funded by Taxpayers: Endangered Species, Jobs and Science](#).” The hearing was a successor to the Committee’s December hearing entitled “[The Endangered Species Act: How Litigation is Costing Jobs and Impeding True Economic Progress](#).” The objective of both hearings was to garner information on the drain (financial and labor) of ESA litigation on the resources of the federal agencies, especially the Fish & Wildlife Service.

Prior to the hearing, Rep. Hearings requested information from the Department of Justice (DOJ) relative to the Endangered Species Act (ESA) cases handled by DOJ since 2008, their status, and the amount of attorneys fees or court costs paid. DOJ’s letter response and associated back-up materials of May 8, 2012, are attached [here](#). Rep. Hearings continues to request information from DOJ or the federal agencies and seems to be concentrating on 4 major cases, including the [Goulds-Kaye-John-Stevens](#), in which more than \$1.8 million was paid to plaintiff’s counsel.

To put this into perspective, between March 2007 and September 2010, the U.S. Government reportedly paid more than \$21 million in attorneys fees and costs in ESA litigation or settlements. These amounts are typically paid from the Treasury Department’s Judgment Fund as opposed to the particular wildlife agency’s budget.

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National Law Review, Volume II, Number 174

Source URL: <https://natlawreview.com/article/house-hearings-litigation-costs-paid-government-endangered-species-act-cases>