

**Congress of the United States**  
**Washington, DC 20515**

September 12, 2018

The Honorable Paul Ryan  
U.S. House of Representatives  
1233 Longworth House Office Building  
Washington, DC 20515-4901

The Honorable Nancy Pelosi  
U.S. House of Representatives  
233 Cannon House Office Building  
Washington, DC 20515-051

**Re: Reject FY 2019 Appropriations Riders that Undermine the Endangered Species Act**

Dear Speaker Ryan and Minority Leader Pelosi:

We write to express our great concern over a number of harmful provisions in the FY 2019 Department of the Interior, Environment, and Related Agencies Appropriations Act (H.R. 6147) that would undermine endangered species conservation and threaten one of our country's most important wildlife conservation laws: the Endangered Species Act. We urge you to ensure that these controversial and far-reaching provisions are not included in final spending legislation for FY 2019.

The appropriations process has become a perennial magnet for provisions and amendments that seek to make significant changes to U.S. environmental policies. Rather than taking their policy proposals to the appropriate authorizing committees, many members have instead opted to insert them into appropriations bills, often without full consideration by Congress. These misguided efforts weigh down the important process to fund the federal government. We very much appreciate that the final FY 2018 omnibus appropriations package enacted earlier this year did not contain any new riders undermining endangered species conservation, and we continue to object to all such riders in the FY 2019 bill. This letter focuses on the eleven provisions (Sections 115, 116, 117, 437, 438, 440, 441, 461, 462, 464, and 465) currently in H.R. 6147 aimed at weakening the Endangered Species Act — a law that continues to serve as our nation's most effective law in protecting wildlife in danger of extinction.

When Congress passed the Endangered Species Act with near-unanimous support, species were struggling to survive in the face of unmitigated human-caused threats to their existence. Since the Endangered Species Act was enacted, many of these species have rebounded over the course of just a few decades, including the bald eagle, the brown pelican and the humpback whale. Ninety-nine percent of species that have been protected under the Endangered Species Act have been saved from extinction, and many are once again thriving. We have a moral responsibility to continue to be good stewards of our environment and protect our natural resources for future generations. That translates into maintaining a strong federal Endangered Species Act that relies on sound science to guide decision-making. Polling shows that 90 percent of American voters

support the Endangered Species Act and 71 percent believe scientists should make decisions about how to protect imperiled species, not politicians.

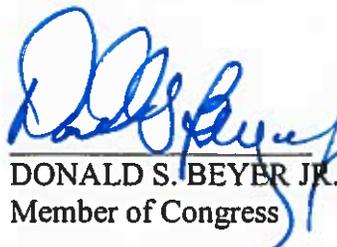
Nevertheless, the FY 2019 Interior/EPA bill that passed the House contains nearly a dozen provisions that undermine endangered species conservation by targeting and denying federal protections for certain imperiled species. One would prevent the US. Fish and Wildlife Service (FWS) from taking any steps to list the greater, Columbia basin, or bi-state sage-grouse under the Endangered Species Act, even if these populations decline further. Another would block Endangered Species Act protections for wolves in the Midwest; codify a court decision that delisted wolves in Wyoming; and obstruct citizens' ability to go to court to challenge these delistings. Still another provision would defund recovery measures for gray wolves throughout the entire continental United States, even though wolves currently inhabit only 15 percent of their historic range. Under additional provisions, FWS would be prohibited from listing other individual species, such as the Preble's meadow jumping mouse and the lesser prairie chicken, while other provisions would reduce protections for the marbled murrelet in Washington State and prevent restoration of grizzly bears to the North Cascades ecosystem. Such decisions should be based on the best available science, rather than political considerations that fall outside the framework of the Act.

Still another provision would block federal funding for listed species if the FWS or National Marine Fisheries Service (the Services) fail to complete their five-year reviews on time. Unfortunately, the Services are woefully underfunded and continue to lack the resources to complete timely reviews. If passed, this legislative language would halt all federal conservation actions for approximately 700 endangered and threatened animals and plants with past-due five-year reviews. This translates to more than 40 percent of protected U.S. species. Endangered and threatened species should not be made to suffer and decline toward extinction because the Services lack adequate funding to fulfill their responsibilities. Finally, the bill includes provisions that limit access to the courts by barring citizens' ability to recover legal fees after they successfully challenge an agency, and by precluding judicial review for existing and proposed water projects in California that threaten salmon runs and other native fish.

We urge you to use your positions of leadership to uphold our nation's legacy of protecting our natural heritage for future generations of Americans and reject the inclusion of any of these attacks on the Endangered Species Act and wildlife in any final bill to fund the federal government. Thank you for your consideration.

