Congress of the United States
Washington, DC 20515

September 20, 2005

The Honorable Richard Pombo
Chairman
House Committee on Resources
1324 Longworth House Office Building
Washington, DC 20515

The Honorable Nick J. Rahall, II
Ranking Member
House Committee on Resources
1329 Longworth House Office Building
Washington, DC 20515

Dear Chairman Pombo and Ranking Member Rahall:

We understand that you are discussing legislation that may have serious impacts on our ability to protect threatened and endangered plant and animal species. As you know, the Endangered Species Act has prevented the extinction of hundreds of species since its passage 32 years ago. According to the U.S. Fish and Wildlife Service, more than 99% of the species listed as endangered have been saved from extinction and more than two-thirds of listed species with known trends are stable or improving.

In light of those facts, we would like to provide you with a number of critical principles that we believe must be included in any attempt to take legislative action concerning the Endangered Species Act:

Existing law should not be weakened, nor should changes be adopted that would alter the original intent of the Endangered Species Act. The Act was written to protect all plants and animals in the United States from extinction and to restore them to stable populations. Limiting protections for imperiled species now would serve only to make protection and recovery much more difficult and expensive in the future.

Habitat protections for threatened and endangered species should not be weakened. The loss of habitat is widely considered by scientists to be the primary cause of species extinction and endangerment. Preservation of habitat is an essential element to any and all efforts to protect and recover endangered species.

Maintain the mandate for the Endangered Species Act to work towards recovery. The Endangered Species Act requires not only that we protect species from extinction but also that we recover species to the point where protection is no longer needed. Merely maintaining the survival of a species contradicts the spirit and letter of the law, which is why we need to hold federal actions to the standard of recovering species.

Avoid unnecessary hurdles to public participation. Citizen input and oversight are vital to good Endangered Species Act decisions and management.

Uphold the scientific process behind Endangered Species Act decisions. The scientific review of matters relating to the Endangered Species Act is already sufficiently rigorous. Adding another layer of bureaucracy would serve only to slow the process, to the detriment of both the species in question and affected citizens.

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A sunset or expiration should not be placed on the law. While vigilant Congressional oversight is critical to the success of any law, putting an arbitrary expiration date on the Endangered Species Act would place the protection of species at the mercy of the legislative calendar.

Thank you for considering our input on this important issue.

Sincerely,

Tom Udall
Member of Congress

John D. Dingell
Member of Congress

Bobby L. Rush

Tom Lantos

Carolyn B. Maloney

Jerrold Nadler

Nita Lowey

Doris O. Matsui

Stephen F. Lynch

Barbara Lee

Lois Capps

Hilda L. Solis

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Grace F. Napoletano

Carolyn C. Kilpatrick

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Robert Menendez

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