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U.S. Senate Committee on Environment and Public Works
Hearing on the Challenges and Opportunities with
Implementing the Endangered Species Act
March 18, 2026

Main Points:

- More than 50 years after the Endangered Species Act was enacted, it is clear that preventing extinction and recovering species require different tools. Strict regulations have helped 99 percent of listed species avoid extinction, yet have also led to a mere 3 percent recovering.
- According to PERC's research, the U.S. Fish and Wildlife Service has failed to recover 96 percent of the species it predicted to recover—and the gap between recovery expectation and recovery reality is only growing. Better incentives are needed to spur recovery efforts.
- Pragmatic solutions to boost species recovery under the ESA include:
    - **Reward recovery progress with regulatory relief:** The prospect that regulatory restrictions may be lifted if a species is delisted someday isn't enough to motivate recovery efforts. Existing flexibilities under Sections 4(d) and 7 should be used to reward recovery progress with more gradual regulatory relief for states and landowners.
    - **Empower bottom-up conservation leadership rather than top-down edicts from Washington:** Unlike the Clean Air Act and Clean Water Act, states have been sidelined in favor of top-down solutions. Revitalizing ESA federalism would reduce conflict and unlock bottom-up recovery.
    - **Lower the temperature around recovering species:** Litigation, rather than science-based decision making, steers too many decisions. Even the law's greatest successes, like wolf reintroduction and grizzly bear recovery, have led to repeated litigation. A litigation "cooling-off period" during the five-year monitoring period that follows every delisting would put science back in the driver seat.

Introduction

Chairman Ricketts, Ranking Member Schiff, and members of the committee, thank you for the invitation to participate in this hearing on opportunities to improve species recovery under the Endangered Species Act. Since the ESA was enacted, less than 1 percent of listed species have gone extinct, a significant and laudable accomplishment. But Congress set a more ambitious goal: to recover species to the point that they were no longer at risk. Unfortunately, the ESA has not been as effective at recovery, with only 3 percent of listed species achieving this goal.

The challenge is that tools that may prevent extinction—strict regulations against harming species—are not the tools needed to spur recovery. Instead of sticks, recovery takes carrots. If you want more of something, in this case wildlife, you should incentivize it. For 45 years, the Property and Environment Research Center has pioneered innovative approaches to enhance conservation incentives. I saw this firsthand during my service in state wildlife management. Before coming to PERC, I spent 14 years on the Florida Fish and Wildlife Conservation Commission, including two terms as chairman. In that role, I worked alongside biologists, ranchers, hunters and anglers, and conservation groups on the practical work of conserving and recovering species including the Florida manatee, the Florida panther, and the gopher tortoise. In the case of the manatee, for example, success depended not just on federal regulation, but on cooperation with landowners, community groups, and conservation organizations that raised millions of dollars and rolled up their sleeves to revive natural springs and restore manatee habitat.[1] Time and time again, I saw in Florida that conservation works when done with people, not to them.

Fortunately, the ESA provides ample opportunities to reward states and private landowners that contribute to species recovery—and there's much Congress could do to help nudge agencies to use these flexibilities more consistently and creatively. The keys to boosting recovery under the ESA are to: 1) reward recovery progress with incremental regulatory relief; 2) empower bottom-up conservation leadership rather than top-down edicts from Washington; and 3) lower the temperature around recovery by providing a litigation "cooling-off" period.

The Property and Environment Research Center

PERC is the national leader in market solutions for conservation, with over 40 years of research and a network of respected scholars and practitioners. Founded in 1980, PERC is nonprofit, nonpartisan, and proudly based in Bozeman, Montana. Through research, law and policy, and innovative applied

[1] *See* Save Crystal River, *Springs Restoration* (last visited Mar. 12, 2026).

conservation programs, PERC explores how aligning incentives for environmental stewardship produces sustainable outcomes for land, water, and wildlife. With many of the most prominent ESA conflicts in our own backyard, PERC and its affiliated scholars have long advocated reforms to the act and its implementation to empower states to take the lead in recovering species, to remove perverse incentives for private landowners that set species back, and to create the positive incentives needed to spur habitat restoration and proactive recovery efforts.[2]

Recovery expectations versus recovery reality

The ESA is generally effective at preventing extinctions, with 99 percent of listed species remaining today. The Center for Biological Diversity estimates that as many as 291 extinctions may have been avoided because of the act.[3] But the ESA sets a higher goal: recovery. Unfortunately, the success at preventing extinction hasn't been matched in recovering species. Over the last 50 years, only 3 percent of listed species have recovered and been delisted.[4]

At one time, it was plausible that the low recovery rate was simply due to the ESA needing more time to work. But half a century of experience has disproven that contention. Indeed, in 2023, PERC produced a report assessing the recovery rate based on what federal scientists themselves predicted.[5] We identified 300 domestic species whose respective recovery plans predicted recovery by the act's 50th anniversary.[6] Only 13 actually were recovered.[7] In other words, the Service failed to recover 96 percent of the species that it had itself predicted. And the gap between recovery expectations and recovery reality have consistently grown.[8] If we don't change our approach, the recovery rate is not going to change.

