H.R. 3086, GLOBAL WILDLIFE CONSERVATION, COORDINATION, AND ENHANCEMENT ACT OF 2009

LEGISLATIVE HEARING

BEFORE THE

SUBCOMMITTEE ON INSULAR AFFAIRS, OCEANS AND WILDLIFE

OF THE

COMMITTEE ON NATURAL RESOURCES
U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED ELEVENTH CONGRESS

FIRST SESSION

Tuesday, July 28, 2009

Serial No. 111-30

Printed for the use of the Committee on Natural Resources

Available via the World Wide Web: http://www.gpoaccess.gov/congress/index.html
or
Committee address: http://resourcescommittee.house.gov

U.S. GOVERNMENT PRINTING OFFICE

51-960 PDF WASHINGTON : 2009

For sale by the Superintendent of Documents, U.S. Government Printing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512–1800; DC area (202) 512–1800
Fax: (202) 512–2104 Mail: Stop IDCC, Washington, DC 20402–0001

COMMITTEE ON NATURAL RESOURCES

NICK J. RAHALL, II, West Virginia, *Chairman*
DOC HASTINGS, Washington, *Ranking Republican Member*

Dale E. Kildee, Michigan
Eni F.H. Faleomavaega, American Samoa
Neil Abercrombie, Hawaii
Frank Pallone, Jr., New Jersey
Grace F. Napolitano, California
Rush D. Holt, New Jersey
Raúl M. Grijalva, Arizona
Madeleine Z. Bordallo, Guam
Jim Costa, California
Dan Boren, Oklahoma
Gregorio Sablan, Northern Marianas
Martin T. Heinrich, New Mexico
George Miller, California
Edward J. Markey, Massachusetts
Peter A. DeFazio, Oregon
Maurice D. Hinchey, New York
Donna M. Christensen, Virgin Islands
Diana DeGette, Colorado
Ron Kind, Wisconsin
Lois Capps, California
Jay Inslee, Washington
Joe Baca, California
Stephanie Herseth Sandlin, South Dakota
John P. Sarbanes, Maryland
Carol Shea-Porter, New Hampshire
Niki Tsongas, Massachusetts
Frank Kratovil, Jr., Maryland
Pedro R. Pierluisi, Puerto Rico

Don Young, Alaska
Elton Gallegly, California
John J. Duncan, Jr., Tennessee
Jeff Flake, Arizona
Henry E. Brown, Jr., South Carolina
Cathy McMorris Rodgers, Washington
Louie Gohmert, Texas
Rob Bishop, Utah
Bill Shuster, Pennsylvania
Doug Lamborn, Colorado
Adrian Smith, Nebraska
Robert J. Wittman, Virginia
Paul C. Broun, Georgia
John Fleming, Louisiana
Mike Coffman, Colorado
Jason Chaffetz, Utah
Cynthia M. Lummis, Wyoming
Tom McClintock, California
Bill Cassidy, Louisiana

James H. Zoia, *Chief of Staff*
Rick Healy, *Chief Counsel*
Todd Young, *Republican Chief of Staff*
Lisa Pittman, *Republican Chief Counsel*

SUBCOMMITTEE ON INSULAR AFFAIRS, OCEANS AND WILDLIFE

MADELEINE Z. BORDALLO, Guam, *Chairwoman*
HENRY E. BROWN, JR., South Carolina, *Ranking Republican Member*

Dale E. Kildee, Michigan
Eni F.H. Faleomavaega, American Samoa
Neil Abercrombie, Hawaii
Frank Pallone, Jr., New Jersey
Gregorio Sablan, Northern Marianas
Donna M. Christensen, Virgin Islands
Diana DeGette, Colorado
Ron Kind, Wisconsin
Lois Capps, California
Carol Shea-Porter, New Hampshire
Frank Kratovil, Jr., Maryland
Pedro R. Pierluisi, Puerto Rico
Nick J. Rahall, II, West Virginia, *ex officio*

Don Young, Alaska
Jeff Flake, Arizona
Doug Lamborn, Colorado
Robert J. Wittman, Virginia
John Fleming, Louisiana
Jason Chaffetz, Utah
Bill Cassidy, Louisiana
Doc Hastings, Washington, *ex officio*

CONTENTS

	Page
Hearing held on Tuesday, July 28, 2009	1
Statement of Members:	
Bordallo, Hon. Madeleine Z., a Delegate in Congress from Guam	1
Prepared statement of	2
Brown, Hon. Henry E., Jr., a Representative in Congress from the State of South Carolina	3
Prepared statement of	4
Statement of Witnesses:	
Derek, Bo, Board Member, WildAid	23
Prepared statement of	24
Response to questions submitted for the record	26
Gould, Rowan, Ph.D., Acting Director, Fish and Wildlife Service, U.S. Department of the Interior	5
Prepared statement of	7
Response to questions submitted for the record	10
Monfort, Steven L., Ph.D., Acting Director, Smithsonian Institution National Zoological Park	48
Prepared statement of	49
Response to questions submitted for the record	54
Potter, J. Craig, International Wildlife Lawyer, Law Offices of J. Craig Potter	72
Prepared statement of	74
Response to questions submitted for the record	77
Roberts, Carter, President and CEO, World Wildlife Fund	27
Prepared statement of	29
Response to questions submitted for the record	38
Wasser, Samuel K., Ph.D., Director, The Center for Conservation Biology, University of Washington	59
Prepared statement of	61
Response to questions submitted for the record	69
Additional materials supplied:	
Calvelli, John F., Executive Vice President, Public Affairs, Wildlife Conservation Society, Statement submitted for the record	90
Manson, Hon. Craig, Distinguished Professor and Lecturer in Law, Capital Center for Public Law and Policy, University of the Pacific McGeorge School of Law, and Former Assistant Secretary of Interior, Statement submitted for the record	92

LEGISLATIVE HEARING ON H.R. 3086, GLOBAL WILDLIFE CONSERVATION, COORDINATION, AND ENHANCEMENT ACT OF 2009

Tuesday, July 28, 2009
U.S. House of Representatives
Subcommittee on Insular Affairs, Oceans and Wildlife
Committee on Natural Resources
Washington, D.C.

The Subcommittee met, pursuant to call, at 1:05 p.m. in Room 1324, Longworth House Office Building, Hon. Madeleine Z. Bordallo [Chairwoman of the Subcommittee] presiding.

Present: Representatives Bordallo, Brown, Kildee, Faleomavaega, Abercrombie, Pallone, Sablan, Christensen, DeGette, Kind, Capps, Shea-Porter, Kratovil, Pierluisi, Young, Flake, Lamborn, Wittman, Fleming, and Chaffetz.

STATEMENT OF HON. MADELEINE Z. BORDALLO, A DELEGATE IN CONGRESS FROM GUAM

Ms. BORDALLO. Good afternoon. The legislative hearing by the Subcommittee on Insular Affairs, Oceans and Wildlife will come to order.

Today, we will hear testimony concerning H.R. 3086, the "Global Wildlife Conservation, Coordination, and Enhancement Act of 2009."

Under Committee Rule 4[g], the Chairwoman and the Ranking Minority Member will make opening statements.

People across the globe depend on biodiversity for food and water, for the regulation of climate and disease, and for maintaining the natural balance and resilience of the Earth's ecosystems. Unfortunately, over the past few hundred years, the myriad threats facing global wildlife have been intensifying, and the rates of species' extinction have accelerated.

In the 20th Century, we finally came to recognize the very serious negative consequences that result when biodiversity is diminished, and the ecosystems' health degraded. For more than a century, the United States has taken steps, both domestically and abroad, to conserve wildlife, preserve biodiversity, and maintain healthy ecosystems. As a result, the United States now is largely regarded as the global frontrunner in international fish and wildlife conservation, our systems of public lands the envy of the world, and our knowledge and technical abilities in the conservation of wildlife and wildlife habitat admired and emulated.

Despite a record of innovation and progress, evidence from the field indicates that our conservation efforts have been, at best, partially effective. In the 110th Congress, this Committee convened two hearings to highlight challenges confronting global wildlife conservation. The daunting scale of the illegal trade in wildlife exposed the inefficiencies and the inadequacies of existing programs

within the Department of the Interior and across other Federal agencies.

In addition, our reliance on CITES to monitor the regulated trade of wildlife appears insignificant considering the scale of the threats and the huge unmet needs for assistance in the field. Moreover, lack of awareness by the United States' consumers on how their purchases form a growing global market for illegally traded wildlife indicates that our public outreach needs improvement.

H.R. 3086 is intended to address these concerns and others. We have an excellent opportunity to work with a new administration to more broadly engage the Department of the Interior with the global conservation community. The legislation proposes new structures, new tools, and new direction to guide this effort and, most importantly, new priorities to broadly engaged stakeholders and the American public in this effort.

It also includes provisions similar to those in Congressman Young's bill, H.R. 3198, and I look forward to working with him on that and the broader scope of issues encompassed in H.R. 3086.

I realize that since H.R. 3086 was introduced that some observers have expressed concerns about the bill, especially provisions that would upset the bureaucratic status quo. Of course, you do not have to be in this town long to realize that the quickest way to spark an argument is to propose rearranging the bureaucracy. Nevertheless, this dilatory tendency should not be allowed to prevent us from engaging in a very important dialogue to reinvigorate and reenergize wildlife conservation as a tool for U.S. diplomacy and leadership abroad.

So, to that end, I welcome the views of all, and I stand ready to roll up my sleeves and get to work on the task at hand. We have no time to waste.

[The prepared statement of Ms. Bordallo follows:]

Statement of The Honorable Madeleine Z. Bordallo, Chairwoman, Subcommittee on Insular Affairs, Oceans and Wildlife

Good afternoon. People across the globe depend on biodiversity for food and water, for the regulation of climate and disease, and for maintaining the natural balance and resilience of the earth's ecosystems. Unfortunately, over the past few hundred years the myriad threats facing global wildlife have been intensifying, and the rates of species extinction have accelerated.

In the 20th Century, we finally came to recognize the very serious negative consequences that result when biodiversity is diminished and ecosystem health degraded. For more than a century, the United States has taken steps—both domestically and abroad—to conserve wildlife, preserve biodiversity, and maintain healthy ecosystems. As a result, the United States now is largely regarded as the global frontrunner in international fish and wildlife conservation and our systems of public lands the envy of the world, and our knowledge and technical abilities in the conservation of wildlife and wildlife habitat admired and emulated.

Despite a record innovation and progress, evidence from the field indicates that our conservation efforts have been at best partially effective. In the 110th Congress, this Committee convened two hearings to highlight challenges confronting global wildlife conservation. The daunting scale of the illegal trade in wildlife exposed the inefficiencies and inadequacies of existing programs within the Department of the Interior, and across other Federal agencies. In addition, our reliance on CITES to monitor the regulated trade of wildlife appears insufficient, considering the scale of the threats and the huge unmet needs for assistance in the field. Moreover, lack of awareness by U.S. consumers on how their purchases form a growing global market for illegally traded wildlife indicates that our public outreach needs improvement.

H.R. 3086 is intended to address these concerns and others. We have an excellent opportunity to work with a new Administration to more broadly engage the Department of the Interior with the global conservation community. The legislation proposes new structures, new tools and new direction to guide this effort, and importantly, new priorities to broadly engage stakeholders and the American public in this effort. It also includes provisions similar to those in Congressman Young's bill, H.R. 3198, and I look forward to working with him on that and the broader scope of issues encompassed in H.R. 3086.

I realize that since H.R. 3086 was introduced that some observers have expressed concerns about the bill, especially provisions that would upset the bureaucratic status quo. Of course, you do not have to be in this town long to realize that the quickest way to spark an argument is to propose re-arranging the bureaucracy.

Nevertheless, this dilatory tendency should not be allowed to prevent us from engaging in a very important dialogue to reinvigorate and re-energize wildlife conservation as a tool for U.S. diplomacy and leadership abroad. To that end, I welcome the views of all, and I stand ready to roll up my sleeves and set to work on the task at hand. We have no time to waste.

Ms. BORDALLO. I now recognize Mr. Brown, the Ranking Republican Member of the Subcommittee. The gentleman is from South Carolina, and I recognize him now for his opening statement.

STATEMENT OF HON. HENRY E. BROWN, JR., A REPRESENTATIVE IN CONGRESS FROM THE STATE OF SOUTH CAROLINA

Mr. BROWN. Thank you, Madam Chair. Today, we will hear testimony on your ambitious bill to recognize the U.S. Fish and Wildlife Service and to greatly expand the size and function of this agency.

Under H.R. 3086, you would create a new office called the Institute of International Wildlife Conservation, a new Global Wildlife Coordination Council, a new International Wildlife Conservation Fund, a new Emergency Rehabilitation and Recovery Grant program, a new Global Wildlife Conservation Advisory Committee, and the expenditure of up to $20 million in taxpayers' money for wildlife grants and university fellowships.

This legislation also authorizes the Wildlife Without Borders program, which has administratively existed since 1983 and has been effectively managed by the Service's International Affairs Office. I have been a supporter of this program and note that this Subcommittee held a hearing just last year on a bill introduced by the former Chairman of this Committee to authorize the Wildlife Without Borders program. In fact, the language in H.R. 3086 is strikingly similar to that measure, which was overwhelmingly endorsed by not only the Fish and Wildlife Service but a number of prominent wildlife conservation organizations.

While there are a number of positive provisions in H.R. 3086, there is no indication of what it would cost our taxpayers to create this new Federal bureaucracy and what ultimately happens to the International Affairs Office, which would apparently be left to issue CITES permits and evaluate foreign endangered species listings.

This legislation will require a massive reorganization not only of the Fish and Wildlife Service but also a number of other Federal agencies.

Madam Chair, we also support wildlife conservation, whether it is here in the United States or international. There are no Republican or Democrat endangered species. We are all interested in doing whatever we can to save wildlife species from extinction, whether they are elephants, great apes, tigers, or marine turtles,

and we are all working to ensure that our grandchildren have the opportunity to save these animals in their natural habitat.

It is, therefore, frustrating that despite my specific request to spend a little time digesting the details of this 52-page bill prior to its introduction, it was full steam ahead with no input from this side of the aisle. Nevertheless, I would renew my request that, following this hearing, we will begin to work together on this legislation in a bipartisan manner. I look forward to that opportunity.

Finally, I would like to warmly welcome our distinguished witnesses, including the President of the World Wildlife Fund, Mr. Carter Roberts; the Acting Director of the National Zoo, Dr. Steve Monfort; and Dr. Sam Wasser, Mr. Craig Potter, and Dr. Rowan Gould; and a young lady and talented actress who, in the tradition of Theodore Roosevelt, has dedicated her life to wildlife conservation, Bo Derek.

They have all traveled long distances to give us their valuable insight on this legislation, and we appreciate their presence.

Thank you, Madam Chair. I look forward to the witnesses.

[The prepared statement of Mr. Brown follows:]

Statement of The Honorable Henry E. Brown, Jr., Ranking Republican Member, Subcommittee on Insular Affairs, Oceans and Wildlife

Madam Chairwoman, today, we will hear testimony on your ambitious bill to reorganize the U.S. Fish and Wildlife Service and to greatly expand the size and functions of this agency.

Under H.R. 3986, you would create a new line office called the Institute for International Wildlife Conservation, a new Global Wildlife Coordination Council, a new International Wildlife Conservation Fund, a new Emergency Rehabilitation and Recovery Grant Program, a new Global Wildlife Conservation Advisory Committee and the expenditure of up to $20 million in taxpayer money for wildlife grants and university fellowships.

This legislation also authorizes the Wildlife Without Borders program which has administratively existed since 1983 and has been effectively managed by the Service's International Affairs Office. I have been a supporter of this program and note that this Subcommittee held a hearing just last year on a bill introduced by the former Chairman of this Committee to authorize the Wildlife Without Borders Program. In fact, the language in H.R. 3086 is strikingly similar to that measure which was overwhelmingly endorsed by not only the Fish and Wildlife Service but a number of prominent wildlife conservation organizations.

While there are a number of positive provisions in H.R. 3086, there is no indication of what it would cost our taxpayers to create this new federal bureaucracy and what ultimately happens to the International Affairs Office which would apparently be left to issue CITES permits and evaluate foreign endangered species listings. This legislation will require a massive reorganization of not only the Fish and Wildlife Service but also a number of other federal agencies.

Madam Chairwoman, we all support wildlife conservation whether it is here in the United States or international. There are no Republican or Democratic endangered species. We are all interested in doing whatever we can to save wildlife species from extinction, whether they are elephants, Great apes, tigers or marine turtles, and we are all working to ensure that our grandchildren have the opportunity to save these animals in their natural habitat.

It is, therefore, frustrating that despite my specific request to spend a little time digesting the details of this 52-page bill prior to its introduction, it was full stream ahead with no input from this side of the aisle. Nevertheless, I would renew my request that following this hearing we will work together on this legislation in a bipartisan manner. I look forward to that opportunity.

Finally, I would like to warmly welcome our distinguished witnesses including the President of the World Wildlife Fund, Mr. Carter Roberts, the Acting Director of the National Zoo, Dr. Steve Monfort and a young lady and talented actress, who in the tradition of Theodore Roosevelt, has dedicated her life to wildlife conservation, Bo Derek. They have all traveled long distances to give us their valuable insights on this legislation and we appreciate their presence.

Thank you, Madam Chairwoman.

Ms. BORDALLO. I thank the gentleman from South Carolina, the Ranking Member of this Subcommittee, and before I recognize the members of the panel, I would like to ask unanimous consent to enter into the record a letter in support of H.R. 3086 submitted by the Wildlife Conservation Society. The statement is that of John F. Calvelli, Executive Vice President, Public Affairs, Wildlife Conservation Society. Hearing no objection, so ordered.

[NOTE: The statement of John F. Calvelli can be found on page 90.]

I would like to also recognize one other Member of our Committee, the gentlelady from the Virgin Islands, Donna Christensen, who is here with us. Thank you very much, Donna.

And now I would like to recognize our panel of witnesses to testify. Our witnesses include Dr. Rowan Gould, the Acting Director, the Fish and Wildlife Service; Ms. Bo Derek, who I had the opportunity to meet yesterday—she is an actress, a model, and an activist, and she is a board member of WildAid; Dr. Carter Roberts, President of the World Wildlife Fund; Dr. Steven Monfort, Acting Director, Smithsonian Zoological Park; Dr. Sam Wasser, Director, Center for Conservation Biology, University of Washington; and, finally, Dr. J. Craig Potter, International Wildlife Lawyer, Law Offices of J. Craig Potter.

I welcome you all this afternoon to the panel and, as we begin, I would like to note for all of the witnesses that the red timing light on the table will indicate when five minutes have passed, and your time has concluded. We would appreciate your cooperation in complying with these limits, but be assured that your full written statement will be submitted for the hearing record and, at this point, I would now like to recognize Dr. Gould. Could you please begin?

STATEMENT OF ROWAN GOULD, PH.D., ACTING DIRECTOR, UNITED STATES FISH AND WILDLIFE SERVICE; ACCOMPANIED BY BENITO A. PEREZ, CHIEF, LAW ENFORCEMENT, U.S. FISH AND WILDLIFE SERVICE

Dr. GOULD. Thank you for the opportunity to present the Administration's view on H.R. 3086, the "Global Wildlife Conservation, Coordination and Enhancement Act of 2009." H.R. 3086 focuses on the role the United States plays in the conservation of wildlife and natural resources around the globe and expands the mandates of the U.S. Fish and Wildlife Service in international wildlife conservation.

While the Administration supports the Subcommittee's intent to further international conservation efforts, we have serious concerns with the bill and cannot support it as drafted. We appreciate the Subcommittee's continued support of the Multinational Species Conservation Acts and look forward to continuing to work with you to conserve rare and endangered species.

Through MOUs and other agreements, the Department of the Interior and its bureaus cooperate with over 100 countries on environmental conservation and natural resource management. The Committee should be aware that other agencies within DOI have

international conservation responsibilities and programs. However, since I am currently serving as the acting director of the U.S. Fish and Wildlife Service, the remainder of my testimony will be focused on the Service's international activities.

The Service has a proven track record of achievement in international conservation, both through our proactive efforts with programs such as Wildlife Without Borders, and our enforcement of U.S. treaties and laws that regulate international wildlife trade. The Service has cultivated a broad-reaching network of partners around the world that support our international conservation efforts. I would like to highlight some of the successes that the Service's international affairs and law enforcement programs have demonstrated.

Since its inception, the Service's Wildlife Without Borders program has strived to facilitate and promote meaningful international conservation efforts to conserve the world's diverse species. We have collaborated with over 500 international conservation organizations and institutions to support more than 800 conservation projects around the world. We appreciate the Subcommittee's interest in strengthening the Administration's international conservation efforts.

In general, we support the bill's provisions that would codify the Service's Wildlife Without Borders program with modifying language to retain the Secretary's discretionary authority to implement the program. The Service, through its law enforcement program, is the principal Federal agency responsible for enforcing U.S. laws and treaties that prohibit wildlife trafficking and regulate wildlife trade. The program has long supported the efforts of other nations to improve wildlife law enforcement capacity. Since 2000, Service agents, wildlife inspectors, and forensic scientists have conducted or participated in more than 70 training programs for enforcement officers representing more than 60 different countries.

The Administration does, however, have serious concerns with some of the provisions of the legislation.

First, H.R. 3086 establishes an Institute for International Wildlife Conservation within the Service. Creating this institute would cause conflict within the Department of the Interior, as well as create overlapping responsibilities within the Service. It is unclear in the language of the bill how the proposed institute and the Service's existing international affairs and international wildlife trade programs would fit together. For these reasons, we do not support the creation of a new institute to house the work that we are doing already.

Second, the bill mandates the contents of a strategic plan for Service law enforcement. We feel that this would unduly restrict the flexibility needed to direct law enforcement resources.

Regarding the International Wildlife Conservation Fund, the Administration is concerned that donations and gifts received by the Secretary could present a conflict of interest if accepted from the same entities that the Service regulates.

Finally, the Administration is concerned that the provisions of this bill would require significant new financial and staffing resources and does not provide any authorization level. The expectation that the Department of the Interior would support all of the

new programs as currently written in the bill was not anticipated in the Administration's Fiscal Year 2010 budget submission.

Thank you, Madam Chairwoman, for the opportunity to testify on H.R. 3086. The Administration sincerely appreciates the Subcommittee's continued support of international wildlife conservation efforts. This concludes my remarks, and I be happy to answer any questions at this time.

[The prepared statement of Dr. Gould follows:]

Statement of Rowan Gould, Acting Director, Fish and Wildlife Service, U.S. Department of the Interior

Thank you for the opportunity to present the Administration's views on H.R. 3086, the Global Wildlife Conservation, Coordination, and Enhancement Act of 2009 and describe Interior Department programs that support the role that the United States plays in the conservation of wildlife and natural resources around the globe. While the Administration supports the intent of the Subcommittee to further the goal of international conservation efforts, we have serious concerns with the bill and cannot support it as drafted. I would like to explain why in the context of our existing programs.

Department of the Interior International Programs

Through Memoranda of Understanding or reimbursable agreements, the Department of the Interior (DOI) and its Bureaus cooperate with over 100 countries on environmental conservation and natural resource management. DOI has the most activities with: Mexico, Canada, the countries of Central America, Afghanistan, Jordan and Tanzania. DOI currently has over 150 full-time employees who work on international activities, most of whom are with the U.S. Geological Survey and the U.S. Fish and Wildlife Service (Service). DOI employees make approximately 2,500 annual trips abroad to carry out international cooperation activities. Our international programs enhance our domestic responsibilities.

Under the Office of the Secretary, the DOI Office of International Affairs (which reports to the Assistant Secretary—Policy, Management, and Budget) coordinates international activities involving more than one Bureau, approves international travel, and is the primary DOI point of contact for: the State Department and other U.S. Government agencies engaged in international activities; foreign embassies and ministries; and international organizations. Since I am currently serving as the Acting Director of the Service, my testimony will be focused on the international activities of the Service. However, the Committee should be aware that other agencies within DOI, including the National Park Service, have international conservation responsibilities and programs.

U.S. Fish and Wildlife Service's International Programs

We appreciate the Subcommittee's continued support of the Multinational Species Conservation Acts and look forward to continuing to work with the Subcommittee to conserve rare and endangered species.

Wildlife and natural resources are under pressure from growing human populations and corresponding changes in land use, pollution, and consumption of natural resources. The complexity and diversity of these challenges require a coordinated, strategic approach led by skilled conservationists. Wildlife management for long-term sustainability; capacity building; conservation of endangered species, landscapes, and ecosystems; and environmental outreach, education, and training are tools that can address current and emerging issues in wildlife conservation. The Service is in a strong position to influence and shape the outcome of wildlife conservation abroad by building on demonstrated successes utilizing existing expertise in wildlife management, outreach, and accessing best available technologies.

The Service has a proven track record of achievement in international conservation, both through our proactive efforts with programs such as Wildlife Without Borders and our enforcement of U.S. treaties and laws that regulate international wildlife trade. The Service has cultivated a broad-reaching network of partners around the world that support our international conservation efforts. I would like to highlight some examples of the successes that the Service's International Affairs and Law Enforcement programs have demonstrated in the area of international conservation.

Since its inception, the Service's Wildlife Without Borders program has strived to facilitate and promote meaningful conservation efforts to help ensure conservation of the world's diverse species. The program has collaborated with over 500 inter-

national conservation organizations and institutions to support more than 800 conservation projects around the world.

In 2008, Wildlife Without Borders Regional programs supported habitat protection for the endangered Andean tapir in and around two Ecuador protected areas, bringing local government officials and community leaders together to learn about the importance of the species, and how to integrate conservation strategies with livelihood opportunities. Similarly, in Africa, the newly created national park system of Gabon supported by Wildlife Without Borders has developed effective management strategies and the training of protected-area personnel. In Asia, Wildlife Without Borders grants have increased capacity to mitigate human-wildlife conflicts, established community development programs, and supported the ongoing efforts of 13 range-country governments to survey and monitor their elephant populations and develop effective management strategies for them.

The Multinational Species Conservation Funds and Wildlife Without Borders Species programs are the linchpin for the success of targeted, effective on-the-ground conservation efforts for species worldwide. The Marine Turtle Conservation Fund has enabled the Service to support intensified nesting beach protection of critically endangered leatherback sea turtles on beaches in Mexico, Costa Rica, Indonesia, and Papua New Guinea. In 2008, the African Elephant Conservation Fund supported a project to analyze satellite images and conduct preliminary aerial and ground surveys that will serve as the basis for drafting new conservation action plans for Upemba and Kundelungu national parks in the Democratic Republic of Congo, where wildlife populations have not been assessed in more than two decades due to civil strife and collapse of the national infrastructure.

Wildlife Without Borders also serves a key role within the Service in facilitating bilateral and multilateral dialogues through the organization of fora such as the United States-Russian Federation Joint Committee on Cooperation for Protection of the Environment and Natural Resources; the Western Hemisphere Migratory Species Initiative; and the US-Mexico-Canada Trilateral Committee for Wildlife and Ecosystem Conservation and Management. The Service, through participation in such fora, has developed an understanding of techniques used around the world to better facilitate technology transfer, making wildlife conservation more efficient and effective.

The Service, through its International Wildlife Trade (IWT) program, carries out the functions and responsibilities for the implementation of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) for the United States. These responsibilities are specifically assigned to the Service under the Endangered Species Act (ESA). In addition to CITES, the IWT program also has responsibilities for regulating the international and interstate movement of wildlife under several other statutes, including the Endangered Species Act, Wild Bird Conservation Act, Migratory Bird Treaty Act, Lacey Act, and Marine Mammal Protection Act.

The IWT program issues 15,000-20,000 permits annually for import, export, interstate and foreign commerce, take of captive specimens, transport of live invasive species, and other activities involving wildlife and plants. The Service also cooperates with State and tribal partners to ensure the conservation and sustainable use of U.S. native species subject to international trade, including American ginseng, paddlefish, shovelnose sturgeon, American alligator, freshwater turtles, bobcat, and river otter.

The Service coordinates and communicates with the other 174 countries that are Parties to CITES on specific permit issues as well as broader policy and implementation. From 2000-2007, the United States submitted 20-25% of the species listing proposals considered by the CITES Parties, and many of these were co-sponsored with other countries (including Australia, Bolivia, China, Fiji, Georgia, Germany, India, Indonesia, Ireland, Kenya, Mexico, Namibia, Nepal, the Netherlands, and Sri Lanka).

The Service, through its Office of Law Enforcement, is the principal Federal agency responsible for enforcing U.S. laws and treaties that prohibit wildlife trafficking and regulate wildlife trade. Working with available resources and a network of U.S. and global partners, the Office of Law Enforcement investigates illegal trade, inspects wildlife imports and exports to detect and deter unlawful trade and conducts outreach to promote compliance with wildlife laws.

The Service's Office of Law Enforcement has long supported the efforts of other nations to improve wildlife law enforcement capacity and strengthen safeguards for their native species. Since 2000, for example, Service special agents, wildlife inspectors, and forensic scientists have conducted or participated in more than 70 training programs for wildlife investigators, park rangers, customs inspectors, game wardens, and other enforcement officers representing more than 60 different countries.

Ongoing partnerships with the International Law Enforcement Academy/Botswana and Association of Southeast Asian Nations-Wildlife Enforcement Network (ASEAN-WEN) provide investigative training to officers from multiple range states in sub-Saharan Africa and Southeast Asia.

Such efforts, which have been undertaken utilizing existing resources, within DOI and with resources from DOS and USAID as part of their existing conservation efforts clearly contribute to capacity building in nations where wildlife resources are threatened by illegal or unsustainable trade. Global wildlife conservation also benefits from broader U.S. participation in groups such as the North American Wildlife Enforcement Network, the CITES Law Enforcement Experts Group, and the Interpol Wildlife Working Group and from ongoing communication and coordination with regional enforcement alliances (such as ASEAN-WEN and the Lusaka Task Force) and enforcement agencies in other countries.

H.R. 3086

We appreciate the Subcommittee's intent of this legislation to strengthen the Administration's international conservation efforts and, in general, support the provisions of the legislation that codify the Service's Wildlife Without Borders Program with modifying language to retain the Secretary's discretionary authority to carry out and implement the program. However, we have serious concerns with the remaining provisions of the legislation.

H.R. 3086 recognizes the conservation benefits that the Service is accomplishing via the Wildlife Without Borders program. Title I, Subtitle B, would codify the Wildlife Without Borders program, incorporating various activities of the International Affair's Division of International Conservation into a more unified and cohesive program. It would provide a coordinated approach toward existing and emerging threats to wildlife at varying scales, leveraging and complementing the Service's efforts in these areas.

H.R. 3086 authorizes the Service's three Wildlife Without Borders sub-programs that operate in concert with one another to address threats to global wildlife. The Species program implements the Multinational Species Conservation Acts and their associated grants programs, which allow specialists to share information, conduct research, and implement management activities for targeted species. The Regional program addresses grassroots wildlife conservation problems from a broader, landscape perspective using capacity building and institutional strengthening as primary tools. The Global program implements global habitat and conservation initiatives such as the Ramsar Convention on Wetlands, and assists the Service in addressing global threats to wildlife, such as the spread of invasive species and wildlife disease.

The Service has actively cultivated strong relationships with other Federal agencies, states, foreign governments, academic institutions and non-governmental organizations around the world. Within the U.S. Government, the Department of Interior works closely with the Department of State and the Agency for International Development to assist with their broader policy and integrated conservation development programs. The Service continues to provide targeted technical support to these programs, particularly in regard to wildlife enforcement and park management. The Service does not support the creation of a new Institute to house the work that we are already doing. Nor do we support the requirement to develop and implement a plan to expand programs in Mexico, Latin America and the Caribbean, Russia, and Africa. Implementing this plan, which would be mandatory if this bill is passed, may drain valuable resources necessary for other international wildlife efforts

We have several concerns regarding the bill's proposed restructuring of the Service's International Affairs program; challenges that would arise from this new organization of the program; potential conflicts of interest; and the lack of authorization that would be required to implement the bill as currently written.

H.R. 3086 mandates the contents of a strategic plan for Service law enforcement in a manner that would unduly restrict the flexibility needed to direct enforcement resources. It calls for efforts that are either underway or beyond the program's capabilities. It calls for placement of seized wildlife without consultation with the Service (which enforces regulations that limit such placements) and authorizes the Law Enforcement program to accept gifts and donations—again creating the potential for conflicts of interest and potential questions about the fairness and objectivity of enforcement efforts.

H.R. 3086 establishes an Institute for International Wildlife Conservation within the Service. The creation of this Institute with responsibilities related to the work of other Department bureaus would engender cross-bureau conflict within the Department of the Interior as well as create overlapping responsibilities within the

Service. It is unclear in the language of the bill how the proposed Institute and the Service's existing International Affairs program would fit together.

The Global Wildlife Conservation, Coordination and Enhancement Act would also create an Assistant Director position to head the Institute. This position would be appointed by the Secretary, rather than the Director, and the Act does not specify to whom the Assistant Director would report and, again, poorly integrates the new infrastructure with the existing organization. The bill authorizes the newly-appointed Assistant Director to coordinate international conservation efforts within the Department of the Interior. As mentioned previously, the Department of the Interior already has an Assistant Secretary for Policy, Management, and Budget that oversees the Department's Office of International Affairs. This office coordinates international activities involving more than one Bureau. The position created by the bill appears to duplicate some of what is currently being done. Significant clarification on the roles and responsibilities of the new Assistant Director is needed, particularly since the Department already has an Assistant Secretary in place to oversee the Department's international program and the other Interior bureaus have their own international programs.

