Congress of the United States
Washington, DC 20510

July 22, 2021

The Honorable Debra Haaland
Secretary, Department of the Interior
1849 C Street, N.W.
Washington, DC 20240

Dear Secretary Haaland,

In January 2017, the U.S. Fish and Wildlife Service (USFWS) issued Director's Order No. 219 to phase out using lead ammunition and fishing tackle by January 2022 on 567 national wildlife refuges and 38 wetland management districts, encompassing 95 million acres of land. President Trump's Interior Secretary withdrew that Order, temporarily thwarting a sensible, science-based policy that would otherwise be taking full effect in the near future.

To address this unacceptable reversal in policy, I introduced H.R. 405, the Lead Endangers Animals Daily (LEAD) Act, to codify the ban on using lead ammunition on National Wildlife Refuges. Concurrently, I request that your agency, the Department of the Interior, direct the USFWS to disallow the use of lead in sporting activities, so that the agency can fulfill its mission to conserve wildlife on lands set aside specifically to benefit animals.

Earlier this year, USFWS announced a policy of expanding hunting on refuges. Without a prohibition on lead ammunition, this expansion of hunting on refuges means the volume of lead in our refuges will only increase, sending us in the wrong direction.

It is widely recognized that lead is a deadly for humans and other animals. Precisely because of the health risks associated with ingestion, government and industry have collaborated to take it out of gasoline, paint, and other substances. The lingering effects of lead pipes still pose hazards for communities, as we have seen in the infamous water crisis in Flint. It is the sensible and conservative move to get lead out of wildlife management, especially now that there are alternatives available in the marketplace for every single hunter and fisherman.

In 1991, USFWS banned toxic lead ammunition for waterfowl hunting, producing a conservation and animal welfare success story. Within 10 years, researchers found significant improvements in the blood and bone lead levels in a variety of waterfowl species. The use of nontoxic shot reduced the mortality of mallards by 64 percent and saved approximately 1.4 million ducks in a single fall flight.

Despite its known toxicity, lead-based ammunition is the single largest source of unregulated lead knowingly discharged into our lands and water.[i] Additionally, an estimated more than 4,000 tons of lead fishing sinkers are lost to the environment annually in the United States.[ii] More than 130 species—including humans—are exposed to toxic lead shot, bullet fragments, fishing tackle, or prey contaminated with spent lead ammunition.[iii],[iv] Animals consume spent lead ammunition or lead fishing tackle by foraging spent lead shot from the ground, feeding on the remains of lead-contaminated gut piles, scavenging the remains of animals that were shot with lead ammunition and left behind, or directly ingesting lead sinkers and jigs.

A single ingested shotgun pellet or bullet fragment is sufficient to cause brain damage in various bird species, resulting in inhibition of critical avian neuromuscular, auditory, and visual responses.[v] Lead poisoning can induce lethargy, blindness, paralysis of the lungs and intestinal tract, the failure of various organs, seizure, and death in wild animals.

Non-lead ammunition and fishing tackle are widely available and effective in field and stream sports. Steel, copper, and bismuth are among the most common non-lead materials and are readily available at major retailers and online. The price of non-lead shot fell after the federal government banned lead shot in waterfowl hunting, providing a marketplace example of how broader use of alternative shot drives down price. Ammunition manufacturers have also had to increase production after California banned all lead ammo in sport hunting in July 2019.

A survey conducted by the Arizona Game and Fish Department revealed that nearly 80% of hunters rated the performance of non-toxic ammunition to be better, or equivalent to, its lead counterpart.[vi] The Texas Parks and Wildlife Department released a multi-year, peer-reviewed study in 2015 concluding that dove hunters using shotshells loaded with lead pellets have no advantage in effectiveness over those using shotshells firing non-toxic steel pellets of similar or slightly larger size.[vii]

The U.S. Fish and Wildlife Service is the primary manager of our nation's national wildlife refuges, and it has a statutory responsibility to protect wildlife from poisons and other health hazards. I encourage the Department to review the use of lead ammunition in our refuges and take action. Thank you for your time and consideration.

Sincerely,

Ted Lieu
Member of Congress

Jerrold Nadler
Member of Congress

Joe Neguse
Member of Congress

Nanette Diaz Barragán
Member of Congress

Tony Cárdenas
Member of Congress

[i][i] D. Bellinger, A. Bradman, J. Burger, T. Cade, D. Cory-Slechta, D. Doak, et al. 2013. Health Risks from Lead-Based Ammunition in the Environment – A Consensus Statement of Scientists. Microbiology and Environmental Toxicology, UC Santa Cruz. doi:10.1289/ehp.1306945

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[iii][iii] M.A. Tranel & R.O. Kimmel. 2009. Impacts of lead ammunition on wildlife, the environment, and human health – a literature review and implications for Minnesota. In *Ingestion of Lead from Spent Ammunition: Implications for Wildlife and Humans.* R.G. Watson, et al., eds. Boise, Idaho: The Peregrine Fund.

[iv][iv] Rattner et al., *supra* note 2.

[v][v] M.P. Dieter & M.T. Hohman, *∂*-Aminolevulinic Acid Dehydratase Enzyme Activity in Blood, Brain, and Liver of Lead-Dosed Ducks, 19 Environ. Res.127–135 (1979).

[vi][vi] D.J. Case & Associates. 2006. Non-lead Ammunition Program Hunter Survey. In *Final report to the Arizona Game & Fish Department*. Washington, D.C.: Association of Fish and Wildlife Agencies.

[vii][vii] Texas Parks and Wildlife Department, 2014. A Comparison of Lead and Steel Shot Loads for Harvesting Mourning Doves. http://tpwd.texas.gov/publications/nonpwdpubs/media/wsb504.pdf