

U.S. House of Representatives
Committee on Natural Resources
Washington, DC 20515

February 1, 2024

The Honorable Martha Williams
Director
U.S. Fish and Wildlife Service
1849 C Street, N.W.
Washington, D.C. 20240

Dear Director Williams:

The House Committee on Natural Resources (Committee) seeks information from the U.S. Fish and Wildlife Service (Service) regarding the recently announced “National Dialogue Around Working Landscapes and Gray Wolves and Thriving Communities and Cultures.”¹ The timing of this announcement and the lack of clarity about what this dialogue intends to achieve leave the Committee with more questions than answers. Given recent congressional action related to the listing status of the gray wolf and the significant impacts of any executive action on that status, significant Congressional oversight is necessary.²

The facts are clear regarding the listing status of the Gray Wolf in the lower-48 states—the species is recovered, should be delisted, and management should be returned to the states. For example, the Great Lakes region has the largest concentration of gray wolves in the lower-48 states, with approximately 4,200 wolves that inhabit the states of Minnesota, Wisconsin, and Michigan.³ Under the current management framework, wolves in Minnesota are listed as threatened, whereas wolves in Wisconsin and Michigan are listed as endangered.⁴ The recovery plan for the gray wolf in the Great Lakes is quite clear when it comes to criteria for delisting: a stable or increasing population of wolves in Minnesota, and at least 200 wolves outside of the Minnesota population.⁵

¹ “National Dialogue Initiated on Working Landscapes and Gray Wolves.” U.S. Fish and Wildlife Service. December 13, 2023. [National Dialogue Initiated on Working Landscapes and Gray Wolves | U.S. Fish & Wildlife Service \(fws.gov\)](https://www.fws.gov/national-dialogue-initiated-on-working-landscapes-and-gray-wolves)

² See Section 452 of H.R. 4821, which the House passed on 11/3/2023.

³ “America’s Gray Wolves Get Another Chance at Real Recovery.” Natural Resources Defense Council. Shelia Hu. April 21, 2022. [America’s Gray Wolves Get Another Chance at Real Recovery \(nrdc.org\)](https://www.nrdc.org/press-releases/2022/04/america-s-gray-wolves-get-another-chance-at-real-recovery)

⁴ “U.S. District Court Vacates Gray Wolf Delisting Rule.” Erin H. Ward. Congressional Research Service. [LSB10697 \(congress.gov\)](https://www.congress.gov/legislation/117/10697)

⁵ “Recovery Plan For the Eastern Timber Wolf.” U.S. Fish and Wildlife Service, Region 3. January 31, 1992. <https://www.govinfo.gov/content/pkg/GOVPUB-I49-PURL-LPS37439/pdf/GOVPUB-I49-PURL-LPS37439.pdf>

During a legislative hearing in the Water, Wildlife and Fisheries Subcommittee last year, former wildlife biologist at the Wisconsin Department of Natural Resources, Nathan Roberts stated, “these goals have been met since at least 1994.” He went on to say, “it is remarkable to note that, given the natural life span of wolves, every wolf on the landscape in the Great Lakes region was born long after recovery goals were met.”⁶

Delisting the gray wolf in the lower-48 states has traditionally garnered bipartisan support. In 2013, the Obama administration proposed delisting the gray wolf in the lower-48 states, but the rule was never finalized due to backlash from environmental groups.⁷ This Congress, the Committee has favorably reported H.R. 764, the “Trust the Science Act,” which would reinstate the 2020 rule delisting the gray wolf in the lower-48 states. In the 115th Congress, the House of Representatives passed similar language to H.R. 764 with bipartisan support by a vote of 196-180.⁸ Identical language to H.R. 764 was also included in H.R. 4821, the Department of the Interior, Environment, and Related Agencies Appropriations Act for Fiscal Year 2024, which passed the House by a bipartisan vote of 213-203.⁹

As you are aware, the Service has attempted to delist the gray wolf, both in individual distinct population segments and broadly across the lower-48 states, multiple times.¹⁰ These efforts culminated in November 2020, when the Trump administration finalized a rule that delisted the gray wolf, except for the Mexican wolf, and returned management to each of the lower-48 states.¹¹ The 2020 rule was challenged by Defenders of Wildlife, WildEarth Guardians, and other environmental groups. In February 2022, the U.S. District Court for the Northern District of California vacated the rule.¹² The court found that the Service had failed to show that gray wolf populations could be sustained outside of the core populations in the western Great Lakes and Northern Rocky Mountains.¹³ This ruling reinstated Endangered Species Act protections for the gray wolf in the lower-48 states. The court’s decision does not impact the Northern Rockies Ecosystem, where the wolf is already delisted due to Congressional action.¹⁴ In an encouraging

⁶ “Testimony of Nathan Roberts.” House Committee on Natural Resources. March, 23 2023. [testimony_roberts.pdf \(house.gov\)](#).

⁷ “Shocking New as U.S. Department of Justice Appeals Restoration of Gray Wolf Protections in Most of the Lower-48 States.” Lauren Lewis. World Animal News. 5/2/2022. <https://worldanimalnews.com/breaking-disheartening-news-as-u-s-department-of-justice-appeals-restoration-of-gray-wolf-protections-in-most-of-the-lower-48-states/>

⁸ H.R. 6784, “Manage our Wolves Act”. [H.R.6784 - 115th Congress \(2017-2018\): Manage our Wolves Act | Congress.gov | Library of Congress](#)

⁹ “H.R. 4821, Department of the Interior, Environment, and Related Agencies Appropriations Act, 2024.” [H.R.4821 - 118th Congress \(2023-2024\): Department of the Interior, Environment, and Related Agencies Appropriations Act, 2024 | Congress.gov | Library of Congress](#)

¹⁰ “The Gray Wolf Under the Endangered Species Act (ESA): A Case Study in Listing and Delisting Challenges.” Erin Ward. Congressional Research Service. [The Gray Wolf Under the Endangered Species Act \(ESA\): A Case Study in Listing and Delisting Challenges \(congress.gov\)](#)

¹¹ 85 Fed. Reg. 69,778 (Nov. 3, 2020).