H.R. 3086 proposes to establish the International Wildlife Conservation Fund which would consist of donations, gifts, and contributions received by the Secretary of the Interior for international wildlife conservation. The Fund would receive donations and gifts from potentially the same entities and individuals that the Service regulates and to whom we issue permits and award grants. The Administration has concerns that this may be seen as a conflict of interest by outside parties. There are also potential conflicts with Service obligations under CITES and the Endangered Species Act with regard to the suggested functions of the Center for International Wildlife Recovery Partnerships. In addition, the lack of availability for these funds to be used by the Wildlife Without Borders program (as restricted in the legislation) seems to be at cross purposes with the intent of the bill to support that program.

Title II of H.R. 3086 proposes the establishment of a Global Wildlife Coordinating Council. The Administration would not support the establishment of this formal coordinating authority and is gravely concerned that this Council could seriously hinder our broader international efforts to conserve wildlife globally, particularly those efforts undertaken within the mandate of other Federal agencies. Existing mechanisms, such as the CITES Coordinating Committee, already provide for CITES-related coordination and consultation among Federal departments and agencies, and between the federal and state governments.

Finally, the Administration is concerned that this bill would require significant new financial and staffing resources and only provides authorization amounts for specific subsections of the bill. The Administration's FY 2010 Budget submission did not anticipate or include funding to support new and expanded programs as outlined in the bill.

Thank you, Madam Chairwoman, for the opportunity to testify on H.R. 3086. The Administration appreciates the Subcommittee's continued support of international wildlife conservation efforts. We look forward to working with the Subcommittee to further international conservation. This concludes my remarks, and I would be happy to answer any questions at this time.

Response to questions submitted for the record by Dr. Rowan Gould, Acting Director, U.S. Fish and Wildlife Service

Questions from Chairwoman Madeleine Z. Bordallo (D-GU)

1. I recognize that the administration has concerns with the new organizational structures authorized in H.R. 3086. It is my understanding, however, that the administration does not necessarily object to the principal objectives of the bill (i.e., greater coordination within the Department of the Interior and with other relevant Federal agencies; expanded public outreach and education regarding the illegal trade in wildlife and wildlife products; authorization of the Wildlife Without Borders Program; expansion of training opportunities, especially for law enforcement capabilities in range states; greater collaboration with non-Federal NGO stakeholders, especially utilization of technical and educational assets within the zoo and aquarium community, etc.). Is that a correct assumption?

The Administration appreciates the intent of the Subcommittee to strengthen the Department of the Interior's coordination and collaboration with other agencies and

stakeholders on international wildlife conservation issues and to strengthen outreach and training opportunities. While all of these components are important, H.R. 3086, as currently written, does not allow the Secretary to use his discretionary authority to carry out and implement priority programs that best support the Department's international wildlife conservation efforts in conjunction with other U.S. Government and other partners.

2. In your written statement you express concern that the International Wildlife Conservation Institute created in the bill would be ineffective in coordinating international wildlife conservation activities with the Department, and that this Institute would create organizational confusion within DOI and within the U.S. Fish and Wildlife Service. Should the Committee amend the bill to strike the authorization of the Institute, and instead, direct the DOI Assistant Secretary for International Affairs to take the lead on coordination within Department? Would the administration support this revision?

The Administration supports striking the bill's language authorizing an Institute. If H.R. 3086 were to be amended as you indicate, the Administration would have the same concern regarding the creation of new organizational structures without clarification of how they fit into or with the existing structure. There is no DOI Assistant Secretary for International Affairs, and the Department's Office of International Affairs is under the Assistant Secretary for Policy, Management, and Budget. The Office of International Affairs currently coordinates activities that are cross-cutting, international wildlife conservation activities as well as other matters that involve more than one DOI Bureau. The Administration supports the provisions on information-sharing and collaboration with other Bureaus but not one that directs the Service to lead these efforts within the Department.

3. How often are you, as the acting director of the Service, involved in face-to-face meetings with other agency and department heads to discuss international wildlife conservation, the illegal and unsustainable trade in wildlife and wildlife products, the role of the U.S. consumer in aiding and abetting that trade, and the coordination of conservation efforts domestically and internationally?

Meetings with other agency and departmental heads are held as needed on policy issues that impact the operations of other agencies or the Department. For example, meetings were held with the U.S. Geological Survey (USGS) to coordinate climate change strategies and research needs. In addition, Service leadership meets with other agency and department heads to address interagency conflicts or issues on U.S. negotiating positions in preparation for international meetings such as the Convention on International Trade in Endangered Species (CITES) and to coordinate law enforcement actions regarding illegal trafficking.

There is on-going communication and coordination between the Service and other government entities at all levels of responsibility on the implementation of international conservation issues and activities. For example, managers and staffs of our International Wildlife Trade and International Conservation and Law Enforcement programs work directly on a regular basis with counterparts from a variety of departments and agencies to address international conservation. U.S. participation in CITES is coordinated step by step with other Cabinet level departments (including State, Commerce, Agriculture, Homeland Security, and Justice) and with numerous agencies (including the Office of the U.S. Trade Representative, the Animal and Plant Health Inspection Service, U.S. Forest Service, Council on Environmental Quality, NOAA Fisheries, Customs and Border Protection, the U.S. Agency for International Development, the Smithsonian Institution, and the Interior Department's Office of International Affairs).

Other bureaus with the Department of the Interior also are actively coordinating with International community on wildlife conservation efforts.

For example, the National Park Service (NPS) Office of International Affairs (OIA) is the NPS focal point for international activities and serves as the primary contact for other bureaus, agencies, foreign governments, and international and private organizations on related matters. Through OIA, the NPS exchanges technical and scientific information, shares knowledge and lessons learned, and provides technical assistance to other nations on park and heritage resource management issues.

The NPS Park Flight Migratory Bird Program is the national and international migratory bird program in the NPS. The Program has implemented projects and technical exchange efforts in national parks across the U.S., and in national parks and protected areas in 19 other countries in the Western Hemisphere which share migratory bird species.

The NPS also conducts the Intermountain Region International Conservation Program (IMRICO) which facilitates international cooperation in the stewardship of resources with Canada and Mexico. IMRICO also provides technical assistance to the Intermountain Region parks by working with their Mexican and Canadian colleagues on research projects, inventories, and the development of appropriate protection strategies for natural resources in the border region such as bat, jaguar and Sonoran pronghorn conservation.

4. Title II of the bill was adapted from the legislative authority used to establish the U.S. Coral Reef Task Force which, as you know, has been successful in promoting greater coordination and cooperation among Federal, State and Territorial governments in protecting and conserving U.S. coral reef resources. Assuming that the Obama administration supports international wildlife conservation, and further recognizing that nothing in Title II would change the statutory authorities of any of the Federal agencies participating on the Global Wildlife Coordination Council, nor require these agencies to implement any new programs, can you please describe how Title II could be amended to address the concerns of the administration?

The Administration supports international wildlife conservation. The concept of a Global Wildlife Coordination Council has potential benefits and could be effective to the extent that it can forge new ground. However, under H.R. 3086, the Council overlaps with specific pre-existing committees and coordination efforts.

We recognize the U.S. Coral Reef Task Force has been effective in reaching across jurisdictional lines and intergovernmental barriers to ensure that Federal, State and territorial agencies work together to conserve coral reefs in the United States. The Task Force's success, however, does not necessarily make it a universal model for promoting interagency cooperation in every arena. The U.S. Coral Reef Task Force was developed in order to fill a need where there was no existing coordinating activity or body, whereas H.R. 3086 would result in overlap, redundancy, and conflict with current coordinating structures.

Unlike U.S. coral reef conservation, multiple coordination mechanisms already exist to apply Federal expertise in supporting range state conservation and capacity building, ensuring sustainable trade, and assistance in combating illegal wildlife trafficking. The proposed Global Wildlife Coordination Council would bring together the same experts representing the member departments and agencies who are already engaged in such coordination through other forums.

For example, the CITES Coordinating Committee (whose members are listed in our response to question 3 above) already oversees Federal agency efforts to fulfill U.S. obligations under the CITES treaty and provides an arena for communication and collaboration with respect to international wildlife conservation. Creating a new Council for these same purposes would be duplicative. Coordination of U.S. efforts to support global wildlife conservation are also effectively addressed via the Council on Environmental Quality, as evidenced by the coordinated work of the many agencies involved in developing and implementing the recent Lacey Act amendments for combating illegal trade in timber and other plants. With respect to law enforcement, coordination already exists on the ground through such mechanisms as port-based interagency task forces for intercepting illegal trade and Service participation in the development of the planned International Trade Data System, which will facilitate interagency information sharing and smuggling interdiction for more than 20 partner agencies that police trade.

The duties of the proposed Council would require significant staff resources and call for assessing virtually every aspect of global wildlife trade. The proposed Council is also required to develop a global wildlife action strategy, which calls for either redundant or even more wide-reaching assessments. Since there is no funding for administratively supporting a Council or staff, meeting these mandates would fall on the agency programs and offices whose missions include international conservation and on NGOs and academics invited to participate in working groups.

For the reasons outlined above, the Administration does not support the creation of a Global Wildlife Coordination Council and recommends that Title II be removed from H.R. 3086.

5. As one of the world's largest consumers of both the legal and illegal wildlife market, are the United States' international conservation efforts hampered by a lack of interagency coordination?

U.S. CITES implementation, U.S. conservation assistance to other countries, and U.S. wildlife trade enforcement in this country are all closely coordinated with a

host of other agencies, and the Service actively seeks and welcomes appropriate additions to, or expansions of, its existing partnerships.

In combating global wildlife trafficking, for example, the Service's Office of Law Enforcement works closely with the Department of Homeland Security (particularly Customs and Border Protection and Immigration and Customs Enforcement), the Department of Agriculture's Animal and Plant Health Inspection Service, the Food and Drug Administration, the Centers for Disease Control and Prevention, U.S. Attorney's Offices, the Justice Department's Environment and Natural Resources Division, Interior Department Solicitor's offices, and Interior's International Technical Assistance Program. The Office of Law Enforcement has also recently increased its liaison with the U.S. National Central Bureau-Interpol. Enforcement and capacity building efforts are coordinated on a regional and global basis through such entities as the North American Wildlife Enforcement Group, the CITES Law Enforcement Experts Group, the CITES Secretariat, the Interpol Wildlife Working Group, the Association of Southeast Asian Nations-Wildlife Enforcement Network, the International Law Enforcement Academy/Botswana, and enforcement authorities in individual nations.

6. How is the Service cultivating the next generation of conservation scientists and leaders? Would the fellowships authorized in section 122(c) of the bill help in this regard?

The fellowships described in H.R. 3086 would complement and leverage the work the Service is already doing to support foreign students and the in-service, in-country capacity building efforts we support in various countries. The Service's international programs have a history that spans more than twenty years of cultivating future conservation leaders in the developing world. Capacity building to promote and enhance sound management of wildlife and other natural resources is a central component of the Wildlife Without Borders Species and Regional programs. For example, this fall, the International Institute for Wildlife Conservation and Management, a highly interdisciplinary graduate program located at the National University of Costa Rica, will celebrate 25 years of partnership with the Wildlife Without Borders Program. Throughout Latin America, more than 400 graduates from this program, the first of its kind in the region, are now leading conservation efforts in their home countries.

It is important to note that the Service's history in supporting the development of scientists and leaders internationally has, to date, been primarily focused on building these capacities within range countries.

Engagement with the International community and the development of the next generation of conservation scientists and leaders is a priority for many of the bureaus within the Department of the Interior, and not just within the U.S. Fish and Wildlife Service. The National Park Service has a long tradition of international engagement, and has either helped create or significantly influenced the development of park systems in nearly every other country in the world.

The NPS Park Flight Migratory Bird Program technical exchanges have contributed significantly to capacity building for migratory bird conservation in Latin America. Examples include:

- The assistance of NPS International Volunteers in Parks (IVIPs) from Latin America, Canada and the Caribbean with Park Flight monitoring and education projects in U.S. national parks. Since FY 2001, 68 IVIPs, including 65 from 14 Latin American countries, two from Canada, and one from the Caribbean have assisted with Park Flight monitoring and education projects in NPS units. These IVIPs contributed a total of almost 30,000 hours valued at over $550,000, with an additional 10,000+ hours being contributed in FY 2009.
- Park Flight has provided technical assistance related to migratory birds to eight countries in Latin America and the Caribbean, for monitoring, data analysis, environmental education, trail interpretation, exhibit planning and design, visitor management, site planning, protected area management, and sustainable tourism.

Currently, efforts are underway between Africa and the Dry Tortugas National Park to protect habitat of the sooty tern which migrates between these two countries to breed on Bushy Island within the park. The Administration supports these ongoing efforts to create a cadre of future leaders in international conservation. Additionally, the Administration appreciates the Subcommittee's shared interest in cultivating the next generation of conservation scientists and leaders, but recommends the use of existing successful programs rather than creating a new Fellowship program.

7. How can the Service better benefit from the advice of public and private organizations that have expertise in international wildlife conservation? Does the administration support the establishment of the Global Wildlife Conservation Advisory Council as provided in section 131 of H.R. 3086?

To ensure the Service receives as much input as possible from the experts and a broad spectrum of the public, we currently work with partner institutions that represent significant expertise in international conservation. The Service's International Wildlife Trade program actively seeks public input, both through public comment periods announced in the Federal Register and by hosting public meetings in the development of CITES proposals and other documents, as well as in the development of U.S. positions for meetings of the Conference of the Parties to CITES. The participation of experts in the CITES decision-making process is extremely important to the United States. In addition to seeking public participation in its own decision making process, the United States actively promotes the participation of experts in discussions at CITES meetings.

The Service acknowledges that an advisory committee could provide the Service regular access to field-based experts and relevant information for the Service's consideration in implementing its grant programs aimed at supporting high-priority field-based conservation programs. However, the establishment of an advisory committee is already authorized under the provisions of the Federal Advisory Committee Act, and therefore we do not support the establishment of the Global Wildlife Conservation Advisory Committee as provided in section 131 of H.R. 3086.

8. Clearly the administration has concerns about the authorization of a Center for International Wildlife Recovery Partnerships. However, does the administration necessarily oppose the program activities (i.e., wildlife research; wildlife conservation and reintroduction; international coordination, public education and training)? Acknowledging the fact that Smithsonian Institution has recently re-organized directorates to create a new Smithsonian Conservation Biology Institute, which in many respects mirrors the program activities of the proposed Center, would the administration support amending the bill to incorporate the Smithsonian's capabilities via a formal partnership agreement to function as the bridge to enable greater cooperation between the Department of the Interior and non-Federal NGO stakeholders?

Projects supported by Wildlife Without Borders have demonstrated over their 30 years of program history that protecting wildlife through monitoring, research, law enforcement, and community outreach and education is effective in stabilizing and increasing the populations of animals where they are currently living in the wild. For example, the Zakouma elephant project in Chad, funded by the African Elephant Conservation Fund, immediately stabilized elephant populations upon receiving funding in 2007, as demonstrated by annual total aerial counts. This success came after an initial elephant population drop from 3,200 to 900 in a period of two years, leading wildlife experts to estimate that the project saved an entire regional population of elephants from extinction.

The Service appreciates and within available resources hopes to build on the existing opportunities to collaborate with organizations on varied conservation activities as appropriate. The Service's International Affairs program already engages in a number of partnerships, cooperating with NGOs including the Association of Zoos and Aquariums, the World Wildlife Fund, Conservation International, the Wildlife Conservation Society, TRAFFIC, WildAid, as well as groups such as the Humane Society of the United States and Safari Club International. In addition, the Service has a Memorandum of Understanding (MOU) with the Conservation Centers for Species Survival (C2S2) including institutions such as the Smithsonian's Conservation and Research Center, Zoological Society of San Diego, White Oak Conservation Center, Fossil Rim Wildlife Center, and The Wilds. The MOU established the Service's coordination with these partners on endangered species research. We believe that formalizing a partnership between the Service and one particular organization such as the Smithsonian Institution would limit the Service's capacity to engage more broadly with other entities and NGO stakeholders in its work.

9. What is the Fish and Wildlife Service doing now to enforce our wildlife laws against those who trade illegal ivory and other wildlife over the Internet?

As an operational priority, the Service's Office of Law Enforcement investigates trafficking in protected wildlife (including trade conducted via the Internet) and uses outreach to the public (including Internet site providers) to promote compliance

with wildlife protection laws and treaties. Many recent Service cases show that violators have used computer technology to further criminal activity.

In response, Service Law Enforcement is leveraging Internet technologies in its intelligence gathering and investigations; partnering with website owners to increase public awareness of wildlife laws; providing cybercrime and computer forensics training to enforcement staff; building cybercrime investigative and forensics capacity; conducting appropriate undercover operations; and teaming with other Federal agencies to combat wildlife trafficking, including e-commerce.

Service special agents and intelligence analysts routinely communicate with website companies to secure the removal of illegal auctions or listings, obtain identifying information on buyers and sellers, and—as appropriate—pursue investigations. The Law Enforcement program has added computer forensics staff at the National Fish and Wildlife Forensics Laboratory and has trained select officers in the seizure and analysis of computers and electronic media to bolster high-tech investigative capacity in the field. The Office of Law Enforcement is now in the process of establishing a Digital Evidence Recovery and Technical Support Unit staffed by special agents with both computer forensic and investigative skills to further improve the Service's ability to identify, retrieve, analyze, and utilize "e-evidence" of wildlife crimes.

The Service is also working with the CITES Secretariat and other international groups to address this issue on a global basis. In 2006, the Office of Law Enforcement helped plan and participated in an Internet investigations video conference with regional counterparts in the North American Wildlife Enforcement Group. Staff from the Law Enforcement and International Wildlife Trade programs represented the United States at a CITES-sponsored e-commerce workshop this past winter where they helped develop recommendations on combating Internet-based wildlife trade for the CITES Standing Committee.

The Service, of course, cannot possibly investigate every web posting that offers ivory or some other potentially prohibited wildlife item for sale. The Law Enforcement program does not believe that such an undertaking would represent either the best use of the agency's enforcement resources or add significantly to progress in curtailing large-scale global wildlife trafficking.

10. I understand that the administration has concerns regarding section 141 of the bill. How does the administration propose streamlining this provision? What would be an appropriate time frame? Should the implementation of a revised Office of Law Enforcement Strategic Plan be subject to the availability of appropriations? Are there certain elements within section 141 that the administration would strike due to the need to maintain confidentiality of data and information and avoid exposure of ongoing investigations?

Although the Service welcomes the Subcommittee's interest in and support of efforts to improve enforcement of U.S. laws that protect global species, we recommend removing section 141 in its entirety from this bill. This section calls for efforts that are already in progress under the program's existing strategic and workforce plans; envisions investments and expansions that reach well beyond the program's current capabilities and resources; and mandates some activities that are unlikely to have any serious impact on global wildlife trafficking. It also seemingly ignores the Service's important role in enforcing laws that protect native U.S. species from threats that include habitat loss and industrial hazards as well as illegal take and trade.

Work is already underway to update the existing Office of Law Enforcement strategic plan (which covers 2006-2010) to provide overall direction, broad goals, and guiding principles for enforcement efforts in the period 2011-2015. We would welcome consultation with the Subcommittee during this process. The strategic plan would address the need for operational flexibility, the full nature of the program's enforcement mission, and the scope of its resource priorities.

Unfortunately, Section 141 tries to address this last issue by authorizing the Service to accept donations and gifts from outside groups to support enforcement initiatives targeting global wildlife conservation. Such arrangements could create potential conflicts of interest, since groups "donating" may well be organizations engaged in activities regulated and policed by the Service. Enforcement programs should avoid any activity that might raise questions about their ability to fairly and objectively enforce the law.

11. Section 132 would create an International Wildlife Conservation Fund to provide a vehicle for the Secretary to accept and hold donations, gifts, etc. to support activities under the bill. Recognizing that the administration believes that there is a potential conflict of interest, how would the administration recommend amending this provision to eliminate that concern? Would formally designating the National Fish and Wildlife Foundation, a congressionally chartered non-profit with no regulatory authority, as the administrator of the Fund address that concern?

The Division of International Conservation currently has a mechanism to accept and receive gifts or donations from the general public directed toward specific conservation programs such as "African elephant conservation." This does not present a conflict of interest, as the Division of International Conservation is not a regulating or permitting body.

The Fund, as proposed in the legislation, would present a conflict of interest if the monies collected were to go to the permitting and regulatory offices of the International Wildlife Trade program and the Office of Law Enforcement, rather than being directed to support the competitive grant activities of the Division of International Conservation. A regulating body should not receive gifts from those parties that are potentially regulated by it. Therefore, the potential conflict of interest exists regardless of the entity administering and managing the funds.

Based on the current capacity of the Division of International Conservation to successfully manage its donations and appropriated funds, there would be no benefit from the National Fish and Wildlife Foundation being designated as an administrator of the Fund. The Service recommends that in order to avoid potential conflicts, gifts or donations continue to be routed through existing channels.

The Administration additionally opposes the investment authority granted to the Fund in section 132(d) because it would allow the investment of appropriations, which are limits on spending, not sums of cash to be invested. The investment language should be changed to Treasury's standard language, excluding the investment of appropriations. There are also potential conflicts with Service obligations under CITES and the Endangered Species Act with regard to the suggested functions of the Center for International Wildlife Recovery Partnerships. In addition, the lack of availability for these funds to be used by the Wildlife Without Borders program (as restricted in the legislation) seems to be at cross purposes with the intent of the bill to support that program.

Questions from Ranking Republican Member Henry E. Brown, Jr. (R-SC)

1. Doesn't the U.S. Fish and Wildlife Service currently coordinate with other agencies within the Department of the Interior, with federal agencies and with the International community on wildlife conservation efforts? Is there something lacking with the existing coordination efforts that should be addressed by this Committee?

The Service currently coordinates with other agencies and bureaus on wildlife conservation efforts and activities using our current capacity and resources. The Service's International Wildlife Trade, International Conservation, and Law Enforcement programs regularly work directly with our counterparts from a variety of departments and agencies to address international conservation. U.S. participation in the Convention on International Trade of Endangered Species (CITES), for example, is coordinated step by step with other Cabinet level departments such as the Departments of State, Commerce, Agriculture, Homeland Security, and Justice and with numerous agencies such as the Office of the U.S. Trade Representative, the Animal and Plant Health Inspection Service, U.S. Forest Service, Council on Environmental Quality, NOAA Fisheries, Customs and Border Protection, the U.S. Agency for International Development, the Smithsonian Institution, and the Interior Department's Office of International Affairs.

The Service acknowledges that coordination and information-sharing could be strengthened, especially with agencies such as the U.S. Agency for International Development that fund wildlife conservation projects. The Wildlife Without Borders Global Program has already undertaken an effort to increase collaboration on project proposal reviews with the Global Environment Facility, run through the Department of the Treasury.

In combating global wildlife trafficking, the Service's Office of Law Enforcement works closely with the Department of Homeland Security (particularly Customs and Border Protection and Immigration and Customs Enforcement), the Department of Agriculture's Animal and Plant Health Inspection Service, the Food and Drug Administration, the Centers for Disease Control and Prevention, U.S. Attorney's Of-

fices, the Justice Department's Environment and Natural Resources Division, the State Department's Bureau of Oceans and International Environmental and Scientific Affairs, Interior Department Solicitor's offices, and Interior's International Technical Assistance Program. The Office of Law Enforcement has also recently increased its liaison with the U.S. National Central Bureau-Interpol. Enforcement and capacity-building efforts are coordinated on a regional and global basis through such entities as the North American Wildlife Enforcement Group, the CITES Law Enforcement Experts Group, the CITES Secretariat, the Interpol Wildlife Working Group, the Association of Southeast Asian Nations-Wildlife Enforcement Network, the International Law Enforcement Academy/Botswana, and enforcement authorities in individual nations.

Other bureaus with the Department of the Interior also are actively coordinating with International community on wildlife conservation efforts. For example, the National Park Service has teamed with the Department of Defense and Department of Energy, and Parks Canada, Tanzania National Parks, and Kenya Wildlife Service in international wildlife health work. Over 30 "sister park" relationships exist between NPS units and foreign parks that share natural features, management issues, or cultural ties. The majority of this assistance is funded with outside financial support, primarily from the U.S. Agency for International Development, the U.S. State Department and the World Bank.

2. H.R. 3086 would "provide specific authority to the Secretary to coordinate activities within the Department [of the Interior]". Doesn't the Secretary already have authority to coordinate the activities of its agencies? If not, what specifically needs to be addressed in legislation?

Yes, the Secretary already has this authority to coordinate the work of the various bureaus within the Department of the Interior and we do not believe there are any needs that need to be addressed through legislation.

3. Why is it necessary to fund graduate fellowship programs within H.R. 3086? What benefits are gained from these fellowships?

The Service already supports several graduate programs and in-country, in-service training efforts in a number of countries. The Administration appreciates the Subcommittee's shared interest in cultivating the next generation of conservation scientists and leaders, but recommends the use of existing successful programs rather than creating a new Fellowship program.

4. How many existing fellowship programs are there within the U.S. Fish and Wildlife Service and what benefits have they produced?

For over twenty years, the Service's international programs have supported graduate students pursuing degrees in wildlife conservation and management through the Wildlife Without Borders Regional Program for Latin America and the Caribbean. To date, the Service has supported over 400 graduates through small scholarships. The students are working in 20 countries throughout the region, and many are professors teaching the next generation of conservation biologists, are directors within their respective wildlife management agencies, or are managing programs for conservation non-profits. Currently, the Service is developing an innovative new training program for graduate students in Latin America and the Caribbean. This fall, environmental leaders from more than 26 countries and territories throughout the Western Hemisphere will gather to provide input into the development of this multidisciplinary program.

A second fellowship program supported by the Service is the MENTOR Fellowship Program (Mentoring for Environmental Training in Outreach and Resource conservation). MENTOR was established two years ago through the Wildlife Without Borders Regional Program for Africa. In August, 2009, the MENTOR program graduated its first cadre of wildlife professionals from four Eastern African countries (Tanzania, Kenya, Uganda, and South Sudan) who have gained the requisite skills to address the illegal bushmeat trade. Fellows have undertaken a unique combination of active fieldwork and individually-tailored instruction in preparation for participation in a network of Eastern African wildlife professionals dedicated to reversing the rising trend of illegal hunting. Through this program, the Bushmeat-free East Africa Network (BEAN) was established, engaging government officials, nongovernmental organizations, and wildlife managers in unprecedented levels of cooperation to utilize law enforcement and outreach activities in addressing the illegal bushmeat trade.

In addition, the Service's Wildlife Without Borders Program was recently approached by the University of Michigan's School of Natural Resources and the Environment (SNRE), one of the most recognized graduate environmental programs in

the U.S., with a request to place graduate students as summer volunteer interns within the Wildlife Without Borders Program beginning in the summer of 2010.

5. Has the Service been unable to fulfill its obligations under international treaties, domestic laws, agreements, or cooperative agreements due to lack of legislative authorities? Will H.R. 3086 provide any authorities that are not currently available to the Service?

Under existing legislative authorities, the Service believes it is able to fulfill its obligations under international treaties, domestic laws, agreements, and cooperative agreements.

H.R. 3086 provides new authority to conduct the Wildlife Without Borders Program and a fellowship program, and to convene a group of external experts to advise the program. All of these activities can be accomplished under existing authorities. The Administration supports the provisions of the legislation that codify the U.S. Fish and Wildlife Service's (Service) Wildlife Without Borders Program with modifying language to retain the Secretary's discretionary authority to carry out and implement the program.

H.R. 3086 authorizes the Service's Law Enforcement program to accept donations and gifts from outside groups to support enforcement initiatives targeting global wildlife conservation. Such arrangements could create potential conflicts of interest, since groups "donating" may well be organizations engaged in activities regulated and policed by the Service. Enforcement programs should avoid any activity that might raise questions about their ability to fairly and objectively enforce the law.

H.R. 3086 also authorizes and funds Emergency Rehabilitation and Recovery Grants to provide care for seized wildlife. The Service already has the authority to donate live wildlife to organizations qualified to care for exotic animals, and those organizations must meet specific requirements under Service regulations to be eligible to receive seized wildlife. As the agency has only limited ability (via the Lacey Act Reward Account) to pay for wildlife care, the Service welcomes this provision. However, consultation with the Service should be mandatory for any grant process for wildlife placement to ensure that regulatory requirements are met.

We also note that zoos, aquaria, and other institutions readily accept "marquee" species that add to the public allure or scientific value of their holdings, but are often reluctant or unable to rehabilitate and provide life-long shelter for less "desirable" species—particularly when the seized wildlife consists of tens or hundreds of commonly traded specimens of no interest from an exhibition, captive-breeding or conservation research perspective.

6. One of the findings in H.R. 3086 refers to the existing wildlife programs and conservation efforts run by the Service and the federal government and states that they are "generally insufficient and in need of improved and focused attention". Do you agree with this statement?

The Service disagrees with the statement that existing wildlife programs and conservation efforts are "generally insufficient." While the Service's work in international conservation can always benefit from more focused attention, recognition, and support, the characterization that our efforts are "insufficient" fails to recognize decades of excellent work by the Service in this area within existing resources. For example, since its inception, the Wildlife Without Borders Program has funded over 800 conservation projects, working with more than 500 partners. The Service's special agents and wildlife inspectors have broken up thousands of smuggling operations impacting the world's most imperiled species and have conducted scores of law enforcement training programs for global counterparts. The Service's International Wildlife Trade program issues 15,000-20,000 permits annually for the import, export, interstate and foreign trade of species; take of captive specimens; transport of live invasive species; and other activities involving wildlife and plants. This program also works closely with many of the other 174 Parties to CITES to ensure that international wildlife trade is conducted legally and sustainably.

7. Do you believe that authorizing legislation would be useful for the Wildlife Without Borders Program?

As noted in the Service's testimony, the Administration supports the provisions in H.R. 3086 that codify the Service's Wildlife Without Borders Program with modifying language to retain the Secretary's discretionary authority in implementing the program. Authorizing the program would enable the Service to build upon the existing program, engage more partners, and work toward building the next generation of conservation leaders. In addition, the Service could expand its focus on regional and global work, building on the strength of the complementary Species-Regional-Global approach.

8. H.R. 3086 would create an International Wildlife Conservation Institute and a Center for International Wildlife Recovery Partnerships. Your written testimony outlined the confusion the creation of these new entities will have on existing offices. While Section 5 of H.R. 3086 states that "nothing in this Act affects authorities, responsibilities, obligations, or powers of the Secretary under any other statute", do you believe that would be the case if the bill was enacted into law?

The Administration has concerns regarding the creation of new organizational structures without clarification on how they fit in or with the existing programs and supports striking the Institute and the Center for this reason. For example, the Assistant Director position created by H.R. 3086 appears to duplicate some of the responsibilities which the Assistant Director now manages but excludes the International Wildlife Trade program. With regard to the Institute, the Department of the Interior already has an Assistant Secretary for Policy, Management, and Budget that oversees the Department's Office of International Affairs. This office coordinates the international activities in the Department's Bureaus and other activities unrelated to wildlife and habitat conservation.

With regard to the Center, the Service already engages in a number of existing partnerships, cooperating with NGOs including the Association of Zoos and Aquariums, the World Wildlife Fund, Conservation International, the Wildlife Conservation Society, TRAFFIC, WildAid, and other groups such as the Humane Society of the United States and Safari Club International. In addition, the Global Wildlife Conservation Council established in Title II of the bill would impact and potentially duplicate existing mechanisms aimed at enhancing coordination and cooperation with other federal and NGO entities.

9. How much of the authorities in H.R. 3086 would duplicate existing Service programs and activities?

While some provisions of H.R. 3086, such as the authorization of the Wildlife Without Borders Program, are beneficial, many elements of the bill are duplicative of existing activities and authorities. For example, the establishment of a Council duplicates interagency coordination that already exists. The establishment of an advisory committee is already authorized under the provisions of the Federal Advisory Committee Act.

Section 122 calls for a far-reaching and ambitious educational outreach program focusing on increasing the awareness of U.S. consumers about concerns such as wildlife trade. Service efforts to address this particular issue date back to the 1970s and continue today, often in partnership with non-profit conservation groups (see question 12 below). While the scale and scope of the outreach program proposed in section 122 is clearly beyond the agency's current capabilities and resources (particularly given the timetable mandated), it would also run the risk of duplicating efforts that have already been carried out or are currently underway in the NGO community—a community that may well be better equipped to address this issue not only in the United States but on a global scale, targeting both consumers and suppliers.

Subtitle D mandates a number of activities that are already underway within the Office of Law Enforcement, or that the Office has the authority to pursue if the need and/or necessary resources are available. For example, the revision of the Office of Law Enforcement's Strategic Plan is already scheduled to be revised on a five-year cycle. The Law Enforcement program is already improving its ability to address the use of computer technology in wildlife crime. Service Law Enforcement is leveraging Internet technologies in its intelligence gathering and investigations; partnering with website owners to increase public awareness of wildlife laws; providing cybercrime and computer forensics training to enforcement staff; building cybercrime investigative and forensics capacity; conducting appropriate undercover operations; and teaming with other Federal agencies to combat wildlife trafficking, including e-commerce.

