

Society for Conservation Biology

The Wildlife Society

Ecological Society of America

February 17, 2011

Senate Majority Leader Harry Reid

Speaker of the House John Boehner

Dear Mr. Majority Leader and Mr. Speaker,

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. 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 Continuing Resolution to fund the operations of the government.

Such amendments 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.

Many of the proposed provisions in the House Continuing Resolution, H.R. 1, and scores of amendments offered to it, would not reform the process to improve the use of science, but do the opposite. They would halt the public comment and judicial review processes, defund state, private and federal cooperative conservation programs based on science, and replace them with directives supported by particular interests, often far more parochial than national. Many of the amendments would dismiss the scientific process and information 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 delist either all or some wolves from the Endangered Species Act.

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. To weaken the Act for political purposes would undermine the Act's very purpose and endanger all of the species that the Act is designed to protect. We are concerned that these proposals forgo any scientific determination of whether the species, or populations of the species, have recovered and whether sufficient regulatory mechanisms are in place to ensure the species' survival. The recovery of the gray wolf is one of our country's greatest endangered species success stories. In the northern Rocky Mountains wolves have returned key predator-prey dynamics to the ecosystem and Yellowstone National Park. Their presence is celebrated by many Americans through wildlife viewing and tourism. While we understand that management of wolves may be necessary once they are delisted, to remove protections from wolves outside the Endangered Species Act process would be to shortchange and reverse the incredible success story that this species' recovery has been.

As noted above, our concerns go beyond the gray wolf. If Congress were to remove protections for the gray wolf, the fate of every species on the endangered species list and the ecosystems on which they and we depend would be in question. Like the wolf, many of these species play important ecological roles in their ecosystems providing services upon which all life depends. To undermine the careful and thoughtful scientific process that determines whether a species is endangered (or recovered) would jeopardize not only the species in question, but also the very foundations of the ecosystems that sustain us all.

We strongly urge you to oppose any legislation that would circumvent the use of the best available science in ESA decision making and offer you our services as an alternative to overnight legislative decisions on such issues. The ESA itself recommends in Section 4(b)(5)(C) on listing and delisting decisions – that the Secretary seek the advice of professional societies on major listing and delisting decisions before making his decision. We stand ready to help make that process 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.

Sincerely,

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