

29 March, 2023

Subject: Organizations Oppose H.R. 615, Support Sportspeople-Led Conservation and Secretarial Land Stewardship

Dear Representative,

The undersigned conservation groups are writing in staunch opposition to H.R. 615 – Protecting Access for Hunters and Anglers Act of 2023.¹ H.R. 615 would prohibit the Secretaries of Interior and Agriculture from regulating the use of lead ammunition or tackle on certain Federal land or water under their jurisdiction. In short, it would bar the Secretaries from being able to protect and steward the lands and wildlife under their purview, and protect hunters and anglers from dangerous lead ammunition and fishing tackle.

The title of H.R. 615 wrongly creates the illusion that it protects access for hunters and anglers on Federal lands, but in reality, it restricts the ability to replace lead ammunition with commonly used non-lead ammunition. Moreover, hampering the authority of the Secretaries to carry out their duties could put endangered species such as the California Condor, and protected species such as Bald and Golden Eagles at risk.

Lead has been banned from our gasoline, paint, and pipes. Millions of dollars are spent annually combatting its effects in our homes and businesses. In 1991 the U.S. Fish & Wildlife Service banned the use of lead ammunition for hunting waterfowl nationwide, preventing the unnecessary killing of millions of waterfowl, which ingest spent ammunition alongside the pebbles they swallow to aid digestion. Lead ammunition and tackle used in other forms of hunting and fishing still poisons the birds and other wildlife that ingest it—either swallowing it like waterfowl or scavenging on carcasses and gut piles containing embedded lead shot or fragments of lead ammunition.

The bill does carve out an exception for declines in wildlife populations on a specific unit of land caused discretely by lead ammunition or tackle. However, this is an impossible standard to meet as population monitoring data is not available at the unit scale in most cases.

The bill also allows for the handful of actions taken by a State wildlife agency to control lead ammunition and tackle to continue. However, State wildlife agencies have historically not taken adequate measures to protect wildlife or educate sportspeople about lead alternatives (with a very few notable exceptions). State wildlife agencies, however, have no jurisdiction over National Parks, National Forests, the National Landscape Conservation System, the Public Lands System, or National Wildlife Refuges – it is an inherently federal responsibility to manage and conserve these areas.

- In a survey of all 50 State wildlife agency websites in 2022, only 8 had easily accessible information about lead toxicity and alternatives
- The National Parks Service lists lead ammunition as the greatest threat to the California Condor²
- The United States Geological Survey lists lead ammunition as a population-level threat to Bald and Golden Eagles³
- Lead has been shown to impair the recovery of the still-fragile Bald Eagle⁴
- Lead poisoning affects over 75 species of bird annually⁵
- An estimated 16 million US birds are killed annually by lead poisoning (though this figure is likely an underrepresentation)
- Mammalian carnivores are also at risk; poisonings are documented in Black Bears, Grizzly Bears, Cougars among many others⁶

The Presidential Memorandum on Restoring Trust in Government Through Scientific Integrity and Evidence-Based Policymaking directs the heads of all departments and agencies to “make evidence-based decisions guided by the best available science and data.”⁷ The best available science and data are clear; lead poisoning is a major threat for wildlife. We urge you to defer to the expertise of the government scientists and experts that are enmeshed in the issue.

Non-toxic steel, copper, and alloy bullets and non-lead fishing tackle are affordable and available in all 50 states. Hunters and anglers in states and areas that have restrictions or have already banned lead have made successful transitions to non-toxic ammunition and tackle. Over a dozen manufacturers of bullets have designed and now market many varieties of non-lead, non-toxic bullets and shot with satisfactory to superior ballistic characteristics. Moreover, sportspeople that use non-lead ammunition carry on the proud tradition of wildlife conservation by preventing animals from being exposed to lead.

We believe the pathway to less-toxic environments and fewer wildlife poisonings is paved with more sportsperson education, widely accessible non-toxic ammunition and tackle exchange programs, informed decisions by individuals and communities, and regulatory action where applicable.

Decisions on public lands lead prohibitions fall squarely within the responsibilities of the Secretaries of Interior and Agriculture. H.R. 615 is not a bill which would protect sportspeople; it is legislation which encumbers conservation personnel and comes at the cost of millions of needless wildlife poisonings every year. The Citizens, State Wildlife Agencies, States, and Federal Agencies of America should all act within the best interests of wildlife health. H.R. 615 is not in service of any of them.

We strongly urge you to oppose H.R. 615 and consider any legislation or regulation which creates toxic ammunition and tackle exchange programs, sportsperson education initiatives, or decreases the likelihood of wildlife poisonings from lead.

Sincerely,

American Bird Conservancy

Center for Biological Diversity

Earthjustice

Hawk Migration Association of North America

International Bird Rescue

National Wildlife Refuge Association

National Wildlife Rehabilitators Association

Public Employees for Environmental Responsibility

Sierra Club

¹ <https://www.congress.gov/bill/118th-congress/house-bill/615/text?s=1&r=1>

² <https://www.nps.gov/subjects/condors/threats.htm>

³ Slabe, V. et al. (2022). Demographic implications of lead poisoning for eagles across North America. *Science*. doi: 10.1126/science.abj3068

⁴ Hanley, B. et al. (2022) Environmental lead reduces the resilience of bald eagle populations. *The Journal of Wildlife Management*, 86(2). <https://doi.org/10.1002/jwmg.22177>

⁵ Fisher, I., Pain, D., and Thomas, V. (2006). A review of lead poisoning from ammunition sources in terrestrial birds. *Biological Conservation* 131. DOI: 10.1016/j.biocon.2006.02.018

⁶ Rogers, T. (2010). Lead exposure in large carnivores in the greater Yellowstone ecosystem. *University of Montana Graduate Student Theses, Dissertations, & Professional Papers*. 615. <https://scholarworks.umt.edu/etd/615>

⁷ <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/memorandum-on-restoring-trust-in-government-through-scientific-integrity-and-evidence-based-policymaking/>