Service special agents and intelligence analysts routinely communicate with website companies to secure the removal of illegal auctions or listings, obtain identifying information on buyers and sellers, and—as appropriate—pursue investigations. The Law Enforcement program has added computer forensics staff at the National Fish and Wildlife Forensics Laboratory and has trained select officers in the seizure and analysis of computers and electronic media to bolster high-tech investigative capacity in the field. The Office of Law Enforcement is now in the process of establishing a Digital Evidence Recovery and Technical Support Unit staffed by special agents with both computer forensic and investigative skills to further improve the Service's ability to identify, retrieve, analyze and utilize "e-evidence" of wildlife crimes.

The Service has worked, as resources allow, to strengthen its forensics and intelligence-gathering capabilities. The Office of Law Enforcement emphasizes the importance of enforcement partnerships and cooperation in investigations and intelligence sharing; is working to address the issue of international wildlife crime data systems; focuses on outreach to increase compliance; and has long supported efforts to build enforcement capacity overseas.

10. If there are new authorities that are not within existing programs, do you think it would be more effective to authorize the Service to carry out these functions instead of creating a new Institute and Center?

As noted in the Service's testimony, the Administration supports the bill's provisions codifying the Service's Wildlife Without Borders Program with modifying language to retain the Secretary's discretionary authority in implementing the program.

11. To increase stakeholder participation, H.R. 3086 would create a Global Wildlife Conservation Advisory Committee and a Global Wildlife Council. How does the Service currently coordinate with federal agencies or foreign governments on wildlife conservation? Are these new components of H.R. 3086 necessary? Do you think the Council and Committee will promote better conservation efforts?

The Advisory Committee created by the bill would provide a vehicle for the Service to receive input and advice from a group of external experts, which would be representative of the broad organizations and groups interested in our work in supporting on-the-ground conservation efforts in range States. However, such a committee can be established under the existing authorities of the Federal Advisory Committee Act. The Council, on the other hand, despite providing a new structure for interaction, would fill few gaps in coordination, some of which are already being addressed through other means such as through the Service's interagency CITES Coordination Committee and the Service's longstanding enforcement partnership with U.S. Customs/Homeland Security. All Divisions within International Affairs coordinate with the State Department on international activities. The Wildlife Without Borders Global Program is also currently interacting with the Department of Treasury on proposal review with the Global Environmental Facility. Although there is a need for increased coordination between the Division of International Conservation and the U.S. Agency for International Development on conservation initiatives, this can be accomplished through existing authorities. While the need for continuous coordination is recognized, the Service feels that the Council, as authorized in the bill, would cause additional bureaucracy and consume valuable resources needed elsewhere.

12. How does the Service currently educate the public on wildlife conservation programs and efforts? What does the Service need to make these efforts more effective?

The Division of International Conservation currently educates the public on its wildlife conservation programs and efforts through a variety of media including print, web, and video. The Division's Internet site includes information on each of the Wildlife Without Borders Species, Regional, and Global programs, and all related conservation activities. Fact sheets are produced for each program on an annual basis and, moving forward, the programs will each produce five-year reports on grant projects and funding activities. In addition, the program intends to work with NGO partners to increase its use of video and new media to engage the public. Over the past five years, there have been over 100 media and web articles published on Division programs, distributed in over 800 web or print media outlets, in addition to over 15 publications by the program and its staff. We feel these initiatives have been very worthwhile and see value in their continued development. Regarding the need to aid in the effectiveness of these efforts, the program is constantly striving to try new tools and methodologies to improve delivering the conservation message within the program's capacity.

The Office of Law Enforcement outreach efforts emphasize providing accurate and timely regulatory information to the wildlife import/export community via various means. Outreach mechanisms utilized for promoting compliance include a web-based public bulletin system; participation in broker association, chamber of commerce, and similar trade-focused meetings; training programs for brokers, freight forwarders, international express mail company employees, representatives of the fashion, fur, leather and other industries, museum officials, and other groups directly engaged in wildlife trade or wildlife transport; and one-on-one assistance to individuals, companies, and carriers. Service Law Enforcement and International Affairs personnel staff a compliance outreach booth at the annual Safari Club Inter-

national meeting, and compliance outreach materials are distributed to hunters and anglers crossing our land borders to pursue their sport. Outreach efforts in recent years have also included presentations to such groups as the Animal Transport Association and Independent Pet and Animal Transport Association International and participation in trade-targeted events such as the UPS Trade Compliance Fair in Louisville, the Baltimore Washington International Airport Cargo Expo, and the International Air Cargo Convention in Houston.

Broad-based law enforcement outreach to the general public on trade issues includes such activities as co-production and distribution of the Buyer Beware brochure with WWF/TRAFFIC North America; an ongoing partnership with multiple NGOs to make wildlife items available for use by educators in conjunction with the "Suitcase for Survival" wildlife trade education curriculum; and the donation of wildlife items to educational institutions, museums, non-profit groups, and other organizations for use in educating the public about trade. Service wildlife inspectors and special agents also conduct outreach at community events (such as Earth Day celebrations, sporting shows, and State fairs) and give school, scout, and other presentations. Enforcement officials provide briefings and panel discussions at media forums (such as the Society of Environmental Journalists annual meeting); and participate in symposia at universities, law schools, and "think tanks" such as the Woodrow Wilson International Center for Scholars.

On an annual basis, the Service's International Wildlife Trade program handles over 6,000 permit applications, as well as responding to over 20,000 public inquiries. This one-on-one outreach to potential and active participants in international trade in protected plants and animals has greatly improved the public's understanding of the impacts of wildlife trade. The program also has numerous wildlife trade-related fact sheets and web pages dedicated to specific taxonomic groups of interest. In addition, the program regularly participates in or hosts booths at meetings of the Association of Fish and Wildlife Agencies, the Association of Zoos and Aquariums, Safari Club International, the American Fisheries Society, the American Federation of Aviculture, and the World Orchid Congress.

Finally, in addition to the efforts cited above, the Service, like many other Federal entities, is exploring the use of alternative forms of electronic media, such as podcasting, blogging, and the use of Facebook to reach a younger generation of the public and will incorporate these tools to the extent possible within existing funding resources.

13. What is the state role in national wildlife conservation education efforts? Does H.R. 3086 usurp any state responsibilities?

State wildlife agencies conduct a variety of educational programs, many of them focused on the protection of native species and recreational activities such as hunting and fishing. The States, through the Association of Fish and Wildlife Agencies' International Relations Committee work with the Service on educational programs that affect native species in trade. Although some State-protected resources are used to address illegal global wildlife trade, international wildlife trafficking is more likely to be an educational/outreach focus for conservation non-profits and the zoological/aquarium community than for the States.

To our knowledge, H.R. 3086 would not usurp any state responsibilities in the area of conservation education. It may, however, be directing the Federal government to engage in duplicative educational efforts in the United States that can better be accomplished utilizing the knowledge, skills, and resources of conservation groups that have historically played a major role in teaching the public about wildlife trade and conservation.

14. Education of American consumers would seem to be something that could be done without a new law. Do the existing multi-species funds or wildlife grant programs run by the Service authorize funds for education efforts? Has the agency requested funding for education programs in the President's 2010 Budget request?

The Service has supported WildAid public service announcement advertising campaigns and RARE conservation campaigns, which target the consumers of species in the locations where their products are known to be primarily consumed. The Rhinoceros and Tiger Conservation Fund and the African Elephant Conservation Fund have provisions that permit education that is not targeted at international audiences. For instance, the Rhinoceros and Tiger Conservation Fund provided a grant to the World Wildlife Fund to support the creation of a brochure targeted at U.S. consumers of illegal wildlife products. Without any specific mandates, the Service has successfully educated American consumers through initiatives such as the Suitcase for Survival and Buyer Beware programs. Additionally, many of the Service's

International Affairs NGO partners are better suited and equipped to conduct outreach and education campaigns targeting the American public. The Service has not requested funding specifically for education programs targeting American consumers in the President's 2010 budget request.

15. What about law enforcement efforts? Has the agency requested enough funding in the President's 2010 budget request to support law enforcement efforts nationally and internationally?

The Service law enforcement efforts have been very successful and the Administration has provided sufficient funding to ensure these efforts continue. The Service's Office of Law Enforcement investigates trafficking in protected wildlife (including trade conducted via the Internet) and uses outreach to the public (including Internet site providers) to promote compliance with wildlife protection laws and treaties.

16. The U.S. has been very proactive in many conservation efforts to reduce the illegal trade in wildlife. What is the main underlying issue hindering the success of these efforts?

Even if relatively unlimited resources were available to U.S. based and international efforts to reduce illegal trade, these efforts would continue to be hindered by the lack of appropriate laws and/or on-the-ground ability to enforce them in supplier nations. More fundamentally, economic and social conditions in range states will continue to fuel the trade. Poverty provides an understandable incentive for poaching—a fact that wildlife profiteers eagerly exploit.

Ultimately, it will not be enough for the United States and other market countries to police incoming trade and promote consumer awareness, as has been done since the late 1960s with some degree of success. But the United States can work to address the economic and social conditions that make wildlife poaching a way to survive for the impoverished; and the Service can continue its efforts to support other nations in developing strong conservation laws and building prosecutorial and enforcement capacity.

17. Mr. Roberts mentioned in his testimony that seizures of illegal products do not necessarily result in prosecution. Is this a big issue in the U.S. or is mainly occurring in other countries? What action needs to be taken to address the lack of prosecutions in these cases?

Mr. Roberts' statement (as reflected in his written testimony) refers specifically to Southeast Asia where training programs for enforcement officers have led to an increase in the number of wildlife seizures without apparently a corresponding increase in successful prosecutions. In response, the Association of Southeast Asian Nations Wildlife Enforcement Network (ASEAN-WEN) has broadened the scope of its training and capacity building efforts to encompass not only enforcement officers but prosecutors and judges as well. These efforts have been supported by the Department of Justice, the Service, the U.S. Agency for International Development, the Department of State, and non-profit groups working in the region.

Effective wildlife law enforcement requires a sound legal framework and the ability to investigate and prosecute wildlife crimes. These critical elements are lacking not only in Southeast Asia (where ASEAN-WEN is addressing them) but in other parts of the world as well, and the Service is working with the Departments of Justice and State and other partners to provide training to address these issues.

Ms. BORDALLO. Thank you very much, Dr. Gould, for the Service's work in international wildlife conservation.

Before we proceed, for those standing in the back of the room, if you wish to be seated, you can sit on the chairs on the lower part here. It may be a long hearing, and I am sure you would appreciate a seat. Thank you.

It is my pleasure now to introduce someone who is very passionate, and I had the opportunity to meet and talk with her yesterday. We share many of the same concerns, and she has certainly devoted her life to the care and the interests of animals.

So, Ms. Derek, it is a pleasure to welcome you before the Subcommittee, and you are now recognized to testify.

STATEMENT OF BO DEREK, BOARD MEMBER, WILDAID

Ms. DEREK. Madam Chairwoman, Honorable Members, thank you for the opportunity to address you today. I speak today as a board member of WildAid, a conservation organization dedicated to ending the illegal trade in wildlife, and on behalf of the Animal Welfare Institute. I am not speaking in my capacity as "Special Envoy to the Secretary of State on Wildlife Trafficking," a position created under the last administration and continued under this one. However, my duties in this role have taken me across the United States and internationally to broaden my understanding of, and passion for, this important issue.

Madam Chairwoman, wildlife knows no borders, and nor should wildlife conservation efforts. The United States has long been a leader in this field by encouraging other nations and by providing vital technical and financial support. This bill would help to ensure that we continue to lead in a way which is greatly appreciated and builds goodwill and strong bridges with other nations in a very positive manner.

This bill is also an insurance policy against loss of biodiversity, against the extinction of some species, against wildlife crime, and against the very real risk of the emergence and spread of a serious new disease epidemic. "An ounce of prevention is worth a pound of cure," and the programs proposed under this bill could help to prevent billions of dollars of remedial measures down the line.

Whether from expensive species recovery plans, species entering the United States, or from the cost of a disease outbreak, illegal wildlife trafficking is an almost perfect vector for a new epidemic. The origins of SARS were traced back to exotic wildlife trade, and had an estimated cost to Asian economies of some $60 billion.

So perhaps instead of "Can we afford this?" the question should be, "Can we afford not to take this action?"

I would like to offer a concrete example from my own experience in the Galapagos Islands of Ecuador on the positive impact our support can make. The Galapagos Marine Reserve is one of the largest in the world and, when establishing it in 1998, Ecuador made an appeal for outside support. There were almost no resources available for law enforcement in this World Heritage Site. This is a typical situation in less-wealthy nations.

While they are prepared to forego converting wilderness into farmland or short-term gains from fisheries exploitation, pressing human needs mean they find it hard to finance adequate protection for these areas. Meanwhile, on the other side, there was a fleet of foreign and Ecuadorian boats raiding the reserve for shark fin, tuna, and sea cucumbers on a daily basis.

Now, with U.S. assistance from both private and public sources, it has some of the best marine-protection capabilities anywhere in the world. The U.S. has provided officers from our Fish and Wildlife and Park Services for training rangers, building strong ties with our Ecuadorian counterparts, and increasing their professionalism and morale.

We have financed vital equipment, such as GPS, binoculars, and even a float plane. In the last few months, specially trained sniffer dogs have detected an illegal shark fin cache, while, in its first month of operation, a state-of-the-art satellite vessel monitoring

system provided by U.S. NGO's has led to the capture of four boats illegally fishing. Thanks to assistance in vessel maintenance, they are now carrying out more patrolling with less staff and other costs. What was a free for all has truly become a protected area, only with the support of the United States.

Often the wildlife ranger is the only law enforcement official in these remote regions, and supporting them will have an impact in other security issues, such as drug trafficking. Again, in the Galapagos, their wildlife protection assets have led to the interception of cocaine in a number of cases.

This Committee has previously heard how the United States is thought to be the second-largest importer of illegal wildlife after China, and I believe it is essential that we not only address the problems abroad but here, too. We can help our international partners by reduction demand for illegal wildlife here and helping them do the same in their countries.

Unfortunately, budget pressures have made it very hard for the U.S. Fish and Wildlife Service to maintain its activities in this area. To this end, I have myself seen how public/private partnerships can be the most cost-effective method. The State Department's public service message with Harrison Ford, carried out in partnership with WildAid, has reached hundreds of millions around the world and cost the taxpayer less than $100,000, while projecting a positive image of the United States.

In my dialogue with wildlife-management professionals, members, staff, NGO's, and other interested parties, I find a tremendous consensus on the need for this bill. As currently drafted, there are a number of concerns that have been expressed to me from institutional issues to concerns that the current cost and complexity may prevent it moving forward.

On the cost issue, I believe a less-ambitious program now can always be enhanced down the line upon proven success and that this issue should not be allowed to prevent the bill's swift progress.

Frankly, given the overwhelming support for the core goals, none of these issues seem to be too difficult to reconcile with some concerted dialogue, and I believe that, with the Chair's leadership and input from both sides of the House and interested agencies, we can rapidly arrive at a bill that can enjoy all our support and move with the unstoppable momentum that it needs.

Just as wildlife has no geographical borders, conservation knows no political borders. It is absolutely a bipartisan issue with passionate advocates from both parties, and I would urge both sides to unite and confer for the passage of this bill and fight for the resources necessary to make it a reality. Thank you, Madam Chairwoman.

[The prepared statement of Ms. Derek follows:]

Statement of Bo Derek, Board Member, WildAid

Madame Chairwoman, Honorable Members thank you for the opportunity to address you today.

I speak to you as a board member of WildAid, a conservation organization dedicated to ending the illegal trade in wildlife and on behalf of the Animal Welfare Institute. I am not speaking in my capacity as "Special Envoy to the Secretary of State for Wildlife Trafficking", a position created under the last Administration and continued under this one. However, my duties in this role have taken me across the

United States and internationally to broaden my understanding of, and passion for, this important issue.

Madame Chairwoman, wildlife knows no borders and nor should wildlife conservation efforts. The United States has long been a leader in this field by encouraging other nations and by providing vital technical and financial support. This bill would help to ensure we continue to lead in a way that is greatly appreciated and builds goodwill and strong bridges with other nations in a very positive manner.

It is also an insurance policy against loss of biodiversity, species extinction, wildlife crime and the very real risk of the emergence and spread of a serious new disease epidemic. In the hard economic times, it is perhaps even more important to have insurance against potential disasters. An ounce of prevention is worth a pound of cure and the programs proposed under this bill could help to prevent billions of dollars of remedial measures down the line, whether from expensive species recovery plans, invasive species entering the United States or from the costs of a disease outbreak. Illegal wildlife trafficking is an almost perfect vector for a new epidemic. The origins of SARS were traced back to exotic wildlife trade and that was estimated to cost Asian economies some US$60 billion. So perhaps instead of can we afford this, the question should be can we afford not to take this action?

I would like to offer a concrete example from my own experience in the Galapagos Islands of Ecuador on the positive impact our support can make. The marine reserve there is one of the largest in the world and when establishing it in 1998 Ecuador made an appeal for outside support. There were almost no resources available for law enforcement in this World Heritage Site. This is a typical situation in less wealthy nations. While they are prepared to forego converting wilderness into farmland or short term gains from fisheries exploitation, pressing human needs mean they find it hard to finance adequate protection for these areas. Meanwhile on the other side there was a fleet of foreign and Ecuadorian boats raiding the reserve for shark fin, tuna and sea cucumbers on a daily basis. Now with U.S. assistance from both private and public sources, it has some of the best marine protection capabilities anywhere in the world. The U.S. has provided officers from our Fish and Wildlife and Parks Services for training rangers building strong ties with their Ecuadorian counterparts and increasing their professionalism and morale. We have financed vital equipment, such as GPS, binoculars and even a floatplane. In the last two months, specially trained sniffer dogs have detected an illegal shark fin cache, while in its first month of operations a state-of-the-art satellite vessel monitoring system provided by U.S. NGOs has lead to the capture of four boats illegally fishing. Thanks to assistance in vessel maintenance, they are now carrying out more patrolling with less staff and other costs. What was a free for all, has become a truly protected area thanks to the support of the United States.

Often the wildlife ranger is the only law enforcement official in these remote regions and supporting them will have an impact on other security issues, such as drug trafficking. Again, in Galapagos their wildlife protection assets have lead to the interception of cocaine in a number of cases.

This Committee has previously heard how the United States is thought to be the second largest importer of illegal wildlife after China and I believe it is essential that we not only address the problems abroad, but here, too. We can help our international partners by reducing demand for illegal wildlife here and helping them do the same in their countries. Unfortunately, budget pressures have made it very hard for the U.S. Fish and Wildlife Service to maintain its activities in this area. To this end, I have myself seen how public/private partnerships can be the most cost effective method. The State Department's public service message with Harrison Ford carried out in partnership with WildAid has reached hundreds of millions around the world and cost the taxpayer less than $100,000, while projecting a positive image of the United States.

In my dialogue with wildlife management professionals, members, staff, NGOs and other interested parties I find a tremendous consensus on the need for this bill. As currently drafted, there are a number of concerns that have been expressed to me from institutional issues to concerns that the current cost and complexity may prevent it moving forward.

On the cost issue, I believe a less ambitious program now can always be enhanced down the line upon proven success and that this issue should not be allowed to prevent the bill's swift progress.

Frankly, given the overwhelming support for the core goals; none of these issues seem to be too difficult to reconcile with some concerted dialogue and I believe that with the Chair's leadership and input from both sides of the House and interested agencies we can rapidly arrive at a bill that can enjoy all our support and move with the unstoppable momentum that it needs.

Just as wildlife has no geographic borders, conservation knows no political borders; it is absolutely a bipartisan issue with passionate advocates from both parties and I would urge both sides to unite and confer for the passage of this bill and fight for the resources necessary to make it a reality.

Thank you Madame Chairwoman and members of the Committee for the opportunity to discuss this important bill.

Response to questions submitted for the record by Bo Derek, Board Member, WildAid

Questions from Chairwoman Madeleine Z. Bordallo (D-GU)

1. How has WildAid demonstrated that public awareness campaigns can change consumer behavior?

In follow up surveys conducted by independent professional survey companies in Hong Kong 8% stopped eating shark fin soup and 40% said they would eat it less.

In Taiwan 15% stopped and 40% said they would eat less.

In Singapore there was a reported 30% drop.

In Thailand traders unsuccessfully sued WildAid for a 33-50% loss of business. The court found that WildAid's campaign was factually accurate and therefore dismissed the suit.

In China 55% of Beijingers questioned remembered the campaign with 82% of those saying they would eat stop eating it or eat less.

2. How can public-private partnerships decrease the costs of public awareness campaigns?

For example, WildAid has leveraged millions of dollars of production for high quality public service announcements.

WildAid has also leveraged tens of millions of dollars of free airtime with networks, such as CCTV, National Geographic, Discovery, CNN, Doordashan, Fox and CBS.

It is unlikely that the Federal government would be able to leverage such pro bono support.

3. Recognizing that the administration has expressed concerns with the new organizational structures in H.R. 3086, would you support amending the bill to strike the creation of these new entities, and instead, utilize the existing office of the Assistant Secretary for International Affairs as the appropriate point for strengthening international wildlife coordination within the Department?

Absolutely although the Department would require increased appropriations to deal with the workload. This would be more cost effective than creating new entities and not involve jurisdictional conflicts.

4. In general, do you support the establishment of a Global International Wildlife Coordination Council within the Executive Branch (Title II of H.R. 3086) to better coordinate the international wildlife conservation activities of relevant Federal agencies?

Yes.

5. Does WildAid support the establishment of a Global Wildlife Conservation Advisory Committee to provide a formal means for non-Federal NGO conservation stakeholders to interact and engage Federal agencies?

Yes.

Questions from Ranking Republican Member Henry E. Brown, Jr. (R-SC)

1. You mention in your testimony that there is "overwhelming support for the core goals [of the bill]". Do you believe the Service currently handles many of these core goals?

Most fall under their remit, although they are seriously under-financed at present and therefore they are not being carried out.

2. If not, do you believe the Service should be authorized to undertake these additional authorities, instead of creating a new Institute and Center?

Yes. Although the Department would require increased appropriations to deal with the increased workload. This would be far more cost effective than creating

new entities and not involve jurisdictional conflicts a new entity would doubtless create.

3. You mention that the U.S. is the second largest importer of illegal wildlife after China. This is according to the Bush Administration State Department although how you might measure this is debatable. What actions are currently being taken to address this illegal trade?

Although stretched in resources the U.S. is a world leader in wildlife enforcement efforts. However, public outreach and education has been virtually unfunded and current efforts need a serious overhaul and proper financial support.

4. Is the issue here the lack of funding for enforcement officers or a lack of public education?

More enforcement officers are needed and perhaps new techniques such as sniffer dog programs at airports should be deployed, but in our opinion the most significant gap, which could be most cost effectively filled is in public education/demand reduction, an area where government/ngo partnership could be most effective. Due to lack of funding the Service is unable to carry out even basic public education currently.

5. What species are the most prevalent in the illegal wildlife trade in the U.S.?

A very wide variety, but elephant ivory, tortoiseshell (from marine turtles), sturgeon caviar, reptile skins and coral products.

6. Are there certain species that are more prevalent than others?

Certain species are very specific to certain cultures such as Asian use of rhino horn, tiger bone and bear gall, Latino use of turtle eggs, African use of bushmeat.

7. How many other nations are working with the U.S. on wildlife conservation?

A question for the government, but there is a great willingness for international cooperation in this area and over 170 nations are parties to the UN CITES treaty which governs this area.

8. What do you see as the leading cause driving illegal trade in wildlife?

Demand for illegal wildlife products.

9. Is money the sole motive?

There are some cultural beliefs, such as traditional cures. But it is primarily money driven from the small amounts paid to often poor poachers to the large traders.

Ms. BORDALLO. I thank you, Ms. Derek, for your continued leadership and your passionate interest in this, particularly in international wildlife conservation, and for your support of H.R. 3086.

And now we recognize Dr. Roberts. Welcome to the Subcommittee, and you are now recognized to testify for five minutes.

STATEMENT OF CARTER ROBERTS, PRESIDENT AND CEO, WORLD WILDLIFE FUND

Mr. ROBERTS. Thank you, Madam Chairwoman and Honorable Members of the Committee. It is a great pleasure to be here today.

I speak on behalf of WWF and our five million members around the world and also on behalf of our staff, who work in partnership with U.S. agencies around the world on this very topic.

Some say that the United States invented conservation. It is true that our country has a long legacy of conserving the natural world and recognizing its dependence on the same. All you have to do is look around this room at the grand paintings that depict the history of our country to see the relationship between our people and the natural world, particularly its wildlife.

We have done an exceptional job conserving our wildlife in the United States over time, and we have a long legacy of helping

other countries do the same, and this bill makes some important steps forward in strengthening our ability to do that, particularly through the Fish and Wildlife agency.

If you go to most other countries where we work, you can see this relationship between people and wildlife, and it is quite strong, it is powerful, but it needs help, and our U.S. agencies which have the expertise, the legal talent, the scientific talent, the application of approaches have much to offer in this regard.

Species extinctions are now something on the order of 100 to 1,000 times more quickly than the "normal" extinction rate that we find in the fossil record due to the loss of habitat, but also, perhaps more importantly, the lack of capacity in countries where this important wildlife exists, and we have a responsibility to help those countries build that capacity.

This bill recognizes that need, and it seeks to strengthen our ability to address that need. The bill also needs work.

I want to just comment on the parts that World Wildlife Fund supports the most and those parts that need work. The parts that we believe are at the core of this bill are the emphasis on saving wildlife where it lives in the wild, particularly the Wildlife Without Borders program and the species programs that are at the heart of the bill.

We also very much applaud the effort to increase the coordination among parts of the Fish and Wildlife agency. If all of these parts are interrelated, they need to work better together. We applaud the intent to make that happen.

Finally, we applaud the effort to strengthen the ability of the whole agency to do its work.

There are some issues that we would ask the Committee to keep an eye on. One is to keep it simple. Coordination that also brings complication is never quite welcome, and there are ways to make this bill work that will keep the administration and the coordination simple. That includes the administration of the overall program to use existing programs within Fish and Wildlife but also to use Fish and Wildlife to administer the funds that flow to this program.

We also would encourage the Committee to keep the core goals simple. There are lots of goals, lots of language in the Committee that refer to different pieces of wildlife conservation, and we would just encourage the Committee to keep wildlife in wild places at the heart of this bill.

Finally, and I think just about every speaker here will say the same thing, improving the coordination and the ability of fish and wildlife agencies to do this work without approving the appropriations to get it done is somewhat of a half victory, and we would encourage you to look hard at what is required to succeed in this very important work and to appropriate the amount of funds that the agency truly needs.

WWF stands ready to help you out with that work in improving the bill, so I hope you will count on us, but also I am happy to answer any questions. Thank you.

[The prepared statement of Mr. Roberts follows:]

Statement of Carter Roberts, President and CEO of World Wildlife Fund, on behalf of the World Wildlife Fund, and TRAFFIC

Madam Chairwoman, Mr. Ranking Member, and members of the Subcommittee, thank you for the opportunity to testify today. My name is Carter Roberts, and I am the President and CEO of World Wildlife Fund (WWF). For more than 45 years, WWF has been protecting the future of nature. Today we are the largest multinational conservation organization in the world. WWF's unique way of working combines global reach with a foundation in science, involves action at every level from local to global, and ensures the delivery of innovative solutions that meet the needs of both people and nature. We currently sponsor conservation programs in more than 100 countries, thanks to the support of 1.2 million members in the Unites States and more than 5 million members worldwide. I am also testifying on behalf of TRAFFIC, the wildlife trade monitoring program of WWF and IUCN. TRAFFIC works to ensure that trade in wild plants and animals is not a threat to the conservation of nature. Over the past 30 years, TRAFFIC has gained a reputation as a reliable and impartial organization and a leader in the field of conservation as it relates to wildlife trade. It is a global network, with 25 offices around the world.

WWF and TRAFFIC congratulate the Subcommittee on H.R. 3086, the Global Wildlife Conservation, Coordination, and Enhancement Act of 2009. The intent behind this bill to garner additional government resources and coordination to the benefit of global biodiversity conservation is to be applauded. WWF and TRAFFIC have worked hand in hand with the U.S. government for decades in efforts to protect species and habitats worldwide. The U.S. has been a leader in international conservation efforts for over 100 years, and that leadership has been greatly appreciated by governments, conservation groups and—most importantly—the local people in those countries that have directly benefited from it.

We highlight here the key messages that WWF and TRAFFIC hope our comments on H.R. 3086 will convey:

- Greater coordination and cooperation amongst U.S. agencies investing in biodiversity conservation are needed to ensure an effective and efficient effort. However, this coordination should not come at the cost of agency flexibility and autonomy; added layers of bureaucracy will not alone resolve this issue. The structures proposed in H.R. 3086 must be clarified and carefully evaluated, and the most streamlined approach possible should be used which will still achieve the greatest conservation impact.
- Resources should be focused on saving wild species in wild places, working in close cooperation with local communities and range State governments.
- Adequate authorization levels must be included, and appropriations allocated, to ensure that the programs proposed in H.R. 3086 can achieve any level of success in positively affecting conservation initiatives on a global scale.

WWF and TRAFFIC have provided this Subcommittee with testimony related to these issues on several occasions, including on previous legislative proposals to expand U.S. Fish and Wildlife Service (FWS) international programs and on efforts to address trafficking in illegal wildlife and wildlife products and the U.S. role as consumer in the international wildlife trade. Efforts to expand the U.S. role in protecting species and habitats around the world are driven by an urgent crisis affecting our planet's biodiversity. Species are now disappearing at an unprecedented rate—100 to 1,000 times more quickly than the "normal" extinction rate that we find in the fossil record. Scientists estimate that approximately 10% of the world's known biological diversity is presently in danger of extinction, including at least ¼ of all mammals, ⅓ of all primates, ⅓ of all amphibians, and ⅛ of all birds. Scientists believe that we are in the initial stages of a major worldwide extinction event that could result in the permanent loss of up to ⅔ of the world's plant and animal species by the end of this century. Such an outcome would have unfathomable consequences for the future of our society, our economy and our planet.

This biodiversity crisis is being felt most acutely in developing nations, where approximately 75% of the world's terrestrial plant and animal species reside, in whole or in part. In many cases, poor management of natural resources and lack of local capacity to promote conservation and sustainable development in these countries has exacerbated the threat of extinction to many species and directly harmed local communities. Conservation is often vital to alleviating poverty for many in the developing world who depend on these resources for their livelihoods, food, shelter, medicines, and other necessities. There are also significant risks to the global and U.S. economies from the loss of species and habitats around the world and the valuable services they provide.

The U.S. has an opportunity to lead expanded global efforts to forestall the biodiversity crisis. The wildlife and natural resource experts at the Department of Interior (DOI) and FWS are well positioned as leaders of those endeavors given their long history of successfully collaborating in developing nations and with private partners to protect international wildlife, to mitigate cross-cutting global threats to biodiversity including trade in illegal wildlife and wildlife products, and to build local on-the-ground capacity for conservation.

H.R. 3086 builds upon highly successful existing programs within FWS to create a more broad-based and comprehensive approach to international wildlife conservation within DOI. In this way, the bill attempts to address the full range of threats and pressures affecting global wildlife in a more concerted and coordinated fashion. The legislation includes programs to promote improved law enforcement, outreach and education, and new opportunities for public-private partnerships. It also codifies the existing Global, Regional and Species programs within FWS into a new, overarching Wildlife Without Borders program.

Overall, WWF and TRAFFIC believe there are several key considerations that should guide this legislation to ensure it achieves its core purposes. It should be broad-based and flexible; focus heavily on international programs in developing countries; include clearly defined, scientifically-based systems for establishing conservation priorities while retaining administrative flexibility; encourage but not require grant recipients to obtain matching funds from public and private partners; require host country approval and encourage local support for programs and projects; provide for coordination among Federal agencies with overlapping jurisdictions; allow for outside review of program implementation; and provide adequate funding commensurate with conservation objectives, including sufficient fees to enable FWS to meet administrative costs. Priorities for such work should also emphasize the role of the U.S. as a consumer and agent for change, where the U.S. has a responsibility to mitigate the impact of its influence on conservation around the world, particularly in respect to utilization of wildlife resources.

The Institute and The Council

WWF and TRAFFIC note the attention paid to a consolidated U.S. conservation strategy and a cooperative effort between all sectors of the U.S. government contributing to or affecting global conservation. This ratcheted-up effort and coordination are what is required to facilitate the kind of efforts required—both on the ground and at the highest political levels—and is what has been called for by WWF, TRAFFIC and many of our conservation partners. However, while we embrace the intent, we have some serious concerns with the execution—for example:

- How will the Institute fit within the current structure of the FWS and its International Affairs Division?
- Why will international treaties fall under the purview of the Wildlife Without Borders program?
- What kind of authority, if any, will the Global Wildlife Coordination Council ("the Council") have over the conservation work of DOI and other Departments?
- What is the interface between the Institute for International Wildlife Conservation's ("the Institute") Action Plan and the Council's Action Strategy?

These are just some of the concerns the breadth and scope of this bill raises. An organizational chart of what is envisioned by this legislation would be extremely useful in trying to put some of these pieces together and would help clarify what is intended in this legislation. It would also be useful in helping to determine if the scale of this bill is actually what is required to achieve the desired outcomes, or if a leaner approach could more efficiently accomplish the same.

