



**Steve Holmer, Vice President of Policy, American Bird Conservancy  
 Subcommittee on Interior, Environment, and Related Agencies for U.S. Fish and  
 Wildlife Service, U.S. Forest Service, BLM, USGS, Environmental Protection Agency**

To help bolster programs needed to reverse bird declines and the loss of three billion birds since 1970, American Bird Conservancy respectfully requests continued funding increases for bird conservation programs in the FY 2023 Interior Appropriations bill. These include the Neotropical Migratory Bird Conservation Act (NMBCA), Migratory Bird Joint Ventures, and ESA recovery.

Congress can take effective action to fight climate change by protecting carbon-dense old growth forests, establishing mitigation policies, and emphasizing development of low-impact distributed solar energy. Funds are needed to research solar energy producing glass products that reduce bird collisions, and to mitigate wildlife impacts from renewable energy development. Thank you for considering these requests.

**FY 23 Bird Conservation Recommendations (all figures in millions)**

Program	FY21 Final	FY 22 Final	FY 23 President’s Budget	FY 23 House	FY 23 Senate	<b>FY 23 to Bring Back Birds (ABC Recommendation)</b>
Neotropical Migratory Bird Conservation Act	\$4.9	\$5.0	\$7.9	\$5.1	\$5.5	<b>\$20</b>
Migratory Bird Joint Ventures	\$15.1	\$15.56	\$18.09	\$17.3	\$16.34	<b>\$20</b>
State of the Birds & mosquito project	\$3.50	\$3.75	\$3.5	\$6.75	\$5.0	<b>\$20</b>

And we greatly appreciate the following commendable FY 23 House Interior bill report language that provides direction to federal agencies to reduce bird collisions with windows:

All agencies under the jurisdiction of this Act are directed to monitor visitor and nature centers and office buildings for bird collisions with glass to address bird collision risk. At a minimum, facilities identified as high-risk should take low cost or no cost action, such as turning off interior lights at night or applying films or other adhesives to glass windows to reduce bird collisions.

**Migratory Birds - NMBCA:** Please increase funding for migratory bird conservation including wintering grounds in Latin America and the Caribbean by providing \$20 million for the Neotropical Migratory Bird Conservation Act. This program is essential to the conservation of wintering habitats, building capacity of our Latin American and Caribbean partners, and providing greater access to conservation resources in a region where it is urgently needed. We recommend \$20 million for NMBCA to reverse bird declines.

**Migratory Bird Joint Ventures** (JVs) are essential to address the conservation needs of migratory birds, and they leverage significant matching contributions from partner organizations and foundations. We recommend that to help reverse bird declines the Joint Ventures be allocated \$20 million.

**Urban Bird Treaty Program:** The Administration is proposing a \$1 million increase for Urban Treaty program which is a unique collaboration between the Service and participating U.S. cities and their partners. The Service provides guidance and technical assistance to help partners carry out projects and become designated as Urban Bird Treaty cities. There currently are 22 cities across the U.S. with active treaties. The program benefits the health and well-being of birds and people and is increasing its focus on serving underrepresented and underserved communities. We recommend a \$2 million increase to further boost urban outreach activities.

**Reducing Window Collisions:** Provide \$10 million to continue work by the National Park Service and other agencies to retrofit Department of the Interior buildings and visitor centers to make them bird-safe. To build on the significant progress underway to retrofit National Park Service structures to reduce bird collisions, we recommend \$10 million in funding.

**Bird-Safe Solar Glass – A Win-Win for Climate and Wildlife:** Provide \$10 million in annual funding to research and develop bird-safe solar-collecting windows. Research on both bird-safe and solar collecting glass products can be combined to create a valuable and desirable product for both commercial buildings and homes that can generate renewable energy while also greatly reducing bird deaths from window collisions.

**Endangered Species Recovery:** We appreciate proposed increases in funding for avian recovery programs, particularly in Hawaii, and for critically endangered birds such as the California Condor, Spectacled Eider, and Florida Grasshopper Sparrow. An additional \$5 million for recovery activities is needed for these and other listed birds with declining populations such as the Marbled Murrelet which was recently listed as endangered by the State of Oregon. Funding is needed to enable FWS to conduct at-sea surveys in all Marbled Murrelet conservation zones in the same year providing decision makers with a complete and accurate population status assessment. We further appreciate Senate direction for the Forest Service to dedicate \$8,000,000 on threatened and endangered species activities and contribute to significant recovery actions.

### **Migratory Bird Conservation**

We support proposed Senate report language in regard to a rulemaking to clarify protections for birds under the Migratory Bird Treaty Act, and to further conserve birds by establishing an incidental take permitting system and general sector permits to reduce preventable mortality.

*Incidental Take for Migratory Birds.*—The Committee is concerned with the decline of North American bird species, including the 1,093 species of birds protected under the Migratory Bird Treaty Act [MBTA] that are experiencing population decreases due to a variety of threats. The Committee supports the Service’s work to establish an incidental take authorization program within the permitting program for the MBTA. The funding to support an incidental take permitting system under the MBTA is provided.

