



# The Politics of Protecting Species

Like any law, the Endangered Species Act is hardly administered in a political vacuum. Among other things, the act allows citizens to petition administrative agencies to add an animal to the Endangered Species List as either “threatened” or “endangered” and to request hearings and submit comments about listings proposed. So just how political is the process? Do “cute critters” get priority? Do economic considerations creep in, even though the act forbids their use as criteria for deciding which species should be protected?

In one of RFF’s noontime seminars open to the public this spring, Fellow Amy W. Ando offered her preliminary findings on how much political maneuvering and cost-benefit considerations influence the way the endangered-species listing process works. Ando found that the U.S. Fish and Wildlife Service does not appear to be bending rules to favor furry friends over endangered invertebrates. But interest groups and legislators do influence the listing process in ways consistent with their perceptions of the costs and benefits of species protection.

Using data from 1989–1994, Ando conducted a duration-time analysis of additions to the Endangered Species List. Ando’s statistical analysis shows that mechanisms designed by Congress to allow public participation in the process are effective, and that members of oversight committees have direct influence over

the process. Interest groups and subcommittee members influence the speed at which a species moves through the stages that ultimately lead to its being listed for protection.

In the early part of the process, interest group support can make the difference as to whether a species moves out of administrative limbo and onto a list or is instead demoted from active candidacy. Supporting petitions can reduce the time a candidate species spends in the pre-

proposal period by almost fourteen weeks. Supporting comments have accumulating influence in the opposite direction, however. Support can, in fact, overwhelm the opposition by the time each side has submitted five hundred comments, according to her estimates.

The fact that costs and benefits are legally excluded as criteria for deciding whether or not a species will make a list has led some to criticize the Endangered Species Act as doing a poor job of allocating

achieved by this convoluted process? Ando notes that the route through which cost-benefit considerations enter the process is not ideal. Interest group expectations of the costs and benefits involved in protecting a species may be colored by ideological outlook and level of affluence. Furthermore, she finds that groups that support species protection seem to neglect some of the benefits, such as differential contribution to biodiversity, when deciding how much of a rally of support to offer a particular listing.

Would explicit consideration of cost and benefits be better? Ando acknowledges that rigid cost-benefit analysis of the protection of endangered species may be problematic for several reasons, one of which is the moral squeamishness we have about choosing whether to let a species go extinct. However, her research throws into relief the fact that economic considerations do figure into the process of regulatory decisionmaking.

For now, Ando concludes that interest groups on both sides of the endangered-species debate should recognize that they already have an important “seat at the negotiating table,” while proponents of the “Noah’s Ark” approach to species protection should realize that no legal mandate can completely exclude economic considerations from the process.



proposal administrative process by over a year. The influence of congressional subcommittee members at this stage is just as large, the direction of their support varying with the interests of their prime constituents.

But opponents to a listing can launch a counteroffensive of delay. Ando found that once a species has been proposed for listing, hearing requests add over six weeks to the wait for final listing, and uncontested opposing comments may increase the expected length of

society’s resources among species, Ando noted. However, her statistical analyses show that, in practice, endangered-species listing decisions are not immune to cost-benefit considerations. How people stand to gain or lose from the protection of a given species seems to be one of the driving forces behind their intensity of support or opposition. That pressure has real effects on the administrative process.

Should we then be content with the economic balancing

 See page 17 to order Ando’s related discussion papers.