

Protect Gulf Life Act

The Endangered Species Committee (ESC) – also known colloquially as the “God Squad” or the “Extinction Committee”- was created by the Endangered Species Act (ESA) to address extremely rare situations in which a proposed federal project conflicts with the protection of an endangered or threatened species and no workable alternatives appear to exist; if it is decided that the benefit of the project to the public outweighs the risk of harm to endangered species, the ESC may vote to override ESA protections.¹

In an unusual turn of events, the ESC voted on March 31st, 2026 to unilaterally exempt *all* oil and gas activities in the Gulf from abiding by ESA protections.ⁱ This ESC move was radically out of step with the ESC’s congressionally intended role and reasonable expectation of ESC practice. Since its establishment in 1978, the ESC has only met three times, and this most recent meeting of the ESC was highly unusual and likely illegal for several reasons:

- **The recent exemption was incredibly broad. The intention of the ESC is to review the benefits and harms of a *specific* project to a *certain threatened or endangered species*.** Prior ESC meetings have weighed the impacts of constructing the Grayrocks Dam and Reservoir (Platte River, WY) on whooping cranes, constructing the Tellico Dam (Tennessee River, TN) on snail darter fish,ⁱⁱ and logging on approximately 7 square miles of land in western Oregon on the northern spotted owl.ⁱⁱⁱ By contrast, the recent ESC decision applies to all oil and gas operators anywhere in >600,000 square miles of the Gulf and affects 20 threatened and endangered species.^{iv}
- **The recent exemption is the first one granted on national security grounds rather than for economic reasons.** The Secretary of War asserted that litigation related to the ESA is threatening to halt oil and gas production and could create uncertainty that may reduce future production, which would disrupt military operations and readiness.^v However, even with ESA protections in place in the Gulf and despite litigation, U.S. oil production last year was the highest it has ever been.^{vi} Further, any new lease sales and therefore new drilling would take years to materialize into the oil market, and therefore is unable to address any immediate oil market shortfalls caused by the War in Iran.
- **The recent exemption did not follow necessary approval processes.** The law sets forth a complex, multi-step process for when the ESC can meet. It can convene only within 90 days of the completion of a Biological Opinion that both finds jeopardy and determines there are no reasonable alternatives. There are also specific timing and notice requirements. The notice issued by Interior lacked the required details and did not comply with the Act’s procedural requirements. In addition, neither the identity of the party who filed the exemption application, nor the rationale was disclosed to the public in advance of the meeting, which was also not open to the public as required by law.^{vii} Nor were there representatives from the affected Gulf states, who together should have a combined vote.^{viii}

This radical decision and unorthodox process by the ESC is not without damaging impacts. Without these safeguards to mitigate harm from vessel strikes, sound interference, water pollution, and oil spills,^{ix} threatened and endangered species in the Gulf could become extinct. Of particular concern is the Rice's Whale, the only whale that lives exclusively in U.S. waters and which is down to just ~50 individuals.^x ESA protections in the Gulf also improve habitat for non-threatened wildlife, too. A healthy Gulf ecosystem with thriving wildlife has cascading benefits for Gulf community economies that rely on wildlife for fishing, tourism, and recreation.

The Protect Gulf Life Act would reverse the ESC decision and temporarily prohibit its reissuance. This sweeping exemption was not in line with the ESC's congressionally intended role, and the Protect Gulf Life Act would nullify the recent exemption, prohibit the exemption from being re-issued, and re-assert ESA protections.

For more information or to co-sponsor the Protect Gulf Life Act, please reach out to Sarah Rothman (sarah.rothman@mail.house.gov) and Julia Kravitz (julia.kravitz@mail.house.gov) with Rep. Beyer.

ⁱ Endangered Species Committee. April 3, 2026. Federal Register 91(64): 16966-16967.
<https://www.govinfo.gov/content/pkg/FR-2026-04-03/pdf/2026-06458.pdf>.

ⁱⁱ Greene, C. March 31, 2026. "Meet the 'God Squad,' the Powerful Endangered Species Panel That Just Pared Back Protections." TIME. <https://time.com/article/2026/03/31/endangered-species-protections-committee-gulf-of-mexico-oil-gas-drilling/>.

ⁱⁱⁱ Egan, T. January 9, 1992. "Politics Reign at Spotted Owl Hearing." The New York Times Sec. A: 14.
<https://www.nytimes.com/1992/01/09/us/politics-reign-at-spotted-owl-hearing.html>.

^{iv} Southeast Regional Office. August 26, 2025. "Threatened and Endangered Species List—Gulf of America." National Oceanic and Atmospheric Administration.
<https://www.fisheries.noaa.gov/southeast/consultations/threatened-and-endangered-species-list-gulf-america>.

^v Hegseth, P. March 13, 2026. Secretary of War letter.
<https://www.doi.gov/sites/default/files/documents/2026-03/act-exemption-osd070136-26-res-final.pdf>.

^{vi} U.S. Energy Information Administration. April 30, 2026. "Petroleum & Other Liquids."
<https://www.eia.gov/dnav/pet/hist/LeafHandler.ashx?n=PET&s=MCRFPUS2&f=M>.

^{vii} Danley, C. March 16, 2026. Federal Register 91: 12672.
<https://www.federalregister.gov/documents/2026/03/16/2026-05242/endangered-species-committee-meeting-announcement>.

^{viii} Pervaze, S. January 27, 2017. "Endangered Species Act (ESA): The Exemption Process." Report R40787.
<https://www.congress.gov/crs-product/R40787>.

^{ix} Marine Mammal Commission. 2026. "Oil and Gas Development and Marine Mammals."
<https://www.mmc.gov/priority-topics/offshore-energy-development-and-marine-mammals/offshore-oil-and-gas-development-and-marine-mammals/>.

^x Cook, A and D. Moss. November 14, 2023. "Whale It for All to Hear: These Whales are Critically Endangered!" Defenders of Wildlife. <https://defenders.org/blog/2023/11/whale-it-all-hear-these-whales-are-critically-endangered>.