

September 8, 2021

The Honorable Joseph R. Biden Jr.
President of the United States
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Biden,

On behalf of our organizations and our millions of members and supporters, we write to express concern that your administration has yet to officially nominate a permanent Director of the U.S. Fish and Wildlife Service after more than seven months in office. This critical position is responsible for overseeing an agency of approximately 8,000 people with the vital mission of protecting our nation's endangered species and migratory birds, conserving and restoring wildlife habitat, and preserving the natural heritage of this nation for future generations.

As the United States and the world face an unprecedented wildlife extinction crisis of staggering proportions, the Service desperately needs an accountable leader who recognizes the urgent need to reverse species extinctions and help restore the United States as a leader in conservation. We thus urge you to expeditiously nominate a Director with the required special education and experience required established by Congress for Senate confirmation.

Following your historic election, we were hopeful your administration would act quickly to combat the dual crises of biodiversity loss and climate change. We were even more optimistic when your administration took initial steps to undo some of the Trump administration's most damaging rollbacks and implement new policies that recognize the importance of science-based decision-making and the need to protect our nation's unique natural heritage from further destruction. After such a promising start, however, we are concerned with the apparent lack of urgency—similar to what we saw from the previous administration—for filling this key position.

Since January 20, 2021, Martha Williams has been the Principal Deputy Director of the Fish and Wildlife Service, where she has been exercising the delegable authority of the Director. Under the Federal Vacancies Reform Act (FVRA), political appointees can only serve in an acting capacity in particular Senate-confirmed offices for a period of up to 210 days, and only for a limited time after a new president is sworn in. Once 300 days or more have passed since a position becomes vacant, the ability to appoint acting officials is severely limited, and any policies or regulations that are finalized after this point are inherently vulnerable to legal challenge. Ms. Williams has now been serving in an acting capacity for over 210 days, in violation of the FVRA.

Former President Trump failed to nominate a Director of the Fish and Wildlife Service for nearly two years after he took office, during which time three political appointees were named "acting" director. These unconfirmed appointees finalized a number of harmful regulations and policies that are still in place today, including guidance directing the Service to stop virtually all law enforcement actions relating to the protection of endangered species. We urge your administration to do better.

Stopping the extinction crisis and restoring abundant wildlife populations will require revitalizing the leadership within the Service. Thus, we encourage you to nominate a candidate from outside the agency, who is committed to reform. As you may be aware, the Fish and Wildlife Service has long been plagued by political interference and bureaucratic inefficiencies that delay and hamper protections for species on the brink. A new Director from outside the agency can help empower scientists to act without fear of retribution by restoring scientific integrity and reinvigorating the agency's commitment to its core wildlife conservation mission.

Confronting the massive challenge of fighting the extinction and climate crises will require bold leadership at the Service, and it would be a dereliction of your duty to delay nominating an official Director any longer. One million species here and around the world are facing extinction within the coming decades. Millions more are declining. Nearly 500 species are still awaiting decisions as to whether they should be protected under the Endangered Species Act. The actions we take today will affect whether future generations live in a world where polar bears and monarch butterflies still exist, or one where they can only be found in children's books.

There is no longer any time to waste.

Sincerely,

Center for Biological Diversity
Animal Legal Defense Fund
Animal Welfare Institute
Apex Protection Project
Appalachian Trail Conservancy
Attorneys for Animals, Inc.
Bad River Tribe
Buffalo Field Campaign
Christian Council of Delmarva
Conservation Council For Hawaii
Earth Path Sanctuary
EarthAction
Endangered Species Coalition
Footloose Montana
FOUR PAWS USA
Friends of the Earth
Gallatin Wildlife Association
Great Old Broads for Wilderness, Bozeman Broadband
Great Plains Restoration Council
Howling For Wolves
Humane Society International
Humane Society Legislative Fund
International Wildlife Coexistence Network
Living with Wolves
Madrean Archipelago Wildlife Center

Mountain Lion Foundation
National Wolfwatcher Coalition
Nevada Wildlife Alliance
New Hampshire Wildlife Coalition
New Mexico Sportsmen
Northeast Oregon Ecosystems
NY4WHALES
Oceanic Preservation Society
OVEC-Ohio Valley Environmental Coalition
Plan B to Save Wolves
Predator Defense
Project Coyote
Protect Our Wildlife
Resource Renewal Institute
Rio Grande Indivisible, NM
Sea Turtle Conservancy
Southwest Environmental Center
TFMPL
The 06 Legacy
The Humane Society of the United States
The Maine Wolf Coalition
Turtle Island Restoration Network
Voices of Wildlife in NH
Western Watersheds Project
Western Wildlife Conservancy
Western Wildlife Outreach
Wild Dog Foundation
WildEarth Guardians
WILDERNESS & WILDLIFE
Wolf Conservation Center
Wolves of the Rockies
Wyoming Untrapped
Wyoming Wildlife Advocates
Yellowstone Wolf Tracker

Cc: The Honorable Deb Haaland
Secretary
U.S. Department of Interior
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