Sincerely,

  
ALAN LOWENTHAL  
Member of Congress

  
DONALD S. BEYERS JR.  
Member of Congress

  
DEBBIE DINGELL  
Member of Congress



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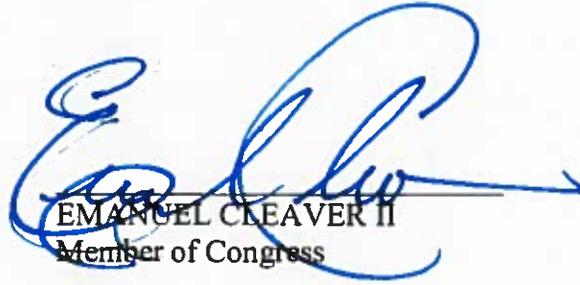
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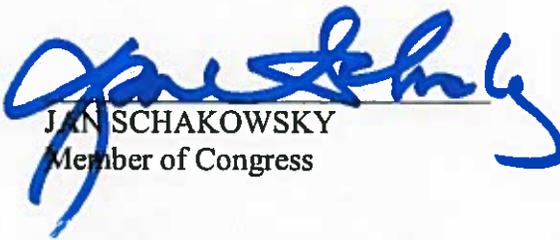
BRIAN HIGGINS  
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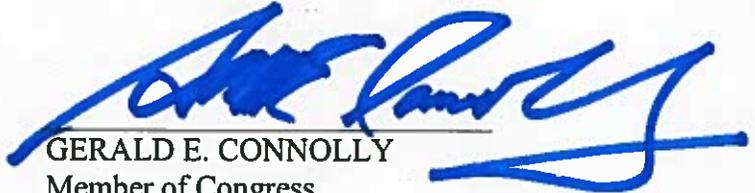
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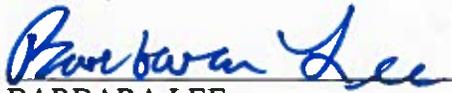
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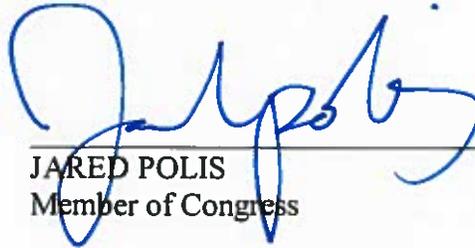
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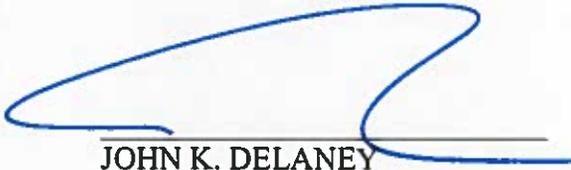
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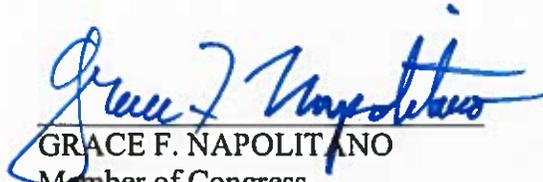
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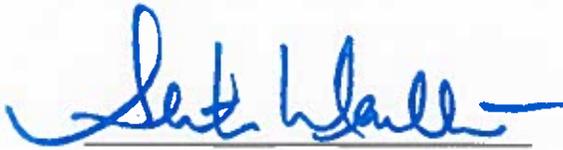
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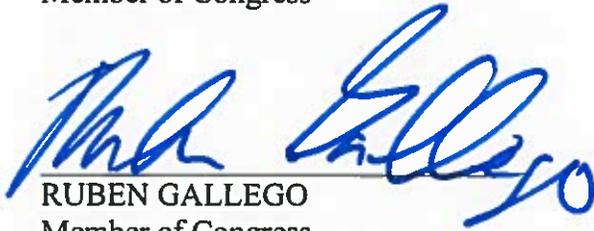
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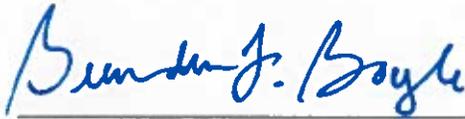
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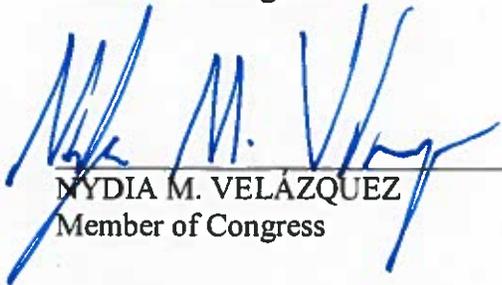
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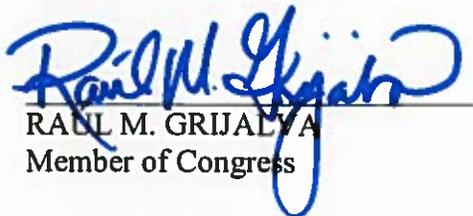
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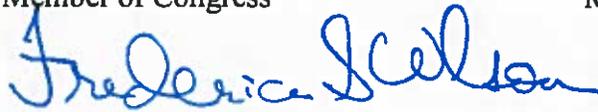
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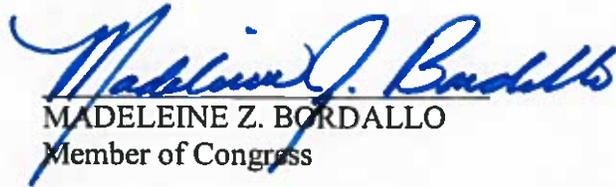
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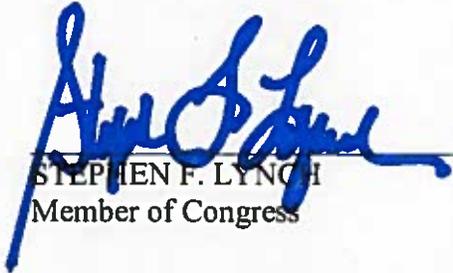
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SHEILA JACKSON LEE  
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BOBBY L. RUSH  
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COLLEEN HANABUSA  
Member of Congress



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MICHELLE LUJAN GRISHAM  
Member of Congress