Incremental progress toward recovery has similarly been lacking. Historically, the Service has reported that listed species are two to eight times more likely to be declining than improving.[9] In 2017, the most

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[2] *See* PERC, *A Field Guide for Wildlife Recovery: The Endangered Species Act's Elusive Search to Recover Species—and What to Do About It* (2023). *See also* Tate Watkins, *The Great Sea Otter Comeback: How cooperation can restore ecosystems*, PERC Policy Br. (2025); M. Scott Taylor, *Saving Killer Whales Without Sinking Trade: A market solution to noise pollution* (2025); Katie Wright & Shawn Regan, *Missing the Mark: How the Endangered Species Act Falls Short of Its Own Recovery Goals*, PERC (2023); Jonathan Wood & Tate Watkins, *Critical Habitat's "Private Land Problem": Lessons from the Dusky Gopher Frog*, 51 Envtl. L. Rep. 10,565 (2021).

[3] *See* Noah Greenwald, et al., *Extinction and the U.S. Endangered Species Act*, PeerJ (2019).

[4] *See* FWS Environmental Conservation Online System, *Delisted Species*.

[5] *See Missing the Mark*, *supra* n. 1.

[6] *See id.*

[7] *See id.*

[8] *See id.*

[9] See Langpap, et al., *The Economics of the U.S. Endangered Species Act: A Review of Recent Developments*, 12 Rev. of Enviro. Econ. & Pol'y 69, Fig. 3 (Dec. 2017).

recent time it provided these figures,[10] the Service reported that only 4 percent of listed species were improving and that it anticipated this number would decline.[11] This is consistent with the Service's progress in implementing recovery plans. On the ESA's 30th anniversary, the Service reported that it had achieved less than one-quarter of the recovery objectives for 76 percent of species.[12] That share of species has increased over the last 20 years, to 85 percent.[13]

A 2007 study found that recovery spending by federal and state agencies accounts for almost all of the benefits species receive under the ESA and that regulation, without such spending, "appears to have adverse consequences for species recovery."[14] And recovery resources are not limited to formal ESA funding through the Fish and Wildlife Service. According to expenditure reports sent to Congress each year, federal agencies and states spent more than $14 billion on listed species from 2011–2020. The Service was responsible for only 13 percent of the spending. If the costs borne and investments made by private landowners and conservation groups were included, this share would fall even further.

How resources are deployed also matters. Regulations, permitting, litigation, and bureaucracy may help prevent extinction by minimizing harm. But recovery requires different tools: proactive effort to restore habitat, reintroduce species, and manage conflicts—and policies that encourage and reward such efforts. Financial incentives, regulatory relief, and making species an asset (or less of a liability) to states and landowners are needed to accomplish that work.[15] Regulatory conflict not only saps resources that could go to on-the-ground conservation but also erodes the goodwill needed for federal agencies, states, landowners, and conservation groups to collaborate in recovery efforts. Former Fish and Wildlife Service Director Martha Williams coauthored an article, for instance, arguing that issuing

[10] That this information hasn't been provided in nearly a decade sheds light on a serious shortcoming in how the Fish and Wildlife Service assesses, tracks, and reports information. Better tracking of species status—as well as the regulatory decisions, funding allocations, and other factors that could affect that status—is critical to improving decisionmaking and accountability. *See, e.g.,* Olivia N. Davis, et al., *Tracking species recovery status to improve U.S. endangered species act decisions*, Conservation Science and Practice (2024).

[11] *See* Department of the Interior, *2017/2018 Annual Performance Plan & 2016 Report* 15 (May 26, 2017).

[12] FWS, *Recovery Report to Congress Fiscal Years 2003-2004* 24 (2004).

[13] *See* FWS, *ECOS: Species With Recovery Plans*. *See also Missing the Mark, supra* n. 1.

[14] Paul J. Ferraro et al., The Effectiveness of the U.S. Endangered Species Act: An Econometric Analysis Using Matching Methods, 54 J. Env't Econ. & Mgmt. 245 (2007).

