

What the God Squad Is

Congress created the Endangered Species Committee in 1978. The backstory matters. The Supreme Court had just ruled, in *TVA v. Hill*, that the ESA means what it says — the government cannot drive a species to extinction, “whatever the cost.” That ruling halted a \$100 million Tennessee dam to protect a tiny fish called the snail darter. Congress, terrified by the law’s absolute teeth, created an emergency escape valve: a committee of cabinet-level officials that could, in extreme circumstances, override the ESA and allow a species to be wiped out.

The committee can issue an exemption allowing a project to go forward even if it will harm a protected species. The six permanent federal members are the secretaries of the Interior and Agriculture departments, the secretary of the Army, the chair of the Council of Economic Advisers, the EPA administrator, and the NOAA administrator.

The God Squad nickname is apt. These officials would have literal life-and-death authority over imperiled species.

The exemption committee last granted an exemption in 1992 under President George H.W. Bush. In the thirty-plus years since, the committee has been essentially dormant — because that's what Congress intended. It was designed for genuine last resorts, not as a revolving door for the fossil fuel industry.

Who’s at Risk

The administration’s target is the full suite of Gulf drilling operations. The species in the crosshairs include some of the rarest animals on the planet.

Most notably, this decision will impact the imperiled Rice’s whale. The Rice’s whale is the only year-round resident baleen whale in the Gulf of Mexico. At an estimated population size of only 51 animals, it is one of the world’s most endangered baleen whales. The best population estimate is 33, with as few as 16 mature individuals, and the population is continuing to decline.

Read that again. As few as sixteen mature individuals. On the entire planet.



The critically endangered Rice's Whale | courtesy: NOAA

The Rice's whale has already survived one catastrophe. The 2010 Deepwater Horizon oil spill, the largest oil spill in world history and the worst environmental disaster in U.S. history, reduced the population by 22%: 17% of Rice's whales were killed, 22% of females suffered reproductive failure, and 18% of whales suffered adverse health effects. Fourteen years later, the species still hasn't recovered.

NOAA's own analysis shows the species can't withstand even a single human-caused death per year—let alone the kinds of industrial risks now being proposed.

And now the Trump administration wants to remove the one legal safeguard standing between these animals and extinction.

The Rice's whale isn't the only species at risk. NOAA identifies several ESA-listed species that are likely to be adversely affected by the oil and gas program's operations, including the sperm whale — listed as endangered and exposed to vessel

strikes, entanglement, seismic surveys, and oil spill risk across the Gulf. Five species of sea turtles. Corals. Sharks. Rays. Fish.

One industry. One executive action. An entire ecosystem condemned.

This Is Illegal

Here's the part that should make your blood boil: this convening of the God Squad almost certainly violates the law it's invoking.

The God Squad isn't a general-purpose tool the Interior Secretary can deploy whenever he feels like it. The law establishes a complex, multi-step process. 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.

That second condition is the problem. The exemption process can only be initiated if a biological opinion finds likely jeopardy without providing a reasonable and prudent alternative. That's not the case in the May 2025 biological opinion, which includes an alternative that avoids likely jeopardy. NOAA found that jeopardy to the Rice's whale could be avoided by implementing a vessel strike avoidance technology plan. An alternative exists. The law doesn't allow the God Squad to meet when a viable alternative exists.

The administration is convening the committee anyway.

Pat Parenteau, emeritus professor at the University of Vermont Law School, who has been present at each of the four prior occasions when the Endangered Species Committee was convened, called the move "complete and utter nonsense." The idea that Burgum can just "whistle up the committee whenever he felt like it," Parenteau said, has no basis in law.

The procedural violations don't stop there. Interior Secretary Doug Burgum has released no details about the scope of the exemption request or the applicant — all of

which are required under the Endangered Species Act. The Interior Secretary must also convene a formal hearing on the application and prepare a report that describes alternatives to the project, the extent of alternative actions consistent with conserving the species, and an assessment of whether the action is in the public interest. The law requires that these committee meetings include an open and transparent public hearing conducted by an independent administrative law judge.

Instead of a public hearing with an administrative law judge and witness testimony, the administration is offering a webinar. The ESA requires Endangered Species Committee meetings to be conducted in public. The March 31 meeting will be virtual.

The Larger Pattern is Chilling

This didn't come out of nowhere. On Day One of his second term, President Trump declared a fictitious "national energy emergency" prioritizing fossil fuel production and mining. The executive order directed the secretary of the Interior to convene the Committee at least quarterly to review and consider "any lawful applications" for exemptions as well as "obstacles to domestic energy infrastructure" allegedly deriving from implementing the ESA. Notably, the emergency declaration did not include renewable energy.

For months after that order, nothing happened. There was no evidence Burgum had taken any steps to comply with Trump's orders. The Interior Department and the EPA were unable to produce any documents under Freedom of Information Act requests describing any plans or agendas for God Squad meetings. Environmental lawyers argued, correctly, that Trump's executive orders can't simply override the ESA's legal framework — the committee isn't an advisory panel the president can convene on demand.

But the administration found its opening. A Louisiana federal judge — in a case brought by the State of Louisiana and oil and gas industry stakeholders — ruled the May 2025 biological opinion unlawful and ordered NOAA Fisheries to produce a revised opinion by August 2026. The administration appears to be exploiting that ruling

as a backdoor to claim the procedural conditions for the God Squad have been met, even though legal experts say that's not true.

Meanwhile, the Bureau of Ocean Energy Management quietly approved a \$5 billion deepwater oil drilling project in the Gulf using high-pressure techniques that experts warn will put vulnerable species at risk. All of this is now happening as the administration responds to rising gas prices tied to the U.S.-Israel war with Iran — which means they're all too eager to use a geopolitical crisis they created as political cover to do what they were already planning to do.

The God Squad convening is not an isolated event. It's the capstone of a sustained, coordinated campaign to dismantle the Endangered Species Act piece by piece. We've covered the illegal rulemaking that made economic costs mandatory in listing decisions. The destruction of critical habitat protections. The elimination of threatened species safeguards. The gutting of Section 7 wildlife consultations. Every one of those moves was designed to weaken the ESA's defenses before deploying the nuclear option: a committee with the explicit authority to authorize extinction.

That's where we are now.

What Comes Next

Conservation groups are promising legal action, and they have a very strong case. The Trump administration is running roughshod over both Congress and the federal courts. The God Squad can be challenged in court, and judicial review of any decision of the committee is expressly provided under the Endangered Species Act.

But here's the hard truth you need to understand: we've been down this road before. The Trump administration's 2019 ESA rollbacks were blatantly illegal. They were challenged in court. Environmentalists won — and then the Ninth Circuit stayed that victory, and the illegal rules stayed on the books for six years. By the time the rules were undone, the damage was done. The machinery of administrative law moves like a glacier. By the time any court stops this God Squad process, if it does, how many whales will be left?

We're watching an administration that has declared, in plain sight, that the lives of the last 51 Rice's whales are worth less than the profit margins of oil companies who couldn't even generate competitive bids at the government's last two Gulf lease sales.

The name "God Squad" has always carried a dark irony. It implies divine authority. What it actually is is a room full of political appointees, most of them confirmed by the same Senate that couldn't be bothered to reject Doug Burgum, deciding which living things get to keep living.

This administration didn't just declare a national energy emergency. It's declared war on the natural world. And the Rice's whale — a species that only officially received its name in 2021, that humans barely knew existed before we started killing it — may only be the beginning.