

**Congress of the United States**  
**Washington, DC 20515**

July 14, 2016

The Honorable John McCain  
Chairman  
Senate Armed Services Committee  
228 Russell Senate Office Building  
Washington, D.C. 20510

The Honorable Mac Thornberry  
Chairman  
House Armed Services Committee  
2216 Rayburn House Office Building  
Washington, D.C. 20515

The Honorable Jack Reed  
Ranking Member  
Senate Armed Services Committee  
228 Russell Senate Office Building  
Washington, D.C. 20510

The Honorable Adam Smith  
Ranking Member  
House Armed Services Committee  
2216 Rayburn House Office Building  
Washington, D.C. 20215

Dear Chairmen and Ranking Members:

We are writing to urge you to oppose efforts to include harmful, anti-conservation riders in the National Defense Authorization Act (NDAA) for 2017. We are particularly concerned about efforts to undermine the Endangered Species Act (ESA) and the National Historic Preservation Act, as well as efforts to eliminate periodic review of military land withdrawals on U.S. public lands and undermine science-based conservation at Desert National Wildlife Refuge in Nevada.

The Department of Defense recently responded to an inquiry by Ranking Member Smith and Natural Resources Committee Ranking Member Grijalva with a letter stating that the land use management plans developed to keep the greater sage grouse from being listed under the ESA will not “affect military training, operations, or readiness to any significant degree.”<sup>1</sup> The Army, Navy, and Air Force have sent similar letters, making it clear that conservation efforts will not undermine military readiness and that new authorities are not necessary to ensure that training activities can be carried out in concert with protection of the grouse and its habitat. The sage grouse rider included in H.R. 4909 serves no national security purpose and should not be included in the NDAA conference report.

The two other ESA riders in H.R. 4909 are equally meritless. Efforts to block new protections for the lesser prairie chicken and to remove existing protections for the American burying beetle would base important conservation decisions on politics, not science. That is not an appropriate way to manage wildlife, especially species struggling to survive.

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<sup>1</sup> No Need for Sage Grouse Language in Authorization – Pentagon. E&E News. April 27, 2016. Available online: <http://www.eenews.net/stories/1060036309>

H.R. 4909 also includes language that would make temporary public land withdrawals for military use permanent. This would remove the requirement that the Defense Department consult with U.S. public land managers periodically to ensure that the withdrawal is still necessary and decide whether management changes are desirable. Taking away this important accountability mechanism is not in the interest of taxpayers or the environment.

The proposal to transfer 800,000 acres of Desert National Wildlife Refuge from the Fish and Wildlife Service (FWS) to the Air Force was not requested by DOD and could upset a model partnership in which “the Air Force and FWS have been successfully co-managing the withdrawn area for decades, each attuned to each other’s mission” and “have never experienced problems working together on the land.”<sup>2</sup>

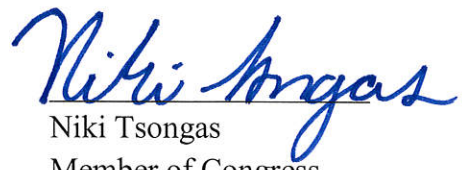
Finally, we are troubled by the inclusion of a provision in H.R. 4909 that would amend the National Historic Preservation Act (NHPA) to make it easier to block or remove federal properties from being listed as National Historic Landmarks, World Heritage Sites, or included on the National Register of Historic Places. These sites are part of our shared cultural heritage; the designation process provides federal agencies ample flexibility and does not compromise any national security objectives.

The American people do not support using the NDAA as a vehicle to execute a radical agenda designed to seize and sell public lands to the highest bidder and drive the extinction of our wildlife one species at a time. The federal lands and species-related provisions listed above should not be included in the NDAA conference report.

Sincerely,



Raúl M. Grijalva  
Ranking Member  
Committee on Natural Resources



Niki Tsongas  
Member of Congress

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<sup>2</sup> Admin. Resists Bishop Plan to Scrap ‘Silly’ Military Reviews. E&E News. Thursday June 2, 2016. Available online: <http://www.eenews.net/greenwire/2016/06/02/stories/1060038190>



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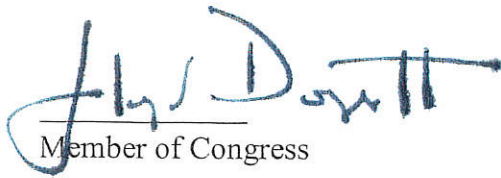
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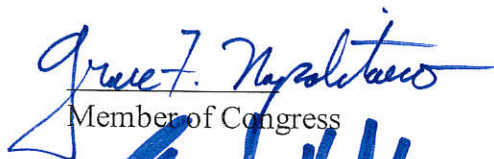
  
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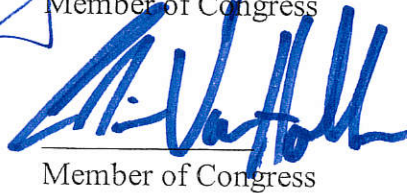
  
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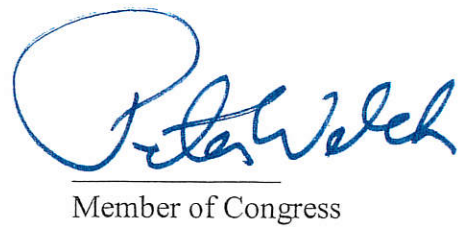
  
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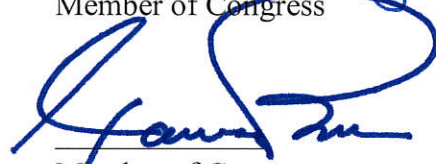
  
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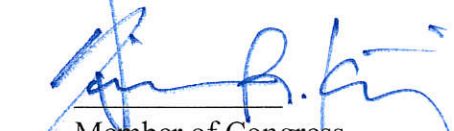
  
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