

Dear Senator,

As someone concerned with the protection of birds across the United States, and who believes in the power and importance of the Endangered Species Act as a tool to boost recovery and prevent extinction, I urge you to reject all legislative attacks on the ESA and keep it the strong, widely supported law that has prevented extinctions since 1973.

New regulations from the Department of the Interior have redefined the definition of "harm" under the ESA, making direct attacks on an individual species effectively the only thing that counts as a violation of ESA protections. Revisions to the Section 4(d) rule removed de facto protections against killing, collecting, and harassment of species listed as "threatened," while increasing the administrative burden to conserve those species. In addition, a new 4(b)(2) rule would require economic impacts on business and industry to weigh heavily in decisions about whether to list a species — a process that should be driven only by science — and would make it easier to exclude critical habitat.

The Department of the Interior is also expected to release revised regulations that would decrease the responsibility of federal agencies to consult on projects that may impact listed species, while reducing the areas eligible for designation as critical habitat essential to a species' recovery and survival. In light of these continued efforts to weaken protections, the ESA and the birds it protects cannot withstand any more detractions.

The 2025 State of the Birds Report — a national status assessment of bird population health produced through a collaboration of 19 bird conservation organizations as well as federal and state agencies — made it clear that bird populations are in decline across the United States. The Florida Scrub-Jay and Black Rail are identified as "Red-Alert Tipping Point" species, meaning that in addition to being listed as Threatened under the ESA, recent population assessments show that they are "birds with perilously low populations and steeply declining trends."

The Report also documents long-term population losses for species such as the Whooping Crane and Marbled Murrelet, underscoring a demonstrated need for continued, if not increased, conservation efforts. Furthermore, 25 of Hawaii's 53 native bird species are listed under the ESA, and 16 more are designated as species of conservation concern. These birds face threats ranging from disease and habitat loss to shifting climates. Without ESA protections, we could see a massive decrease in Hawai'i's incredible bird diversity.

In addition to the new regulations, I am concerned about ongoing legislative attempts to remove listing status for specific species, prevent federal agencies from using their authorities to protect listed species, and prematurely de-list species that are most in need.

The best available science, including the 2025 State of the Birds Report, is clear: now is not the time to weaken ESA protections. Thank you for your consideration.

Sincerely,
Leigh Altadonna