[15] *See, e.g.,* PERC, *Grizzly Conflict Reduction Grazing Agreement* (2023) (describing a partnership between PERC, National Wildlife Federation, Greater Yellowstone Coalition, and a Montana ranching family to acquire federal grazing leases in an area of high conflict between grizzly bears and livestock, to manage cattle grazing to mitigate conflicts, and to avoid lethal removal of grizzly bears in a key connectivity corridor).

regulatory decisions immediately while delaying recovery planning for years "is a missed opportunity" to design regulations that actually support "a larger conservation strategy."[16]

Congress itself has recognized as much. In the decade after the ESA was enacted, it had already become clear that states, landowners, and others would not participate in proactive recovery "unless some assurances were simultaneously extended to prevent the creation of Endangered Species Act problems."[17] So in 1982, Congress amended the act to make many of its most controversial prohibitions inapplicable to reintroduced populations.[18] Since then, the Fish and Wildlife Service has facilitated successful reintroduction programs for the gray wolf, Mexican wolf, southern sea otter, California condor, and American burying beetle—some of the ESA's signature recovery accomplishments.[19]

Sam Hamilton, former Director of the Service, summed up the problem well more than 30 years ago: "The incentives are wrong here. If a rare metal is on my property, the value of my land goes up. But if a rare bird occupies the land, its value disappears."[20] While regrettable, the sad fact is that this approach can lead landowners to "shoot, shovel, and shut up" or preemptively destroy habitat before a species' presence triggers regulatory consequences.[21] But, just as importantly, it fails to encourage landowners and land managers to undertake the more difficult work of managing and restoring habitat to recover species. To supercharge species recovery, we have to change ESA implementation to facilitate that work.

Recovery recommendations

Fortunately, there is a lot we could do to improve incentives for species recovery, without sacrificing the ESA's effectiveness at preventing extinction. Indeed, many of the solutions below could be implemented without changing the statute—although legislative reform would help move federal agencies to break free of bureaucratic inertia and try these creative solutions.

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[16] *See* David J. Hayes, Michael J. Bean, Martha Williams, *A Modest Role for A Bold Term: "Critical Habitat" Under the Endangered Species Act*, 43 Envtl. L. Rep. 10,671, 10,672 (2013).

[17] H.R. Rep. No. 97-567 (1982). For similar reasons, the Fish and Wildlife Service has created forms of conservation benefit agreements that shield landowners who engage in proactive conservation from adverse regulatory consequences. *See* Fish & Wildlife Serv., *Interior Department Finalizes Action to Strengthen Endangered Species Act* (Apr. 10, 2024).

[18] 16 U.S.C. § 1539(j).

[19] Hunter Sapienza & Ya-Wei Li, *Reintroduction: An Assessment of Endangered Species Act Experimental Populations,* Environmental Policy Innovation Center (June 2021).

[20] Betsy Carpenter, *The Best Laid Plans*, U.S. News and World Report, vol.115, no.13 (1993), p. 89.

[21] Dean Lueck & Jeffrey Michael, *Preemptive Habitat Destruction under the Endangered Species Act*, 46 J. Law & Econ. 27 (2003).

Regulatory Carrots for Recovery Progress

Perhaps the most effective way that we could boost recovery is to do a better job of rewarding recovery progress. Traditionally, the primary incentive has been the promise that a recovered species will be delisted, at which point strict federal regulations will be removed. This is not enough. Delisting has been too rare, taken too long, and been too fraught with conflict for this to be a reliable incentive. Instead of the current "all or nothing" approach to rewarding recovery, we should instead provide many opportunities for states and private landowners to obtain gradually more flexibility as species progress to recovery. This would provide more consistent and reliable incentives for recovery efforts.

Fortunately, the Endangered Species Act is designed to operate in precisely this way. It provided different approaches for regulating endangered and threatened species, reserving the act's "most stringent prohibitions . . . for those species on the brink of extinction."[22] For less vulnerable threatened species, Congress provided for "regulations tailored to the needs of the animal" and designed to encourage recovery efforts in section 4(d) of the act. [23] Distinguishing between these two categories, the Service has explained, would "incentivize conservation for both endangered species and threatened species" by giving "[p]rivate landowners and other stakeholders . . . more of an incentive to work on recovery actions" through the promise of reduced regulation.[24]

Unfortunately, the Fish and Wildlife Service has undermined this structural incentive for recovery for much of the ESA's history. It has long applied a section 4(d) "blanket rule" under which endangered and threatened species are automatically regulated the same.[25] Under that rule, states and landowners can expect no reward when they recover an endangered species to the point that it can be upgraded to threatened. Notably, the National Marine Fisheries Service, which has never had a blanket rule, has done significantly better at recovering species under its care, achieving a 6.7 percent recovery rate compared to the Service's 2.5 percent.[26] PERC and another wildlife conservation group, the Rocky Mountain Elk Foundation, recently challenged this rule as undermining species recovery and contrary to the statute.[27] Fortunately, the Service recently acknowledged that the rule is contrary to the statute

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[22] *See* Congressional Research Service, A Legislative History of the Endangered Species Act of 1973, as Amended in 1976, 1977, 1978, 1979, and 1980, at 358 (statement of Sen. Tunney).