¹² “U.S. District Court Vacates Gray Wolf Delisting Rule.” Erin H. Ward. Congressional Research Service. [LSB10697 \(congress.gov\)](#)

¹³ U.S. District Court Northern District of California. *Defenders of Wildlife, Et. Al. v. U.S. Fish and Wildlife Service, Et Al.* 10 Feb 2022.

¹⁴ “Judge restores gray wolf protections.” Michael Doyle. E&E News. 02/10/2022. [Judge restores gray wolf protections - E&E News \(eenews.net\)](#)

decision, the Biden administration's Department of Justice appealed the court's ruling.¹⁵ On January 26, 2023, the Circuit Mediator issued a temporary stay to the appeal for administrative purposes until February 2, 2024.¹⁶

The Committee is concerned that the "National Dialogue Around Working Landscapes and Gray Wolves and Thriving Communities and Cultures" could potentially impact areas where wolves are delisted and currently under state management, like in the Northern Rockies Ecosystem. States in the Northern Rockies Ecosystem have a proven track record of success in managing healthy wolf populations, with current populations being stable and even slightly increasing year to year.¹⁷ Yet under the vague parameters of the Service's proposal, the Service could begin to dictate to states what their management approaches should be. Perhaps more concerning, they could utilize this proposal as a proxy to relist wolves in the Northern Rockies without the support of the impacted States.

To assist the Committee with our investigation, please provide the following records, documents, or communications, in electronic format, as soon as possible, but no later than February 21, 2024:

1. All documents and communications regarding the "National Dialogue Around Working Landscapes and Gray Wolves and Thriving Communities and Cultures."
2. All documents and communications between the Service and the Department of the Interior, including Secretary Haaland, regarding the "National Dialogue Around Working Landscapes and Gray Wolves and Thriving Communities and Cultures."
3. All documents and communications between Service officials, Francine Madden, and Constructive Conflict LLC regarding the "National Dialogue Around Working Landscapes and Gray Wolves and Thriving Communities and Cultures."
4. All documents and communications between the Service and third parties, including the WildEarth Guardians, Defenders of Wildlife, and the Natural Resources Defense Council, regarding the "National Dialogue Around Working Landscapes and Gray Wolves and Thriving Communities and Cultures."
5. All documents and communications regarding the program timeline for "National Dialogue Around Working Landscapes and Gray Wolves and Thriving Communities and Cultures."

¹⁵ "Shocking News as U.S. Department of Justice Appeals Restoration of Gray Wolf Protections in Most of the Lower 48 States." Lauren Lewis. World Animal News. 5/2/22. <https://worldanimalnews.com/breaking-disheartening-news-as-u-s-department-of-justice-appeals-restoration-of-gray-wolf-protections-in-most-of-the-lower-48-states/>

¹⁶ "Statement of Work, Project Title: Working Landscapes and Thriving Communities, Culture, and Canis lupus." U.S. Fish and Wildlife Service. https://naturalresources.house.gov/uploadedfiles/wolf_mediator_attach_a_sow_pp6-2.pdf

¹⁷ "Montana Gray Wolf Program: 2022 Annual Report." Montana Department of Fish, Wildlife, and Parks." [draft-2022-wolf-report_final_6.21.23.pdf \(mt.gov\)](https://mt.gov/files/documents/2022-wolf-report_final_6.21.23.pdf)

6. Describe the purpose of the “National Dialogue Around Working Landscapes and Gray Wolves and Thriving Communities and Cultures” initiative as it relates to state management of delisted gray wolf populations, such as the gray wolf population in the Northern Rockies Ecosystem.
7. All documents and communications regarding the 2022 ruling by the U.S. District Court for the Northern District of California in *Defenders of Wildlife, Et. Al. v. U.S. Fish and Wildlife Service, Et Al.* to vacate the final rule, *Endangered and Threatened Wildlife and Plants; Removing the Gray Wolf (Canis lupus) From the List of Endangered and Threatened Wildlife.*
8. All documents and communications between the Service and the Department of the Interior, including Secretary Haaland, regarding the 2022 ruling by the U.S. District Court for the Northern District of California.
9. All documents and communications between Service officials, Francine Madden, and the Constructive Conflict LLC regarding the 2022 ruling by the U.S. District Court for the Northern District of California.
10. All documents and communications between the Service and third parties, including the WildEarth Guardians, Defenders of Wildlife, and the Natural Resources Defense Council, regarding the 2022 ruling by the U.S. District Court for the Northern District of California.

An attachment to this letter provides additional instructions for responding to the requests from the Committee on Natural Resources. Please contact the Majority staff for the Oversight and Investigations Subcommittee at (202) 225-2761 or HNRR.Oversight@mail.house.gov with any questions. Under House Rule X, the Committee on Natural Resources has “general oversight” of any matter relating to its jurisdiction, including all matters concerning the Endangered Species Act.

Sincerely,



Bruce Westerman
Chairman
Committee on Natural Resources



Paul A. Gosar, D.D.S.
Chairman
Subcommittee on Oversight and Investigations



Cliff Bentz
Member of Congress



Lauren Boebert
Member of Congress



Russ Fulcher
Member of Congress



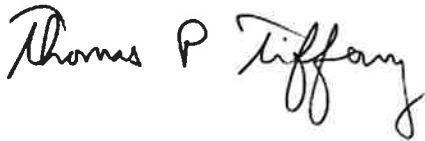
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Enclosure