

July 9, 2024

The Honorable Cliff Bentz  
Chairman  
Subcommittee on Water, Wildlife,  
and Fisheries  
Committee on Natural Resources  
U.S. House of Representatives  
1324 Longworth House Office Building  
Washington, D.C. 20515

The Honorable Jared Huffman  
Ranking Member  
Subcommittee on Water, Wildlife,  
and Fisheries  
Committee on Natural Resources  
U.S. House of Representatives  
1332 Longworth House Office Building  
Washington, D.C. 20515

Dear Chairman Bentz and Ranking Member Huffman:

On behalf of our organizations and our millions of members and supporters we are writing to express our strong opposition to the “Endangered Species Act Amendments of 2024” Discussion Draft, one of the bills being heard today by the Subcommittee.

The planet is facing an alarming and catastrophic worldwide biodiversity crisis, largely driven by humankind. Development, habitat loss, exploitation, pollution and invasive species now threaten as many as one million species with extinction. These threats are exacerbated by climate change, which is increasingly impacting our planet.

The Endangered Species Act (ESA) is our most effective tool to prevent extinction. Nearly all species listed under the ESA have been saved from disappearing forever and hundreds are on the path to recovery. The bill before the Subcommittee today does not strengthen the ability of the ESA to conserve imperiled species. At a time when we should be redoubling our commitment to protect biodiversity and stop extinction, this bill would undermine key provisions of the ESA and result in significant harm to at-risk species and their habitats, further exacerbating the environmental challenges we are facing today.

There are numerous provisions in the bill that would dramatically weaken the ESA and lead to decreased protections for threatened and endangered species, ultimately condemning them to continued slow declines and challenges. It would significantly rewrite key portions of the ESA to prioritize politics over science and inappropriately shift responsibility for key implementation decisions from the federal government to the states, many of which do not have sufficient resources or legal mechanisms in place to take the lead in conserving listed species. It would place significant new administrative burdens on already over-burdened agencies. It would turn the current process for listing and recovering threatened and endangered species into a far lengthier process that precludes judicial review of key decisions.

More specifically, among other things, the bill would:

- dramatically extend the timeline for listing decisions while imperiled species continue to slide, meanwhile fast-tracking delistings;
- block automatic take protection for threatened terrestrial and freshwater species;
- significantly increase allowable taking of threatened species, which then may decline toward endangered status;
- diminish federal agencies' traditional role in listed species management;
- narrow the scope of critical habitat designations in multiple harmful ways;
- increase the role of the ESA's ineffective "Candidate Conservation Agreements with Assurances" program and decrease its available protections;
- obliterate science-based decision making by converting all state-submitted data into "best available science," regardless of its quality;
- erode public accountability in wildlife management; and
- preclude full mitigation for certain agency actions that harm species.

Once again, we oppose this damaging bill which would dramatically weaken the ESA and make it harder, if not impossible, to achieve the progress we must make to address the alarming rate of extinction our planet now faces. Thank you for your attention.

Sincerely,

American Bird Conservancy  
Animal Legal Defense Fund  
Animal Welfare Institute  
Center for Biological Diversity  
Defenders of Wildlife  
Earthjustice  
Endangered Species Coalition  
Friends of the Earth  
Humane Society of the United States  
Humane Society Legislative Fund  
League of Conservation Voters  
Natural Resources Defense Council  
Oceana  
Sierra Club  
Western Watersheds Project  
WildEarth Guardians