

## **REVOKING PROTECTIONS FOR THE IMPERILED NORTHERN LONG EARED BAT**

Passed: 51-49

### **SUMMARY:**

The Senate passed a resolution that would have revoked stronger protections for the northern long-eared bat stemming from a rule reclassifying its status from threatened to endangered under the Endangered Species Act. (*May 11, 2023, Roll Call No. 123*).

### **BACKGROUND:**

The northern long-eared bat is a medium-sized bat currently found across 37 states and the District of Columbia, and historically found along the entire eastern and north-central areas of the United States and much of Canada. Northern long-eared bats have been devastated by white-nose syndrome (WNS), a fungal disease that infects hibernating bats and has been responsible for the deaths of millions of bats throughout North America. Northern long-eared bat populations have declined by 97-100% across 79% of the species' range due to WNS. While WNS is the most significant driver of northern long-eared bat loss, the species also faces threats from habitat loss, wind energy mortality, and climate change.

The U.S. Fish and Wildlife Service (FWS) reclassified the bat's Endangered Species Act status from threatened to endangered on November 30, 2022. Its original threatened status exempted most habitat-destroying activities from regulation, leaving the bat vulnerable to loss of both summer roosting and foraging habitat and winter hibernation habitat.

In the 118<sup>th</sup> Congress, the House and Senate began, for the first time, using the Congressional Review Act (CRA) to revoke new federal agency regulations affording essential protections to imperiled wildlife under the Endangered Species Act. CRA resolutions signed into law also block agencies from issuing substantially similar rules in the future, thereby increasing the risk of extinction for species impacted by this form of legislative action. On March 30, 2023, Senator Markwayne Mullin (R-Okla.) introduced S.J. Res. 24 to revoke FWS's reclassification of the northern long-eared bat from threatened to endangered.

### **OUTCOME:**

On May 11, 2023, the U.S. Senate passed S.J. Res. 24, 51-49. "Nay" was the pro-conservation vote. The House passed the resolution on July 27, 2023, and President Biden vetoed it on September 28, 2023.