



Bird Conservation Issues and Opportunities in the 116th Congress



ABC CONTACTS

Steve Holmer, Vice President of Policy,
202 888 7490, sholmer@abcbirds.org,
(ESA and Public Lands)

Jennifer Cipolletti, Director of
Conservation Advocacy, 202 888 7476,
jcipolletti@abcbirds.org
(Appropriations)

Holly Goyert, Wind Energy Campaign
Director, 202 888 7471,
hgoyert@abcbirds.org

Grant Sizemore, Invasive Species
Program Director, 202 888 7480,
gsizemore@abcbirds.org

Christine Sheppard, Collisions Program
Director, 646 661-1862,
cshppard@abcbirds.org

Chris Farmer, Hawaii Program Director,
808 987 1779, cfarmer@abcbirds.org

Hannah Nevins, Seabird Program
Director, 808 333 4469,
hnevins@abcbirds.org

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More than 60 million Americans care deeply about birds, and bird-related recreation contributes more than \$36 billion to our economy. Birds also act as the "canary in the coal mine" for our environment and provide valuable benefits to society, from pollination to pest control. But birds are in trouble, with many declining in population or facing extinction.

As the 116th Congress is considering wildlife and public lands legislation, American Bird Conservancy (ABC) respectfully requests support for the following opportunities to advance bird conservation:

Strengthening the Migratory Bird Treaty Act

Migratory birds, federally protected by the Migratory Bird Treaty Act (MBTA), contribute to the U.S. economy in many ways, providing essential ecological services such as pest control, pollination, and seed dispersal -- worth billions to U.S. farmers, consumers, and ecotourism. The [State of North America's Birds 2016](#) report found that more than one third of our migratory bird species are in steep decline and under extreme pressure from cumulative threats—habitat loss, invasive species, window collisions, and pesticides.

Weakening the MBTA would undermine the current system of wildlife management and eliminate the current incentive to minimize preventable bird mortality. What's needed is a strengthening of MBTA by creating incidental take permitting that now helps conserve eagles and endangered species.

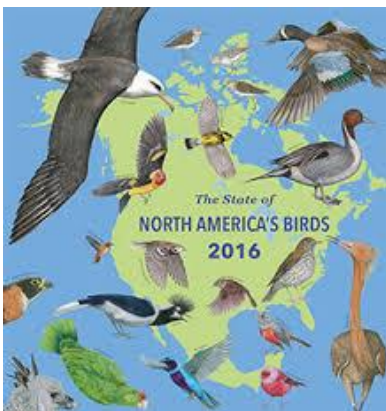
Please oppose any legislation or amendment that would eliminate or weaken the Migratory Bird Treaty Act, and when introduced, please cosponsor legislation that would reinforce the Act's protections and establish an incidental take permitting system to reduce preventable bird mortality.



Wind turbines and birds by Enrique Ramos, Shutterstock



Laysan Albatross and chick by Cameron Rutt



Climate Solutions and Bird Smart Wind Energy

Wind energy developments are rapidly proliferating on federal, state, and private lands, but there is an inadequate framework to make developments [bird smart](#), (i.e. siting away from important bird areas and preventing or mitigating unintentional mortality).

In addition to creating a general migratory bird incidental take permit and mitigation fund for wind facilities, [American Bird Conservancy's Climate Solutions report](#) recommends that incentives for energy efficiency, distributed solar, and [bird smart wind energy be included in tax extensions or other policies intended to promote renewable energy development.](#)

Reducing Bird Collisions with Government Buildings

Reps. Mike Quigley (IL) and Morgan Griffith (VA) have reintroduced the Bird-Safe Buildings Act, [H.R. 919](#), to prevent the deaths of millions of birds by calling for each public building constructed, acquired, or significantly altered by the GSA to incorporate, to the maximum extent possible, bird-safe building materials and design features. It also calls for monitoring to identify problem buildings/locations for collisions. We anticipate Senate introduction soon.