Support an expansion of the Neotropical Migratory Bird Conservation Act. The administration is proposing \$7.9 million for FY 23, and legislation has been introduced in the House and Senate authorizing a \$20 million appropriation ramping up to \$25 million by FY 2027. This program is essential for making conservation accessible to Latin American partners working to conserve wintering grounds for the migratory birds that flock to and breed in the U.S.

### **Greater Sage-Grouse Conservation**

We remain deeply concerned by the Greater Sage-Grouse ESA listing rider given a recent US Geological Survey report indicating the species is in severe decline, and that that trend is anticipated to continue. We commend House and Senate appropriations bills for recognizing the need for immediate action. Both bills recommend directing \$71 million of Bureau of Land Management (BLM) funds towards sage-grouse conservation (with the House bill recommending an additional \$10 million for the BLM’s ongoing sage-grouse plan amendment process). These dollars are crucial for protecting and restoring the bird’s sagebrush habitats.

Both bills also exclude the sage-grouse rider, which since 2014 has prevented the U.S. Fish and Wildlife Service from listing the Greater sage-grouse under the Endangered Species Act. The consequences of the rider go beyond listing: it has undermined science-based decision-making, and removed an important incentive for federal agencies, western states, and other stakeholders to implement conservation measures sufficient to avoid listing. By keeping the rider out of final appropriations legislation, Congress can reinstate an important backstop against further declines.

The remaining grouse strongholds are at risk and require immediate protection. We ask Congress to include the following report language to recover grouse populations: The Committee strongly encourages that the final amendments include designation of Areas of Critical Environmental Concern for priority Greater sage-grouse habitat.

### **Climate Change and Energy Development**

We urge you to encourage federal agencies to aggressively incentivize and subsidize energy efficiency measures, and deployment of solar in the already-developed landscape (i.e., distributed solar). A recent study by [The Nature Conservancy and Defenders of Wildlife found that distributed solar](#) energy could power all of Long Island, New York, with capacity to spare.

Distributed solar has a much greater role to play in combating climate changes, and is a powerful job creator with no substantial impacts to wildlife.

### **Public Lands Protection and Forest Carbon**

We are encouraged by the Executive Order to map and conserve Old Growth and Mature Forests which could make a major contribution to address climate change. Most carbon (80%+) is released into the atmosphere soon after logging. This makes the cutting of mature and old growth forests particularly harmful because of the decades or centuries-long carbon debt that is then incurred. Please include language recommending: The protection of existing carbon stores in mature and old growth forests that provide habitat for the threatened Marbled Murrelet and Northern Spotted Owl.

### **Migratory Bird Conservation Authorizing Legislation**

American Bird Conservancy urges the Senate to take bold action to address long-standing bird conservation challenges and begin to apply legislative solutions now before Congress. Please support passage of:

1. Recovering America's Wildlife Act, S. 2372
2. Migratory Birds of the Americas Conservation Enhancement Act, S. 4187
3. Federal Bird-Safe Buildings Act, S. 791
4. Migratory Bird Protection Act, H.R. 4833
5. Albatross and Petrel Conservation Act, H.R. 4057

Recovering America's Wildlife Act: Introduced [by Senators Martin Heinrich and Roy Blunt](#), S. 2372, will commit \$1.3 billion annually to implement state and territorial wildlife action plans, and \$97.5 million annually to Tribal wildlife programs. This will provide the resources needed to maintain the species of greatest conservation need in each state and region of the country. The bill also provides a one-time \$750 million expenditure toward recovering species listed under the Endangered Species Act.

Migratory Birds of the America's Conservation Enhancement Act: S. 4187, introduced by Senators [Ben Cardin and Rob Portman](#) will reauthorize the Neotropical Migratory Bird Conservation Act (NMBCA). Key improvements to the bill include lowering the match requirement for grant recipients from 3:1 to 2:1 which would make the program more accessible to partner organizations. This legislation will also increase the authorized appropriation from \$5 million per year to \$20 million to more high-quality conservation projects under the NMBCA.

The Federal Bird-Safe Buildings Act: S. 791/H.R. 1986, introduced by [Sen. Cory Booker, and Reps. Mike Quigley and Morgan Griffith](#), will reduce bird deaths from colliding with windows by requiring public buildings to incorporate bird-friendly building design and materials. Solutions can be simple, and save energy with efficiency retrofits.

Migratory Bird Protection Act, and Migratory Bird Treaty Act Rulemaking: H.R. 4833, introduced by [Reps. Alan Lowenthal and Brian Fitzpatrick](#), reaffirms that the Migratory Bird Treaty Act protects

against incidental taking, and establishes a permit program to apply available best management practices that reduce bird mortality. The U.S. Fish and Wildlife Service is undertaking [a rulemaking](#) with similar goals. A draft rule is expected for public comment in the coming months.

Albatross and Petrel Conservation Act, H.R. 4057: Seabirds are highly endangered with fishery bycatch being a leading cause of preventable mortality. Fifteen of the twenty-two species of albatross, and over half of the petrel species, are threatened with extinction. The Albatross and Petrel Conservation Act, introduced by Rep. [Alan Lowenthal and Brian Fitzpatrick](#), will enable the United States to implement the Agreement on the Conservation of Albatrosses and Petrels (ACAP), a multilateral international agreement. ACAP entered into force in 2004, and aims to improve coordination in conserving some of the most threatened bird species on the globe.

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