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PRESS RELEASE

Land Commissioner Buckingham Enlists State of Texas to Sue Biden-Harris Administration Over Classification of Dunes Sagebrush Lizard

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AUSTIN — Today, Texas Land Commissioner Dawn Buckingham, M.D. enlisted the State of Texas to file a lawsuit against the Biden-Harris Administration's U.S. Fish and Wildlife Service (USFWS) over the classification of the Dunes Sagebrush Lizard (DSL) as endangered under the Endangered Species Act (ESA).

The lawsuit filed today, follows [comments previously submitted](#) by Commissioner Buckingham to the USFWS more than a year ago outlining inconsistencies with listing the DSL as endangered and how moving forward with this classification "could have a crippling impact on the oil and gas industry" which will result in job losses across the state and decreased revenue for the Permanent School Fund (PSF) and Permanent University Fund (PUF).

"The Biden-Harris Administration will stop at nothing to cripple Texas' robust oil and gas industry. As the steward of over 13 million acres of energy-rich land, I will do everything in my power to protect our state's energy independence and our schoolchildren's education," said Commissioner Buckingham. "This unwarranted, understudied classification of the Dunes Sagebrush Lizard directly threatens surface activities that are absolutely necessary for oil and gas exploration in West Texas, and I will not allow this to happen on my watch."

Inconsistencies with listing the DSL as endangered include:

1. USFWS has provided no evidence to illustrate a change to oil and gas development in the Permian Basin sufficient to justify reversing their 2012 finding that the DSL does not meet the statutory definition of an endangered or threatened species under the ESA.
2. USFWS purposefully disregards Texas' voluntary conservation efforts to protect the DSL in its analysis. By its own statement, USFWS does not consider the impacts of conservation efforts unless they are compulsory, permanent, and all-encompassing.
3. USFWS and the Biden Administration have ignored the population trends of the DSL which show that their numbers are increasing.

The proposed habitat of the DSL is not well or clearly defined by USFWS, it appears to be located primarily in the Permian Basin of far West Texas, which is the beating heart of Texas' – and the country's – oil and gas industry -- one of the primary sources of revenue for education in Texas, by way of the PSF and PUF.