A coordination mechanism is certainly needed within the federal government on global wildlife conservation, but we have heard concerns, including from within government, that the creation of various new bodies may create unnecessary layers of bureaucracy. It is unclear, as currently written, what authority, if any, the Council would have over the actions of the Department of the Interior, as well as other government bodies. While we strongly agree that coordination is needed to ensure that federal agencies make efficient use of available resources and avoid duplication of effort, we are also wary of hindering any agency's effectiveness or flexibility in responding to rapidly emerging conservation issues. More clarity would be helpful with respect to the defined roles and responsibilities in the legislation to ensure that any new structure will be of true conservation benefit and not create new hurdles to agencies carrying out their missions. We appreciate that mandating cooperation while allowing a necessary level of autonomy is a fine line to walk, but we also believe that finding the proper balance will be critical to avoiding bureaucratic stalemate.

The Institute would be responsible for developing an Action Plan in consultation with various stakeholders inside DOI and with civil society. However, for the International Wildlife Conservation Action Plan to have the necessary buy-in and coordination from other Federal agencies, it would seem that providing them an opportunity for consultation on development of the Action Plan would be required. Additionally, it is unclear what, if any, link is intended between the Action Plan and the Global Wildlife Action Strategy to be developed by the Council. WWF and TRAFFIC would suggest that perhaps the Action Plan be developed by the Secretary of the Interior in consultation with other relevant government agencies and NGOs, and that the Council then review that Plan and develop a subsequent Strategy which outlines the actions and resources necessary to implement the Plan, including domestic policies, international diplomacy, and financial and in-kind resources. If government agencies outside of Interior are expected to invest resources in any Plan or Strategy, there must be some kind of ownership in it to achieve success, and there must be linkages between these two documents; otherwise, the U.S. government is operating under two parallel conservation processes, which is exactly what the apparent intent of this bill is seeking to avoid.

U.S. investment in the Eastern Himalayas region (India and Nepal) illustrates how a cooperative multi-agency conservation strategy would allow various government programs to support each other effectively to not only conserve flagship species such as the one-horned rhinoceros and tigers, but also encourage community based involvement and sustainable livelihoods. Survival of rhinos and tigers in these countries is critical to their ecological balance and also to the well being of local people. Thanks to support from various U.S. government agencies, important aspects of conservation in the region—ranging from technical support to control of illegal wildlife trade to development of regional strategies to meeting needs of local people—are being addressed. FWS is supporting the Government of Assam, India, in its ambitious vision of creating a population of 3,000 wild rhinos by the year 2020 in seven of Assam's protected areas. USAID through its Global Conservation Program has been supporting activities in the Terai Arc Landscape that are targeted towards mitigating threats to rhino and tiger conservation while also supporting local communities and sustainable livelihoods. Support from the Department of State to improve South Asia's wildlife enforcement capacity and cooperation has also recently been established to secure rhino and tiger populations from the devastating effects of poaching for trade. This funding to establish a Wildlife Enforcement Network in the region will ensure that the criminal networks involved are broken down or seriously disrupted. This tapestry of support has played a critical role in ensuring long term survival of South Asia's rhinos and tigers in particular and contributing to conservation and sustainable development throughout the region. These efforts have been coordinated, and thus successful, due in large part to WWF's comprehensive conservation strategies for the region and these species, which have ensured that each funding opportunity has complemented the other. Were the U.S. government to have consolidated conservation strategies, as well as a coordination mechanism for all agencies investing in biodiversity, much greater conservation results could be achieved, even with the same level of funding.

To further the buy-in of government agencies in the Plan and the Strategy, the bill could go further in stressing the links to the agendas of Council members to draw their attention to the significance of the Council and the need for them to engage. Making references to the links between biodiversity conservation and risks for security, agriculture, human health and development goals related to community livelihoods and sustainability would help reinforce this. It needs to be clear to the Secretaries tagged in this legislation why biodiversity conservation is linked to their mission and why it should be included in their agenda.

Center for International Wildlife Recovery Partnerships

WWF and TRAFFIC have worked over the years to build positive and cooperative relationships with both the U.S. government and other governments across the globe, and have offered our expertise to help further their conservation efforts. We have seen that these cooperative efforts can result in increased conservation benefits by compiling broad expertise, capacity and resources.

Both of our organizations work to ensure that wildlife populations and habitats are preserved for future generations, and have prioritized our work to save the most critically threatened species and places around the globe. We also note that captive breeding for conservation purposes can provide a vital reservoir of genetic material to help repopulate, where feasible, when wild populations are depleted. However, it is important that this legislation ensures there is an adequate balance of resources within the proposed Center for International Wildlife Recovery Partnerships between conservation efforts to preserve wild species and wild places, and efforts fo-

cused on captive breeding and reintroduction. It is our experience that it is most efficient, economical and effective to conserve species in their natural habitats and that ex situ conservation should only be considered a last resort if, not when, in situ has failed.

We strongly endorse the need for more formalized partnerships between civil society and the U.S. government to implement conservation programs, and would encourage that this legislation expand upon this idea. Many other governments around the world actually sign formal Memoranda of Understanding (MOU) with national and international conservation NGOs on specific subject areas, which have proven to successfully cement relations to produce more profound results. Examples of such formal agreements were the signing of an MOU between TRAFFIC and the Wildlife Enforcement Division of the Canadian Wildlife Service this year. The MOU set forth mechanisms for collaboration particularly in respect to capacity building, policy review and information sharing. Similarly in 2005, WWF Mexico and TRAFFIC signed a highly fruitful MOU with the Mexican government's Attorney General for the Protection of the Environment (PROFEPA), on collaborative efforts for capacity building, information sharing and public outreach. We therefore welcome the proposal for multiyear cooperative agreements between Federal agencies and other stakeholders in wildlife conservation based in the U.S. and internationally.

Global Wildlife Conservation Advisory Committee

In previous testimony, WWF and TRAFFIC suggested the need to develop an advisory committee of experts from government, civil society and industry to help guide the conservation work led by the United States internationally. We therefore strongly endorse the development of the Global Wildlife Conservation Advisory Committee. While our organizations have developed informal, though fruitful, relationships over the years with FWS, a more formalized mechanism that would allow for more holistic input would be a useful line of communication for the government and NGO sectors to learn what the other is doing and how we can better work together. We recommend that the Advisory Committee, which reports to the Institute, not include Institute employees as members. WWF and TRAFFIC would both welcome the opportunity to participate in and contribute to such an Advisory Committee, should one be authorized. WWF and TRAFFIC have a breadth of knowledge and engagement on wildlife conservation issues internationally to help advise the Committee, including leveraging our global networks and programs working in 100 countries.

Outreach/Education/Awareness

WWF and TRAFFIC welcome the focus on outreach and education in the bill, and the fact that the scope of the outreach aims at various sectors, including consumers, vendors, transporters, and other relevant businesses and commercial enterprises, as well as range States. We have highlighted the need for such an effort in the past, particularly an effort inclusive of industry, and are pleased to see this planned for so prominently in the bill. The U.S. is one of the top two consuming nations for wildlife globally and its buying power is having a dramatic impact on the wildlife and livelihoods of the most biodiverse countries. The role of the U.S. in supporting source countries, informing its own consumer market, and enforcing and regulating that market is a complex one that requires significant resources and internal and external cooperation and coordination, and we are pleased that this bill attempts to address it.

We would encourage the U.S. in its efforts to first consider the numerous conservation outreach programs already in existence, and urge that this wheel not be completely reinvented; many successful campaigns and programs exist which the U.S. could build upon and learn from. For instance, TRAFFIC, which has partnered with the FWS over the years on the Buyer Beware campaign, is preparing new outreach materials that will help inform cruise ship tourists about which wildlife souvenirs to avoid. The goal of our Make a Good Buy campaign is to reduce the negative impacts of wildlife trade caused by cruise ship tourism in the Caribbean, Mexico, and Central America by allowing the tourist industry, local communities and the cruise line industry to make informed choices. To date, we have produced brochures, wallet cards, luggage tags and tote bags to carry our message of sustainable tourism, and welcome any interest or cooperation from the U.S. in these and other targeted efforts.

Trade in wildlife invariably involves transport of wildlife merchandise as it moves from the supplier to the consumer, often across international borders. A commodity may be transported by a number of different means on its journey from source to consumer—in the air, on land, or by sea; in a crate, in luggage, or even in an express mail pouch. Because of this, the transport industry can play a constructive

role in helping to counter illegal trade, and we value any efforts to increase awareness of the illegal wildlife trade and the importance of biodiversity conservation in this key sector. We also call on commercial airlines, shipping companies, courier services and other relevant industries to cooperate with the U.S. in curtailing illegal trade.

Also, when dealing with awareness programs related to the sustainable trade and consumption of wildlife and their products, it is vital that the U.S. work in collaboration with retailers involved in the trade, as suggested in this bill. Partnerships should be encouraged with companies that can have the most significant influence on the availability of wildlife and wildlife products for sale and in influencing the demand of consumers by providing sustainable and legal wildlife products. Just one example of such conservation leadership is the Global Forest & Trade Network (GFTN), WWF's initiative to eliminate illegal and unsustainable logging and transform the marketplace into a force for saving the world's most valuable and threatened forests, while providing benefits to the businesses, communities and wildlife that depend on them. This is particularly important given the passage of the amended Lacey Act, a groundbreaking law prohibiting the import and sale of illegally harvested wood and plant products into the United States. With more than 30 regional offices worldwide, the GFTN provides the tools and expertise needed to assist more than 360 companies from across the forest industry supply chain to obtain wood and paper products from forests that have been responsibly managed. A key component of its effort to protect the world's forests is to provide information and education to the private sector to raise awareness of the negative environmental and social impacts associated with illegal and unsustainable logging, and the need for companies—including partners like Wal-Mart, Procter & Gamble, Johnson & Johnson, and Williams-Sonoma—to use their purchasing power to support a more sustainable global forest products industry. Through the GFTN, WWF is making a real and lasting difference protecting, managing and restoring one of the world's most vital natural resources essential to sustaining all life on Earth.

While WWF and TRAFFIC are grateful that the issue of education and outreach has taken such a prominent role in this bill, we are concerned with the proposed approach to develop and implement a program within 180 days after enactment of the bill. It is our experience that if an outreach program is not set up adequately from the start it will muddy the waters with consumers and partners. Incorrect or unclear messaging can be harmful and can result in a backlash and even legal action from industry. There needs to be an initial strategic review of the priorities to target, including which market sectors (e.g. food, medicine, pets, tourist souvenirs, fashion, travelers, trade and industry etc.) and which locales (e.g. ports, markets and places); and approaches need to be developed that are going to resonate with each target audience—one size will not fit all. These research and planning efforts alone will likely require more than the 180 days currently allowed for development and implementation in the bill; therefore, we would encourage allowing more time.

Also, the list of partners for these programs needs to include governments in source countries; there is potential for greater impact if these campaigns have key government buy-in. For example, a U.S.-China partnership on wildlife trade awareness would be a groundbreaking approach, particularly if it could also set up an awareness program between U.S. and Chinese industry on wildlife trade and fisheries and timber trade. Bilingual materials and showing the practical benefits of working together to stop illegal and unsustainable trade would be a powerful and innovative approach.

WWF and TRAFFIC are keenly aware of the vast resources required to ensure that an outreach campaign be effective and achieve tangible benefits. Therefore, a sufficient funding authorization should be included in Sec. 122(a) and Sec. 122(b) of the bill, as it is for Sec. 122(c).

Law Enforcement

The U.S. has comprehensive policies and enforcement mechanisms for regulating wildlife trade and for prohibiting international and interstate trade of endangered, threatened, and protected species. Nonetheless, illegal wildlife trade continues to take place on a significant scale. Implementation of existing regulations is still lacking, in large part because many of the agencies responsible are severely underresourced. Given the proper resources, undercover investigations, inspections, and other programs can be highly successful.

WWF and TRAFFIC have strongly urged more focus on and resources for enforcement in previous testimony and in numerous of our reports. However, H.R. 3086 does not authorize the increased resources necessary to fund enhanced enforcement efforts. We are concerned with the specificity of the directives regarding a revision of the FWS Office of Law Enforcement's (OLE) Strategic Plan, particularly in light

of the fact that these elements are not subject to the availability of appropriations. While we agree that some of these elements would be beneficial, we also believe that OLE should determine where their resources would be best utilized to affect positive change in the arena of illegal wildlife trade. We would not like to see the elements outlined in this bill mandated at the expense of other vital programs such as special investigations and inspections.

Therefore, WWF and TRAFFIC would like to see an authorization for funding in Subtitle D of the bill. Additionally, the language in Sec. 141(b) should be changed to read, "The revised Strategic Plan shall consider as objectives, subject to the availability of appropriations, the following elements," to allow those with the appropriate expertise and experience the flexibility to assign their program priorities.

Another area of concern for WWF and TRAFFIC is the mandate for development of a wildlife cybercrime unit. There is no question that illegal wildlife trade is facilitated through the Internet. However, this medium is a communication tool that is abused for illegal activity but that in itself does not merit a distinct unit to address it. The preponderance of the most serious illegal wildlife trade is not conducted via Internet, but by well-organized crime syndicates. WWF and TRAFFIC would prefer to see any additional resources allocated to the FWS's existing Special Intelligence Unit, which already works to address wildlife cybercrime, so that they can better address this mode of illegal trade as well as others, as demanded by current trends, evidence, and investigations.

The bill's focus on U.S. efforts to build law enforcement capacity abroad is highly significant. Countries impacted by U.S. consumer demand need assistance with implementing and enforcing their own wildlife trade laws. To this end, the U.S., with the support of conservation partners including TRAFFIC, has already been engaged for many years in capacity-building efforts around the globe. The Central America-Dominican Republic (CAFTA-DR) Free Trade Agreement CITES Support Program is a good example of a medium-term capacity building program established by the U.S. to reduce illegal and unsustainable trade. CAFTA-DR member countries encompass a wide variety of ecosystems and a spectacular diversity of wildlife but face chronic threats to biodiversity, which often derive from unsustainable natural resource management practices. As demand for exotic leather, corals, parrots, fisheries products and an array of other wildlife products continues to grow, it is important for government agencies and industry to meet the implementation requirements of CITES and support enforcement. TRAFFIC, funded by the Department of State, has supported this program since 2006, in partnership with the FWS and the DOI's International Technical Assistance Program. WWF and TRAFFIC have therefore seen the benefits of this collaborative and cooperative approach and applaud the intent to further U.S. investment in addressing illegal wildlife trade abroad.

WWF and TRAFFIC would like to highlight the need to address laws and policy, prosecution and adequate sentencing within any U.S. capacity building or funding efforts. Without adequate laws in place, no country can begin to address illegal or unsustainable wildlife trade; without a knowledgeable and sufficiently resourced judiciary, no country can successfully prosecute wildlife crimes; and, lastly, without sentences adequate to deter wildlife crime, no country—including the U.S.—can dissuade would-be poachers and wildlife traffickers. We have seen in Southeast Asia, for example, an increase in the number of seizures of illegal wildlife through successful training programs for enforcers; however, most of those seizures do not result in prosecution, as there is an apparent disconnect between law enforcement and the judiciary in the region. Compounding the problem are, again, insufficient laws, insufficient understanding of those laws, and insufficient sentences. The U.S. Department of Justice (DOJ) and USAID, through support to the Association of Southeast Asian Nations Wildlife Enforcement Network (ASEAN-WEN), have been working in cooperation with TRAFFIC and other partners to address these issues, and WWF would encourage further efforts by the U.S. government to ensure that any capacity building efforts be inclusive of these judicial aspects of the enforcement chain.

Over the years, TRAFFIC has worked closely with OLE, as well as DOJ, in gathering and sharing information to assist in investigations and prosecutions combating illegal wildlife trade both in the U.S. and abroad. We look forward to continuing in this spirit of cooperation and will provide whatever assistance we can to further U.S. conservation efforts.

Wildlife Without Borders

H.R. 3086 would bring three elements of FWS international programs together, merging the existing Species Programs, Regional Programs, and Global Programs into a new, three-tiered program to be known henceforth as the Wildlife Without Borders program. Up until now, Wildlife Without Borders has generally referred

solely to the Regional Programs of FWS International Affairs. H.R. 3086 would expand the definition of Wildlife Without Borders to encompass all of the international programs of FWS—including the Multinational Species Conservation Funds (MSCF), the Wildlife Without Borders Regional Program, and several cross-cutting global initiatives.

We see the new Wildlife Without Borders Program authorized by H.R. 3086 as an effort to bring the three functions together under a single title, to supplement existing sources of funding for these activities, to codify the Regional Programs as a grant program distinct from the administrative functions of the International Affairs Division, and to set the stage for a broader global program that would provide greater flexibility for FWS to respond to conservation needs that are outside the realm of the Species Programs or the Regional Programs.

One concern we have with this approach is confusion with the legacy of the current Wildlife Without Borders and the proposed Wildlife Without Borders program. One simple solution to avoiding such confusion would be to rename the program. In addition to clarifying that this is a new program with a new remit, it could also clarify the intent of the program more globally. The current name may not translate well abroad, thus we would suggest a more straightforward name along the lines of Global Wildlife Conservation Program, which clearly speaks to the work and mission of the program. Additionally, it would be useful to outline how the current structure of Wildlife Without Borders would change, and what the new program would look like to accommodate these new responsibilities.

We also see value in this approach as part of a more concerted funding effort by FWS to address the full spectrum of issues affecting international wildlife conservation, provided that the legislation retains and builds upon the already existing programs, which are often highly successful and have strong constituent support, and enhances them by providing FWS with additional flexibility and resources to fill existing gaps and expand the range of species and locations where it can carry out its vital work. It is also important as part of those efforts that FWS coordinate strongly with other agencies, including USAID, which also work on biodiversity conservation in many of the same places around the world and often have greater resources to bring to bear. The legislation provides for such coordination, which we believe is essential to ensuring that available resources be used as efficiently and effectively as possible to achieve the U.S.'s international conservation goals. We also recommend that the grant programs authorized as part of the Wildlife Without Borders program be implemented in partnership with nongovernmental organizations and other stakeholders, including a provision for consultation and cooperation with stakeholders on the establishment of conservation priorities eligible for assistance under the Program.

The Wildlife Without Borders program is the section of the bill that authorizes the on-the-ground conservation work that is so crucial to saving our world's most threatened places and most vulnerable species. The success of the existing FWS international programs makes a good case for their expansion and codification under the proposed bill, and some of the successful partnerships that WWF has participated in with FWS, particularly through the individual Species Programs and the Regional Programs, are highlighted below.

Under the new Wildlife Without Borders program, the Species Program would consist of the five MSCF administered by FWS, which are individually authorized programs providing conservation assistance to specific species or groups of species: African elephants, rhinoceroses and tigers, Asian elephants, great apes, and marine turtles. The Species Program would also incorporate any future species funds approved by Congress, including two that are currently awaiting passage: one to help conserve great cats and rare canids, and another to help conserve several crane species. The MSCF provide funding for grants to support law enforcement, mitigate human-animal conflicts, conserve habitat, prevent poaching, conduct population surveys, and support public education programs.

Ever since the first of these species programs was authorized in 1989 when Congress passed the African Elephant Conservation Act, they have had an incredibly strong track record of using modest resources to achieve real on-the-ground conservation successes. They also have an excellent record of leveraging additional funds from public and private partners: total funding for the MSCF from FY1990 to FY 2008 totaled $60 million, and was supplemented by $141 million in matching contributions, a ratio of 2.5 to1. Partners have included other developed countries, private corporations, host country agencies, and non-government organizations like WWF.

Though the Species Program grants can be modest in size, their focused nature and their proven ability to leverage private funding has made them highly effective programs in priority areas. Through the Rhinoceros and Tiger Conservation Fund,

WWF has partnered with FWS on a number of projects to protect tiger populations in Asia, including work to update information on populations and habitat in order to determine what areas will be able to support viable tiger populations in the future. Particular effort has been focused on the Indonesian province of Riau on the island of Sumatra, which supports one of the last remaining habitats for the critically endangered Sumatran tiger.

WWF has also partnered with FWS to protect populations of Asian elephants in a number of priority regions through the Asian Elephant Conservation Fund. In Cambodia, WWF has engaged in protected area management and law enforcement patrols, as well as monitoring and research in areas containing important elephant populations. At the same time, WWF has worked to build local capacity for these elephant conservation efforts. In Nepal's Terai Arc region, WWF has used money provided by FWS to restore transboundary biological corridors between Nepal and India, helping to improve elephant habitats, address human and elephant conflicts in the corridor areas, and increase awareness in local communities. Also in Nepal, WWF has used funding from FWS to treat park patrol elephants for tuberculosis, which can appear in domesticated elephants and subsequently put wild populations at risk of transmission.

Given the proven success of MSCF programs in funding the conservation of these and other threatened species in the wild and the significant constituent interest they have generated in Congress and among the general public, we would hope that these independently authorized and funded programs would be clearly grandfathered into the bill as separate programs within the Wildlife Without Borders Species Program.

The existing Regional Programs (the current Wildlife Without Borders programs) augment the individual Species Programs by strengthening local wildlife management capabilities in developing countries and providing flexibility to FWS in regions and habitats not covered under the MSCF. The Regional Programs were initiated in 1995 and have focused on capacity-building and training of wildlife professionals in developing countries. These regional efforts have largely benefited Mexico, Latin America and the Caribbean, with smaller programs in Russia, China and India and a relatively new program for Africa. The Regional Programs have a successful record of leveraging additional funds from external partners, having awarded a total of $20 million with more than $58 million leveraged in partner contributions.

WWF has partnered with FWS through their Regional Programs on a number of initiatives, including a regional Train-the-Trainer workshop on protected area management in the tropical Andes and Amazon region, and the MENTOR Program, which supports capacity building, training and career development of emerging African conservation leaders in order to build a network of leading wildlife professionals in East Africa.

The Regional Program has built on the Species Program's decades of proven success and filled a crucial gap by providing flexible international conservation funding not targeted at any one species or habitat. Its focus on local capacity building and education provides a critical component for bringing about a culture of conservation in those developing countries where FWS-funded projects are underway. It is only by creating homegrown capacity and instilling an appreciation of biodiversity and its value to local communities, that any local conservation efforts can be successful over the long-term. WWF strongly supports the intention of H.R. 3086 to codify these FWS Regional Programs into law and ensure dedicated resources to achieve these purposes.

However, we are concerned with the third component included in the new Wildlife Without Borders program—the Global Program—which would incorporate FWS activities that currently include support for U.S. involvement in CITES, the RAMSAR Convention on Wetlands of International Importance, the Western Hemisphere Migratory Species Initiative, and other international treaties and conventions. Participation in these accords provides important opportunities for the U.S. to lead in shaping international conservation policy. The Global Program would also provide a vehicle for addressing cross-cutting issues not covered by the Species and Regional programs. Given the potentially broad scope of this last authority, including the implementation of global habitat and conservation initiatives, we stress the need for coordination with other federal agencies and existing programs that are working on similar cross-cutting issues on a global scale. Additionally, we express deep concern with rolling implementation of international treaties under this Program, as these involve high level international policy issues with an often separate set of players. There are important diplomatic issues involved in participation in and strategy for U.S. engagement with international treaties, which require close coordination with the Department of State. This policy work merits a distinct body in FWS to oversee it, which should not be buried under another layer of bureaucracy

International Wildlife Conservation Fund

H.R. 3086 would create a new International Wildlife Conservation Fund to be administered by the National Fish and Wildlife Foundation. We support the non-Federal match requirements for the Fund and the provision for waivers. However, we have concerns that a nonprofit organization is authorized to administer the Fund and believe this function would be more appropriately conducted by FWS through the Institute for International Wildlife Conservation, in line with the funds currently authorized under the Wildlife Without Borders program. WWF and TRAFFIC would suggest that following this established model would more readily allow for a coordinated funding approach between all of these funds. Parallel management of the various funds by two different organizations would do nothing to facilitate the communication needed to avoid duplication of effort and ensure complimentary funding approaches. We also believe this provision would be strengthened by inclusion of a specific funding authorization for carrying out the purposes of the Act, of which penalties and fines would be one component, donations another, and appropriations a third. Given the incredible and laudable breadth of the conservation activities the Fund would cover, we would recommend it be authorized at a minimum of $20 million.

Political Will

While H.R. 3086 would do much to further U.S. government efforts to conserve international wildlife, it has become clear to WWF and TRAFFIC over the years that much more is necessary than having adequate laws on the books and having systems in place to implement them. Garnering political will and elevating the issue of biodiversity conservation and illegal wildlife trade as priorities at multilateral meetings and in diplomatic exchanges is also essential to bring about significant change globally. Up to this point, these issues have tended only to capture the attention of those in government tasked with addressing them, whereas to be addressed at the scale needed to be successful, conservation has to be a priority at the highest political levels. The conservation efforts of governments and NGOs around the globe need the backing of legislative bodies and Presidents and Prime Ministers, and the resources and opportunities they can provide, in order to be truly meaningful. Global biodiversity and threats it faces must be raised to a higher level of awareness and prioritization. WWF and TRAFFIC would like express our sincere appreciation to the Subcommittee for the attention it has given to these issues in the 110th and 111th Congresses. We also urge Congress and the administration to utilize every available opportunity to address conservation challenges on the global stage.

With this is mind, we would like to draw your attention to one upcoming opportunity for the U.S. to assert such high level leadership: the Global Tiger Summit that is being planned for the next Year of the Tiger, in 2010. Despite years of conservation efforts on behalf of governments and NGOs, the number of wild tigers continues to decline. Successful conservation of wild tigers requires not only keeping these revered animals safe from threats such as poaching, but also protecting the habitats on which they depend, including critical watersheds and forests. Efforts to insure the health and integrity of these essential tiger habitats also help to protect the multitude of species and the local communities that are equally dependent upon them. Wild tigers are in dire straits, and it will take a truly global effort to save this iconic species for future generations. WWF and TRAFFIC call on the U.S. to be at the forefront of this effort and to make meaningful commitments to ensuring its success.

Conclusion

Finally, TRAFFIC and WWF offer their support and assistance to the U.S. in its efforts to combat illegal trade and conserve biodiversity. WWF has worked with local communities, industry and governments since 1961 and has pioneered education and awareness raising work throughout these sectors. WWF has also built significant partnerships with business and industry in the U.S., and these relationships can provide model approaches for future engagements with businesses engaged in the legal sale of wildlife and wildlife products. TRAFFIC has over 30 years of in-depth insight into wildlife trade, as well as experience in monitoring emerging trends, conducting investigations and trainings, facilitating multiregional enforcement networks, and analyzing data and legislation in every region around the world. Specifically, TRAFFIC holds a wealth of information on illegal and unsustainable wildlife trade and criminal networks in many regions, which we are happy to share with Congress and relevant agencies in order to highlight the problems on the ground and to begin to develop effective and collaborative solutions.

Response to questions submitted for the record by Carter S. Roberts, President & CEO, World Wildlife Fund (WWF)

Questions from Chairwoman Madeleine Z. Bordallo (D-GU)

1. **You and other witnesses expressed concerns with the new organizational structures authorized in H.R. 3086. However, there appeared to be little disagreement among the witnesses regarding the principal objectives of the bill (i.e., greater coordination within the Department of the Interior and with other relevant Federal agencies; expanded public outreach and education regarding the illegal trade in wildlife and wildlife products; authorization of the Wildlife Without Borders Program; expansion of training opportunities, especially for law enforcement capabilities in range states; greater collaboration with non-Federal NGO stakeholders, especially utilization of technical and educational assets within the zoo and aquarium community, etc.). How might you suggest the bill be amended to clean up the purported organizational clutter while maintaining the principal objectives and the simplicity you desire? Should greater coordination simply be directed through the existing office of the Assistant Secretary for International Affairs within the Department of the Interior?**

WWF and TRAFFIC support the principal objectives of the bill, particularly those that are clearly focused on in situ conservation to assist species of concern and the habitats that support them. We also strongly support greater coordination of international wildlife conservation activities at the interagency level. Activities related to wildlife and biodiversity conservation need to be coordinated across the federal government to make them as efficient and complimentary as possible. For example, USFWS and USAID work in many of the same areas and may have overlapping programs in those areas, but it is our understanding that, at present, meaningful collaboration between the two agencies is limited. We support the need for a formal structure to bring interested agencies together to discuss their respective approaches to international conservation programs and find ways to complement and collaborate with one another. However, we have concerns about the bill's attempt to create a new structure (the Council) within the Department of Interior to carry out this interagency function, given the lack of clarity regarding its authority and practical ability to coordinate the activities of other agencies. A structure above the level of the individual agencies—perhaps chaired by the White House Council on Environmental Quality—may be one possibility.

As we stressed in our written testimony, we support an approach that will bolster existing international conservation programs while at the same time enhancing their ability to continue to achieve conservation results, filling the gaps between them and helping to coordinate conservation work across the federal government in a way that is both simple and effective.

2. **Recognizing that there will likely never be sufficient Federal appropriations to address all identified needs it is important that we utilize the contributions of non-Federal stakeholders. Do you agree? Are there additional ways to formally incorporate these capabilities beyond the grant programs authorized under the Multinational Species Conservation Fund? Do you support the creation of the Global Wildlife Conservation Advisory Committee in H.R. 3086?**

We strongly agree that utilizing the expertise of individuals and organizations outside of the U.S. government is an efficient and effective way to complement U.S. government, as well as NGO, conservation activities. WWF and TRAFFIC have endorsed, in previous testimony before the Subcommittee, the need to develop an advisory committee of experts from government, civil society and industry to help guide the conservation work led by the United States internationally. We therefore strongly support the development of the Global Wildlife Conservation Advisory Committee. While our organizations have developed informal, though fruitful, relationships over the years with relevant government agencies and departments, a formalized mechanism that would allow for more holistic input would be a useful line of communication for the government and NGO sectors to learn what the other is doing and how we can better work together. WWF and TRAFFIC would both welcome the opportunity to participate in and contribute to such an Advisory Committee, should one be authorized. WWF and TRAFFIC have a breadth of knowledge and engagement on wildlife conservation issues internationally, including leveraging our global networks and programs working in 100 countries, to help advise such a Committee.

3. Do you support the establishment of an International Wildlife Conservation Fund in the Treasury to provide a means for the Secretary of the Interior to accept and utilize gifts and donations? In order to ensure that there is no potential for conflict of interest, should such a fund be managed by agreement through a non-Federal entity such as the National Fish and Wildlife Foundation?

Yes, we do support the establishment of an International Wildlife Conservation Fund (IWCF), but do not see the need for it to be administered by a third party like the National Fish and Wildlife Foundation (NFWF). WWF would prefer to see a consistent and unitary approach to managing and distributing the funds received from appropriations and from gifts and donations. We do not feel it is appropriate for the NFWF or any other non-profit organization to hold, invest or administer funds paid into an account in the U.S. Treasury. Funds paid into the IWCF, from whatever source, should be treated in the same manner as currently applies to the Multinational Species Conservation Fund (MSCF). This Fund has Treasury accounts for each of the species funds and is authorized to accept gifts and donations from the public. We do not consider the potential for conflict of interest from public donors to be any greater for the IWCF than for the MSCF.

WWF acknowledges a possible advantage in having NFWF, whose mandate is to solicit contributions from private parties in support of conservation programs, in a position to proactively solicit private contributions to the IWCF. However, we do not believe that it would contribute to efficiency to have the Institute's Assistant Director be responsible for the Wildlife Without Borders (WWB) program and NFWF be responsible for funding all other programs within the Global Wildlife Conservation Act. We also do not support a non-profit organization having control over appropriated funds, and for this reason, too, there should not be a division of responsibility between the Institute and the NFWF. We do, however, support the creation of two funds in the Treasury, one for the largely international grant programs of the WWB program and one for all other programs to be funded by the IWCF. We recommend that Section 132(a)(4) be edited to remove overlapping authorizations that apply to WWB programs, such as "to provide financial, technical, and other assistance to conserve fish and wildlife in their range states". Finally, we consider the administrative fees for the IWCF to be very modest for a program of this diversity and size, and recommend that it follow the fee structure of the MSCF in which EACH of the species programs is authorized at $100,000 or 4-5 percent of appropriations.

4. Why is it important to educate the U.S. consumer about their role in illegal wildlife trade? Should campaigns, such as the "Buyer Beware" campaign, be expanded and improved? What would be an appropriate level of funding for such an endeavor?

We have highlighted the need for such an effort in the past, particularly an effort inclusive of industry, and are pleased to see the Subcommittee giving this issue the attention it deserves. It is important that the U.S. engage in education efforts, as the U.S. is one of the top two consuming nations for wildlife globally and its buying power is having a dramatic impact on the wildlife and livelihoods of those countries housing the greatest biodiversity. The role of the U.S. in supporting source countries, informing its own consumer market, and enforcing and regulating that market is a complex one that requires significant resources and internal and external cooperation and coordination. We would encourage the U.S. to first consider the numerous conservation outreach programs already in existence, and urge that these programs not be completely reinvented; many successful campaigns and programs exist which the U.S. could build upon. For instance, TRAFFIC, which has partnered with the FWS over the years on the Buyer Beware campaign, is preparing new outreach materials that will help inform cruise ship tourists about which wildlife souvenirs to avoid. The goal of our Make a Good Buy campaign is to reduce the negative impacts of wildlife trade caused by cruise ship tourism in the Caribbean, Mexico and Central America by allowing the tourist industry, local communities and the cruise line industry to make informed choices. To date, we have produced brochures, wallet cards, luggage tags and tote bags to carry our message of sustainable tourism, and welcome any interest or cooperation from the U.S. in these and other targeted efforts.

