

EXEMPTING THE MILITARY FROM COMPLYING WITH THE ESA

Failed: 193-237

SUMMARY:

The House rejected an amendment that would have exempted U.S. military from complying with the Endangered Species Act. (*July 13, 2023, Roll Call No. 322*).

BACKGROUND:

The Department of Defense manages approximately 27 million acres of land on 338 military installations. The land has limited public access and supports the preservation of ecologically important native habitats that shelter rare and unique species from disturbance and development. On January 9, 2023, Representative Andy Biggs (R-Ariz.) introduced H.R. 97, The Armed Forces Endangered Species Exemption Act, to exempt the U.S. military from compliance with the ESA, prohibit the Secretary of the Interior or Commerce from designating critical habitat on any military installation and exempt the Secretary of Defense from consulting with the Secretary of the Interior under section 7(a)(2) of the ESA to ensure the Defense Department actions are not likely to jeopardize the continued existence of a listed species.

The bill appears based on the faulty premise that the military is incapable of safeguarding both our national security and endangered species thus carving a huge loophole in the ESA for all military activities. There is currently no evidence to imply that compliance with the ESA hinders or threatens the military's ability to function or threatens the nation's military security.

During consideration of H.R. 2670, National Defense Authorization Act for Fiscal Year 2024, the House voted on an amendment offered by Rep. Biggs (R-Ariz.) based on his bill, H.R. 97.

OUTCOME:

On July 13, 2023, the House rejected the Biggs amendment, 193-237. "Nay" was the pro-conservation vote.