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September 22, 2020

The Honorable John Barrasso, MD
Chairman
Committee on Environment and Public Works
U.S. Senate
410 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Chairman Barrasso:

The National Cotton Council (NCC) appreciates your leadership in correcting inconsistencies and problems within the Endangered Species Act (ESA) by drafting the Endangered Species Act Amendments of 2020. For the last four decades, Congress has failed to act to improve the many problems with ESA and has instead allowed the U.S. Fish and Wildlife Service and the National Marine Fisheries Service (the “Services”) unfettered power to implement the law any way they choose. The result has been inconsistent application of the law, a lack of transparency in the process, reliance on questionable science, and the use of the law as a blunt force weapon against farmers and landowners.

When the ESA was created in the 1970s, no one visualized the ultimate reach of the law. Based on very tenuous connections to federal funding provided for countless projects and programs, ESA is now used at the federal level to control everything from what small businesses or homeowners can do on an acre of land to what pesticides can be allowed for use by farms and state and local governments. In the meantime, as the lists of endangered and threatened species continue to grow, the Services are failing to show an associated recovery of species or protection of their habitat.

Under the ESA, the federal government often fails to work cooperatively with state and local governments or with private individuals and businesses. Farmers, who work hard to be good stewards of the land and its resources, are often targeted punitively. Federal mitigation requirements and/or fines are expensive and can be very detrimental to a family farm. With the abject failure of the Services to

recover many species, the ESA appears more as a means of generating revenue than as a recovery tool for declining species.

We believe your amendments add clarity of actions, outline a way to begin prioritizing species recovery plans, allocate more funds, and provide a process to leverage partnership support for species recovery through positive engagement.

We support and applaud the efforts of the Committee to improve the ESA and look forward to working with the Committee to improve the law so that it benefits both species protection and landowners.

Sincerely,

A handwritten signature in black ink that reads "Gary M. Adams". The signature is written in a cursive style with a large, stylized "G" and "A".

Dr. Gary Adams
President & Chief Executive Officer
National Cotton Council