WWF and TRAFFIC are keenly aware of the vast resources required to ensure that an outreach campaign is effective and achieves tangible benefits. Therefore, a sufficient funding authorization should be included to support adequate planning and market research, to underwrite the campaign itself and to monitor and evaluate the effectiveness of the campaign. We would encourage consultation with other government agencies that have run successful campaigns to gather advice on execution

as well as cost. The U.S. Forest Service's long-running wildfire prevention campaign featuring Smokey Bear may provide a good model.

5. What other elements would you add, subtract or revise in the Office of Law Enforcement Strategic Plan? What kinds of information would best support TRAFFIC in its efforts to monitor the legal and illegal trade in wildlife and wildlife products?

To clarify this question, we believe the current Strategic Plan in place until 2010 should be concluded first and the evaluation of its success and results reviewed and reported before the next five-year Strategic Plan is established. We will not suggest changes to the current plan. The USFWS is doing an excellent job considering the resources it has to maintain its operations. We recognize that the Office of Law Enforcement is in the best place to determine the detailed content of the Plan and its operations. However, in the next Plan, we believe that the USFWS could take a more proactive and leading role to support less-developed countries in combating wildlife crime and regulating trade in wildlife. Building better governance, capacity and political will in countries that are key hotspots for illegal and unsustainable trade will not only help conserve biodiversity and habitats, but will also support livelihoods and development agendas. For example, the Plan could set in place targets for establishment of new enforcement networks in regions like Central America and South Asia through providing expertise, training, tools and personnel exchanges. Law enforcement agencies could provide information to help support TRAFFIC's wildlife trade monitoring mission by flagging concerns about large-scale trade or trade in vulnerable species (particularly those species that may not yet be regulated under CITES). TRAFFIC could then undertake research to determine if better trade regulation or protection is needed for the species, or if new wildlife management approaches are needed in the countries of origin. We would not expect the USFWS to share sensitive information with an NGO concerning illegal trade cases that have yet to be prosecuted.

6. Dr. Monfort testified that the Smithsonian Institution has recently created a Conservation Biology Institute whose program activities are quite similar to the activities proposed for the Center for International Wildlife Recovery Partnerships in H.R. 3086. Would it make sense to amend the bill to direct the Secretary of the Interior and the Smithsonian, through a cooperative agreement, to develop a partnership to incorporate these capabilities and the capabilities of the zoo and aquarium community at large, to enhance U.S. international wildlife conservation capabilities? How might such a partnership benefit or support the on-the-ground conservation activities of WWF? Would there be any risks to existing programs?

WWF and TRAFFIC would not be opposed to a cooperative agreement along the lines described above, but we believe that, under such an agreement, it would be important for the Secretary to bring in the broader zoo and aquarium community, beyond just the Smithsonian. It is not clear how such programs might benefit WWF's on-the-ground conservation activities. Our work is focused on protecting wild places and the wildlife found in them, and the sorts of activities proposed under the Center for International Wildlife Recovery Partnerships are not typically ones that we participate in. We acknowledge the critical role of zoos and aquariums in undertaking captive breeding programs when on-the-ground conservation efforts have failed to restore threatened populations, but believe that the most urgent priorities of the bill should be to support in situ conservation programs to protect the world's most threatened species and habitat.

7. In general, does WWF support the establishment of the Global Wildlife Coordination Council in Title II of the H.R. 3086? If not, can WWF propose a mechanism to facilitate better cooperation and information sharing among Federal agencies involved with some aspect of international wildlife conservation and law enforcement?

While WWF supports the effort to establish a coordinating body for Federal agencies involved in international wildlife conservation and law enforcement, we have concerns about creating a new structure chaired from within the Department of Interior to carry out this function. It is questionable whether such a structure is the best way to coordinate the activities of USAID, NOAA and other agencies that fund projects to protect wildlife, habitat and biodiversity. Instead, we would suggest that this interagency coordinating function might be elevated above the agency level to the White House, perhaps giving the chairman's role to the Council on Environmental Quality. Similar approaches are being implemented for interagency strategy

and policy regarding the Arctic and have been included in House-passed legislation dealing with climate change science and natural resource adaptation.

8. Does WWF support authorization of the Wildlife Without Borders Program as specified in H.R. 3086? Would authorizations for species-specific, regional and global programs in the bill be sufficient to motivate the Federal government to address declines in families of wildlife that often go unmentioned or unrecognized under the Multinational Species Conservation Fund, such as amphibians and reptiles?

WWF has testified on two occasions in support of the Wildlife Without Borders program and has generally endorsed the program described in the Act as a means to expand the imperfect coverage of current international grant programs. We have long supported a more broad-based and comprehensive approach to international wildlife conservation within the U.S. Department of Interior, and have suggested some key considerations in our testimony of July 28 to ensure that legislation achieves its core purposes (page 2, "Overall..."). As noted in our testimony, we would recommend that the new program described in H.R. 3086 be renamed the "Global Wildlife Conservation Program", in order to avoid confusion with the current Wildlife Without Borders Regional Program. We strongly support the codification of the WWB Regional and Global Programs into law and believe it would be desirable to combine them with the Species Programs under a common moniker. We also see value in separating these international programs from the International Wildlife Conservation Fund, which covers all other programs authorized in the Act. We see the Wildlife Without Borders section as the core of the Act, and believe resources should be focused on saving wild species in wild places.

The provisions of Section 121 will not, however, be sufficient to "motivate the Federal Government to address declines in families of wildlife that often go unrecognized under the MSCF" unless (1) sufficient funds are authorized and appropriated and (2) an Advisory Committee is authorized to assist in establishing conservation priorities through regular interactions with Institute staff. With regard to the sufficiency of funds, it should be noted that the MSCF programs (including Neotropical Migratory Bird Conservation Act) are currently authorized at $36.5 million and appropriated at $14.5 million. WWB Regional Programs and WWB Global Programs are not independently authorized, but are currently funded at $6.5 million. Under the generous assumption that WWB programs would be appropriated at 50 percent of authorized levels, we would have to assume that authorizations for the existing species and WWB programs are already at $43 million to generate $21 million in appropriations to support current programs. If the legislation is to make even a small impact on "families of wildlife that go unrecognized", the authorization level for the Wildlife Without Borders program described in this Act would have to be increased to close to $85 million to generate an additional $20 million in appropriations for these programs.

Questions from Ranking Republican Member Henry E. Brown, Jr. (R-SC)

1. H.R. 3086 requires the Center for International Wildlife Recovery Partnerships to provide biennial assessments of the role of the U.S. in international wildlife conservation in consultation with partner institutions and other stakeholders. Does WWF view the stakeholder role as one it will take on if H.R. 3086 is enacted? Would this role be similar to how you work with the agency today?

WWF and TRAFFIC are concerned that the bill would give the Center for International Wildlife Recovery Partnerships such broad responsibility to provide assessments of the "implementation of strategies to promote conservation of species..." We believe that such an assessment would more appropriately be the responsibility of the coordinating entity for international conservation work within USFWS, whether that be the Institute or an existing entity. Stakeholders would then make input through the Advisory Committee to the Institute. The biennial assessments by the Center would be limited to captive breeding and reintroduction issues, which is the primary focus of the Center. Given that captive breeding and reintroduction issues are not ones on which WWF or TRAFFIC generally work, we would not anticipate a consultation role on these more limited assessments.

WWF and TRAFFIC are ready, within existing resource constraints, to support appropriate initiatives and needs of the U.S. government in helping further conservation goals internationally. We therefore would be able to provide information for the purposes outlined here, as key stakeholders working in partnership with the U.S. government in many places internationally. We would expect to provide the Department of Interior with indicators of success and evaluations of progress based upon levels of resources allocated.

2. You mention in your testimony that existing education efforts should not be duplicated. Can you elaborate on how the bill could expand the existing efforts instead of recreating them?

The bill proposes a national-level advisory committee and this body could take on the task of reviewing current education efforts and the efficacy of those efforts nationally and internationally. If the advisory committee comprised a range of stakeholders as advisors (including government, NGOs, industry, business, etc.), the committee could use its networks to highlight effective campaigns or programs that could benefit from additional resources, inputs or partnership with the U.S. government, to reinforce the program's impacts. There are numerous existing programs that simply do not have enough outreach in terms of quantities of materials and sites where they are promoted. For example, the U.S. Fish and Wildlife's "Buyer Beware" campaign is an excellent tool that WWF and TRAFFIC have assisted with, but the amount of materials produced could be drastically increased. More innovative ways of reaching the audience could also be used—for example, on the screens above check-in counters at airports. Several countries already do this at their airports to dissuade travelers from carrying wildlife products that could be illegal. The advisory committee could have an education working group that monitors campaigns and provides feedback to the Department of Interior on where to partner, fund, expand or learn from the current education campaigns. The Department would have to review the potential campaign partnership for consistency with Department policy.

3. Does WWF work with any zoos or aquariums to assist them in their wildlife conservation education efforts? Would you say funding is the biggest limiting factor to these efforts?

The Suitcase for Survival program is a partnership of the U.S. Fish and Wildlife Service (FWS), American Zoo and Aquarium Association (AZA), World Wildlife Fund (WWF) and the National Oceanic and Atmospheric Administration (NOAA) Fisheries Services' Office for Law Enforcement, with additional assistance from TRAFFIC North America. It is designed to address the need for a national education program focused on wildlife trade and biodiversity. Since 1991, the program has raised awareness about the devastation caused by illegal wildlife trade worldwide. It has also helped consumers understand the importance of biodiversity and how their buying habits can contribute to biodiversity conservation.

The program includes several components that build on the strengths of the partners. The FWS and NOAA provide wildlife trade artifacts that have been confiscated at ports of entry. These artifacts are disseminated to a wide array of environmental educators and their respective institutions throughout the nation, and host institutions can assemble the artifacts into used suitcases. These suitcases can then be used to conduct wildlife trade educational programs with educators and students as well as the general public. In addition to artifacts, the institutions can also use WWF's wildlife trade education module, Wildlife for Sale: An Educator's Guide to Exploring Wildlife Trade. More funding to expand the reach of existing programs like Suitcase for Survival and Buyer Beware (developed with TRAFFIC and FWS and referenced in our answer to Question 4 from Chairwoman Bordallo), as well as to develop new programs, would go a long way in highlighting the conservation issues of wildlife trade and help to alleviate U.S. consumer impact.

4. H.R. 3086 creates a number of new levels of bureaucracy, but what does it do and what funding does it provide specifically for species conservation or on-the-ground activities?

We believe that the bill provides, within the new, overarching Wildlife Without Borders Program, an opportunity to codify existing programs that support regional and global wildlife conservation efforts, while at the same time expanding the opportunities to focus attention on species and groups of species of concern that are not targeted by the Multinational Species Conservation Funds. As written, the bill does not specify authorized levels of funding for the on-the-ground activities provided for in the bill, with the exception of the funding authorized under the five existing Multinational Species Conservation Funds. These five Funds are incorporated into the bill at their existing individual authorization levels. WWF recommends that funds need to be authorized to carry out all programs contained in the Wildlife Without Borders title of the bill. And given our desire to see this bill expand the scope and ambition of FWS international programs by helping to conserve more priority species and give attention to habitats in currently neglected regions of the globe, we believe that the authorized funding required to fulfill the bill's stated goals for the Wildlife Without Borders title should be substantial, on the order of $85 million.

This number includes already-existing authorizations for each of the Multinational Species Conservation Funds.

5. You mention in your testimony that "added layers of bureaucracy will not alone resolve this issue". You stated at the hearing the need to simplify and strengthen existing programs. Can you elaborate on how the existing programs could be strengthened to allow for stronger wildlife conservation efforts?

As noted above under Majority question #8, WWF considers the core purpose of this Act to be the conservation of species in the wild. The existing Species Program could be strengthened by expanding the scope of the proposed WWB program to cover a broader range of threatened species, such as amphibians and reptiles. The WWB Regional Program could be strengthened by expanding its scope to more regions of the world, notably the Middle East and South and East Asia. The WWB Global Program could be expanded to cover cross-cutting issues like climate change, disease control and invasive species. Funding for current programs is spread very thin, however, and does not meet the needs of international conservation. Strengthening these programs is not just a matter of reorganization; it is a matter of providing sufficient funding.

6. What aspects of the bill do you view as necessary: the Fund, the Advisory Committee, the Council or something else?

International Wildlife Conservation Fund—We strongly agree that further conservation funding, to support efforts not covered by existing authorities, is required to ensure that conservation activities are scaled up to the level necessary to ensure the continued survival of the Earth's biodiversity. We support the non-federal match requirements for the International Wildlife Conservation Fund and the provision for waivers. However, we have concerns that a nonprofit organization is authorized to administer the Fund and believe this function would be more appropriately conducted by FWS through the Institute for International Wildlife Conservation, in line with the funds currently authorized under the Wildlife Without Borders program. WWF and TRAFFIC would suggest that following this established model would more readily allow for a coordinated funding approach between all of these funds. Parallel management of the various funds by two different organizations would do nothing to facilitate the communication needed to avoid duplication of effort and ensure complimentary funding approaches. We also believe this provision would be strengthened by inclusion of a specific funding authorization for carrying out the purposes of the Act, of which penalties and fines would be one component, donations another and appropriations a third. Given the incredible and laudable breadth of the conservation activities the Fund would cover, we would recommend it be authorized at $50 million.

Global Wildlife Conservation Advisory Committee "We strongly agree that utilizing the expertise of individuals and organizations outside of the U.S. government is an efficient and effective way to complement U.S. government, as well as NGO, conservation activities. WWF and TRAFFIC have suggested in previous testimony before the Subcommittee that an advisory committee of experts from government, civil society and industry should be created to help guide the conservation work led by the United States internationally. We therefore strongly endorse the development of the Global Wildlife Conservation Advisory Committee. While our organizations have developed informal, though fruitful, relationships over the years with a number of government agencies and departments, a more formalized mechanism that would allow for more holistic input would be a useful line of communication for the government and NGO sectors to learn what the other is doing and how we can better work together. WWF and TRAFFIC would welcome the opportunity to participate in and contribute to such an Advisory Committee should one be authorized. WWF and TRAFFIC have a breadth of knowledge and engagement on wildlife conservation issues internationally that could help advise the Committee, including input from our global networks and programs in 100 countries.

Global Wildlife Coordination Council "WWF and TRAFFIC support a consolidated U.S. conservation strategy and a cooperative effort between all sectors of the U.S. government contributing to or affecting global conservation. This ratcheted-up effort and coordination are necessary to facilitate the kind of efforts required—both on the ground and at the highest political levels—and is what has been called for by WWF, TRAFFIC and many of our conservation partners. However, while we embrace the intent behind the Council, we have some serious concerns with the execution. A coordination mechanism is certainly needed within the federal government on global wildlife conservation, but we have heard concerns, including from within government, that the creation of various new bodies may result in unnecessary layers of

bureaucracy. It is unclear, as currently written, what authority, if any, the Council would have over the actions of the Department of the Interior, as well as other government bodies. While we strongly agree that coordination is needed to ensure that federal agencies make efficient use of available resources and avoid duplication of effort, we are also wary of hindering any agency's effectiveness or flexibility in responding to rapidly emerging conservation issues. More clarity would be helpful with respect to the defined roles and responsibilities in the legislation to ensure that any new structure will be of true conservation benefit and not create new hurdles to agencies carrying out their missions. We appreciate that mandating cooperation while allowing a necessary level of autonomy is a fine line to walk, but we also believe that finding the proper balance will be critical to avoiding bureaucratic stalemate.

7. In your testimony you state that "adequate authorization levels" must be included. What amount of funds are you suggesting would be needed? Would it be more appropriate to authorize and appropriate additional funds for the existing Global, Species and Regional Programs?

The one ingredient that is lacking from the Act is a reasonable estimate of authorization levels. There are two primary foci of this legislation: (1) grants for on-the-ground conservation activities in foreign countries; and (2) funding for related activities, largely in the United States, to educate consumers of wildlife products, ensure effective law enforcement, support captive breeding and reintroduction, create an Advisory Committee and encourage improved agency coordination. In response to Majority question #8, an estimate of $100 million is considered necessary for the WWB Program to achieve the on-the-ground goals of the Act. In addition, the International Wildlife Conservation Fund will require substantial funding authorization to accomplish the many additional mandates of the Act. We would defer to the Congressional Budget Office for a detailed analysis of the fiscal impacts of the bill, but would be surprised if the broad range of programs and institutions in the Act could be implemented for less than $50 million. As noted above, we recommend that the WWB Program be funded through a separate account in the Treasury that keeps the focus on in situ conservation activities. All other programs and activities should be funded through the IWCF in its own Treasury account.

8. In your testimony you state that "given proper resources, undercover investigations, inspections and other programs can be highly successful." You go on to say that H.R. 3086 "does not authorize the increased resources necessary to fund enhanced enforcement efforts". What amount of funds is needed to allow for better enforcement? Are there specific enforcement actions that need additional funds?

The U.S. Fish and Wildlife Service and APHIS are best placed to answer questions on specific details of where resources need to be applied to enhance enforcement efforts related to animal and plant crimes and trafficking. It would not be prudent for WWF and TRAFFIC to publicly suggest where there could be gaps, as this may give wildlife criminals an advantage to exploit those gaps. It is our belief that for the next appropriations USFWS/OLE would require additional resources to more adequately address some of the requirements outlined in the comments here:

a. Covert investigations by law enforcement, to infiltrate the organized crime gangs responsible for the illegal trade, has reaped significant benefits in disrupting and dismantling these crime networks. The costs are high for such operations and require a long-term investment of resources and committed staff with particular specialist expertise. Allowing for such covert investigations and sting operations to operate more frequently and widely would yield significant results quickly.

b. Additionally, it is clear to us that the use of intelligence information is critical, and support for the intelligence unit to both work in the U.S. and collaborate with foreign intelligence teams in source countries of wildlife should be enhanced. This also would support investigations overseas by foreign governments. Additional funds are also needed to support capacity-building efforts to prevent poaching and illegal trade in the countries of origin, before wildlife is smuggled into the United States. The U.S. has shown significant leadership in this regard in some regions internationally, but the resources are not enough to allow USFWS specialists to support other nations in a consistent, longer-term manner.

c. One area of focus that requires urgent attention is the plight of the tiger, which is rapidly being wiped out in its range in Asia to feed the demand for bones for health tonics and skins for fashion. The U.S. could support range countries in developing an international tiger poaching and trade information system to

gather and analyze intelligence information to help target criminal gangs, trade routes, smuggling methods and consumer markets internationally. A mapping function that can show illicit trade flows would also help direct enforcement efforts.

9. Is a new law needed to authorize these enforcement efforts or can the agency request these funds under existing authorities?

Most enforcement efforts could be funded under existing authorities with the correct appropriations. However it is our opinion that the current draft bill H.R. 3086 combines too many facets into one piece of legislation. There remains the need to urgently address wildlife trafficking internationally and empower law enforcement to combat organized crime networks in a sustained way. A new law that directs efforts and resources in this regard would add attention and emphasis, and allow for the wider work suggested in our written testimony and our comments here to be more adequately realized.

10. You mention in your testimony that "There are also significant risks to the global and U.S. economies from the loss of species and habitats around the world and the valuable services they provide." Can you expand on this statement and give examples of how the U.S. economy may be impacted by the loss of species somewhere else in the world?

In many developing parts of the world, natural resources—including fish and wildlife—form the backbone of local and regional economies. In globally important ecosystems, local and regional management practices can have a global effect. One of the best examples is the Coral Triangle marine region of Southeast Asia—called "the rainforest of the sea"—which borders several countries and supports over half of the world's coral reefs and one of the highest human population densities on the planet. Not only do these living reefs provide the economic basis for the livelihoods of tens of millions of people in six developing nations, they also act as the spawning ground for tuna populations that supply 50 percent of the global tuna market (which generates billions of dollars annually). The collapse of the marine ecosystems that make up the Coral Triangle would not only have a devastating effect on local communities but could undermine globally important fisheries and the economies on which they depend. Given the devastating impacts that warming and acidifying oceans are expected to have on the world's coral reefs, this scenario could become a present reality in the coming decades. This example demonstrates how the success or failure to protect species, habitats and ecosystems in developing countries may create significant costs or produce significant benefits for faraway economies, like our own.

The costs of failing to promote conservation in the developing world can bring other costs as well, outside of the purely economic. The loss of species and habitat can undermine entire ecosystems and impoverish the communities that depend on them, and resource scarcity and the loss of local livelihoods often breed conflict and instability. Competition over resources may well define the security challenges of the coming century. The U.S. can help minimize these risks by promoting development that takes conservation into account. Namibia offers an example of how a moderate U.S. investment in conservation can help stabilize and enrich local populations while protecting species and habitat. Community-based conservancies in that country, with the help of U.S. support, have fostered rebounding wildlife populations, nascent local democracies and improved economic growth in a country that experienced decades of occupation and war. From 1998 to 2003, the benefits of conservancies to local communities grew from $1 million to $14.5 million—an average increase of 70 percent a year. In contrast, failure to take conservation into account in the central African nation of Niger contributed to famine in that country, which led to chronic malnutrition, deepening impoverishment and increasing instability. In 2005 alone, 3.6 million Nigeriens went hungry, requiring $19 million in U.S. emergency assistance. As these contrasting examples suggest, investing a modest amount in conservation now can prevent the need to spend a great deal more later on.

11. You state in your testimony that wildlife trade involves transport of wildlife merchandise. How can the transport industry assist in countering illegal trade? Are there any confidentiality issues that would need to be addressed?

For many years, WWF and TRAFFIC have been advocating greater involvement and responsibility of the transport industry in reducing the risk of illegal transport of wildlife and products. Wildlife trade is big business and large volumes and frequent shipments of wildlife crisscross the planet every day via air, ship, rail, truck, express mail and courier. The companies that are transporting wildlife often have the closest contact with parcels, luggage, shipments and carriage of live wildlife and

have an opportunity to both look out for any suspicious shipments and inform their extensive client base of the laws and regulations governing trade and transport of wildlife. Transport companies need to educate the staff responsible for the booking and movement of goods about the laws that apply to wildlife trade and what to look for in terms of illicit wildlife shipments. They need to know who to contact in each country if they do have concerns of potential illicit activity. This can also stretch to include cabin crew on airlines who from time to time have detected live wildlife being smuggled by air passengers, both in the baggage and on the person. In terms of confidentiality it is important that any suspicions are kept confidential and only shared with the relevant enforcement agency in the country or countries where there may be suspected wildlife trafficking. The U.S. Fish and Wildlife Service Office of Law Enforcement is the responsible agency with whom U.S.-based transport companies can discuss issues of confidentiality. WWF and TRAFFIC also have information that can be shared with the transport industry that identifies the types of wildlife that are smuggled and from which countries. We would be happy to support any transport company that wishes to educate its staff and develop internal checks to make sure they do not transport illicit wildlife.

12. You mention that H.R. 3086 does not allow adequate time to develop and implement an outreach program and that outreach does not fall under a one-size-fits-all approach. In your experience how long has the development of outreach actions taken? Does the Service have adequate existing authorities to conduct these activities?

Adequate planning and market research are essential to inform an effective campaign, and monitoring and evaluation are excellent tools to assess the effectiveness of the campaign and to inform any future efforts. We would encourage consultation with other government agencies that have run successful campaigns to gather advice on execution, such as the U.S. Forest Service's long-running wildfire prevention campaign featuring Smokey Bear. A rough estimate for adequate research, planning and design would likely be a full year. Lastly, while FWS is better equipped to answer the second part of this question, it is assumed that the Service has adequate authority to conduct an outreach campaign, as it has already done for the Buyer Beware campaign.

13. Have WWF and TRAFFIC found that education campaigns have been successful in reducing the consumption of wildlife? What have you seen as the major hurdles in effecting change in the cultural use of wildlife in countries around the world?

Education campaigns are highly successful in reducing the consumption of wildlife. For example, WWF worked with the American College of Traditional Chinese Medicine (ACTCM) in San Francisco in late 1990 and early 2000 on an outreach campaign with the Chinese-American community to discourage use of tiger and rhino products in traditional Chinese medicine (TCM). The campaign focused not only on the illegality, but also on the conservation impacts. During that time, we saw significant decreases in the availability of these products in Chinatown TCM stores. We conducted a market survey in 1996-1997, which indicated that 42 percent of the shops visited were selling products labeled as containing tiger bone and five percent were selling products labeled as containing rhino horn. When we revisited that market survey in 2003, only three percent of the shops were selling tiger products and none were found to be selling rhino products. Additionally, when our market researchers queried shop owners regarding these products, often times we were told they were illegal, but even more significantly, many went on to elaborate the negative conservation impacts of using tiger and rhino products. It was clear that the outreach campaign had achieved success. This was due, in no small part, to the fact that WWF partnered with ACTCM on the campaign and worked from within the Chinese-American community to influence behavior.

The hurdles in effecting change are manifold. Many of the behaviors we try to change are deep-rooted and can go back centuries; therefore, they cannot be eliminated overnight. This means that not only does one need to take the time to determine the most effective way to influence positive change (appropriate audience, appropriate messaging, appropriate media, etc.), but one also must have the resources to support a broad campaign over a sufficient period of time.

Ms. BORDALLO. Thank you. Thank you very much, Dr. Roberts, for the tireless work that your organization conducts to protect global biodiversity.

Dr. Monfort, thank you for being here with us today, and you are now recognized to testify.

STATEMENT OF STEVEN MONFORT, PH.D., ACTING DIRECTOR, SMITHSONIAN ZOOLOGICAL PARK

Dr. MONFORT. Thank you, Chairwoman Bordallo and distinguished Members of the Subcommittee, for the opportunity to provide testimony today.

The Smithsonian's National Zoo scientists were among the founders of the field of conservation biology, and today our scientists conduct research that aids in the survival or recovery of species and their habitats, and we work to ensure the health and well-being of animals, both in zoos and in the wild.

The Smithsonian's National Zoo is actually part of the Association of Zoos and Aquariums, whose 218 member organizations collectively reach more than 175 million visitors annually and reach out to them about the importance of animals and wild places and also about the roles that they can play in helping to preserve and conserve these places.

The Smithsonian feels it has a responsibility to preserve biodiversity, in part, because of our ethical and moral commitment that relates to our own living collection of animals, but also because we believe that the public increasingly expects zoos and natural history museums to be the champions for conservation of animals in nature, and zoos are rising to the challenge and, in AZA, there are more than 3,700 field conservation and research programs that have been supported in more than 100 countries, and there are now 100 species survival plans that reach 160 separate species in need of conservation. These programs focus on genetic diversity and habitat preservation, public education, also field conservation and, maybe most importantly, research and science that is aimed at assisting the species recovery efforts.

No conservation program is effective without effective partnerships, so, at the National Zoo, we reach out and partner with a diversity of partners across the USA and internationally. This is a broad spectrum of people, ranging from conservation scientists and public policy experts, to educators, nongovernmental organizations, and so on.

One particularly relevant partnership for this Act is our consortium, which is the Conservation Centers for Species Survival, or C2S2, and this is a recently formed consortium of five zoological organizations in the United States that control more than 25,000 acres of land that is available for species research and recovery, and our partners include prestigious organizations like the Fossil Rim Wildlife Center in Texas, the San Diego Zoo's Wild Animal Park in California, White Oak Conservation Center in Florida, and The Wilds in Cumberland, Ohio.

These facilities have large amounts of space, specialized facilities and staff with the expertise needed to work on helping to conserve globally threatened species and especially those that have been determined to be a priority by the U.S. Fish and Wildlife Service and also state wildlife agencies.

We also believe that, given the environmental challenges that are currently facing the planet, that there is no greater need than

to train the current and next generation of conservation professionals. At AZA institutions, they reach over 12 million people each year who are educated in some way through their visit to zoos, and more than 400,000 teachers have been reached over the past decades.

At the National Zoo, we invest heavily in K-through-12 education programs, also teacher training programs, and we emphasize the importance of understanding biodiversity and especially the role that humans play in shaping its future. We seek to actually explain why conservation matters, why it should matter, including how it impacts things like human health and economic security, and we want to help people determine how they can understand how they can make a difference.

We have a major commitment to educating conservation professionals around the world to help study, recover, and protect species and their habitats, and we have programs for undergraduate students, graduate professional audiences, all based on scientific approaches to conservation and decision-making. Over the past three decades, we have trained over 5,000 conservation professionals in more than 85 countries, and many of our graduates hold leadership positions around the world.

Finally, we feel that science is the fundamental aspect of solving any conservation program. The Smithsonian National Zoo scientists are uniquely positioned to understand why there are some species that are going to survive and adapt while others will go extinct in the face of environmental change, and we feel that scientific knowledge is what is going to help us to forecast the changes that will contribute to population declines and extinctions, but also how to develop mitigation strategies that will help to keep these from becoming irreversible changes.

We have particular expertise in understanding the fundamental biology of species, something that people assume we know more than we actually do, discovering and understanding the evolutionary and ecological factors that impact biodiversity, including human impacts, and also things like prioritizing species and landscapes that are in need of conservation, and then developing tools and concepts that can help us to mitigate the impact.

At the National Zoo and at the Smithsonian, as a whole, we have one of the largest faculties of conservation and biodiversity scientists anywhere in the world that are dedicated to understanding the fundamental biology of species, the complexity of natural ecosystems, and human impacts on ecological structure and processes.

In summary, the Smithsonian Institution and the National Zoo support the overall conservation goals of H.R. 3086, and we are prepared to work cooperatively with the Subcommittee in any way we can to be helpful in advancing these common objectives. Thank you for the opportunity to testify today on these critical conservation issues, and I look forward to answering your questions.

[The prepared statement of Dr. Monfort follows:]

Statement of Dr. Steven L. Monfort, Acting Director, Smithsonian Institution National Zoological Park

Introduction and Overview of the National Zoo's Conservation Programs

Thank you Chairwoman Bordallo and distinguished members of the Subcommittee for the opportunity to provide testimony to you today. My name is Steven

L. Monfort and I am the Acting Director of the Smithsonian Institution's National Zoological Park. The National Zoo, in Washington, D.C., draws nearly 3 million visitors per year, and has over 40,000 member families of Friends of the National Zoo (FONZ). The zoo's website, supported by FONZ, receives more than 20 million visits annually from around the world. The Smithsonian Institution's museums and zoo teach millions of people each year in living classrooms, dedicate millions of dollars annually to education, conservation and scientific research programs and support over 130 conservation and research projects in more than 35 countries.

The Smithsonian Institution's professionals work collaboratively with other Federal and state agencies to help shape national and international wildlife conservation policy. They provide expert comment and input on such issues as migratory species, biological diversity, wildlife trade, endangered species, and species conservation. National Zoo staff also contribute their expertise to programs which advance animal care and welfare, identify emerging diseases, and educate students and the general public. In addition, the National Zoo is a member of the Association of Zoos and Aquariums (AZA) and actively supports their conservation initiatives, including the AZA Species Survival Plan (SSP) program.

All of these activities contribute to the same wildlife conservation goals which underlie H.R. 3086, the Global Wildlife Conservation, Coordination, and Enhancement Act of 2009. In my testimony today, I will summarize the National Zoo's programs, working closely with many partner agencies, non-governmental organizations, academic institutions, and other countries to conserve global wildlife resources. Specifically, I will relate these programs to the efforts underway to enhance the United States' ability to conserve global wildlife and biological diversity.

Overview of the National Zoo's Conservation and Science Programs

In its 2008 report to the U.S. Fish and Wildlife Service (USFWS) on expenditures for Fiscal Year 2008 for species listed as endangered or threatened under the Endangered Species Act, the National Zoo documented more than $1.1 million expended for 19 native species and 17 foreign species. These species included, among others, mammals like the Asian Elephant, Scimitar-horned Oryx, and Black-footed Ferret; birds like the California Condor, Micronesian Kingfisher, and Guam Rail; reptiles and amphibians like the Desert Tortoise and Panamanian Golden Frog; and marine Elkhorn Corals.

As an example of one of the stories behind these statistics for one of North America's most critically endangered species, from 1985 to 1987 the last remaining Black-footed Ferrets were removed from the wild in Wyoming for their protection. In 1988, the National Zoo's Conservation and Research Center (CRC), a 3,200-acre facility in Front Royal, Virginia, became the first zoo to receive ferrets, with seven individuals transferred from Wyoming's propagation facility. In the mid-1980s, the Zoo's reproduction team developed artificial insemination and semen cryopreservation techniques to sustain genetic diversity in the population. By 2008, the CRC had 33 ferrets in the SSP breeding program and had produced 533 young, 398 by natural breeding and 135 additional animals by artificial insemination. Two hundred of these CRC-produced animals have been released into the wild, part of the total wild population now estimated at approximately 1,000 individuals. In 2009, another 41 young were born, with 39 surviving. Two females became pregnant and produced young through artificial insemination, including the first successful use of cryopreserved semen, which came from one of the original 1988 founder males.