[23] *Id.*

[24] *See* 84 Fed. Reg. 44,753, 44,757 (Aug. 27, 2019).

[25] *See Field Guide*, *supra* n. 1, at 6-9.

[26] *See* PERC, Comment Opposing the Proposed Reinstatement of the "Blanket Rule," *supra* n. 23 at 11. Of course, NMFS is responsible for fewer and different species than the Service, which may explain these results. But it's alarming that, in proposing to reinstate the blanket rule, the Service does not even consider NMFS' higher recovery rate or the role its tailoring of 4(d) rules may play in it. *See id.*

[27] *See* PERC, *Why We're Suing the U.S. Fish and Wildlife Serv.* (Mar. 10, 2025).

and committed to developing regulations informed by science and tailored to the needs of each threatened species.[28]

Restoring the statute's approach will improve incentives to recover species. But 4(d) could be used even more creatively to provide even more opportunity to reward recovery progress with gradual regulatory relief. When it passed the ESA, Congress described the Service as having "an almost infinite number of options"[29] to design rules that encourage states, tribes, and landowners to recover species. The Service should use the flexibility it has been given to incorporate objective, incremental recovery goals into its 4(d) rules and provide for regulatory restrictions to adjust as species improve or decline—an approach PERC characterizes as charting roadmaps to species recovery.[30] That approach is included in the proposed ESA Amendments Act of 2025.[31]

An example of how this approach could work in practice is the proposal from PERC, Rocky Mountain Elk Foundation, Boone & Crockett Club, and Wyoming Wildlife Federation to amend regulations governing grizzly bears.[32] Two populations of that species have achieved remarkable recoveries, while two others are well on their way to recovery. Under our proposed approach, management of the recovered populations would be transferred to states, with federal guardrails against backsliding, and management of the other populations would transfer gradually as they continued to progress to recovery.[33] This would reward recovery progress and give states an opportunity to build trust among local communities and conservationists over how the species will be managed once it is eventually delisted.

An added benefit to this more creative use of 4(d) rules is that it would give recovery plans practical effect. Currently, the federal government is required to develop recovery plans for every listed species, an intense and laborious process. But the end-result of that process has no legal or practical effect. There's no obligation to implement the plan. And implementing the plan and meeting recovery goals is

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[28] *See* U.S. Fish & Wildlife Serv., 90 Fed. Reg. 52,587 (Nov. 21, 2025); PERC, *Conservation Victory* (Aug. 19, 2025).
[29] H.R. Rep. No. 412, 93rd Cong., 1st Sess. 1973.
[30] *See Field Guide*, *supra* n. 1, at 18-21. *See also* David Willms, *Unlocking the Full Power of Section 4(d) to Facilitate Collaboration and Greater Species Recovery*, in The Codex of the Endangered Species Act, vol. II (2023); Alejandro Camacho, et al., *Six Priority Recommendations for Improving Conservation Under the ESA*, 51 Envtl. L. Rep. 10,785, 10,788, 10,789–90 (2021) (listing tailoring 4(d) rules to account for whether species are improving or declining as the #1 reform identified in a dialogue among the conservation community).
[31] H.R. 1897.
[32] PERC et al., *Comment on the Proposed Grizzly Bear Listing with a Revised 4(d) Rule*, RIN 1018– BI14 (May 16, 2025).
[33] Several 4(d) rules have incorporated population or recovery goals. *See, e.g.,* U.S. Fish & Wildlife Serv., *Revision to the Nonessential Experimental Population of the Mexican Wolf*, 87 Fed. Reg. 39,348 (July 1, 2022). But these examples have been the exception, rather than the rule.

not sufficient to delist the species. Incorporating recovery goals directly into species regulation will give federal agencies, states, and landowners a compelling reason to prioritize them.

