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

November 4, 2013

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The Honorable Daniel M. Ashe
Director
U.S. Fish & Wildlife Service
1849 C Street, NW
Washington, DC 20240

Dear Director Ashe:

The Committee on Natural Resources (“Committee”) sent a letter on May 16, 2013 to the Fish and Wildlife Service (“Service”) requesting information and documents regarding enforcement of the Migratory Bird Treaty Act (“MBTA”) and the Bald and Golden Eagle Protection Act (“BGEPA”). The Committee requested a response by May 30, 2013.

The Committee is seeking five categories of documents, communications, and information pertaining to the enforcement of the MBTA and BGEPA against energy companies: (1) copies of documents related to Service investigations, as well as referrals to the Department of Justice, created between January 2009 and the present; (2) copies of communications between the Service and representatives from wind energy companies; (3) copies of policies, legal analysis, and emails related to enforcement discretion under the MBTA and BGEPA; (4) communications between the Service and the American Wind Wildlife Institute; and (5) documents related to meetings concerning proposed revisions to the eagle take regulations.

In the more than five months since the request was first sent, the Department of the Interior (“Department”) has provided only 66 pages of documents, consisting solely of documents related to the American Wind Wildlife Institute (category 4). These documents were provided on September 18, 2013. The lack of responsiveness to date has frustrated the Committee’s ability to understand how the Obama Administration has been enforcing these laws.

On numerous occasions, Secretary Jewell has requested that the Committee seek information wherever possible through briefings and interviews with relevant Department officials, not just through formal document request letters. Given the ongoing questions about the enforcement of the MBTA and the BGEPA, it is requested that a meeting with William C. Woody, Chief of the Service’s Office of Law Enforcement, also be scheduled with Committee majority oversight staff the week of November 11, 2013. It is expected that Mr. Woody, given

his role overseeing the Service's enforcement of the MBTA and the BGEPA, would be the best person to answer questions on these topics.

The lack of a timely response to the Committee's request for information is unacceptable and limits Congress's ability to conduct oversight of this important matter. It is expected that the Service will promptly and voluntarily comply in full with the original May 16, 2013 request and agree to schedule this meeting without any further delay.

Sincerely,

A handwritten signature in blue ink, appearing to read "Doc Hastings", written in a cursive style.

Doc Hastings
Chairman