The programs to conserve these species are undertaken by National Zoo's staff based at the Zoo's 163-acre campus adjacent to Rock Creek Park, at the Zoo's Conservation and Research Center, and at field sites around the globe. Our effectiveness is greatly enhanced through partnerships with biodiversity and conservation scientists, social scientists, and educators across the Smithsonian. This work is guided by the Zoo's ten-year Science Plan, designed to achieve excellence in conservation biology. Conservation biology is a relatively young science that uses an interdisciplinary approach to address the challenges to sustaining biological diversity. By definition, conservation biology is value-driven, based on the premise that the conservation of species diversity, ecological systems, and evolutionary processes are important and benefit both current and future human societies. In recognition of the underlying importance of conservation biology to everything we do, the National Zoo will soon be combining its existing Conservation and Science and Animal Program Directorates as the Smithsonian Conservation Biology Institute. We will keep the Subcommittee informed about the progress of this change as it proceeds over the next few months.

Under the new Smithsonian Conservation Biology Institute, our conservation, science, and animal management programs will be organized into six centers:

- the Center for Conservation Education and Sustainability, which helps protect global biodiversity by teaching conservation principles and practices;
- the Center for Conservation and Evolutionary Genetics, which specializes in genetic management of wild and captive populations, non-invasive DNA, ancient DNA, systematics, disease diagnosis, genetic services to the zoo community, and application of genetics to animal behavior and ecology;
- the Center for Species Survival, which conducts research in reproductive physiology, endocrinology, cryobiology, embryo biology, animal behavior, wildlife toxicology, and assisted reproduction;
- the Conservation Ecology Center, which focuses on recovering and sustaining at-risk wildlife species and their supporting ecosystems in key terrestrial and marine regions throughout the globe;
- the Smithsonian Migratory Bird Center, which studies Neotropical migratory songbirds and wetland birds, the role of disease in bird population declines, and the environmental challenges facing urban and suburban birds;
- and the Center for Wildlife Health and Wellbeing, which studies the environmental, medical, nutritional, and behavioral requirements of wild and captive animals.

In this testimony I will give examples of some of the programs undertaken by these centers and summarize how they relate to the specific areas outlined by the Subcommittee.

1) The importance of providing technical assistance, building capacity, and coordinating with range states as part of strategic global wildlife conservation.

The National Zoo is dedicated to furthering the education of current and future conservation professionals, including undergraduate and graduate students, scientists, resource managers, educators, industry representatives and staff of government and non-government organizations. For more than three decades, Smithsonian staff and research associates have offered specialized training courses, in the United States and at over 20 international locations, on global conservation topics. More than 5,000 professional conservationists from over 85 countries have taken part in these courses. These training courses are principally organized and conducted by the Zoo's Center for Conservation Education and Sustainability, although Zoo staff from other centers also provide assistance in their particular areas of expertise.

Many of the participants from the Zoo's training programs now hold influential positions at government agencies, universities, and non-governmental organizations in their home countries. These conservation leaders have credited the Zoo's capacity building efforts with contributing to many conservation accomplishments. These include, among others, the establishment of protected areas, development of public awareness and education campaigns, creation of organizational strategic plans, implementation of biodiversity monitoring plans, establishment of partnerships between the public and private sectors, acquisition of new technology, and completion of conservation research projects.

The need for training and capacity building continues to increase, as the world faces an unprecedented loss of biodiversity and multiple conservation challenges. Expanding human populations have led to fragmentation of habitats and greater levels of human-wildlife conflicts. The demand for any source of income in poorer communities, and for luxury goods in wealthier ones, has led to increased poaching of live animals, skins, feathers, teeth, claws, and bones. Subsistence hunting and growing networks of commercial poaching for meat have swept through Africa and now threaten both predator and prey species in Asia. The spread of invasive species has resulted in widespread habitat deterioration, and climate change poses an ever-growing threat to entire landscapes and ecosystems.

Global Tiger Initiative and the Tiger Conservation and Development Network

No species has been more affected by these trends than the Tiger, which has plummeted in the past century in its 13 Asian range countries from over 100,000 animals in the wild to less than 3,500 today, with the number still declining precipitously. The National Zoo has been involved with tiger conservation since the start of the Smithsonian-Nepal Tiger Ecology Project in 1973, and has chaired the Save the Tiger Fund Council since its inception in 1995, led by its Conservation Ecology Center. The Save the Tiger Fund is a partnership between the National Fish and Wildlife Foundation and the ExxonMobil Corporation which has guided the investment of about $1 million a year in conservation projects across Asia. In so doing, it has helped to create synergistic efforts among a variety of conservation organizations working to save Tigers in Asia. These projects have been undertaken in close

coordination with the USFWS Rhinoceros and Tiger Conservation Fund, the World Bank, and a number of non-governmental organizations and academic institutions involved with Tiger conservation in range countries.

Building on this long history of Tiger conservation, in order to address the new crisis, in June, 2008, the Smithsonian joined with the World Bank Group, the Global Environmental Facility, the International Tiger Coalition, and a number of other partner organizations to launch the Global Tiger Initiative (GTI). The GTI has initiated a series of Tiger conservation actions designed to culminate in a "Year of the Tiger Summit" in Asia in 2010.

Furthermore, emphasizing the key role of capacity building as part of the GTI, in June, 2009, the Smithsonian and the World Bank announced the formation of a Tiger Conservation and Development Network. The Network will train senior conservation leaders and policy-makers as well as field rangers, foresters, and other habitat managers in the latest cutting-edge practices in biodiversity management, with a specific focus on preserving and increasing wild Tiger populations. The National Zoo's Conservation and Research Center will serve as one of the initial launch-pads for the development of the Network. Over the next year, the World Bank will dedicate more than $1 million toward these training efforts, and the Smithsonian and World Bank will work to expand the alliance to include other members and raise additional financing.

Smithsonian-Mason Partnership

In addition, the National Zoo and George Mason University have also recognized the need for new partnerships to invest in the next generation of conservationists, wildlife practitioners, decision makers, and educators. The Zoo and George Mason have joined forces to develop a comprehensive academic program for undergraduates, graduates, and conservationists, also based at the Zoo's Conservation and Research Center. Multidisciplinary faculty from the Zoo and George Mason have launched the Smithsonian-Mason Conservation Education Program that will provide academic opportunities for up to 50 undergraduate and 10 graduate students per semester, and accommodate an additional 60 participants in the professional training and certificate programs. By leveraging the Smithsonian's internationally recognized researchers and collections with George Mason's ability to produce entrepreneurial education programs, we will together be able to produce conservation practitioners who can effectively address the very serious questions of the loss of global biodiversity facing our nation and our world.

Until the new facility is constructed, the Zoo and George Mason will continue with pilot Smithsonian-Mason Semesters for 15 undergraduates at a time, using the existing CRC Training Center. These students pursue an innovative conservation studies curriculum that emphasizes experiential learning and combines biology, environmental monitoring, public policy, human-wildlife conflict resolution, and environmental economics. The most recent pilot program was completed successfully in May of this year, with students now going on to conservation internships, preparations for graduate school, or permanent positions in the conservation field.

2) The feasibility and implications of increased coordination between Federal, State, and non-governmental organizations and entities involved in wildlife conservation.

It is clear to us in the National Zoo that we will never have enough resources to accomplish all of our global biodiversity conservation objectives alone, and we believe this applies equally to other conservation organizations and agencies. Partnerships, cooperation, and coordination of conservation efforts are essential to achieving these goals. I would like to highlight two of these partnerships—the Conservation Centers for Species Survival and our new Amphibian Conservation Project, each of which is led by scientists from the Zoo's Center for Species Survival.

Conservation Centers for Species Survival

The Conservation Centers for Species Survival (C2S2) is a consortium formed in 2005 of five conservation organizations which together control more than 25,000 acres, which is more than 70% of all of the land area managed by U.S. zoological institutions for endangered species research and recovery. C2S2 includes the National Zoo's Conservation and Research Center in Front Royal, Virginia; Fossil Rim Wildlife Center in Glen Rose, Texas; San Diego Zoo's Wild Animal Park in Escondido, California; White Oak Conservation Center in Yulee, Florida; and The Wilds in Cumberland, Ohio. Over the past four years, C2S2 institutions have leveraged their unique resources, including vast space for large-scale conservation programs; flexible, innovative, and scientifically-focused approaches to conservation; and a well-established history of working together on a variety of conservation projects for globally threatened species. Special emphasis has been given to species which have

been determined to be a priority for cooperative efforts by the USFWS and State wildlife agencies.

In May of 2009, the National Zoo's CRC hosted the annual meeting of the C2S2 group. Attending this meeting were not only representatives of the five member institutions, but senior leadership from the Association of Zoos and Aquariums; the USFWS Endangered Species, International Affairs, and External Affairs programs; the U.S. Geological Survey's Patuxent Wildlife Research Center; the National Fish and Wildlife Foundation's Bird Conservation Program; and the World Wildlife Fund's Asia Program.

Presentations and discussions during the meeting emphasized development of cooperative efforts for a wide variety of endangered mammals, birds, and reptiles. Fossil Rim Wildlife Center presented a report on its participation, with other C2S2 members, the USFWS and the Arizona Game and Fish Department in a meeting earlier this year at the Buenos Aries National Wildlife Refuge regarding international efforts to save the Masked Bobwhite Quail, a unique desert subspecies shared with Mexico. The San Diego Zoo, with active support from other C2S2 institutions, reported on its progress in taking over management of the USFWS Desert Tortoise Conservation Center in Nevada, at the request of the USFWS and the Bureau of Land Management. The CRC and the USGS Patuxent Wildlife Research Center reported on cooperative efforts, in conjunction with other C2S2 institutions, to enhance the scientific knowledge base for captive breeding and reintroduction into the wild of Whooping Cranes, as part of the International Whooping Crane Recovery Program and Whooping Crane Eastern Partnership. Other endangered species highlighted during the meeting included, among others, the C2S2 Cheetah Cooperative Management Program; Saiga and newly discovered Saola antelopes from Asia; Sahelo-Saharan antelopes and red-necked ostrich from North Africa; rhinos and other hoofed mammals from Africa and Asia; North American bats; and Attwater's Prairie Chickens in Texas.

Smithsonian's Amphibian Conservation Program

The world's amphibians are vanishing at an alarming rate. The International Union for the Conservation of Nature (IUCN) has judged that 42 percent of the world's 6,000 frog species are declining rapidly and at least 2,000 species are in danger of extinction. Since 1980, 122 amphibian species are thought to have gone extinct, compared to just five bird species and no mammals over the same period. This is an unprecedented rate of species loss and deserves an unprecedented conservation response. However, only a few years ago the amphibian research community collectively included just a handful of full-time conservationists in the world working to mitigate threats. This is clearly a dearth of capacity when compared to the thousands of full-time conservation workers focused on fish, reptiles, birds, and mammals.

The Smithsonian decided that it had a responsibility to help deal with this emerging problem, and it now employs two full-time amphibian conservationists, working at the National Zoo and the Smithsonian Tropical Research Institute in Panama, respectively. However, these two fulltime amphibian conservationists could not be expected to succeed without partnerships with other institutions. Thus the Zoo and Tropical Research Institute developed the Panama Amphibian Rescue and Conservation Project, a partnership with Africam Safari Park in Mexico, Cheyenne Mountain Zoo in Colorado, the Defenders of Wildlife, Zoo New England, and the Houston Zoo, with the goal of building capacity in Panama to respond to the global amphibian crisis.

The project will construct a facility to house captive populations of amphibians that are facing extinction due to a devastating, invasive amphibian pathogen, the Chytrid fungus (Batrachochytrium dendrobatidis), which was first demonstrated to be an agent of frog death by scientists from the Zoo in 1999. This fungus has now spread through all the mountainous regions of Central America except eastern Panama. In addition, we are collaborating with other scientists to develop a novel method to control the disease. We hope that this research may eventually allow us to reintroduce species which are extinct in the wild, such as Panamanian Golden Frogs or Wyoming Toads here in the United States, back into native habitats currently affected by the disease.

In addition to this project, Smithsonian scientists are making important contributions to amphibian conservation through their work on Appalachian salamanders, amphibian conservation breeding programs, taxonomy, monitoring, ecotoxicology, disease monitoring and public education. The Zoo has recently developed a new amphibian exhibit that is focused on educating visitors about declining amphibians and our work to mitigate amphibian extinctions.

3) The ways in which the United States may improve the effectiveness and efficiency of global wildlife conservation.

There are a host of activities which U.S. institutions can undertake to improve the effectiveness and efficiency of global wildlife conservation. Two areas which I would like to discuss today include the role of U.S. consumers in encouraging bird-friendly, shade-grown coffee, and the use of new scientific techniques for genetic analysis to support wildlife conservation decisions.

Effect of Consumers on the Market for Bird Friendly Coffee

American consumers and the choices they make can have a profoundly positive impact on wildlife habitat throughout the world. One of the premier examples of this is the marketing of third-party certified shade-grown coffee, which has been pioneered and championed by the Smithsonian Institution's Bird Friendly Coffee program. Tropical deforestation loss has been one of the leading causes of the global loss of biodiversity and the decline in migratory birds. Countries in Latin America and the Caribbean, where over 150 species of North American birds spend the winter, count on exporting agricultural products for foreign exchange, and millions of families depend on this income. There are clear limits to the amount of tropical lands that can be set aside in parks, so the conservation of biodiversity must also take place on privately owned and managed lands.

Coffee, one of the most important tropical crops, has been traditionally grown under a diverse shade canopy, providing many of the same ecological services as native forest. However, recent decades have brought a push towards modernizing coffee production by removing the shade canopy and adding many chemical inputs. These "sun" coffee farms are an ecological desert, whereas shade coffee farms are a refuge for biological diversity and our migratory songbirds.

Consumer demand for shade-grown coffee can help protect migratory birds and tropical biodiversity if coffee is clearly labeled and promoted in the marketplace. Since 1998, the Smithsonian Migratory Bird Center at the National Zoo has promoted "Bird Friendly®" coffee, an independently (third-party) certified shade grown coffee that is based on ecological criteria generated from peer-reviewed scientific research in coffee growing regions. All Bird Friendly® coffee is certified organic and is additionally inspected for a number of ecological variables related to the quality of the shade canopy. The coffee is certified Bird Friendly® by any of 14 USDA-approved organic inspection agencies at a marginal cost to coffee producers. Since 2001, our Migratory Bird Center has trained dozens of organic inspectors in the technical aspects of assessing shade coffee criteria.

The Smithsonian Bird Friendly Coffee seal is the most rigorous scientifically-based environmental certification of a tropical agricultural product, with many specialty coffee sector leaders calling it the "gold standard" in shade certification. The verifying paperwork can be traced from coffee plant to cup. Presently, 35 farms produce Bird Friendly® coffee in 11 countries, which is then channeled through 15 importers that supply about 45 to 50 retailers throughout the United States, Canada, Japan, and parts of Europe. While the total amount of Bird Friendly® coffee sold is still a relatively small portion of the coffee market, the underlying concept of promoting shade grown coffee has had enormous impact on the coffee industry, coffee growing countries, and the multi-lateral and bilateral agencies that work with farm families throughout the tropics. The ''Coffee'' link at the following website provides up-to-date information on the progress of the Bird Friendly® coffee movement: www.si.edu/smbc.

Role of Conservation Genetics in Species Conservation

The National Zoo's Center for Conservation and Evolutionary Genetics has been at the forefront of research in the rapidly expanding field of conservation genetics. Our scientists were the first to analyze and document the loss of fitness caused by inbreeding in captive zoo animals, and took the lead in developing solutions such as software for genetic management. This involved developing methods of non-invasive genotyping (from scat, hair or other shed items) to identify species and individuals, and to estimate kinship and population sizes of animals in natural populations. We pioneered the application of ancient DNA protocols to issues of conservation importance, as well as to unraveling the evolutionary histories of extinct and endangered species. Application of these molecular genetics methods has helped us diagnose and study the dynamics of emerging pathogens responsible for devastating wildlife diseases.

Use of these techniques can have profound effects on the conservation of many endangered species. For example, analyses of DNA from non-invasive samples (that is, dung) from African and Asian Elephants can identify individuals and document population sizes, movements, relatedness, and sex. In Gabon, we measured movements of elephants in response to human activities and stress, and showed that males somehow avoided mating with related females in Kenya's Amboseli National Park. Similarly, we have used DNA from scat to monitor survival, recruitment and inbreeding in African Wild Dogs reintroduced to their former range in South Africa.

These highly endangered canids number fewer than 5,000, living in fragmented remains of their originally vast sub-Saharan range, and it is critical to monitor the success of reintroduction programs.

In Hawaii, we have been involved in a long-term study of Hawaiian birds threatened by introduced avian malaria. Use of DNA methods has identified the origins of the malaria parasite and its invasive mosquito vector and ancient DNA has determined when they likely arrived in Hawaii. Study of the genetics of the host has helped us learn how and why some native bird species have become more tolerant of the malaria than others. In the endangered Hawaiian Petrel, the amount of genetic variation that has been lost has been determined by comparing current levels of variation to variation in ancient DNA sequences obtained from subfossil bones. We are estimating the prehistoric (before human impacts) Petrel population size for use in models that predict changes in marine nutrients deposited by the Petrels in the nutrient poor ecosystems of Hawaii.

DNA fingerprinting methods have enabled us to assess the efficacy of translocation procedures for threatened Desert Tortoises in the Mojave Desert, enabling us to assess the recruitment of both male and female translocated tortoises into their new population. DNA analysis of blood parasites found in Pandas and related carnivores in North American zoos has allowed us to determine their taxonomy and origins, and to develop methods to accurately quantify the level of parasitism. Obtaining DNA sequences (barcodes) from museum specimens of Ivory-billed Woodpeckers from North America and Cuba has shown that the Cuban birds are very distinct from the North American birds. They may be a distinct species, and also provided sequences useful for comparison to items found by field biologists that may provide evidence of the existence of this "ghost bird".

4) Conclusion—The Global Wildlife Conservation, Coordination, and Enhancement Act of 2009.

In summary, the Smithsonian Institution and the National Zoo support the overall conservation goals of the Global Wildlife Conservation, Coordination, and Enhancement Act of 2009. We believe that the kinds of activities being undertaken by the Smithsonian's National Zoo and its many partners that I have documented in this testimony are fully compatible with these goals. In addition, we are prepared to work cooperatively with the Subcommittee in any way that would be helpful to advancing these common objectives. The National Zoo will continue to enhance our ongoing partnerships with the USFWS, other Federal and State agencies, the Association of Zoos and Aquariums, our partners in the Conservation Centers for Species Survival as well as many other AZA member institutions, non-governmental organizations, and range countries in support of the conservation of global biodiversity.

Thank you for the opportunity to testify today on these critical conservation issues. I look forward to answering any questions you may have.

Response to questions submitted for the record by Dr. Steven L. Monfort, Acting Director, Smithsonian National Zoological Park

Questions from Chairwoman Madeleine Z. Bordallo (D-GU)

1. You mention in your written testimony that the need for increased conservation capacity building is growing globally. How do you recommend that the United States respond to this growing need? What consequences might occur as a result of inaction? Would United States capacity building efforts abroad be self-limited in scope and success if we were only to utilize the programs and people inside Federal agencies and not incorporate the expertise and capabilities of non-Federal partners?

Answer: Today the world is facing an unprecedented loss of biological diversity and multiple conservation challenges, from human population growth to climate change. Inaction will almost assuredly result in a great wave of extinctions of species. We could lose not only our wild populations of charismatic species like the tiger and the Asian elephant, but also a wide range of other mammals, birds, reptiles, amphibians, fishes, invertebrates, and plants. The loss of these species would deprive us and our descendents of their ecological, scientific, and esthetic values. Entire ecosystems would be destabilized and would change drastically in ways that we cannot predict, let alone mitigate or adapt to, with severe consequences to our own wellbeing.

To address the growing need for conservation capacity building contributions from non-Federal partners and international partners is necessary. For many years, the Smithsonian's National Zoo has played an active role in the advancement of scientific solutions to conservation capacity building problems, working closely with the

U.S. Fish and Wildlife Service and also bringing a number of partners into the effort. For example, for the past decade the Zoo has chaired the Save the Tiger Fund Council, leading a group of experts from zoos, nongovernmental organizations, universities, and tiger range countries to make decisions about a fund of approximately $1 million per year provided by the Exxon Mobil Corporation and administered by the National Fish and Wildlife Foundation. Capacity-building in tiger range countries is one of the goals of the Council and of the USFWS Rhino and Tiger Conservation Fund (one of the Multi-National Species Funds described above). In order to ensure that funding decisions were closely coordinated between these two funds, the Zoo invited the USFWS to participate in the Council from its inception. This partnership between the two tiger programs is still alive and well today.

The Zoo's July 28 testimony provides a number of other examples of capacity-building efforts by the Zoo and its conservation partners, which now include George Mason University, the World Bank, a number of zoos which are members of the Association of Zoos and Aquariums, and many other organizations. All of these efforts are designed to compliment existing work of the USFWS and other government agencies, or to fill in gaps where government agencies are unable to work at all. These examples still represent only a small portion of the Zoo's overall programs and partnerships, and the Zoo's efforts in turn are only a small fraction of the total effort contributed by a host of other organizations to building capacity for the conservation of biological diversity.

2. What is the significance of conservation biology to your work?

Answer: The key role of conservation biology to the National Zoo's work is reflected throughout the Zoo's science plan, "Conservation Biology at the National Zoo—A Science Plan for 2006—2016". This plan is built on the importance of research and discovery, development of science-based solutions, creation of zoo linkages, training the current and the next generation, and educating and inspiring the public. The Zoo believes that these goals provide a sound framework for a comprehensive program to address the survival and recovery of species and their habitats, and to ensure the health and well-being of animals in captivity and in the wild.

Conservation biology is a relatively young science that uses interdisciplinary approaches to address the challenges to maintaining biological diversity. By definition, conservation biology is value-driven, based on the premise that the conservation of species diversity, ecological systems, and evolutionary processes are important and benefit both current and future human societies. And, by its very nature, conservation biology must be adaptable because in our changing world, threats to biodiversity will continue in new and uncharted ways, as noted in the response to question 1 above.

National Zoo scientists were among the founders of the field of conservation biology, and they continue as leaders today, with global perspectives, diverse expertise, and long-term experience in conducting inter-disciplinary zoo- and field-based research. For all of these reasons, the Zoo is establishing the Smithsonian Conservation Biology Institute (SCBI), incorporating its five existing science centers plus a sixth center encompassing the Zoo's animal care staff. SCBI staff, located at the National Zoo's main campus in Washington, D.C., at the Zoo's Conservation and Research Center in Front Royal, Virginia, and at field sites around the world, will continue to work to achieve our goals for excellence in the study, management, protection, and restoration of threatened species, ecological communities, and ecosystems.

3. What is the importance of the public outreach and the fellowship programs to your work? How does the fellowship program initiated with George Mason University compare with the fellowship program authorized in section 122(c)?

Answer: The importance of public outreach to the Zoo is captured in one of the goals of the Science Plan for 2006-2016, which is to "Educate and Inspire the Public" by providing a scientific basis for public education and outreach in conservation. This involves being a national provider of objective, science-based information and education materials to the conservation community, policymakers, Federal agencies, zoos, universities, K-12 schools, the media, and the public. Another component is to develop exhibits and education programs which lead to inspiring and dynamic science-based zoo experiences that foster caring and greater public awareness of animals, their habitats, and the need for conservation action.

Fellowships are a key part of another goal in the Science Plan, to "Train the Current and Next Generation." Fellowship opportunities impact not only the careers of the individual fellows but also the Smithsonian and all of its broad disciplines of research. The fellows benefit from this support, often used for thesis or dissertation research, which in turn impacts the academic and research communities as they be-

come future researchers, professors, and museum professionals of tomorrow. Fellows contribute enormously to the quantity and quality of Smithsonian research, stimulating the Institution's research community by bringing new ideas from their disciplines, contributing to exhibitions, and conducting research in specialized areas that enrich and enhance information about the national collections. Conducting basic scientific research and exploring history and culture increases the Smithsonian's ability to carry out its mission. Their research contributes to the understanding of the critical issues of global change, bio-diversity and cultural diversity. For example, National Zoo fellowships have made substantial contributions to the conservation of tigers and other critically endangered species in their home countries.

The fellowship program with George Mason is part of the overall Smithsonian-Mason Global Conservation Studies Program jointly administered through the National Zoo's Center for Conservation Education and Sustainability and the Mason Center for Conservation Studies. A new Memorandum of Understanding will provide for support of eight graduate students (two per year) in a four-year program culminating in a Ph.D. in Environmental Science and Policy. The support takes several forms including stipends for teaching (based at George Mason) and research (based at the Zoo's Conservation and Research Center) and tuition remission. This is a renewal of a program which over the past eight years has produced an average of one to two Ph.D.'s per year.

In contrast, the fellowship program proposed in H.R. 3086 would not be geared to providing support for Ph.D. candidates throughout their study program. Instead, it would give fellowships of not more than one year (with the possibility of renewal) for U.S. and foreign students to participate in the policy process, provide expertise to the Federal Government, obtain international wildlife conservation experience, and encourage capacity building and partnerships in other nations.

4. The administration has expressed concerns about the authorization of a Center for International Wildlife Recovery Partnerships. However, the program activities of this Center (i.e., wildlife research; wildlife conservation and reintroduction; international coordination, public education and training) track well with the activities of the Smithsonian Institution's Conservation Biology Institute, which was formed in a re-organization of the Smithsonian's Science and Conservation and Animal Program Directorates. Would the administration and the Smithsonian support amending the bill to formally incorporate the Smithsonian's capabilities via a partnership agreement with the Department of the Interior to function as the bridge to enable greater cooperation between the Department of the Interior and non-Federal NGO stakeholders?

Answer: The National Zoo has had a number of longstanding partnerships with the Department of the Interior, in particular with the U.S. Fish and Wildlife Service, as well as with the National Park Service and the U.S. Geological Survey. These relationships have enabled the Zoo to assist with the recovery of species listed by the USFWS as Endangered or Threatened under the Endangered Species Act. This includes species in the United States which are the subjects of endangered species recovery plans, as well as species in Africa, Asia, and Latin America which are covered by the USFWS-administered Multinational Species Conservation Funds (African and Asian elephants, rhinos, tigers, great apes, and sea turtles) and the Wildlife Without Borders program.

In addition to the Zoo's individual efforts to work with the USFWS and other Interior agencies, as noted in the Zoo's July 28 testimony, in 2005 the Zoo's 3,200-acre Conservation and Research Center led an effort to form a consortium, the Conservation Centers for Species Survival (C2S2). This consortium includes four partner institutions which also manage large areas of land for endangered species research and conservation. C2S2 institutions are now working with the USFWS and other government agencies, including the U.S. Geological Survey, Bureau of Land Management, and State fish and wildlife agencies, for the survival and recovery of species listed under the Endangered Species Act.

Similarly, the Zoo is the lead institution within the Smithsonian for the partnership with the World Bank and a number of other organizations in the Global Tiger Initiative. As part of this Initiative, the Zoo and the Bank are now developing the Tiger Conservation and Development Network, designed to strengthen the capacity of Asian countries to protect and recover their tiger populations. This is being done in consultation with the USFWS, to ensure that it contributes to the tiger conservation goals laid out in the USFWS-administered Rhinoceros and Tiger Conservation Act, as well as with the National Park Service and a number of other organizations are also advising the Zoo in this program.

The Asian elephant, another critically endangered species sharing many habitats in Asia with the tiger, is also the subject of a new partnership effort led by the Zoo. The Zoo is organizing a new strategic planning effort with other U.S. zoos interested in elephants, the Association of Zoos and Aquariums, Asian range countries, the International Union for the Conservation of Nature's Asian elephant specialist group, key non-governmental organizations, and the USFWS. The result will be a set of prioritized actions which are fully coordinated with the goals of the USFWS and the Asian Elephant Conservation Act.

Thus the Zoo is not only an active participant in endangered species conservation efforts, but also is serving as a catalyst to encourage additional contributions from a wide range of partners. The Zoo would like to consider ways in which these contributions could be expanded in the future, in consultation with the Department of the Interior and the Subcommittee.

5. Should the Smithsonian Institution be included as a participating agency on the Global Wildlife Conservation Coordination Council authorized in Title II? Would this Council be a positive improvement, in general?

Answer: The Smithsonian Institution supports the overall goals of H.R. 3086. The position of the Administration on the specific provisions of the legislation which would create the Global Wildlife Conservation Council was presented in the July 28 testimony of the U.S. Fish and Wildlife Service.

Questions from Ranking Republican Member Henry E. Brown, Jr. (R-SC)

1. H.R. 3086 would create a Center for International Wildlife Recovery Partnerships which would be charged with developing and implementing an international research program with a focus on captive animal care and propagation. What is your view of this provision? Do you have any concerns with this language being included in the bill?

Answer: H.R. 3086 would establish the Center for International Wildlife Recovery Partnerships as part of the Institute for International Wildlife Conservation. The concerns of the Administration on the establishment of the entire Institute was given during the July 28, 2009 hearing in the testimony of the U.S. Fish and Wildlife Service.

2. Do you think the legislation is necessary? Could additional authorities be given to existing agencies to fulfill the same goals?

Answer: There is support for the provisions of the legislation that codify the Wildlife Without Borders program. The U.S. Fish and Wildlife Service will need to comment about what other authorities it might be given to achieve the same goals.

3. What agency and laws currently govern the care of captive animals in the U.S.? Have these laws been successful in governing the care of captive animals?

Answer: The Animal Welfare Act, administered by the Department of Agriculture, regulates the care of warm blooded animals in captivity for exhibition purposes. The U.S. Fish and Wildlife Service and the National Marine Fisheries Service regulate the import, export, and interstate commerce of many species in captivity under the Endangered Species Act (which also implements the Convention on International Trade in Endangered Species) and the Marine Mammal Protection Act. The USFWS also regulates the movements of injurious wildlife under the Lacey Act. Some provisions of the latter three laws require the agencies to evaluate the conditions of transport and housing prior to authorizing import, export, or interstate movements. The implementing agencies are in the best position to comment on the overall success of these laws in the regulation of the care of captive animals.

The National Zoo works closely with each of the implementing agencies to ensure that all of its activities comply with applicable provisions of each of these laws.

In addition, the Association of Zoos and Aquariums (AZA) sets standards for animal management and care, and evaluates each member institution regularly as a condition for maintaining its accreditation. The Zoo works closely with AZA to ensure that its facilities meet or exceed the accreditation standards.

4. Do you think H.R. 3086 will change the laws governing the way U.S. facilities care for their captive animals or is the focus only on effecting change in international facilities?

Answer: Provisions of H.R. 3086 which pertain to captive animals are found in Section 123, which establishes the Center for International Wildlife Recovery as part of the larger Institute for International Wildlife Conservation. The U.S. Fish and Wildlife Service would be responsible for determining the priorities and operating procedures for the Center, which would be charged with conducting a number

of activities to further the conservation of species covered by the Endangered Species Act, the Convention on International Trade in Endangered Species, and/or the Red List of the International Union for the Conservation of Nature. The National Zoo does not believe the intent of the legislation is to change the overall regulatory framework for the conditions under which animals are held in captivity, which is regulated by the laws and agencies noted in the answer to question 3 above. Instead, the legislation calls for activities to mobilize partners to complement conservation activities undertaken by U.S. government agencies outside the United States; enhance coordination and cooperation between government agencies and non-governmental stakeholders; facilitate long-term investments in captive breeding, reintroduction, rehabilitation, release, habitat protection, and research; enlist accredited zoos and aquariums and other governmental and non-governmental partners to assist with research and public education; and assess opportunities for restoration of transboundary species.

5. H.R. 3086 would require the Center to provide animal care, technical and zoological assistance to identify endangered species that are candidates for rehabilitation and reintroduction in the wild and utilize its expertise and facilities to rehabilitate endangered species and reintroduce those species to the wild. Is it normal for an agency to have its own facilities to rehabilitate or care for animals? If not, do agencies usually use zoo facilities to conduct these activities? How have these relationships worked? Are the facilities ever forced into actions that they would not necessarily take on their own?

Answer: The U.S. Fish and Wildlife Service and the National Marine Fisheries Service will need to provide information about the overall policies and programs for the rehabilitation and reintroduction of endangered species back into the wild.

Since 1988, the National Zoo's Conservation and Research Center has been involved in developing and using the best scientific techniques in the captive propagation of endangered Black-Footed Ferrets for ultimate release back into the wild. These activities are done in close cooperation with the USFWS National Ferret Black-Footed Ferret Conservation Center in Wyoming, which manages the overall reintroduction program. This activity was undertaken voluntarily by the National Zoo as part of its goal to advance scientific excellence in conserving wildlife.

6. You were asked at the hearing about the number of zoos working with the Service to care for seized animals. Can you provide the Committee with the number of facilities hosting seized animals? Do the facilities cover the costs of animal care or does the agency reimburse the facility? Can the facilities recoup some of the costs through displaying the animals?

Answer: The National Zoo does not have information about the total number of facilities working with the U.S. Fish and Wildlife Service to care for seized animals, or the arrangements for covering costs.

The Zoo's collection includes the following reptiles which were seized by the USFWS:

- six Radiated Tortoises (Geochelone radiate) received in 1999 from California;
- three Grand Cayman Iguanas (Cyclura nubile lewisi) received in 1998 from Florida (one of which was transferred to Columbus Zoo in Ohio in 2006 and another transferred to Gladys Porter Zoo in Texas in 2000);
- two Yellow-spotted Amazon River Turtles (Podocnemis unifilis) received in 1997;
- four Gila Monsters (Heloderma suspectum) received in 1996 (one of which died in 1997 and another in 2002);
- two more Gila Monsters (Heloderma suspectum) received in 1981 (one of which died in 1998);
- five Green Tree Pythons (Chondropython viridis) received in 1996 (two of which were transferred to University of Virginia in 1998; one died April 2005 and one died November 2006).