Section 4(d) is not the only opportunity to leverage gradual regulatory relief to encourage recovery progress. Federal land managers face challenges similar to private landowners when regulatory barriers conflict with their stewardship of habitat. The Forest Service, for instance, manages habitat for more than 400 endangered and threatened species, much of it vulnerable to wildfire.[34] Maintaining and restoring these habitats takes proactive work to reduce fuel loads, reduce threats from invasive species, and address other risks. Regulations do not incentivize these efforts but, often, hamper them. During the Biden administration, for instance, the Forest Service identified one ESA requirement that threatened its forest restoration work across dozens of forests, would bog down the agency in a decade of duplicative paperwork, and would divert millions of dollars from restoration efforts.[35] To reduce these burdens and reward federal land managers' role in species recovery, the consultation process could account for whether species are improving or declining, by tuning the measures federal agencies must implement based on progress toward recovery goals.[36] Similarly, permitting under Section 10 could be made more sensitive to recovery progress.

Additionally, federal agencies have created several voluntary programs, notably candidate conservation agreements with assurances and safe harbor agreements, that provide regulatory relief for landowners who help recover certain species. Unfortunately, the programs are overly complex and have high transaction costs, factors that discourage participation. Moreover, the programs do not extend regulatory protections beyond participating landowners, potentially exposing neighbors to regulatory costs and breeding ill will. Improving these recovery-focused programs will help boost participation and species conservation on the ground.

Bottom-up Conservation Works

Another key opportunity to boost species recovery under the ESA is to better leverage states as partners. When Congress enacted the ESA, "the proper role of the states was the dominant concern."[37] As PERC Senior Fellow Temple Stoellinger has explained, the ESA takes great care to preserve states' long-standing, primary role in managing wildlife, including endangered and threatened species.[38]

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[34] *See* U.S. Forest Serv., *Threatened, Endangered, Sensitive Species* (last visited Mar. 12, 2026).
[35] *See* Forest Serv., *Deputy Chief French testimony on land bills* (March 24, 2023) (video at 02:01:50–02:03:00 and 02:12:30–02:13:48).
[36] Tim Male, *Making an Asset of Endangered Species Recovery*, in The Codex of the Endangered Species Act Vol II: The Next Fifty Years 15 (Baier, et al. eds., 2024).
[37] John Nagle, *The Original Role of States in the Endangered Species Act*, 53 Idaho L. Rev. 385, 393 (2017).
[38] See Temple Stoellinger, Wildlife Issues Are Local—So Why Isn't ESA Implementation?, 44 Ecology L.Q. 681 (2017).

That's why, for instance, the statute requires the Service to "cooperate to the maximum extent practicable with the States."[39] To preserve state authority, the law also provides that nothing in the statute can "be construed to void any State law or regulation which is intended to conserve migratory, resident, or introduced fish or wildlife."

The ESA contains one of the most robust federalism provisions among federal environmental laws. While the Clean Air Act and Clean Water Act invite states to assist in implementing federal permits, the ESA gives states the authority to develop conservation programs that supersede federal regulations. Under Section 6(c), federal take prohibitions do not apply, with limited exceptions, in any state that "establishes and maintains an adequate and active program for the conservation of endangered species and threatened species," except to the extent the state adopts those prohibitions as its own.[40]

The statute provides five requirements a state must meet to qualify as having an adequate and active conservation program and, if they're met, requires the Service to issue a cooperative agreement to the state entitling it to set aside federal regulations.[41] A state need only show that it has given an agency authority to implement conservation actions for the species, to establish acceptable conservation programs for all resident endangered and threatened species, to evaluate a species' survival needs, to acquire land and water to conserve habitat, and to allow public participation in the process of identifying endangered and threatened species.[42] These factors give states wide discretion to structure its program, which could look like the ESA's approach or something fundamentally different.

States are well-positioned to do this work and are already leading on species conservation and recovery. During my time with the Florida Fish and Wildlife Conservation Commission, for example, we updated our state imperiled species listing process, a comprehensive approach that covered all 117 listed species in the state and created species-specific management plans and tailored regulations unique to each species to better promote recovery. We also revamped and expanded the state's Critical Wildlife Areas to pinpoint protections with greatly outsized conservation benefits.

Unfortunately, the Service has, by regulation, converted the ESA's federalism provisions into little more than a grant-making program.[43] Due to the Service's actions, "the intent of Congress" reflected in the ESA's federalism provisions "has not been fully realized."[44]

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[39] 16 U.S.C. § 1535(a).
[40] 16 U.S.C. §§ 1535(c)(1), (g). For good measure, the ESA provides that federal regulations do not apply in cooperative agreement states not once, but twice. 16 U.S.C. § 1533(d).
[41] 16 U.S.C. §§ 1535(c)(1).
[42] *Id.*
[43] *See Wildlife Issues Are Local*, *supra* n. 38.
[44] *See id.* at 723.

