

**Alaska Wilderness League * American Rivers * Animal Welfare Institute * Born Free USA
Center for Biological Diversity * Defenders of Wildlife * Earthjustice
Endangered Species Coalition * Howling For Wolves * Humane Society Legislative Fund
International Fund for Animal Welfare * League of Conservation Voters
National Parks Conservation Association * Natural Resources Defense Council
Oceana * Save Animals Facing Extinction * Sierra Club * WildEarth Guardians
Wildlands Network**

September 13, 2017

RE: Please Oppose H.R. 424, H.R. 717, H.R. 1274, H.R. 2603, and H.R. 3131.

Dear Representative:

The House Natural Resources Committee meets this week for a markup on several bills, including: H.R. 424, H.R. 717, H.R. 1274, H.R. 2603, and H.R. 3131. These bills threaten to undermine the Endangered Species Act and the species that benefit from its protections by prioritizing politics over science and undercutting citizens' ability to help enforce the law. On behalf of our millions of members and activists nationwide, we urge you to oppose these bills.

The Endangered Species Act is one of America's most effective environmental laws. It serves as an essential safety net for imperiled plants, fish, and wildlife, and has saved more than 99 percent of species listed under its care from extinction. The Endangered Species Act has seen such remarkable success because it relies on best-available science to make listing decisions, and empowers citizens to participate in and ensure adequate implementation of the law. As described in the below summaries, these bills attack the very foundation on which the Endangered Species Act was written.

Science shows that we are currently facing a sixth mass extinction. According to the latest scientific studies, three-quarters of all species could disappear in the coming centuries.¹ Members of Congress must protect the Endangered Species Act so it can continue working to save our nation's remaining plants, fish and wildlife from extinction. With this in mind, we urge you to vote no on these harmful bills.

H.R. 424 ("Gray Wolf State Management Act") would block federal Endangered Species Act protections for gray wolves in the Great Lakes states and Wyoming. Specifically, this bill -- which would be more aptly named the "War on Wolves Act" -- would overturn a federal district court decision and remove existing Endangered Species Act protections for gray wolves in Michigan, Minnesota, and Wisconsin. It would also codify a recent D.C. Circuit Court of Appeals decision that stripped Endangered Species Act protections for wolves in Wyoming. Further, the bill would prohibit future judicial review of both legislative wolf delistings. In doing so, this legislation would not only ignore the ESA's science-based decision making process, but would also undermine the rule of law and citizens' access to the courts more broadly.

¹ "Accelerated modern human-induced species losses: Entering the sixth mass extinction," *ScienceMag*. 2015. <http://advances.sciencemag.org/content/1/5/e1400253>

H.R. 717 (“Listing Reform Act”) would put a price on species conservation by enabling the U.S. Fish and Wildlife Service to determine that a species that would normally be listed as threatened would not receive those protections if there are economic impacts. It would also completely gut the citizen petition process for listing species by removing all the deadlines that have historically allowed citizens to have their petitions ruled on in a timely fashion. The Endangered Species Act was written to ensure that listing decisions are based on the best available science—not politics. Yet this legislation would prioritize political power over science in determining whether our nation’s most endangered wildlife deserves protection.

H.R. 1274 (“State, Tribal, and Local Species Transparency and Recovery Act”) would subvert the Endangered Species Act’s science-based listing process by allowing *any* information provided by states, tribes, or counties to constitute “best available science.” By automatically assuming such a broad swath of information to be defined as such without any scientific input or review, the bill contradicts the meaning of “best available science.” Moreover, H.R. 1274 would direct the federal government to utilize state and local data in its listing decisions, regardless of whether the data is based in science. H.R. 1274 is not only contradictory, but duplicative: under the Endangered Species Act, the federal government already works extensively with the states, considers state and local data when making listing decisions, and notifies affected states of proposed listing determinations.

H.R. 2603 (“Saving America’s Endangered Species Act”) would strip Endangered Species Act protections for non-native species within the United States. It would eliminate federal protections for individual animals of listed foreign species in the United States, including chimpanzees, tigers, elephants, addax, several species of antelope, several species of parrots, pangolins and giant pandas. The legislation would obstruct the U.S. Fish and Wildlife Service’s ability to regulate illegal wildlife trafficking or issue permits for exhibitors of foreign endangered and threatened species. Despite this bill’s misleading name, eliminating permitting requirements for foreign species under the Endangered Species Act will not benefit American species – it would only harm some of the most severely endangered species in the world and contribute to the decline of foreign species on the brink of extinction.

H.R. 3131 (“Endangered Species Litigation Reasonableness Act”) threatens to undercut citizen engagement and enforcement of the Endangered Species Act by impeding upon citizens’ ability to obtain counsel and challenge illegal government actions. Under H.R. 3131, citizens who successfully challenge illegal government actions under the ESA would be subject to fee recovery restrictions that could make it difficult for them to obtain counsel. In doing so, H.R. 3131 would make it easier for governmental officials to violate the law with impunity.

Please protect the Endangered Species Act, our nation’s most effective and important law for species conservation, by voting “no” on **H.R. 424, H.R. 717, H.R. 1274, H.R. 2603, and H.R. 3131.**

Thank you for your consideration.

Sincerely,

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