

June 30, 2016

President Barack Obama  
The White House  
1600 Pennsylvania Avenue NW  
Washington, DC 20500

Dear Mr. President:

On behalf of tens of millions of Americans concerned with bird and wildlife conservation, we urge you to move forward immediately with rules supporting and clarifying the scope of one of our country's longest standing and most successful conservation laws, the Migratory Bird Treaty Act (MBTA).

Specifically, we request that by October 7 the Fish and Wildlife Service publishes for public review and comment a rule that defines incidental take under the MBTA and establishes both the framework through which incidental take permits will be issued and the appropriate standards to ensure incidental take of migratory birds is appropriately minimized and mitigated.

Approximately one hundred years ago, the MBTA prevented the wanton destruction of birds for the plume trade and unregulated commercial hunting that threatened to wipe bird species off the face of the earth. Today, we have the same obligation to protect migratory bird species from modern threats like unmanaged and unmitigated oil waste pits and power lines built without simple design adjustments to prevent bird electrocutions.

As it stands now, inconsistent application of MBTA provisions in federal courts have created significant uncertainties for the Service and for the regulated community. These industries may be exposed to different criminal penalties depending on their jurisdiction. A permit rule would provide much needed clarity and certainty for all affected parties, as well as conservation of migratory birds under the MBTA.

We urge you to move forward with this crucial rulemaking to support and clarify one of America's most successful conservation laws. We would welcome the opportunity to discuss the matter at your convenience.

Thank you for your conservation leadership, and for considering our urgent and important request.

Sincerely,

David Yarnold  
President  
National Audubon Society

Jamie Clark  
President and CEO  
Defenders of Wildlife

David Goldston  
Director, Government Affairs  
NRDC

George Fenwick  
President  
American Bird Conservancy

Michael Brune  
Executive Director  
Sierra Club

Collin O'Mara  
President and CEO  
National Wildlife Federation

Wm. Robert Irvin  
President and CEO  
American Rivers

Robert Wendelgass  
President  
Clean Water Action

Fred Krupp  
President  
Environmental Defense Fund

Margie Alt  
Executive Director  
Environment America