

HR 65

Armed Forces Endangered Species Exemption Act

Congress: 119 (2025–2027, Current)

Chamber: House

Policy Area: Environmental Protection

Introduced: Jan 3, 2025

Current Status: Referred to the House Committee on Natural Resources.

Latest Action: Referred to the House Committee on Natural Resources. (Jan 3, 2025)

Official Text: <https://www.congress.gov/bill/119th-congress/house-bill/65>

Sponsor

Name: Rep. Biggs, Andy [R-AZ-5]

Party: Republican • **State:** AZ • **Chamber:** House

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Gosar, Paul A. [R-AZ-9]	R · AZ		Jan 3, 2025

Committee Activity

Committee	Chamber	Activity	Date
Natural Resources Committee	House	Referred To	Jan 3, 2025

Subjects & Policy Tags

Policy Area:

Environmental Protection

Related Bills

No related bills are listed.

Armed Forces Endangered Species Exemption Act

This bill establishes exemptions from the Endangered Species Act of 1973 (ESA) for defense-related operations.

First, the bill prohibits the U.S. Fish and Wildlife Service (FWS) and the National Marine Fisheries Service (NMFS) from designating military installations or state-owned National Guard installations as critical habitat under the ESA. It also prohibits FWS and NMFS from designating other lands, waters, or geographical areas as critical habitats if the Department of Defense (DOD) determines that the areas are necessary for military training, weapons testing, or other reasons. While DOD must submit such determinations in writing to the FWS, DOD is not required to consult with the FWS under the ESA about such determinations.

Next, the bill exempts military personnel engaged in national defense-related operations (actions or duties that DOD deems necessary to support its mission) from ESA prohibitions on (1) taking (e.g., harming or killing) of endangered species or threatened species; (2) importing or exporting such species; and (3) damaging, destroying, removing, cutting, or digging up such species. Further, the bill exempts any injury to or mortality of a threatened or endangered species that results from, but is not the purpose of, a national defense-related operation.

The term *military personnel* means a member of the Armed Forces as well as a civilian employee or contractor of (1) DOD; or (2) any other federal agency, or any provisional authority, to the extent such employment relates to supporting the mission of DOD overseas.

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