

**Society for Conservation Biology
The Wildlife Society
Ecological Society of America
American Statistical Association**

July 25, 2011

Speaker of the House John Boehner
Minority Leader Nancy Pelosi
Members of Congress

Dear Mr. Speaker, Ms. Majority Leader, Members of Congress

RE: Please vote for the Dicks Amendment to strike the ban on listing endangered species.

We, the undersigned scientific societies write to urge you to actively oppose any legislation that would undercut the use of the best available science as the basis for implementing our conservation, environmental and public health laws and support amendments such as that of Rep. Dicks to remove provisions to limit the functions of environmental laws. Rapid adoption of such legislation without full public notice and balanced hearings is particularly dangerous, and that is what is now being advanced in the House consideration of the Interior and several other Appropriations bills to fund the operations of the government for Fiscal Year 2012.

Such provisions cut off the normal process of reviewing the scientific evidence on the record and determining how best to apply that evidence to the job of protecting public health and the nations' natural resources. Careful procedures are now being put in place at the agencies to protect the integrity of that science. If necessary, agency decisions are reviewed in the courts, with the active participation of experts on both sides, to determine whether that evidence and the rules it supports meet the requirements of the law. The ban on listing species as endangered or threatened could prevent emergency measures to save species such as spotted frogs that may provide new medicines to treat antibiotic-resistant microbes.

Many of the proposed provisions in the House Interior Appropriations bill would not reform the process to improve the use of science, but do the opposite. They would dismiss the science-based process policy makers have used since the adoption of the Administrative Procedures Act, a model for open and rational government in the modern world.

Just one example is a set of several amendments to block the implementation of major elements of the Endangered Species Act. As approved by the Appropriations Committee the Interior appropriations bill would, among other things:

- halt all new listings and any up-listings from threatened to endangered,
- halt all new designations of critical habitat,
- block limitations based on the ESA and Clean Water Act for spraying specific pesticides near the streams of listed salmon that are vulnerable to these broad-spectrum toxins, and

- block judicial review of future wolf de-listings, sight unseen
- block limits on sheep grazing designed to protect threatened big-horned sheep

The Endangered Species Act is the most critical law for ensuring the protection of threatened and endangered wildlife in our country and requires rules based on the principles of science, not politics.

We strongly urge you to oppose any legislation that would circumvent the use of the best available science in ESA decision making. We offer you our services as an alternative to lightning-speed legislative decisions on such issues. In the ESA itself, for example, Congress recommended in Section 4(b)(5)(C) – that the Secretary seek the advice of professional societies on major listing and delisting decisions before making his decision. Many of our members also serve on recovery teams across the country helping to make sure that the work to restore listed species is practical and effective and brings the best available science to bear.

We stand ready to help make the implementation of the ESA and other bedrock environmental laws as responsive and responsible as possible, for the good of the nation, and as an example to a world that is now earnestly seeking models of enlightened government.

If you suspect there is a real problem with the implementation of these laws, please cite in your committee reports the peer reviewed evidence that you have to support your actions, or ask the scientific community to help you sort fact from fiction. We will be glad to help develop science-based improvements in statutes where they are warranted, just as we are working with the Administration to improve the regulations implementing these laws.

Until then, please reject these riders and other provisions that would prevent science from being the driving force that it was meant to be in applying the modern laws of a great democracy, supported by scientific evidence, on the public record.

Sincerely,

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