

July 14, 2025

RE: Please Vote NO on H.R. 281

Dear Representative,

On behalf of our organizations and our millions of members and supporters, we are writing to urge you to vote NO on H.R. 281, the “Grizzly Bear State Management Act,” which is expected to be marked up in the House Natural Resources Committee tomorrow, July 15, 2025. This bill is damaging to the Endangered Species Act (ESA) and would thwart the Act’s highly effective science-based and collaborative efforts to protect imperiled species.

H.R. 281, sponsored by Rep. Harriet Hageman, requires the Secretary of the Interior to reissue a 2017 rule delisting the Greater Yellowstone Ecosystem (GYE) population of grizzly bears and bars judicial review of the reissued rule. As described in more detail below, this 2017 delisting rule was already held unlawful by the U.S. Court of Appeals for the Ninth Circuit. Further, the U.S. Fish and Wildlife Service (FWS) issued a January 2025 species status assessment and proposed ruling regarding grizzly bears in the “Lower 48” states. There, FWS, which must base its decisions on the best available scientific and commercial data, found that GYE grizzlies should remain listed as threatened under the ESA. H.R. 281 would override both the court’s decision and FWS’s science-based recognition that GYE grizzlies still need federal protection.

The grizzly bear is an iconic species of the American west, and its survival is owed to the ESA. In fact, the grizzly bear’s decline to less than 2% of its historic population from habitat loss and heavy-handed predator control programs was one of the factors prompting enactment of the ESA in 1973, and it was listed as threatened in the contiguous United States soon after enactment. FWS has identified six recovery areas; the bear is primarily found today in four geographic areas of the American west, including a population in the GYE. The grizzly bear populations in those locations are stable and growing, but conservationists remain concerned about the geographic and genetic isolation of those populations, the threat of increased human-induced mortality through hunting or predator control if they were delisted and management returned to the states of Montana, Wyoming, and Idaho, and the effects of delisting particular populations on grizzly bears in the rest of the lower-48 states.

FWS attempted to delist the GYE population of grizzly bears in 2017. Its delisting rule, which H.R. 281 would reinstate legislatively, was vacated by a federal district court in 2018, and its decision was affirmed by the U.S. Court of Appeals for the Ninth Circuit. The district court found that the FWS had not sufficiently assessed the effect of delisting the GYE population on the recovery of grizzly bears in the rest of the lower-48 States; that FWS

and the states had not committed to recalibrate potential new population estimators in the future to ensure the ongoing applicability of the 2016 GYE Conservation Strategy's mortality limits in the event hunting was authorized following delisting; and that FWS had inadequately analyzed the genetic health of the GYE grizzly bear population. FWS's January 2025 response to delisting petitions by Montana and Wyoming evaluated those issues, among other conservation concerns, and determined that delisting the GYE population is not warranted.

H.R. 281 attempts to override the careful scientific and regulatory review of the GYE grizzly bear status, superimposing Congress's political judgment for science and undercutting decades of work towards restoration. By barring judicial review, it also disregards and precludes the vital check and balance that the courts provide to ensure that agency decisions properly consider the best available science and comport with the law.

Again, we urge you to protect the ESA and the vulnerable species it safeguards by voting NO on H.R. 281. Thank you for your consideration.

Sincerely,

Animal Legal Defense Fund
Animal Welfare Institute
Animal Wonders KC
Carnivore Coexistence Lab
Center for Biological Diversity
Christian Council of Delmarva
Clean Water Action
Conserv-Acción, Chihuahua, Mexico
Conservation Law Foundation
DC Natives
Defenders of Wildlife
Earthjustice Action
Endangered Habitats League
Endangered Species Coalition
Environmental Center of San Diego
Environmental Integrity Project
FOUR PAWS USA
Friends of Merrymeeting Bay
Guardians of the Wolves
Heartwood
Humane World Action Fund

Humane World for Animals
International Fund for Animal Welfare
International Marine Mammal Project of Earth Island Institute
Large Carnivore Fund
Law Offices of Laurie E. Dallos, PLLC
Los Angeles Audubon Society
Micah Six Eight Mission
National Wolfwatcher Coalition
NYC Plover Project
Orleans Audubon Society
Prairie Hills Audubon Society (of Western S.D.)
Predator Defense
Project Coyote
Resource Renewal Institute
Rocky Mountain Wild
Save Animals Facing Extinction
Save Our Wild Salmon Coalition
Save the Manatee Club
Sawtooth Science Institute
Sierra Club
Species Unite
Team Wolf
The Urban Wildlands Group
Turtle Island Restoration Network
Watauga Riverkeeper
Western Nebraska Resources Council
Western Watersheds Project
Western Wildlife Outreach
WildEarth Guardians
Wilderness Watch
Wildlife for All
Wolf Conservation Center
Wyoming Untrapped
Wyoming Wildlife Advocates