

Support H.R. 4833

MIGRATORY BIRD PROTECTION ACT



INDIGO BUNTING
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This bipartisan legislation will codify protections for migratory bird species and create a permitting program to help advance best management practices and provide greater regulatory certainty.

Be a part of this conservation effort! Join Representatives Lowenthal (D-CA), Fitzpatrick (R-PA), and dozens of your congressional colleagues in cosponsoring this important legislation.

H.R. 4833 will support and strengthen the existing Migratory Bird Treaty Act (16 U.S.C. §703), one of the most important and successful conservation laws in the U.S.

The MBTA helped address many threats that birds faced in the 20th century, making it illegal to kill, hunt, sell, or possess most migratory bird species without a permit. First enacted in 1918, the MBTA implements an international treaty with Canada, Mexico, Japan, and Russia, and is credited with helping recover many native bird species. Today, migratory birds face new and expanding threats from human activities—oil spills, open oil pits, power line collisions, habitat loss, and expanding modern infrastructure all threaten birds.

H.R. 4833 will help ensure continued success of federal migratory bird conservation by codifying that migratory birds are protected from both intentional killing and unintentional or incidental harm. The legislation will also codify a permitting program to regulate incidental harm to birds.

In Dec. 2017, the Department of the Interior removed “incidental take” from the purview of the MBTA. This decision eliminated a key incentive for industries to implement best management practices and engage with agencies to reduce the harm they cause to birds, undermining our nation’s treaty obligations. While the current administration has revoked this interpretation through new rulemaking, H.R. 4833 will reduce future potential disruptions to the law’s implementation and ensure clarity and consistency for the industry and agencies.

The Migratory Bird Protection Act (H.R. 4833) will create stability and certainty for birds and business. Backed by organizations representing millions of conservationists across America, H.R. 4833 will provide:

- ▶ **Conservation protections** for migratory birds against industrial hazards.
- ▶ **Greater regulatory certainty** to industry by establishing a permitting program for incidental take, where permits would be based on best management practices that minimize harm to birds.
- ▶ **Additional resources for bird conservation** by establishing a mechanism for industry to fund the mitigation of harm caused by industrial activities.

Threats to Birds

H.R. 4833 will provide a mechanism for regulating and mitigating activities from human infrastructure and industry that incidentally cause millions of bird deaths each year in North America:

- ▶ **Power lines: up to 64 million**
- ▶ **Communications towers: 7 million**
- ▶ **Uncovered oil waste pits: 500,000 to 1 million**

Cosponsorship inquiries can be sent to Shane Trimmer with Rep. Lowenthal’s office at shane.trimmer@mail.house.gov

For more information on the legislation, contact Erik Schneider at eschneider@audubon.org; Caroline Murphy at cmurphy@wildlife.org; Cameron Walkup at cwalkup@defenders.org; Jennifer Cipolletti at jcipolletti@abcbirds.org; Jill Feldhusen at feldhusenJ@nwf.org; or Josh Axelrod at jaxelrod@nrdc.org

Please join your fellow members of Congress in supporting common-sense conservation by cosponsoring the Migratory Bird Protection Act (H.R. 4833).