

Endangered Species Act

Agencies: U.S. Fish & Wildlife Service, and National Oceanic and Atmospheric Administration (National Marine Fisheries Service)

Citation: [16 U.S.C. §§ 1531 et seq.](#)

Enacted as: the “Endangered Species Act of 1973”, on December 28, 1973

Summary:

When Congress passed the [Endangered Species Act of 1973 \(ESA\)](#), it recognized that our rich natural heritage is of “esthetic, ecological, educational, recreational, and scientific value to our Nation and its people.” The ESA further expressed concern that many of our Nation’s native plants and animals were in danger of becoming extinct.

The purpose of the ESA is to protect and recover imperiled species and the ecosystems upon which they depend. The U.S. Fish and Wildlife Service (FWS) and the National Oceanic and Atmospheric Administration’s National Marine Fisheries Service (NMFS) (together referred to as the Services) administer the ESA. The FWS has primary responsibility for terrestrial and freshwater organisms, while the responsibilities of NMFS are mainly marine wildlife such as whales and anadromous fish such as salmon.

Under the ESA, species may be listed as either endangered or threatened. “Endangered” means a species is in danger of extinction throughout all or a significant portion of its range. “Threatened” means a species is likely to become endangered within the foreseeable future. All species of plants and animals, except pest insects, are eligible for listing as endangered or threatened. For the purposes of the ESA, Congress defined species to include subspecies, varieties, and, for vertebrates, distinct population segments. As of March 2011, the FWS had listed 1,967 species worldwide as endangered or threatened, 1,372 of which occur in the United States.

Section 4 of the ESA requires species to be listed as endangered or threatened solely on the basis of their biological status and threats to their existence. When evaluating a species for listing, the Services consider five factors: 1) damage to, or destruction of, a species’ habitat; 2) overutilization of the species for commercial, recreational, scientific or educational purposes; 3) disease or predation; 4) inadequacy of existing protection; and 5) other natural or manmade factors that affect the continued existence of the species. When one or more of these factors imperils the survival of a species, the Services take action to protect it. Decisions are based on the best scientific information available.

Source: http://www.fws.gov/endangered/esa-library/pdf/ESA_basics.pdf

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