The Zoo's records do not indicate who paid for the costs of shipping these animals to the Zoo, but all subsequent expenses have been the responsibility of the National Zoo or other zoos involved in subsequent transfers. Animals usually arrive as loans from USFWS due to chain of custody and pending trial issues. Once the legal issues are resolved USFWS is usually willing to donate the animals. In general, accredited zoos and aquariums close to ports of entry or other places where animals are seized are usually the first stop for temporary holding of confiscated animals.

The National Zoo does not charge admission and thus it does not have a means to directly recoup its costs. In any case, the reptiles which have been placed with

the National Zoo, like many other animals which are seized by the USFWS, are not the kind of animals which would be likely to generate increases in zoo visitation, with or without admission fees.

7. Education of American consumers would seem to be something that could be done without a new law. Do the existing multi-species funds or wildlife grant programs authorize funds for education efforts?

Answer: The U.S. Fish and Wildlife Service, which implements the Multi-national Species Fund and establishes the policies for grant eligibility, will need to provide the answer to this question.

The National Zoo has as one of the goals of the Science Plan for 2006-2016, to "Educate and Inspire the Public" by providing a scientific basis for public education and outreach in conservation. This involves being a national provider of objective, science-based information and education materials to the conservation community, policymakers, Federal agencies, zoos, universities, K-12 schools, the media, and the public. Another component is to develop exhibits and education programs which lead to inspiring and dynamic science-based zoo experiences that foster caring and greater public awareness of animals, their habitats, and the need for conservation action. These activities are not funded by any grants from the USFWS.

8. What could be done to further your existing conservation efforts? Is lack of adequate funding the key issue?

Answer: As noted in the National Zoo's testimony presented at the July 28 hearing, the world today faces an unprecedented loss of biodiversity and multiple conservation challenges. The Zoo will never have enough resources to accomplish all of our global biodiversity conservation objectives alone, and we believe this applies equally to other conservation organizations and agencies. Given these growing challenges and the limited available resources within any one organization, partnerships and cooperation are critical to effective action. That is why the Smithsonian Institution has joined with the World Bank to form the Global Tiger Initiative, and with George Mason University to form the Smithsonian-Mason Conservation Education Program. It is also the guiding principle behind the National Zoo's initiative to leverage the resources of its 3,200-acre Conservation and Research Center with the four of its partner institutions in the Association of Zoos and Aquariums having the largest land areas to form the Conservation Centers for Species Survival, and to join forces with the Smithsonian Tropical Research Institute and five zoos and conservation organizations to form the Panama Amphibian Rescue and Conservation Project.

These are some of examples of the many partnership efforts of the National Zoo to join forces with other organizations to achieve greater results than any single organization could accomplish alone. However, all of these efforts are still limited by the joint resources available among the respective partners. These cooperative efforts could achieve even greater results if they were conducted in concert with new policies and programs by government agencies and donor organizations which give incentives to accredited zoos and aquariums, universities, and non-governmental organizations to undertake such cooperative efforts.

Ms. BORDALLO. Thank you very much, Dr. Monfort, for highlighting the important role that zoos play in international wildlife conservation and for supporting the conservation goals in this piece of legislation.

Dr. Wasser, welcome to the Subcommittee. You are recognized now to testify for five minutes.

STATEMENT OF SAM WASSER, PH.D., DIRECTOR, THE CENTER FOR CONSERVATION BIOLOGY, UNIVERSITY OF WASHINGTON

Dr. WASSER. Thank you, Madam Chairwoman. I appreciate the invitation to appear here today and appreciate the entire Subcommittee's time afforded me.

Developing nations hold some of our greatest biodiversity treasures, but they really need reliable information on the sources and magnitude of the risks facing them to be able to effectively manage these resources. I commend H.R. 3086 for acknowledging and attempting to meet those needs.

My center pioneered measures to acquire DNA and a host of physiological indices eliminated from the body in feces. We use feces because it is the most accessible wildlife product in nature, and its collection is entirely noninvasive. We work closely with wildlife authorities and NGO's in the application of these tools to wildlife conservation on a global scale. I will describe two applications of this, starting with the illegal wildlife trade.

The impacts of the burgeoning illegal wildlife trade are beginning to rival those of habitat loss. Ivory trade epitomizes this. Poaching-related elephant mortality now exceeds 10 percent of the population annually. Demand from high-paying industrialized nations, such as China, U.S., and Japan, are driving this trade. They caused the price of ivory to increase ninefold in the past five years, and this has become a very high-profit, low-risk enterprise that now is largely driven by organized crime.

We collaborate with Interpol, the U.S. Fish and Wildlife Service, and African and Asian authorities using DNA to determine the origin of large ivory seizures that bear the signature of organized crime. We also determine their modus operandi.

DNA from feces is used to map the elephant genetics across the entire continent of Africa. We then match the same DNA from ivory to this map, and that allows us to determine the major poaching hot spots in Africa.

Prior to our work, law enforcement thought that the large ivory seizures consist of people assembling ivory from stocks across Africa, a kind of cherry picking, and what we found, though, is that poachers are repeatedly hammering the same populations over and over again as though they got a purchase order from dealers to get a certain number of tusks at a certain period of time.

We also found that these poachers and dealers tend to smuggle ivory to neighboring countries before they export it. It is a risk-reduction strategy so that poachers are unable to finger the dealer, should they get caught. Traditional investigatory measures really would be unable to detect those kinds of trends.

Like H.R. 3086, we contend that source countries are really the best place to contain this illegal trade. We help them to do this by identifying the poaching hot spots, focusing the limited enforcement resources of these poor countries on key poaching areas. This prevents illegal wildlife trade products from entering the international market where the massive volume of containers shipped daily make this trade logistically and economically nearly impossible to trace once it enters the global market.

This strategy of focusing on the source countries is also one of the only ways to keep wildlife from being killed in the first place. We have exposed with our work some of the largest source countries in this illegal trade, and we have found them openly denying their involvement. These methods can also be applied to other wildlife trade, such as illegal timber and the tiger trade, and it is important to recognize that this industry is currently between five and $20 billion annually, and this has a tremendous impact to our biodiversity.

Now, the second application of this that I want to speak to is monitoring human disturbance impacts over large landscapes. While we pioneered measures to get DNA and physiological prod-

ucts from feces, we also went further to develop effective methods of finding them. We actually train detection dogs, essentially analogous to narcotics dogs, to simultaneously locate large numbers of samples from multiple target species across huge parts of the wilderness. Dogs work in habitats from deserts to savannah, rain forests, open sea areas, and species as diverse as pocket mice, spotted owls, jaguar, caribou, wolves, tigers, and anteaters.

The comprehensive sampling by these dogs has enabled us to develop DNA-based methods that simultaneously estimate the population sizes and distributions of multiple species over large, remote landscapes with a high degree of precision. We get stress hormones, reproductive hormones, nutritional hormones, toxins, immunoglobulins, all of which enable us to develop an entire health panel of the animal that allows us to partition the impacts of these pressures occurring in response to environmental pressures.

These combined tools allow us to assess change in animal abundance and distribution along with the causes of those changes over huge landscapes, and these are invaluable tools for guiding managers about what and how to mitigate.

In sum, developing nations hold some of the most important resources in biodiversity around the world, and if we do not act now to develop methods that help guide their practices, then we will be in trouble. Thank you.

[The prepared statement of Dr. Wasser follows:]

Statement of Samuel K. Wasser, Director, The Center for Conservation Biology, University of Washington

Madam Chairman and members of the Committee, thank you for providing me with the opportunity to address the important subject of the Global Wildlife Conservation, Coordination and Enhancement Act of 2009.

My name is Samuel K Wasser. I am the Director of the Center for Conservation Biology and hold an endowed chair in Conservation Biology in the Department of Biology at the University of Washington.

I have a Ph.D. in animal behavior and have conducted national and international wildlife research for more than 30 years.

The Global Wildlife Conservation, Coordination and Enhancement Act of 2009, hereafter termed the ACT, calls for capacity building to improve management in biodiverse countries, partnerships between government and non-government entities, outreach and more.

My testimony addresses issues of direct relevance to the ACT: The need for reliable information on the sources and impacts of human disturbances to insure effective decision making by wildlife authorities in the U.S. and abroad. Filling that void requires identifying the location, form and magnitude of the disturbances facing wildlife. These, in turn, require reliable estimates of population sizes of multiple species, how species use their environment, how disturbance impacts that use, and the associated impacts of disturbance on morbidity and mortality.

My Center has pioneered the development of a number of genetic and physiological tools to cost-effectively assess the sources and extent of human disturbances on wildlife at a global scale. We are applying them to problems ranging from identifying poaching hot spots to determining impacts of oil exploration, toxin exposure, loss of prey and ecotourism on wildlife over very large landscapes. We apply these methods to species as diverse as African elephants, pocket mice, Northern Spotted owls, jaguar and whales. The methods we pioneered are now being used by scientists around the world and includes collaborations with the U.S. Fish and Wildlife Service, the U.S. Forest Service, the U.S. Geological Service and the Bureau of Land Management, wildlife authorities in Cameroon, Kenya, Zambia, Uganda, Malawi, Hong Kong and Taiwan, and inter-governmental organizations including the Interpol Working Group on Wildlife Crime and the Africa-based Lusaka Agreement Task Force. We also have collaborations with several non-government organizations as well as members of industry. This work touches on many of the priority issues

in the ACT and is thus, by example, a strong endorsement of what the ACT proposes.

The Problem:

As populations, economies, and demands for more resources grow, so do the footprints of humans and the number of disturbances that occur concurrently. Addressing these problems requires tools that can localize and distinguish between co-occurring disturbances over large geographic scales in order to maximize effectiveness of mitigation efforts.

The problem is particularly acute in developing nations. These countries often possess the greatest biodiversity; yet, they lack funds to manage them, let alone to thoroughly investigate the causes of the problems that need to be addressed. Poaching, roads, logging, opening habitat for oil exploration, land conversion for agriculture, unrestrained tourism, unregulated use of herbicides and pesticides, excessive hunting quotas, and use of fire to clear farm or ranch land are just a handful of the pressures countries are inflicting on their wildlife.

The Global Wildlife Conservation, Coordination and Enhancement Act of 2009 aims to help developing countries meet their conservation needs through capacity building and collaborations between government and non-government entities. These efforts are extremely timely; a better understanding of the system makes mitigation more efficient thereby reducing costs to already financially strained budgets.

The problem is compounded by demands for wildlife products, from ornaments, to traditional medicines, timber and fuels placed on these biodiverse countries by industrialized economies. Developing countries with high biodiversity are often enticed to meet these demands, since sale of their natural resources can be a relatively easy source of hard currency. Much of these sales are unregulated if not illegal; in many such cases, government officials, but not the governments themselves, are the ones that profit. The country and the environment are the big losers in these instances. Politically unstable countries are especially likely to fall victim since hard currency is vital to the purchase of weapons and ammunition necessary for these regimes to stay in power.

As the ACT acknowledges, reliable information and effective education are among the greatest defenses of these practices. If we know where wildlife are being exploited, as well as the magnitude and forms of human impacts, we are in a better position to make the right management and enforcement decisions, as well as to inform the public about what is transpiring. The latter is important because it is among the most expeditious means of encouraging change.

Some of the most valuable tools for providing critical information to managers are coming from advancements in genomics, bioinfomatics and medicine. DNA analysis has had major impacts on law enforcement, helping to convict the guilty, free the innocent, identify the victim or find their places of origin. Medical diagnostics have similarly grown, allowing physicians to acquire a comprehensive health profile of a patient from a single blood sample. We have developed similar tools to acquire such information from wildlife, cost-effectively, without adding more disturbances to wildlife in the process.

Our Approach:

My center has pioneered methods to acquire DNA, stress, nutrition and reproductive hormones from feces. We are also perfecting methods to acquire toxins and immunoglobulins from feces. Obtaining this information from feces has several advantages. Feces contain an enormous amount of physiological information since it is a principle route for elimination of DNA, hormones and other physiological products from the body. Feces is also the most accessible wildlife product in nature and can be acquired without disturbing wildlife in any way. The only remaining challenge is finding it.

To address this, my center pioneered methods to train detection dogs to find scat/feces, performing much like narcotics detection dogs locating drugs. Our dogs are able to locate scat with high reliability from up to 18 species at once, over very large remote areas. We even have dogs that detect feces from baleen and toothed whales that is floating on the water surface; dogs ride on the bow of a boat, detecting whale fecal samples at distances greater than a nautical mile away.

The information we are able to obtain from these noninvasively collected samples is remarkable and unprecedented. The methods are relative inexpensive and becoming cheaper and less complicated all the time. The use and application of these tools for capacity building are considerable, as are the opportunities for partnerships between government and non-government organizations.

The following detailed examples illustrate the utility and breadth of these methods for wildlife conservation and their fit with the priorities of the ACT.

My first example comes from Africa, where our tools have transformed the fight to contain the illegal ivory trade.

Combating Illegal Trade in African Elephant Ivory:

We used DNA to track the source and modus operandi of those in the illegal ivory trade across Africa. These tools have proven particularly useful to authorities policing this trade.

The Problem:

Demand from high paying industrialized nations has caused the price of ivory to increase 9-fold in the past five years. Although profit is high, prosecution risk and punishment is disappointingly low; wildlife crimes are low priority compared to weapons, drugs, murder, rape and terrorism. Organized crime syndicates are now driving this trade, taking full advantage of this high profit, low risk enterprise. Liberalization of laws promoting global trade have compounded the problem. Close to 1 million containers are shipped daily with the potential to transport large volumes of contraband, and customs is able to inspect < 1 % of them.

Another problem stems from underestimation of this trade. Population size and hence mortality estimates from many nations are unreliable, in part because of Africa's vast remoteness, but also because some countries providing these estimates may have conflicts of interest. Extrapolating from seizure rates, we estimate that elephant mortality rates are currently in excess of 10% annually from poaching. The significance of this loss cannot be overestimated. Elephants evolved to have enormous impacts on habitat structure. They are the single most important source of seed dispersal for large trees and thus their loss will surely have significant impacts on the carbon-capturing potential of central African forests. Their loss will also negatively impact ecotourism, one of the most reliable sources of hard currency for many African nations.

Our Approach:

We collaborate with Interpol, USFWS and African and Asian authorities, using DNA to determine the origin of large ivory seizures that bear the signature of organized crime. We simultaneously identify the responsible countries, and how poachers/dealers are getting the ivory out of source countries.

DNA acquired from elephant feces is used to map the frequencies of multiple genes across Africa. We assembled this map over the past 10 years with the help of scientists, governments and managers across Africa, and the generous support of the USFWS African Elephant Conservation Fund. We acquire the same DNA markers from seized ivory. Matching the genes in ivory to the multi-locus gene frequency map enables us to determine the ivory's origin(s) with considerable precision, and hence the major poaching hot spots in Africa.

We conclusively identified Zambia and Tanzania as two of the largest source countries in this illegal trade. The Zambia seizure was shipped from Malawi to Singapore in 2002. The seizure weighted 6.5 tons and included 531 large tusks plus 42,000 ivory signature seals (often called chops or hankos). This was the largest seizure since the 1989 ivory ban and second largest on record. Zambia unsuccessfully petitioned CITES [1] that same year to diminish the conservation status of their elephants, which would have allowed them to partake in subsequent CITES sanctioned ivory sales. Three year later, another 6 tons of ivory was seized in the Philippines, shipped from Zambia. We were unable to analyze that shipment because it was subsequently stolen from the warehouse where customs had it stored.

A similar case occurred in 2006; Tanzania shipped 11 tons of ivory to Hong Kong, Taiwan and Japan within a two-month period. This was the largest single string of seizures on record, making the perpetrator among the largest illegal ivory dealers in Africa. We showed that the ivory was primarily poached in southern Tanzania, spilling into the northern tip of Mozambique. Like Zambia, Tanzania petitioned CITES to diminish the conservation status of their elephants that same year, but subsequently withdrew the petition owing to public pressure. Then, in March 2009, it happened again. Vietnam seized 6.2 tons of ivory shipped from Tanzania. Two months later, the Philippines seized 3.5 tons of ivory shipped from Tanzania. Two additional seizures were recently seized in Kenya, also believed to have originated from Tanzania. Meanwhile, this month Zambia declared that they will once again

[1] CITES, the Convention on International Trade in Endangered Species, is an agreement under UNEP that determines the international conservation status and trade rules surrounding wildlife, worldwide.

petition CITES next year to diminish the conservation status of their elephants, announcing that two other elephant range states will follow suit. Several sources have indicated these two other countries to be Tanzania and Mozambique. These findings illustrate the need to expose countries in denial of their illegal trade, and to hold them accountable. Education is vital to any hope of pressuring them to take action to fight these crimes.

These cases all share a number of features. The large ivory seizures resulted from poachers hammering the same populations repeatedly, in contrast to the common belief that dealers were assembling large shipments of contraband ivory by cherry-picking from stocks across Africa. In the case of Zambia, poachers/dealer smuggled the ivory into a neighboring country (Malawi) for shipment to Asia. This is a risk reduction strategy, making it difficult for apprehended poachers to identify the dealers. We identified a similar strategy in our investigation of a seizure of forest elephant ivory made in Hong Kong. In 2006, four tons of ivory were seized in Hong Kong in a container, shipped from Cameroon. X-ray revealed the container behind a false wall in the back of the container. Ivory chips were also recovered in two other containers with false walls, returning to Cameroon with used tires for resale from Hong Kong. We found that all of this ivory was poached in southern Gabon, but shipped from Cameroon. Traditional investigatory methods that rely on shipping documents could not have confirmed that.

We contend that source countries are in the best position to control this burgeoning illegal trade, which is also consistent with priorities of the ACT. Local empowerment is vital. Our methods are helping source countries achieve these objectives by providing tools that can focus their limited law enforcement resources on key poaching areas. Focusing on source countries also helps prevent products from entering the international market where they are logistically and economically nearly impossible to trace, and may be the only way to keep wildlife from being killed in the first place. At the same time, we are exposing source countries that are underestimating the extent of their illegal trade, and identifying strategies employed by large, organized ivory dealers.

Educating the Public:

The illegal ivory trade is an area where public opinion and hence education clearly matter, highlighting another objective of the ACT. The 1989 ivory ban was implemented by CITES, largely because extensive education campaigns created enormous public pressure to stop the slaughter of 700,000 elephants in less than 10 years. Public pressure was so great that it virtually eliminated demand, stopping the trade almost overnight. Unfortunately, the public stopped paying attention several years later, believing the problem to be solved. Demand rose again while pressure to enforce the ban subsided. The ivory trade issue soon became the most contentious issue in CITES, and this has severely impacted the objectivity of decision making on this issue. Meanwhile, a higher percentage of remaining elephants are now being killed than at any other time in history.

Public education is once again needed to overcome these issues. Our center is doing our part by publishing our findings of this renewed illegal trade in high quality refereed journals, accompanied by press releases. We are simultaneously publishing this work in respected lay journals with broad exposure, such as Scientific American. This is an area where scientists can play a unique collaborative role with government. Unlike government employees, scientists are encouraged to publish their work. Our publication in Scientific American this month encouraged a member of the Tanzanian parliamentarian to call for a full investigation of Tanzania's ivory trade, new counts of elephant numbers will soon be conducted in southern Tanzania that include independent observers and last week 6 Tanzanian businessmen were apprehended and charged with smuggling 11 tons of ivory as well as 11 counts of conspiracy, unlawful hunting, exporting concealed and undeclared items and making false documents.

Our forensics methods can also be applied to other illegal wildlife trades, currently a $5-20 billion/yr annual industry causing tremendous loss of biodiversity. Among these, the illegal timber trade is probably most serious. In some countries (e.g., Tanzania and DRC) estimates suggest that nearly 100% of international timber sales are illegal. The trade is thus totally unregulated, the government receives no revenue form this illegal trade and some of our most important remaining forests for carbon capture are being destroyed in the process. Forensics tools such as these that can help localize these trades are vital.

As a final note, lack of financial support has been the biggest obstacle to our work. USFWS generously provides us $50-75K per year from the $1 million annually appropriated by congress to the African Elephant Conservation Fund. However, USFWS support covers only a fraction of our costs. Source countries either cannot

afford to pay for these analyses or have no desire to see this work conducted. Seizing countries appear to consider this trade too low priority to contribute funds for DNA analyses. Despite these constraints, we try not to let funding be an obstacle; otherwise the seizing countries would never turn over the ivory for analysis. I accordingly hope that the ACT will be able to increase support for this work in the future.

Monitoring Impacts of Anthropogenic Disturbance:

Our Center has taken a similar noninvasive approach to monitoring impacts of habitat loss and human disturbances with equal impact.

The Problem:

Impacts of habitat loss and human disturbance present yet another suite of challenges that have proven difficult to address in developed and developing countries, despite the considerable pressures they place on wildlife. Scientists strive to address these problems by acquiring reliable mortality rates in relation to these pressures. However, this approach has proven problematic. Such pressures rarely kill the animal directly. Rather, they increase their probability of dying, and this takes time. Many other events can occur in the interim, complicating such linkages. Mortality rates also require accurate population estimates. These are difficult to acquire, often being extrapolated from expensive telemetry studies that track only a small number of animals at great cost, while bearing limited representativeness to the entire population. Moreover, radiocollaring procedures are highly invasive, increasing mortality risk from the capture procedures.

A second problem stems from the fact that disturbances rarely occur in isolation; where there is one disturbance there are typically many. Without knowing which disturbance is having the impact, it becomes impossible to know what and how to mitigate. The impacts of mitigation are equally difficult to monitor. Long time intervals may elapse at considerable expense before the effects of these mitigations become known. Sometimes they cause more harm than good.

Our Approach:

Our Center has developed noninvasive genetic and physiological measures obtained from wildlife feces to help developed and developing nations quantify human impacts and guide their mitigation. One of our greatest strengths stems from tools we developed to comprehensively sample large parts of the landscape. Detection dogs locate large numbers of fecal samples from multiple species over considerable distances. Using dogs for sample detection also has very low associated bias. Detection dogs are selected for their highly obsessive play drive. This obsessive play drive makes their sampling less biased than nearly any other available method. Since the dog's primary motivation is to get its ball, which occurs whenever the dog finds a sample from the correct species, the dog will not bias its search by the animal's sex, social status or capture history. That means all individuals of the target species have an equal chance of being detected. No other method can make that promise. The dogs also find the samples where they lie, whereas most other methods lure the animal to the sample collection location.

DNA in these samples is analyzed to confirm the species, sex and individual identity of the animal. This allows DNA measures to be employed in field designs that can reliably estimate population size in vast, highly remote areas. The distribution of samples also reflects the species' distribution over the landscape, allowing us to determine precisely what features are attracting or repelling individuals over time. Stress, reproductive, and nutrition hormones, as well as other procedures in the same samples are similarly tied to the landscape features, allowing us to physiologically partition disturbance impacts.

We have shown that DNA collected by dogs greatly enhance the accessibility and cost-effectiveness of the genetic and physiological measures. DNA samples collected using dogs provide more reliable population size estimates (i.e., have lower associated error), as well as more reliable data on the disturbance of species across their habitat, because the dogs covered a greater area and the probability of sample detection is higher. Data are thus more representative of the population as a whole because a greater variety of individuals and areas are sampled. Large number of samples collected over multiple time periods, also provides more reliable associations to temporal and physical disturbances, particularly those that change over time (e.g., changes in human resource use across the season). These highly informative sampling methods are very straight forward, and versatile enough to be used on virtually any combination of species, in nearly any type of habitat.

This makes these methods ideally suited to assist management decisions by authorities in developing countries.

We are using these methods on a wide variety of species and habitats, including pocket mice, northern spotted owl, fisher, grizzly bears and Mexican wolves in North America, tigers in Cambodia, maned wolves, cougar, jaguar, giant-ant eater and giant armadillo in the hot dry Brazilian Cerrado, caribou, moose and wolf in the frozen oil sands of Alberta, right whales and killer whales in the eastern and western US. They can even be used to locate rare plant species over vast remote wilderness areas.

The following four examples show the breadth of these methods in terms of species, habitat, climate and questions addressed.

Impacts of Oil Sands Exploration on Caribou, Moose and Wolf:

One of the most timely applications of our methods is monitoring impacts of oil development in the oilsands of NE Alberta on threatened caribou, moose and their primary predator, the wolf. The oilsands have abundant oil reserves, but its heavy black viscous oil, termed bitumen, is expensive to extract and must be rigorously treated to convert it into an upgraded crude oil. Current oil prices per barrel have recently made it cost-effective for companies to extract and process the bitumen. SAGD (steam assisted gravity drainage) is the most common method used to extract this oil. Seismic and delineation drilling determine where and how much oil is present. Steam is then used to heat and move the material through underground veins to an extraction area. These operations must occur in the winter, when the ground is frozen and are strictly controlled by the Alberta government due to the sensitive nature of boreal forest. Thus, the habitat goes from remote wilderness most of the year to a booming town in winter and then back to wilderness as soon as the snow begins to melt.

The Problem:

We are working in collaboration with the Chipewyan Prairie Dene First Nation, StatoilHydro Canada and the Alberta provincial government to monitor impacts of the oil exploration on the caribou, moose and wolf living on oil sands lease areas in NE Alberta. The study began four years ago, at the onset of oil exploration in the area, and plans to continue for 10 years through the oil extraction process.

The caribou, moose and wolf are monitored because their large size and ranging behavior make them likely to be impacted by oil development activities. The caribou is a species of particular concern because it is threatened in Alberta. The moose offers a good comparison species because it is similar in size but differs in microhabitat and social structure. The moose is also a primary prey species of the Chippewa Prairie Dene First Nation. The caribou is a prey species of secondary importance to the Dene. The wolf is the primary non-human predator of the moose and caribou.

Our Approach:

The comprehensive sampling provided by the dog teams allows us to simultaneously monitor: How population size changes for each species across years; what factors in the environment each species is attracted to, or avoiding; and how the stress, nutritional status and reproduction of each species vary over space (relative to distance from key resources and anthropogenic disturbances) and time (relative to intensity of extraction activities within and between years). The study also includes a low exposure control area where little or no oil extraction is occurring.

This year, four dog teams searched a 3,000 km2 area, two feet deep in snow, four times in just 10 weeks, and collected 1800 samples from these species.

Results to date show how the abundance, distribution, stress and nutritional status of these three species are impacted by the presence of high- versus low-use oil exploration roads, in conjunction with the natural and anthropogenic habitat features they cross. We are already identifying ways to reduce impacts of oil exploration on wildlife through better road management. Results also suggest that practices other than wolf removal may offer the best solution to saving threatened caribou in these areas over the long-term.

Results have been so effective that other companies operating in the oilsands are now asking to be included in our monitoring program.

Causes of Decline of the Southern Resident Killer Whales of Puget Sound:

The Problem:

The southern resident killer whale population in Puget Sound declined by 20% in the 1990's and eventually led NOAA to declare them an endangered population under the Endangered Species Act in December 2005. At least three hypotheses have been advanced to explain their decline: ecotourism, loss of prey and excessive toxin loads of PCBs and PBDEs. Each hypothesis has been advanced by NOAA, the

public and scientific sectors, in heated fashion, creating enormous pressure on NOAA to mitigate. But, where should they focus their mitigation?

Our Approach:

We are using our methods to separate the relative impacts of ecotourism, prey and toxin load in an effort to determine what pressure(s) is most urgent to mitigate. NOAA is analyzing the DNA from our samples for individual killer whale identities as well as the identities of their prey types. We are analyzing stress, nutrition and reproductive hormones, as well as toxin loads, all from the same samples in relation to temporal changes in boat traffic and salmon abundance.

Dogs ride on the bow of a boat and detect scat at distances >1 mile away. Stress and nutrition hormones from these samples have already shown that lack of their primary prey, Chinook salmon, is the single biggest cause of their decline. Thus, recovering salmon should be the single biggest effort in attempts to recover this species. The diet impact may be significantly magnified by release of toxins stored in fat reserves, increasingly metabolized during starvation. (Methods already exist to measures these toxins in dolphin scat and will soon be optimized for killer whales.) In fact, cleaning up toxins at the same time as recovering the salmon could result in more rapid killer whale recovery/unit effort. Ecotourism may also play a role in acute stress, mandating best practices during ecotourism.

The fact that these scat methods enabled us to learn all this from an animal that spends >90% of its time under water is testimony to the remarkable power of this technique.

Wide Ranging Mammals in the Brazilian Cerrado:

Increasing agricultural expansion and land use is having severe impacts on persistence of wide ranging species. Mortality of such species disproportionately occurs outside of nature reserves that are intended to protect them. The Cerrado habitat of Brazil comprises the world's most diverse tropical savanna and is home to hundreds of species found nowhere else in the world. This habitat also comprises one of the world's most threatened regions as land is being rapidly converted for agriculture production of soybean and sugar cane for biofuels.

The Problem:

The government responded to the high rate of land conversion by mandating that private landholders set aside 20-30% (depending on the State) of their farmland as natural habitat. However, some landholders purchased this set-aside land outside their farms instead of maintaining natural habitat within their farmland.

The Approach:

We used our methods to assess differential impacts of these different land use practices on movement of wide-ranging wildlife species across the landscape by examining how the type of land mosaic best promotes or reduces presence of maned wolves, puma, jaguar, giant armadillo, giant anteater and tapir.

Results indicated that natural islands in a sea of agriculture are critical to allow these wide ranging species continued movement through converted habitat. This is vital since protected areas are too small in number and size to sustain all of these species.

Dogs readily located scat from the study species across the landscape. All species were found inside and outside of Emas National Park (ENP). However, the jaguar was almost entirely restricted to forest habitat, the majority of which lies outside the park. The jaguar is accordingly at greatest risk from isolation from habitat fragmentation. The maned wolf, puma, giant anteater and tapir made extensive use of the landscape mosaic surrounding the park, although the vast majority of scats were concentrated in or very near patches of natural habitat.

The giant armadillo (IUCN Vulnerable) also showed a clear preference for open habitats in this region. However, we found no evidence of burrow digging or scat samples from armadillos in croplands or pasture further than 100 meters from natural habitat. This is particularly important since open habitats are nearly non-existent outside protected areas in this region.

Hopefully, these results will help convince the Brazilian government to tighten mandates, assuring that set-aside land remains inside farmland for the benefit of these incredible species.

Northern Spotted Owls in the Pacific Northwest

The Northern spotted owl (NSO), Strix occidentalis caurina, is the flagship threatened species of the Pacific Northwest. Federally listed under the Endangered Species Act in 1990, the NSO continues to decline at a rate of about 7% throughout its range.

The Problem:

Habitat loss from logging and land conversion have historically contributed the greatest threats to this species. This prompted authorities to establish Spotted Owl Special Emphasis Areas (SOSEAs) that cannot be logged as long as NSO are shown to have occupied them within the past 3 years. Timber sales also are required to establish that the land is free of spotted owls before any sales go through.

Then, a new problem arose that complicated these regulations. The barred owl (BO)—a close relative of the NSO that is twice its size, as well as a competitor and a predator—expanded its range into the west coast from the northeast US, occupying a huge portion of the spotted owl's range. Some managers argue that the impact of the BO range expansion on NSOs is so great that future timber concessions may no longer affect NSO persistence. That question has yet to be answered.

Regardless, managers are now faced with a different problem:

The primary means of establishing NSO presence, as a prelude to timber sales or harvesting SOSEAs, is conducted by vocal surveys; NSO indicate their presence by their vocal response to simulated territorial calls given by observers. However, NSO are becoming increasing unresponsive to these calls when BOs are present, apparently fearing attack by BOs if they vocally announce their location. If the primary means of detecting NSO is no longer reliable, how can these surveys be used to enforce current regulations re: timber sales and preservation of SOSEAs?

Our Approach:

To address these problems, we trained detection dogs to locate NSO by their pellets and feces, without requiring an owl vocal response. In the springs of 2008 and 2009 detection dogs located spotted owls by the scent of their pellets and feces. They detected 17/18 known owl pairs in 2008. In 2009, they detected owls in 12 out of 18 sites surveyed; no owls were detected by any method, including vocal surveys in the remaining 6 sites. These methods can be used to simultaneously survey for BOs with pellets and/or feces identified to the species level by DNA, enabling this method to also be used to more readily address overall impacts of BO on NSOs. Discussions have already begun with USFWS that could employ this method more broadly.

Concluding Remarks:

Effective global conservation requires reliable information on the sources and magnitudes of human and natural impacts on the environment. Such information is limited in developed countries, and even more so in developing countries. The ACT recognizes this by its objectives of increasing the flow of information required to make sound management decisions, as well as by the importance it places on educating the public to be better environmental stewards. The approach pioneered by our center exemplifies the importance of these priorities, as outlined in the ACT.

We partner with government and non-government entities to provide highly accessible, noninvasive genetic and physiological tools to aid global conservation, addressing questions such as the extent, distribution and strategies behind the illegal wildlife trade, and the impacts of human and natural disturbances on wildlife health.

We developed novel tools to acquire this information cost-effectively, over large remote areas, without adding disturbance to wildlife. And, results are helping inform developed and developing nations how best to address global conservation issues of paramount importance to our planet's well-being.