This is unfortunate because Congress' original design of states leading on recovery would likely reduce conflict and benefit species. According to a report from the Duke Nicholas Institute for the Environment, the public strongly prefers states rather than the federal government to lead on environmental issues, with the preference most pronounced in rural areas (65 percent prefer state leadership compared to 25 percent preferring federal leadership).[45] Surveys of landowners have also found that they are much more willing to participate in conservation efforts led by state wildlife agencies than those led by the Service.[46]

Wildlife management is inherently local. The recovery of endangered and threatened species has been set back by the over-centralization of ESA implementation. This misalignment undermines conservation outcomes, burdens federal resources, and alienates the very people needed for recovery. The Service not only has the authority under the ESA to decentralize implementation, but in several respects, it is also required to do so.

Too Much Conflict Discourages Conservation

A final opportunity to aid recovery is to reduce the conflict that too often results from it. In several notable cases, a species' recovery and delisting has provoked a race to the courtroom rather than celebration. These cases have revealed a notable gap, at least for high-profile species, between biological recovery (the point at which a species is no longer endangered or threatened) and political recovery (the point at which interest groups will accept the species' delisting).

Delisting litigation has largely been driven by fear that the species' recovery would reverse if returned to state management. Fortunately, those fears have not been borne out. No species that has been recovered, delisted, and transferred to state management has backslid onto the list again.[47]

Moreover, the ESA has a process to deal with the risk of species suffering a recovery setback. Whenever a species is delisted, the Fish and Wildlife Service and the state are required to monitor the population for at least five years.[48] If the species suffers an unexpected decline during that period, the Service can relist, including through emergency procedures that allow the listing to go into effect immediately rather than after the ordinary rulemaking process.[49]

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[45] Robert Bonnie et al., *Understanding Rural Attitudes Toward the Environment and Conservation in America* 20 (Duke Nicholas Inst. for Env't Pol'y Sols., 2020).
[46] R. Dwayne Elmore & Terry A. Messmer, *Public Perceptions Regarding the Utah Prairie Dog and Its Management: Implications for Species Recovery*, Utah State Univ. Berryman Inst. Publ'n No. 23 (2006).
[47] *See Field Guide*, *supra* n. 1, at 15.
[48] 16 U.S.C. § 1533(g).
[49] 16 U.S.C. § 1533(g)(2).

That process should be given an opportunity to work for more species by delaying delisting litigation until after the monitoring period completes. This will have the salutary benefit of allowing judicial review to benefit from the information the Service gathers during the review period about the effectiveness of state management, rather than courts having to speculate.