[ABC recommends passage of this legislation. Please cosponsor the Bird-Safe Buildings Act.](#)

Albatross and Petrel Conservation Act

Rep. Alan Lowenthal (CA) has introduced legislation, [H.R. 1305](#), implementing the Agreement on the Conservation of Albatrosses and Petrels (ACAP) a multilateral agreement which seeks to conserve albatrosses and petrels by coordinating international activity to mitigate known threats to their populations. The U.S. is a world leader in improving bird-friendly mitigation practices to reduce accidental bycatch, and our participation in the agreement can help encourage other nations to make similar progress. The Senate Foreign Relations Committee must give its advice and consent for ACAP to move forward towards ratification.

[ABC urges Representatives to cosponsor the bill and the Senate to ratify and pass implementing legislation.](#)

North American Wetlands Conservation Act (NAWCA)

Bills have been introduced in the House, [H.R. 925](#) by Rep. Mike Thompson, and Senate, S. 261 by Sen. Martin Heinrich, to reauthorize this essential habitat conservation program at \$60 million per year. NAWCA works to protect and restore quality wetland and associated upland habitat in the U.S., Canada and Mexico. Federal and non-federal funding through NAWCA has resulted in the conservation of more than 27.5 million acres of wetlands and associated uplands across North America. These projects promote long-term protection of acquired habitats and, due to the highly competitive grant process, each federal dollar is matched by at least \$2 on average.

[ABC recommends reauthorization. Please cosponsor the legislation.](#)



Greater Sage-grouse by Tom Reichner, Shutterstock



Marbled Murrelet, Photo by Thomas Hamer.

Reducing Pesticide Impacts to Birds

The Environmental Protection Agency is appealing a court-ordered ban on chlorpyrifos, a pesticide harmful to human health and wildlife. Rep. Nydia Velázquez has introduced legislation, [H.R.230](#), The Ban Toxic Pesticides Act of 2019, to make the ban permanent. Sen. Tom Udall has introduced a similar bill, S. 921. Saving America's Pollinators Act, [H.R. 1337](#), introduced by Rep. Earl Blumenauer (D-OR), would suspend registration for neonicotinoid insecticides, or "neonics," which are causing serious harm to birds, bees, and aquatic life pending thorough review and field study of the adverse effects. Rep. Velázquez has also introduced the *Protect our Refuges Act of 2019* that bans this harmful pesticide by canceling current registration and prohibiting any future use of neonicotinoid pesticides on all National Wildlife Refuges.

[ABC recommends passage of these bills. Please cosponsor the Saving America's Pollinator Act, H.R. 1337, the Protect our Refuges Act, and the Ban Toxic Pesticides Act, H.R. 230/S.921.](#)

Endangered Species Act

The Endangered Species Act has a demonstrated track record of success and is an essential lifeline for species sliding towards extinction. In ABC's report, [The Endangered Species Act: A Record of Success](#), we found that 41 birds listed under the ESA have increasing populations, and several have grown more than tenfold since being listed. Keeping the law intact and increasing recovery funding are the current top needs. [ABC urges opposition to proposals to weaken protections of the Endangered Species Act or to exempt individual species such as Greater Sage-Grouse from its application.](#)

Sage Grouse Conservation Undermined by Plan Revisions and Endangered Species Act Listing Exemption

As a result of harmful changes to federal land management plans, the scrapping of the proposed 10-million-acre mineral withdrawal, weakened adaptive management requirements, the loss of the net benefit mitigation policy, and continuing population declines and range contraction, the Greater Sage Grouse is again in serious trouble and in need of stronger protection. Grouse have been exempted from ESA protection since 2014. No species should be exempt from the Endangered Species Act. **It is essential that the Greater Sage-Grouse be eligible for ESA if it is needed. Please support removing the grouse ESA rider.**

The Botanical Sciences and Native Plant Materials Research, Restoration, and Promotion Act

