



The Honorable
Representative

Subject: Groups Support Phase-Out of Lead Ammunition and Fishing Tackle on National Wildlife Refuges, Urge Opposition to H.R. 615

27 June, 2023

Dear Representative,

We the undersigned organizations are writing in support of the US Fish and Wildlife Service (USFWS) decision to not allow lead on newly opened National Wildlife Refuge hunting lands in Florida and to phase-out lead on eight Refuges beginning in 2026.

In conjunction with support for USFWS on this action, we urge your strong opposition to H.R. 615 and S.1185 unless amended with the provisions offered by Representatives Grijalva, Dingell, and/or the amendment suggested below.

Lead Phase Out on National Wildlife Refuge System Lands

The National Wildlife Refuge Service has proposed opening new lands in Everglades Headwaters National Wildlife Refuge to hunting under a non-lead ammunition requirement. Additionally, as put forth in their 2022-2023 final Station Specific Hunt-Fish rule¹, eight Refuges are proposing a full phase-out of lead ammunition and fishing tackle by September 2026. Those Refuges are Blackwater, Chincoteague, Eastern Neck, Erie, Great Thicket, Patuxent Research, Rachel Carson, and Wallops Island National Wildlife Refuges.

We commend the USFWS for this action and support their statement that

“The best available science, analyzed as part of this rulemaking, demonstrates that lead ammunition and tackle have negative impacts on both human health and wildlife, and those impacts are more acute for some species.”²

There is no safe level of lead. Lead ammunition and fishing tackle are detrimental to wildlife and human health. In 2022, a new paper documented population-level impacts on Bald and Golden Eagles from lead ammunition alone.³

The USFWS is expected to endure continuing attacks on their regulatory authority and transparent, well-researched, and well-reasoned recommendations to phase out lead. These actions are also largely due to advocacy from the Center for Biological Diversity⁴, which successfully challenged a USFWS decision to open new lands to hunting and fishing without the requisite investigation into environmental impacts from lead ammunition and fishing tackle.

We thank the USFWS for this action, and urge your office to support this and further actions to use scientifically-guided reasoning for lead phase-outs while maintaining access to, and expansion of, Refuge lands for hunting and fishing.

Oppose H.R. 615 and S.1185 unless Amended

H.R. 615 and S.1185, the Protect Access for Hunters and Anglers Act(s) of 2023, would bar the Secretaries of Interior and Agriculture, and their appointed officials, from any kind of lead prohibition or phase-out on their jurisdictional lands unless an impossible set of criteria are met.

We urge your office to oppose H.R. 615 and S.1185 unless amended with provisions set forth by Representative Grijalva, Representative Dingell, and those mentioned below:

H.R. 615 Amendment Grijalva #1 Revised

[Removing the USFWS from the bill’s scope and making H.R. 615 Endangered Species Act Compliant]

On page 1, at lines 10–11, strike “the Director of the United States Fish and Wildlife Service or”. On page 3, line 3, strike “.” and insert “,or (3) the use of lead in ammunition or tackle negatively affects the continued existence of an endangered or threatened species with habitat in that specific unit of Federal land or water.”⁵

H.R. 615 Amendment Dingell #2

[Requiring consultation with Tribes, the Hunting and Wildlife Conservation Council to ensure there is no decrease in available public lands for hunting and fishing as a result of this law]

At the end, insert the following: “SEC. 3. DETERMINATION. Notwithstanding any other provision of this Act, Section 2 of this Act shall not take effect until the Secretaries determine, in consultation with Tribes and in coordination with State Wildlife Agencies and informed by the Hunting and Wildlife Conservation Council, that Section 2 of this Act will not result in a decrease in public lands made available for hunting and fishing.”⁶

Suggested Amendment Supporting Lead Phase-Out

[Requiring mandatory funding for non-toxic shot and tackle exchange and greater sportsperson education]

On page 3, line 20, Replace existing “(c)” with “(d)”

On page 3, line 20, insert the following: (c) Funding for establishment of non-toxic ammunition and fishing tackle exchange programs shall be made available to the Secretaries of the Interior and Agriculture and their appointees for offering non-toxic alternatives to sportspeople utilizing lands mentioned in Section 2. (a)(1). This funding shall also be used for increased sportsperson education on the impact of lead-based ammunition and fishing tackle and the benefits of non-toxic alternatives.

Conclusion

We the undersigned organizations support the USFWS proposed rules expanding hunting access on Everglades Headwaters National Wildlife Refuge and phasing-out lead on eight Refuges while protecting the ability of sportspeople to use those Refuges.

Continued use of lead ammunition and fishing tackle on Refuge lands are inconsistent with the mandate and purpose of National Wildlife Refuges. Non-toxic alternatives are available, and the use of non-toxic ammunition and fishing tackle preserve the heritage and legacy of United States hunters and anglers as our nation's foremost conservationists.

Thank you for your consideration of these requests.

Sincerely,

American Bird Conservancy
Arkansas Valley Audubon
Association of Avian Veterinarians
Audubon Colorado Council
Bird Conservation Network
Center for Biological Diversity
Coalition to Protect America's National Parks
Earthjustice
Endangered Habitats League
Endangered Species Coalition
Environmental Protection Information Center- EPIC
Friends of the Tampa Bay National Wildlife Refuges
Hawk Migration Association of North America
Kirtland Bird Club of Northeast Ohio
Maryland Ornithological Society
New Hampshire Audubon
North Central Washington Audubon Society
Public Employees for Environmental Responsibility
Salem Audubon Society
Santa Clara Valley Audubon Society
Sequoia ForestKeeper
Sierra Club
Western Nebraska Resources Council

¹ <https://www.federalregister.gov/documents/2022/09/16/2022-20078/2022-2023-station-specific-hunting-and-sport-fishing-regulations>

² <https://www.fws.gov/press-release/2023-06/service-promotes-public-access-hunting-and-fishing>

³ <https://www.science.org/doi/10.1126/science.abj3068>

⁴ https://www.biologicaldiversity.org/campaigns/get_the_lead_out/pdfs/Hunting-Fishing-Regulations-Order-2022-11-30.pdf?_gl=1*1aidbuo*_gcl_au*MjExNjE2NjgyOS4xNjg2MDA1NzI3

⁵ https://naturalresources.house.gov/uploadedfiles/hr_615_rep_grijalva_1_revised.pdf

⁶ https://naturalresources.house.gov/uploadedfiles/hr_615_rep_dingell_2.pdf