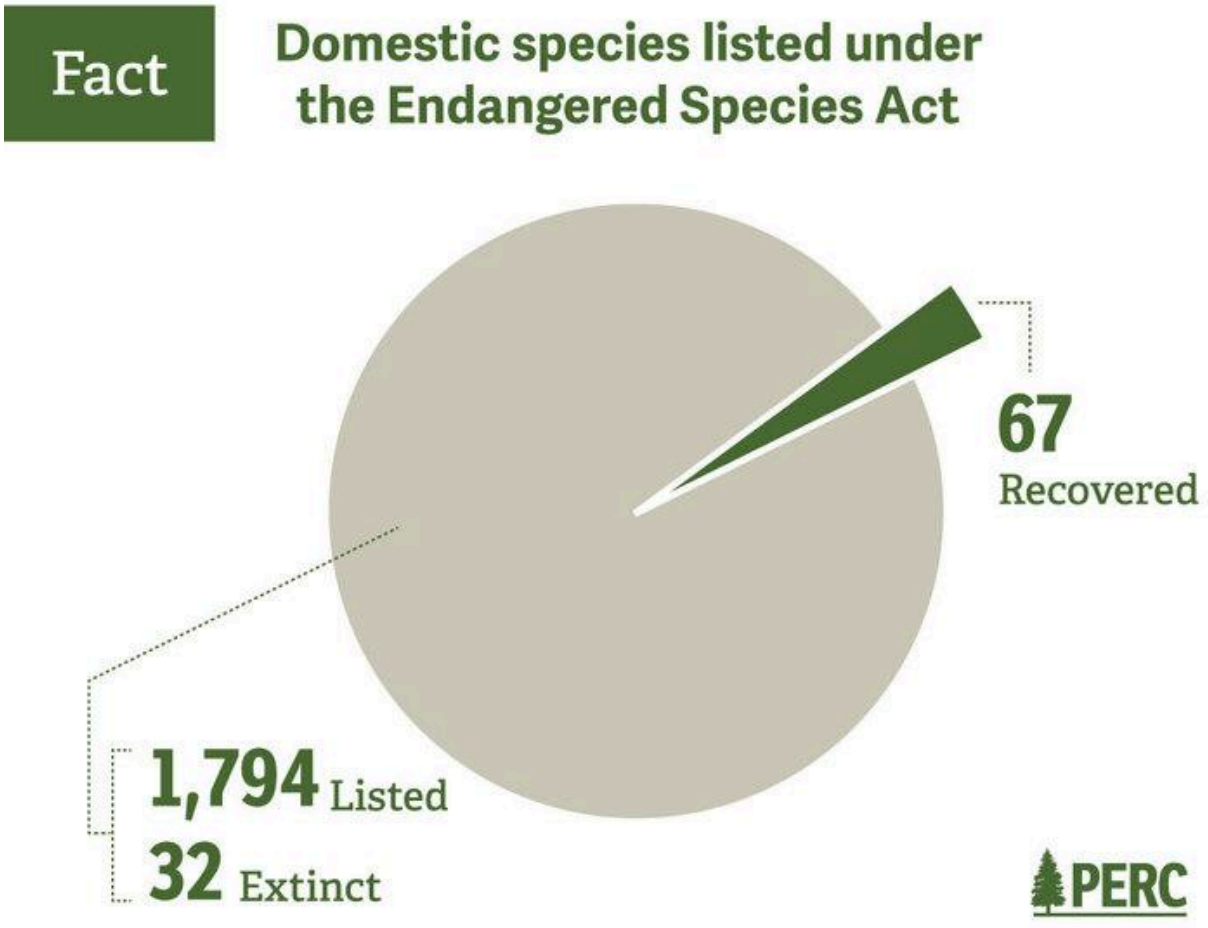
Conclusion

After 50 years, the ESA has achieved significant accomplishments, including avoiding the extinction of dozens or hundreds of species.[50] But we are falling far behind in achieving its ultimate goal of recovering species, with only 3 percent of species achieving this goal and a similarly small proportion making progress toward it. We must do better. I encourage the members of this Committee to consider the dozens of recovery-focused reforms in PERC's *Field Guide for Wildlife Recovery*. The motivation for all of these ideas is to recover more species without sacrificing the ESA's effectiveness at preventing extinction. With better policies and implementation we can deliver better results for species and landowners alike.

[50] Noah Greenwald, et al., *Extinction and the U.S. Endangered Species Act*, PeerJ (2019) (estimating that as many as 291 extinctions have been avoided due to the ESA, but relying on assumptions that make this more of an upper bound than reliable estimate). *See* Testimony of Jonathan Wood to the U.S. House Natural Resources Committee, Subcommittee on Water, Wildlife, and Fisheries, Hearing on the Endangered Species Act at 50, 2–3 (July 18, 2023).