Representative Quigley (D-IL) and co-sponsor Representative Rooney (R-FL) reintroduced the "Botany Bill" H.R. 1572. The bill improves research on the conservation and management of native plants, including rare and endangered species, increases funding and staffing for federal botany programs, and improves management, restoration and conservation of native plant communities on federal lands. [ABC recommends passage. Please cosponsor the Botany bill.](#)

Amend Real ID Act to Restore Environmental Laws

New Mexico Senators Tom Udall and Martin Heinrich have introduced, [S. 254](#), to revoke the Department of Homeland Security's ability to waive federal laws in order to construct barriers on the southern border of the U.S. That power comes from the 2005 Real ID Act. [ABC urges passage of this bill.](#)

Scientific Integrity Act

Sen. Brian Schatz and Rep. Paul Tonko have introduced the Scientific Integrity Act (S. 775/H.R. 1709) to ensure best use of science in government decisions. The bill would promote the public interest by ensuring scientists can carry out their research—and share it with the public—without fear of political pressure or retaliation. It would prohibit political appointees from altering or suppressing scientific findings. [Summary](#) and [bill text](#) (House & Senate versions are identical)

Forage Fish Protection

Rep. Debbie Dingell and Rep. Brian Mast have introduced bipartisan legislation, H.R.2236 - to improve the management of forage fish which will benefit seabirds.

Antiquities Act of 2019

Sen. Tom Udall (D-NM) and Representatives Deb Haaland and Ruben Gallego and over 100 total cosponsors in the House and Senate have introduced the Antiquities Act of 2019. The bill would reiterate the President lacks the authority to revoke or reduce national monument protections, and codify the boundaries of 51 other national monuments designated or expanded since 1996.

Arctic Cultural and Coastal Plain Protection Act

Representative Jared Huffman (D-CA) has introduced a bill, H.R. 1146, to restore protections to the Arctic National Wildlife Refuge. The bill reverses a provision included in the 2017 tax bill that mandates opening the Refuge's coastal plain to oil and gas exploration and drilling. [American Bird Conservancy recommends passage. Please cosponsor H.R. 1146.](#)

Northern Rockies Ecosystem Protection Act

Representative Carolyn B. Maloney (D-NY) has introduced the Northern Rockies Ecosystem Protection Act (NREPA), H.R.1321, to protect 23 million acres of wildlands across five states of the Northern Rocky Mountains in Idaho, Wyoming, Montana, Oregon and Washington. [American Bird Conservancy recommends passage. Please cosponsor H.R. 1321.](#)

Wildlife Corridors Conservation Act

This bill will channel unprecedented resources toward the creation of wildlife corridors nationwide. U.S. Representative Don Beyer (D-VA) and Senator Tom Udall (D-NM) introduced, H.R. 7232, the Wildlife Corridors Conservation Act, in the 115th Congress. [ABC recommends passage of the Wildlife Corridors Conservation Act.](#)

Recovering America's Wildlife Act

This bill ([H.R. 4647](#) in the 115th Congress) would substantially increase funding for state wildlife agencies to halt the current decline of hundreds of species. The bill redirects \$1.3 billion of existing revenue annually to state-led wildlife conservation efforts, to implement their State Wildlife Action Plans and conserve threatened and endangered species. We anticipate reintroduction in the near future. [ABC recommends passage of Recovering America's Wildlife Act.](#)

Secure Rural Schools Act

The Secure Rural Schools Act is an important law to help support rural communities with large federal landholdings, and to ensure the forest management on federal lands remains at sustainable levels. [ABC recommends reauthorization of Secure Rural Schools that is not tied to timber sale receipts.](#)

For more information please contact Steve Holmer, Vice President of Policy, 202 888 7490, sholmer@abcbirds.org, or Jennifer Cipolletti, Director of Conservation Advocacy, 202 888 7476, jcipolletti@abcbirds.org.