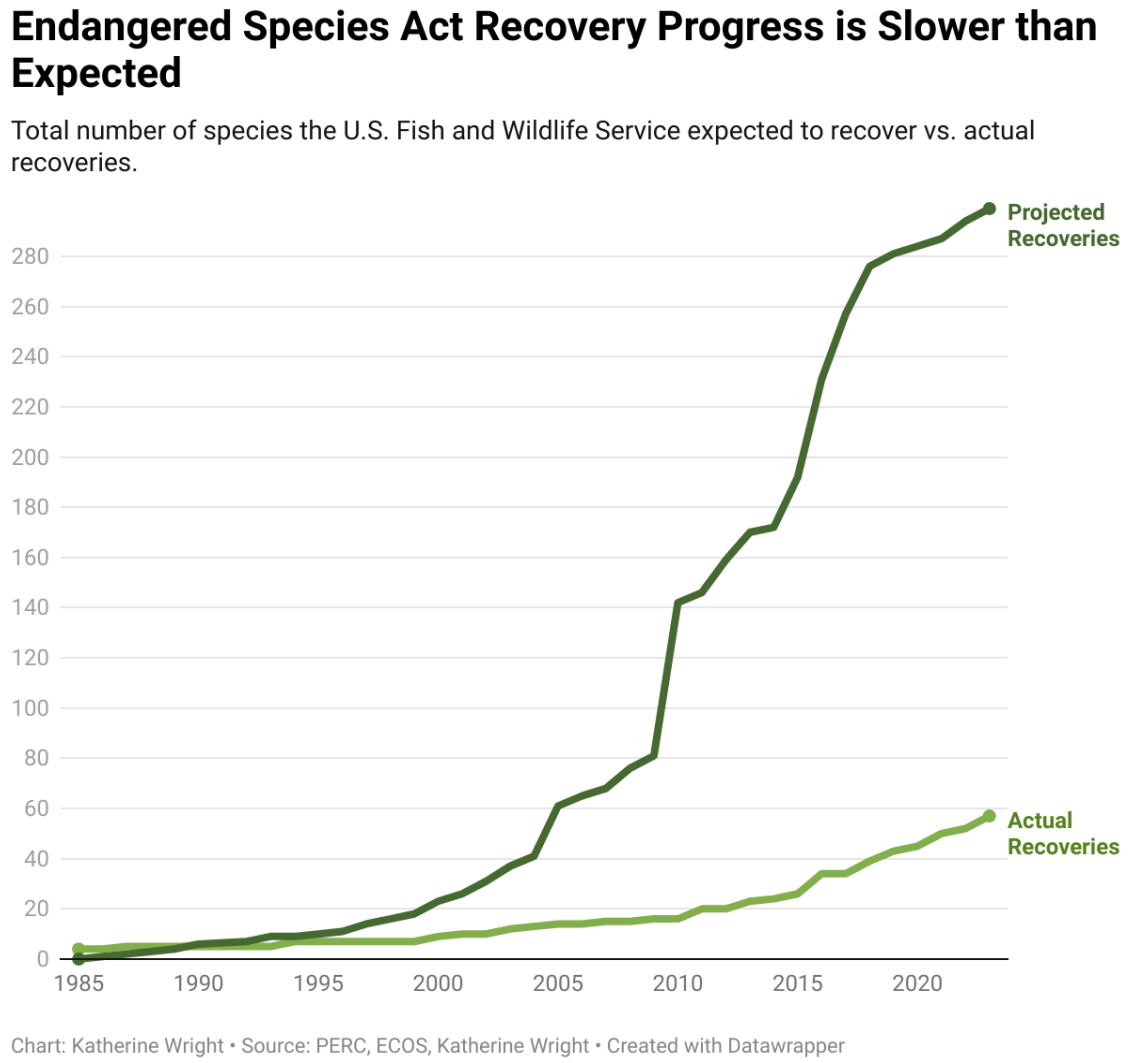
Appendix

Figure 1:



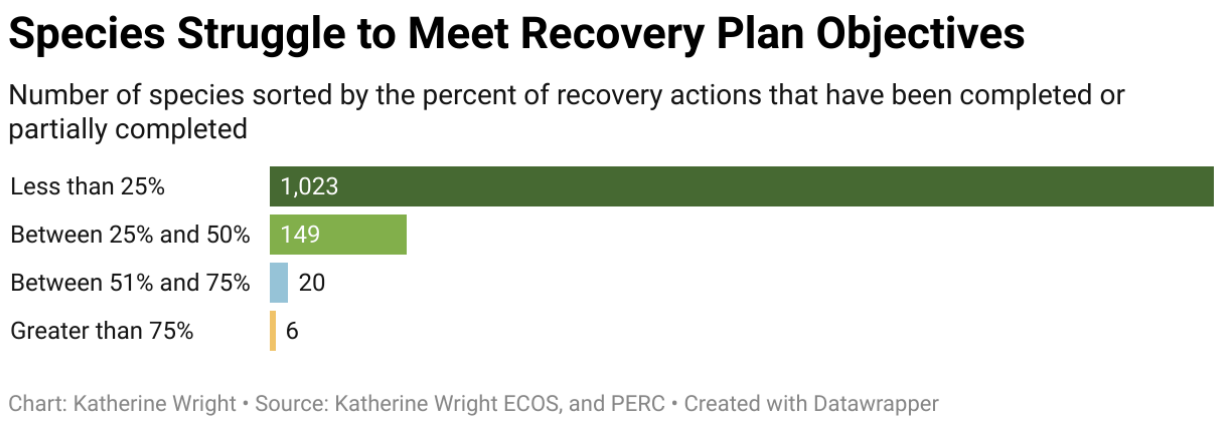
Source: PERC, *A Field Guide for Wildlife Recovery: The Endangered Species Act's Elusive Search to Recover Species—and What to Do About It* 4 (2023) (updated through Oct. 20, 2023).

Figure 2:



Source: Katherine Wright & Shawn Regan, *Missing the Mark: How the Endangered Species Act Falls Short of Its Own Recovery Goals*, PERC (2023).

Figure 3:



Source: Katherine Wright & Shawn Regan, *Missing the Mark: How the Endangered Species Act Falls Short of Its Own Recovery Goals*, PERC (2023).