We strive to publish our work in high quality, peer-reviewed journals with accompanying press releases, as well as in respected magazines aimed at the educated general public. This approach appears to be working, judging by the near monthly appearance of our work in the national or international media. It also fills an important void as this route of information transfer is relatively uncommon in the government sector.

The objectives of the Global Wildlife Conservation, Coordination and Enhancement Act of 2009 are particularly important in these hard economic times, when priorities are easily shifted elsewhere. We hope the ACT will encourage our efforts as well as those of others, and look forward to the opportunity to work with our representatives and managers on these important issues.

Response to questions submitted for the record by Dr. Sam Wasser, Director of the Center for Conservation Biology, University of Washington

Questions from Chairwoman Madeleine Bordallo (D-GU)

1. **Other witnesses expressed concerns with the new organizational structures authorized in H.R. 3086. However, there appeared to be little disagreement among the witnesses regarding the principal objectives of the bill (i.e., greater coordination within the Department of the Interior and with other relevant Federal agencies; expanded public outreach and education regarding the illegal trade in wildlife and wildlife products; authorization of the Wildlife Without Borders Program; expansion of training opportunities, especially for law enforcement capabilities in range states; greater collaboration with non-Federal NGO stakeholders, especially utilization of technical and educational assets within the zoo and aquarium community, etc.). How might you suggest the bill be amended to clean up the purported organizational clutter while maintaining the principal objectives? Can these objectives be attained simply by directing existing bureaus and programs within the Department of the Interior to do them?**

Enhancing existing bureaus and programs (e.g., directing existing bureaus and programs within Interior) is the best approach to cleaning up the organization clutter, while maintaining principal objectives of the ACT. However, there also needs to be a vehicle that fosters collaborations outside of interior, encouraging novel approaches to some of these issues. An advisory committee that includes members of NGOs and members of the scientific community across universities would help assures that.

2. **Recognizing that there will likely never be sufficient Federal appropriations to address all identified needs it is important that we utilize the contributions of non-Federal stakeholders. Do you agree? Are there additional ways to formally incorporate these capabilities beyond the grant programs authorized under the Multinational Species Conservation Fund? Do you support the creation of the Global Wildlife Conservation Advisory Committee in H.R. 3086?**

I do agree that supplemental non-Federal contributions would be valuable, but it is important that contributors do not drive the agendas to avoid conflicts between competing organizations becoming obstacles to progress. A Global Wildlife Conservation Advisory Committee would provide an important means of assuring objectivity as long as the committee had the appropriate balance of government and non-government organizations, including members of the scientific community.

3. **Do you support the establishment of an International Wildlife Conservation Fund in the Treasury to provide a means for the Secretary of the Interior to accept and utilize gifts and donations? In order to ensure that there is no potential for conflict of interest, should such a fund be managed by agreement through a non-Federal entity such as the National Fish and Wildlife Foundation, or a university-based institution?**

I wholeheartedly support such a fund. An organization like the NFWF would be appropriate to manage these funds as long as there was a process to guide their focus areas and ensure transparency. A well-balanced advisory board would also be key in this respect.

4. **Dr. Monfort testified that the Smithsonian Institution has recently created a Conservation Biology Institute whose program activities are quite similar to the activities proposed for the Center for International Wildlife Recovery Partnerships in H.R. 3086. Would it make sense to amend the bill to direct the Secretary and the Smithsonian, through a cooperative agreement, to develop a partnership to incorporate these capabilities and the capabilities of the zoo and aquarium and university research community at large, to enhance U.S. international wildlife conservation capabilities? If you disagree, please explain why?**

I commend the work and vision of the Smithsonian's Conservation Biology Institute. I also believe there are many other organizations doing great work and that there needs to be a vehicle that assures equal opportunity in order to capitalize on the creativity that exists across the US. I am concerned that giving any one organization too much power will limit the potential of this program.

Questions from Ranking Republican Member Henry E. Brown, Jr. (R-SC)

1. Why has the price of elephant ivory increased 9-fold in the past five years? Who is creating this demand?

Demand for ivory from high paying industrialized nations, particularly China, U.S. and Japan, have been largely responsible for the 9-fold increase in the price of ivory. The growing economy and middle class in China has been the greatest contributor to this growing demand in recent years; their growing middle class buys ivory to flaunt their new-found wealth. Japan has consistently maintained their high demand. The principle demand in the U.S. is hunters buying ivory imported primarily from China, which they have carved into pistol and knife handles.

2. On Page 3 of your testimony, you indicate that "Wildlife crimes are low priority compared to weapons, drugs, murder, rape and terrorism." If you were the head of law enforcement in one of the African range states, how would you address this problem?

First, it is important to note that the problem exists in both consumer countries and exporting countries. Very few of the large dealers ever get prosecuted, and when they do, punishment is often minimal. In 2006, Japan convicted an ivory dealer of importing the largest ivory seizure in that country's history, but gave him a suspended jail sentence and a $6,000 fine for a seizure valued at $10 million. The U.S. has the highest interdiction rate at its borders, but prosecutions of illegal ivory traders within the U.S. remain embarrassingly low.

One of the biggest problems facing African range states is that corrupt government officials and other powerful entities are often participating in these crimes. Thus, this problem is a double-edged sword. This is also why vehicles such as the Global Wildlife Conservation Act are so vital. Often law enforcement agencies have their hands tied until their citizens support their cause. We need mechanisms to identify the countries driving the trade and to communicate this to their public. We also need to educate the public of the long-term consequences that result from loss of their biodiversity. Media in these countries is vital; so are outspoken celebrities that people will listen to.

If I were a law enforcement official in an African range state, I would work to insure that my efforts are encouraged and supported by the public. I would insist on independent counts of the wildlife in my country so that escalating mortality rates from illegal trade could not be masked. I would work with scientists doing work such as our center to help identify the poaching hot spots and focus limited law enforcement to those areas. I would work with the judiciary to ensure that punishments are severe. I would solicit capacity building from effective law enforcement agencies such as Interpol. I would also encourage and strengthen intergovernmental law enforcement entities such as the Lusaka Agreement Task Force, whose mission is to police wildlife trade across international borders. I would especially strengthen enforcement at key trade routes including ports of entry and especially shipping ports for countries with a coastline.

3. You identify Zambia and Tanzania as two of the largest sources of illegal ivory. In these two countries is it a lack of will power, manpower, resources or is it just apathy that has created these elephant killing fields?

None of the above. These are poor countries in terms of available hard currency, but also countries that have enormous natural resources that can be illegally exploited for personal gain. This problem becomes self-perpetuating because money breeds power, especially in these countries with high disparity of wealth. Often those profiting are more powerful than those doing the policing. Sometimes, the fox is guarding the henhouse. There is also strong influence of Asian countries such as China operating in those countries, creating the demand for these products and the opportunities for their sale.

4. What is the current situation in Zimbabwe in terms of wildlife poaching?

The situation in Zimbabwe is currently worse than ever before. They have one of the highest rates of inflation in the world, creating a serious lack of hard currency. These factors, coupled with enormous political turmoil in that country have created numerous opportunities for wildlife trade violations. Reports of such violations appears almost weekly on wildlife watch "listservs". These include: elephants being killed to feed soldiers, ministers ordering elephants shot to feed people during celebrations, hunting rights being sold for high prices to wealthy hunters abroad just for photo ops, government stockpiled ivory showing up in illegal seizures, sale of ivory for arms from China. All of this perpetuates a climate of taking what you can before it's too late. There has not been a formal wildlife count of Zimbabwe's elephants in over a decade and the government keeps quoting this decade-old count

to argue they have too many elephants. Those on the ground state otherwise. They have recently wiped out nearly all of their remaining rhinos. The list goes on. The fact that a country with so many known wildlife violations was permitted by CITES (Convention on International Trade in Endangered Species) to downlist their elephants and participate in the legal ivory sale that occurred in 2008 is a travesty that speaks poorly of the international safeguards that are supposed to be protecting our planet's biodiversity. Countries participating in the sale were supposed to have demonstrated that they are effectively controlling illegal trade in their country. Zimbabwe had no such claim.

5. You mentioned that you provide tools focused on law enforcement resources in key poaching areas. Is the fact that AID, which has far more money than Fish and Wildlife Service, has a policy of not supporting law enforcement activities a real problem in fighting against well armed poachers?

I do believe that countries could benefit greatly if AID money were devoted to this cause. I also believe that doing so is consistent with their mandate. When natural resources are illegally exploited and sold as a source of hard currency, this unregulated enterprise destroys the country's biodiversity, negatively impacts water catchment, negatively impacts tourism and impacts acquisitions of legal sources of hard currency in these countries. The illegal sale of natural resources also is used to keep corrupt officials in power, and a well-known source for supporting terrorism, all at the expense of the country's long-term political and economic stability. AID should be working to stop this trade because such efforts prevent illegal trade from compromising the political and economic stability of these countries.

6. Since we have stopped commercial logging on millions of acres and destroyed the jobs of thousands of loggers, why has the population of the Northern Spotted owl continued to decline by about 7 percent?

Loss of habitat is the primary problem, resulting from poor timber management and excessive logging of old growth forests. This has most recently been exacerbated by invasion of barred owls from the east (a competitor and predator of the spotted owl), also facilitated by habitat destruction from excessive timber practices in the intervening areas. One policy that has been particularly problematic in my view is the logging of previously occupied areas of importance to spotted owls when owls have not been documented to occupy these areas for three or more years. The three-year period is arbitrary and is not based on any scientific criteria. Logging of these previously important owl habitat areas (indicated on prior occupancy) further reduces opportunities for owl recovery by eliminating areas of historical importance that should remain intact to promote northern spotted owl recolonization. Essentially, the small amount of remaining old growth forest should be preserved in perpetuity for the recovery of spotted owls and the other species that evolved dependencies on this habitat.

7. What is your recommendation for addressing the presence of barred owls?

Better timber management is the only long-term solution. Currently, plans are underway for massive culling of barred owls to address their acute threat to the spotted owl. I am unclear whether this will be an effective management activity over the short term. However, I believe there is little question that the barred owl will remain a problem is we do not manage the landscape to reduce further invasions, and give spotted owls a competitive edge in competition with barred owls already present. Culling barred owls will only provide a short-term solution, if any solution. Forests must be managed to give the spotted owls a fighting chance.

8. How much of the wildlife conservation problem is getting nations to value their wildlife?

I believe that this is the single biggest problem and the most important long-term solution. Otherwise, poor land management practices and over-exploitation from short-term economic gain will always win. Education and outreach are key.

9. Are there certain countries that are having more difficulties protecting their wildlife and if so what is the reason?

Countries that lack hard currency but have significant natural resources to exploit are certainly those most vulnerable. They are also some of the most important countries to preserve. Slowed development from lack of hard currency has historically been key to preserving wildlife in poor countries, often making them the remaining strongholds of biodiversity. Demand from global economies and trade are

now putting that diversity at enormous risks as developed countries move in to exploit these riches.

10. You were asked at the hearing about focusing on source vs. consumer countries and you recommended the focus be on source countries. Can you elaborate on what actions can be taken with source countries to reduce or eliminate illegal wildlife trade?

Focusing on source countries is the only viable way of keeping the wildlife from being killed in the first place. Liberalization of global trade makes illegal trade far more expensive and difficult to police once the wildlife products move outside the source countries, particularly when prosecution risk is so low. As an example, Interpol has only one permanent wildlife officer. CITES (Convention on International Trade in Endangered Species)—the principle organization mandated to police international wildlife trade, also has only one law enforcement officer.

Source countries primarily need:

1. Vehicles, fuel and munitions to police their trade
2. Capacity building
3. New tools to identify the sources of the problems in their countries (e.g., genetic tools to identify the source of poaching, and improved methods of estimating wildlife population sizes, mortality rates, and resource use)
4. External methods that expose source countries in denial of the extent of illegal trade in their country, coupled with national and international public pressure to do something about it.
5. Education inside and outside source countries so that people realize what they are losing and show source countries that they care, i.e., publically support enforcement activities within source countries.
6. Good science, conveyed by media and other ways of reaching the public is key here.
7. We need to improve the effectiveness of CITES—the UN agreement responsible for overseeing the international wildlife trade—and redirect their mission from one of protecting trade to protecting wildlife. Otherwise, no trade will be sustainable. When a species is at serious risk, all efforts need to be directed at getting their illegal trade back under control. The elephants are a prime example, where politics over rights to trade have occurred at the expense of protecting a species that is keystone across Africa.

Ms. BORDALLO. Thank you very much, Dr. Wasser, for your commitment to wildlife research for over 30 years and for your support of this important legislation.

Now, I would like to recognize Mr. Potter, and you can begin.

STATEMENT OF J. CRAIG POTTER, INTERNATIONAL WILDLIFE LAWYER, LAW OFFICES OF J. CRAIG POTTER

Mr. POTTER. Thank you, Madam Chair and distinguished Members of the Committee. It is a great honor for me to be here today to present my views on this legislation and related matters.

Although I am here as a citizen and a taxpayer, I have some experience with these issues going back for many years. I was actually the Deputy Assistant Secretary at the Department of the Interior when we established the line item for the Wildlife Without Borders program. I was also at Interior when we reauthorized the Endangered Species Act the last time it was reauthorized, which was in 1982.

I left government in 1988, and I have been involved on the outside with these issues, one way or another, ever since. I guess I had the good fortune, or the bad fortune, as it may be, to have seen these issues from both sides, and so I bring to you my perspective with that in mind.

Many of the points that I want to make with respect to this legislation have already been made, so I will try to succinctly highlight just a few key items.

First of all, with the introduction of this bill, and on July 14th with the introduction of H.R. 3198, I believe this Subcommittee has come to the brink of a huge opportunity. You have an opportunity, as I see it, to use the broader purposes of H.R. 3086 as a foundation from which to take action now on the authorization of the Wildlife Without Borders program. In my written statement, I describe my perspective on the various programs within the Wildlife Without Borders program.

With respect to the species program, in particular, Congress has appropriated since 1988 some $67 million, and that has been matched by approximately $150 million from the private sector. This program, in my view, is probably the most effective grant program in government, and I think that, through the Multinational Species Conservation Funds and the oversight that this Committee has with respect to those matters, this program is a key, obviously, to Wildlife Without Borders.

The regional programs and the global programs provide an amazing opportunity, from my view, to look at the heart of the future of this program, which is capacity building. The concerns that I have with H.R. 3086 have been, to some extent, explained, but the basic concern I have is that an overemphasis on that bill at this time may dilute the opportunity to really think about what Wildlife Without Borders has done and where it can go in the future.

The final point that I would like to make with respect to Wildlife Without Borders is reflective of the written testimony of my distinguished colleagues on this panel and, in fact, myself. I note that there are at least three dates of inception that are quoted by three or four of us here. Fish and Wildlife Service dates this program to 1975. If correct, that means that the regional program was when Wildlife Without Borders began. I dated the inception to the creation of the line item in 1983, and Mr. Carter dates it to the inception of the Elephant Conservation Act in 1989.

The point I want to make is that all of these are correct. This program has grown from within. It has had the opportunity to be seen and viewed, and it has expanded, and it is time for this Committee and Subcommittee to take consideration of what might be done with it in the future.

More importantly, I think that the opportunity is here to officially recognize and authorize the Wildlife Without Borders program as it should be recognized and authorized, and I think that important point, I hope, would not be lost on the Subcommittee.

The fact that wildlife do not recognize borders was mentioned by Ms. Derek. I think that point needs not to be lost on us. Without international cooperation, an increasing number of these species will be lost, but the point is that they do not recognize international boundaries, and the Wildlife Without Borders name itself centers on that very issue.

If the Subcommittee decides and chooses to embrace any or all of the new programs that are encompassed in H.R. 3086, I think it could do that with the reauthorization or the authorization of Wildlife Without Borders and with the convening of an advisory

committee to look at the many points that have been raised in this proposed legislation, but I am fearful, for some of the reasons that have been mentioned here by my colleagues, and for specific concerns that I have, and we can address further, if you want, that if we dilute that effort now, we may lose the opportunity to deal with a very important program at this point in time.

Thank you very much for the opportunity to express my views on this important legislation.

[The prepared statement of Mr. Potter follows:]

Statement of J. Craig Potter, International Wildlife Lawyer

Introduction

Thank you Chairwoman Bordallo and distinguished members of the Subcommittee for the opportunity to present my views on H.R. 3086, the Global Wildlife Conservation, Coordination and Enhancement Act of 2009. This hearing is an extraordinary opportunity to discuss the great need to enhance the capacity of the U.S. Fish & Wildlife Service to deliver conservation results on a global scale and I am honored to be with you here today.

My Experience and Background

If you include the time I spent on the Senate Interior Appropriations Subcommittee in the late 70's, I have been involved with global conservation issues both in and out of government for over 30 years. I was the Deputy Assistant Secretary for Fish and Wildlife and Parks at the Department of the Interior in 1983 when we administratively created the Wildlife Without Borders line item in the budget of the Fish and Wildlife Service.

During my tenure at the Department of the Interior I was extensively involved with international conservation issues. Among other things, I am a former Head of Delegation for CITES and I also led the first U.S. Observer Delegation to RAMSAR in 1984. I was heavily involved in the last reauthorization of the Endangered Species Act in 1982 and my experience there set the stage for much of the work I did in the private sector after I left the government in 1988. Since leaving government, much if not most of what I have done has related in one way or another to global as well as national conservation. In what we all know is becoming an increasingly globalized world, it is becoming harder and harder to distinguish between global and international conservation. And that, I believe is as it should be.

Wildlife Without Borders

Since the mid 1970's, the U.S. Fish & Wildlife Service, through what is now referred to as the Wildlife Without Borders Program, has worked with many national and international partners to conserve wildlife around the world. Over this period of time, the Wildlife Without Borders program has produced a track record of excellence. Wildlife Without Borders has established a highly-successful program based on collaboration with foreign governments, international and domestic NGOs, and other U.S. Government agencies. With what amounts to very limited federal funding, this program has established a highly effective program that can quickly focus limited but leveraged resources in areas where they are most needed. Although the program began as a Regional initiative focused primarily in the Western Hemisphere it has grown over the years to encompass three distinct but coordinated programs. From a funding perspective, the bulk of the program has been focused on the so-called Species Programs, but from my perspective, much of the hope for the future of this program rests with the Regional and the Global Programs.

As the Subcommittee is well aware, legislation was introduced by former Chairman Don Young during the last Congress to codify and specifically authorize the Wildlife Without Borders Program. It is my understanding that similar legislation has now been introduced by Mr. Young in the 111th Congress.

Before sharing my perspectives on the three program components of the Wildlife Without Borders Program and addressing some of my concerns regarding H.R. 3086, I would like to express to the Subcommittee my basic fear that H.R. 3086 may actually dilute and even possibly diminish the critically important opportunity to act now to recognize and expand what is already by any definition a highly effective international conservation program.

The Species Program

Building on Congressional mandates through the Multinational Species Conservation Funds, the Wildlife Without Borders Species Program is well recognized for its ability to quickly focus on-the-ground funding to address critical conservation needs through the African Elephant Conservation Fund, the Rhinoceros and Tiger Conservation Fund, the Asian Elephant Conservation Fund, the Great Ape Conservation Fund, and the Marine Turtle Conservation Fund.

Since the inception of the first international wildlife conservation fund in 1988, the U.S. Congress has appropriated $67 million to help save two species of elephants, five species of rhinos, tigers, and Great apes, and six species of marine sea turtles. This money has been matched by more than $150 million in private funds which together have been used to finance more than 1,400 conservation grants in range states throughout the world. There is little doubt that without this lifeline of financial support some of these imperiled species would have continue their slide toward extinction.

The Regional Program

I believe I am correct in stating that the Regional program component of The Wildlife Without Borders Program essentially began in the 1975 when Mexico and the United States signed the Agreement for Cooperation in the Conservation of Wildlife. That agreement established the U.S.-Mexico Joint Committee on Wildlife Conservation and effectively initiated what has become the Regional Program of the Wildlife Without Borders Program.

Over the years, a fundamental goal of this program has been to build conservation capacity and establish ecosystem management regimes through the allocation of a relatively small amount of taxpayer money. This focus on capacity building, made possible by the vast and unique experience of the U.S. Fish and Wildlife Service, fills a much-needed niche by helping to develop and support the ability of international partners to conserve and manage wildlife resources and critical habitats regionally. These are the only funds available to assist some of these endangered international species and without this investment many of these species are much more likely to become extinct in the wild.

There are now four regional programs in Latin America and the Caribbean, Mexico, Russia, and Africa. During the past five years, the Service has spent $10.8 million, which has been matched by $19.8 million and has funded 304 conservation grants or only about one-third of the number submitted to the Service for funding consideration.

The first regional program was established in 1983 for Latin America and the Caribbean. During the past five years, 154 grants have been awarded, 3,990 conservationists have been trained, and the cost to U.S. taxpayers has been $3.2 million or about $640,000 a year. Projects approved here included efforts to improve the conservation of the Andean tapir, which is the most endangered large mammal in the Andean region, efforts to save the Swainson's hawk which is extremely threatened as a result of pesticide use, and efforts to conserve jaguars in Argentina.

The second regional program was established in Mexico in 1994. Between 2004 and 2008, the Service approved 83 grants allocating $3.1 million in taxpayer money and among other things, training some 13,000 conservationists. Although not well known, Mexico is home to an amazing one-tenth of all of the species known to science. Over 100 threatened or endangered wildlife species are shared between Mexico and the United States including bats, condors, desert sheep, gray whales, jaguars, manatees, and a large variety of migratory birds. Specific projects have been undertaken to conserve the forest habitat for monarch butterflies, jaguar conservation in the Yucatan region, and the restoration of the California condor in Baja California.

Five years ago, the Service established its third regional program with the Russian Federation. During this period, there were 54 wildlife conservation grants approved, 58 conservationists were trained, 38 habitats and ecosystems were addressed, and $461,000 in Federal funds were distributed. With over 6.5 million square miles, the Russian Federation provides essential habitat for a number of imperiled species including Amur tigers, polar bears, saiga antelope, Siberian cranes, and snow leopards. In addition, under this program, more than one million bird bands were distributed throughout Russia and more than 2,000 surplus uniforms were donated for use by Russian conservation staff.

Finally, just three years ago, the Service initiated efforts to create a regional program in Africa which is home to many of the world's most spectacular species and diverse ecosystems. To date, the Service has financed 13 grants which have been financed by over $2 million in Federal and non-Federal matching money. The Service is also starting efforts to build regional efforts in China and India.

The Global Program

The third component of Wildlife Without Borders is the Global Program. At this point in time this is a relatively small program, but as I stated earlier, I believe this program component has tremendous potential for the future. In Fiscal Year 2008, it is my understanding that the Service funded only nine projects costing the taxpayers just over $518,000.

These projects have been designed to conserve some of the world's most endangered species, to strengthen the communication and cooperation among nations striving to conserve migratory species of the Western Hemisphere, to assist governments in international wetlands conservation under the RAMSAR Convention, and to address ongoing wildlife crises such as the bushmeat trade in Africa.

The Global Program has the tremendous potential to address several critically important global conservation needs of cross-cutting significance such as capacity building and strengthening collaboration with developing institutions. Given the world we live in, these are particularly important short-comings at this time.

In the light of the growing needs as highlighted in H.R. 3086, particularly in developing countries, now is the time to reflect on the role of the Wildlife Without Borders Program, as administered by the U.S. Fish and Wildlife Service in conserving wildlife and habitat around the world for future generations.

H.R. 3086

While I strongly support the Findings and Purposes of H.R. 3086, I have serious concerns about the scope of the legislation and the impacts it might have on existing programs and activities, not only within the Department of the Interior but also across and within other Agencies and Departments as well. This legislation creates, out of whole cloth, a bureaucratic structure with unrealistic goals and timeframes that will, I believe, cause the redirection of already scarce resources and the dilution of incredibly important existing programs. I would also suggest that as written, this legislation may actually impede progress already being made under the Wildlife Without Borders Program.

The history of Wildlife Law in this country is the history of well-meaning laws and regulations that have been layered on the federal agencies and citizenry of this country, often without adequate consideration of their consequences. This is too important an opportunity to make the same mistake again and I strongly urge the Subcommittee to carefully consider the consequences of this legislation at this time.

I note that the Findings and Purposes of H.R. 3086 closely mirror the Findings and Purposes of the Wildlife Without Borders authorization currently pending before this Subcommittee and ask that you consider whether the purposes of this overall legislative effort might be better met through a focused expansion of that program. Therefore I do support, with appropriate changes, the authorization of the Wildlife Without Borders Program as well as the establishment of the Global Wildlife Conservation Advisory Committee. I would urge the Subcommittee to turn its attention to the authorization and expansion of the Wildlife Without Borders Program and suggest that in that context you consider how the broader purposes of H.R. 3086 might be met.

So as not to abandon the laudable objectives of many of the sections of H.R. 3086, I suggest the Subcommittee also consider establishing the Global Wildlife Conservation Advisory Committee as a way of addressing the feasibility, practicality and implications of some of the more expansive sections in the legislative package before the Subcommittee today. For the most part, I believe the sections of H.R. 3086 that cannot be appropriately addressed through the activities of an Advisory Committee could actually be addressed within the Wildlife Without Borders Program itself. As is always the case, the ability of the Program to address such efforts will likely be a function of the availability of appropriated funds.

Summary and Conclusion

In the letter of invitation to appear today, the Subcommittee asked four critical and related questions. While it is my intent that my testimony will have addressed those questions, specific acknowledgement and response to those questions may provide some context for the Subcommittee to consider where it may wish to go from here with these important matters. I believe that the importance of providing technical assistance, building capacity and coordinating with range states as part of a strategic global wildlife conservation effort is critical. I also believe that a good framework to provide such assistance exists but could be substantially expanded.

Regarding the question of the feasibility and implications of increased coordination between Federal, State and non-governmental entities involved in wildlife conservation, I believe there are many complexities and issues here and that the trade-

offs need to be carefully considered. I don't believe that H.R. 3086, as drafted, adequately considers the tradeoffs and complexities inherent in such an effort.

Concerning the ways in which the U.S. may improve the effectiveness and efficiency of its global wildlife conservation efforts, I believe that the best way to do this is through the specific authorization of a sufficiently funded Wildlife Without Borders Program. This program has developed over many years and its success is a tribute to the dedication of a dedicated partnership of governmental and non-governmental conservationists.

Hopefully in the course of this testimony I have answered your questions regarding H.R. 3086, but if not I look forward to answering any additional questions you may have. Thank you, Chairwoman Bordallo, for the opportunity to testify before your Subcommittee on these important matters.

Response to questions submitted for the record by J. Craig Potter, International Wildlife Lawyer, Law Offices of J. Craig Potter

Questions from Chairwoman Madeleine Bordallo (D-GU)

1. **You and other witnesses expressed concerns with the new organizational structures authorized in H.R. 3086. However, there appeared to be little disagreement among the witnesses regarding the principal objectives of the bill (i.e., greater coordination within the Department of the Interior and with other relevant Federal agencies; expanded public outreach and education regarding the illegal trade in wildlife and wildlife products; authorization of the Wildlife Without Borders Program; expansion of training opportunities, especially for law enforcement capabilities in range states; greater collaboration with non-Federal NGO stakeholders, especially utilization of technical and educational assets within the zoo and aquarium community, etc.). How might you suggest the bill be amended to clean up the purported organizational clutter while maintaining the principal objectives?**

Response: As I suggested in my oral testimony, I think most of the purposes of H.R. 3086 could be well addressed by authorizing The Wildlife Without Borders portion of the bill and establishing an Advisory Committee to carefully consider and advise the Secretary as well as the Fish and Wildlife Service ("FWS") regarding some of the other functions suggested in the bill. How you might separate these functions, however, should be carefully considered.

For example, consideration should be given to moving some of the functions in H.R. 3086 directly to the Wildlife Without Borders Program ("WWB"), including possibly: 1) the development of an International Conservation Action Plan; 2) the implementation of Sections (a) and (b) of the Public Outreach, Education and Wildlife Awareness Program; 3) studying the feasibility of implementing section (e) of the Center for International Wildlife Recovery Partnerships Program, and; 4) the development of an Enhanced Approach to Law Enforcement.

Regarding the Advisory Committee, I would suggest that consideration be given to using that committee to: 1) look carefully at the need for an Institute, with particular emphasis on whether it is advisable or necessary to split functions away from the FWS to achieve the objectives of the Act; 2) look carefully at the concept of International Wildlife Conservation Fellowships as part of an expanded Public Outreach Program, recognizing that Wildlife Without Borders could already be pursuing the general programmatic and educational outreach objectives of Sec.122 (a) and (b); 3) look carefully at the concept of a Center for International Wildlife Recovery Partnerships Program, including all of the functions described in sections (a)-(d), recognizing that Wildlife Without Borders could already be considering the establishment of an Emergency Rehabilitation and Recovery Grant Program under Sec 123 (e); 4) look carefully at the feasibility and advisability of establishing an International Wildlife Conservation Fund; 5) look carefully at the potential for Enhancing Law Enforcement Activities, recognizing that Wildlife Without Borders could already be pursuing this objective with the cooperation of others within FWS or perhaps even within other agencies, both within DOI as well as elsewhere, and; 6) look carefully at the feasibility and advisability of establishing a Global Wildlife Coordination Council. In the absence of an Institute, the Advisory Committee should be established by the Director of the Fish and Wildlife Service or possibly by the Assistant Secretary for Fish and Wildlife and Parks ("AS/FWP"). Either way, the Advisory Committee should be staffed by FWS and should make specific recommendations to the Secretary consistent with the broader purposes of a revised bill.

2. Recognizing that there will likely never be sufficient Federal appropriations to address all identified needs it is important that we utilize the contributions of non-Federal stakeholders. Do you agree? Are there additional ways to formally incorporate these capabilities beyond the grant programs authorized under the Multinational Species Conservation Fund? Do you support the creation of the Global Wildlife Conservation Advisory Committee in H.R. 3086?

Response: I do agree that the contributions of non-Federal stakeholders should be utilized whenever possible, but not at the expense of other worthy and in some cases competing efforts by those non-Federal stakeholders. The key, it seems to me, is to increase the size of the pool of contributions available to address identified needs, which underscores that the identified needs and the Federal role in all of this should be carefully considered.

As I mentioned in my oral testimony, use of the National Fish and Wildlife Foundation ("NFWF") to formally incorporate these capabilities should be considered. I realize that Section 132(d) of H.R. 3086 establishes an administrative linkage with NFWF, but it may be possible or even advisable to use the Foundation for these purposes regardless of whether an International Wildlife Conservation Fund is established. If it were deemed inadvisable to use NFWF directly, the NFWF model could be useful in establishing a separately chartered International Fish and Wildlife Foundation.

As indicated in my answer to question #1, I do support the establishment of the Global Wildlife Conservation Advisory Committee.

3. Do you support the establishment of an International Wildlife Conservation Fund in the Treasury to provide a means for the Secretary of the Interior to accept and utilize gifts and donations? In order to ensure that there is no potential for conflict of interest, should such a fund be managed by agreement through a non-Federal entity such as the National Fish and Wildlife Foundation?

Response: I support the concept of such a fund, but as suggested above, I think the establishment of this fund at this time would be premature. In my opinion, we need to make certain the Wildlife Without Borders Program is authorized and adequately funded before we turn our attention to the establishment of a new international fund. I'm not sure I understand the potential for a conflict of interest, but as indicated above, if such a fund were established, I think consideration could be given to administering it through the NFWF.

4. Dr. Monfort testified that the Smithsonian Institution has recently created a Conservation Biology Institute whose program activities are quite similar to the activities proposed for the Center for International Wildlife Recovery Partnerships in H.R. 3086. Would it make sense to amend the bill to direct the Secretary and the Smithsonian, through a cooperative agreement, to develop a partnership to incorporate these capabilities and the capabilities of the zoo and aquarium community at large, to enhance U.S. international wildlife conservation capabilities? If you disagree, please explain why?

Response: Several institutions within the zoo and aquarium community have programs, some of them long-standing, that are quite similar to the Conservation Biology Institute mentioned by Dr. Monfort. An example of such a program that has been in existence for many years is the Institute for Conservation Research ("ICR") which was formerly the Center for Reproduction of Endangered Species ("CRES") at the Zoological Society of San Diego's Wild Animal Park. The ICR already administers and operates a wide variety of conservation programs employing some 130 people in virtually all of the areas being considered by the Smithsonian.

As was also mentioned in Dr. Monfort's written statement, a consortium of landholding institutions within the zoo community has already formed the Conservation Centers for Species Survival ("C2S2") to work specifically with the FWS to look at many of these same issues. Without understanding how and why these capabilities need to be coordinated better than they are now, I think it would be premature to mandate a role for the Smithsonian or any other zoological institution to incorporate or coordinate the capabilities of the zoo and aquarium community at large into this effort.

Questions from Ranking Republican Member Henry E. Brown, Jr. (R-SC)

1. At the hearing, you were asked if more could be accomplished for wildlife conservation if we bolster existing programs instead of creating a new Institute and Center, as H.R. 3086 would do if enacted. Can you give some example of programs that should be enhanced with new legislative authorities and which may be in need of additional funding?

Response: In my opinion the existing programs that need to be supported in order to enhance wildlife conservation as envisioned in H.R. 3086 are those within the Wildlife Without Borders Program. In my written statement I summarized the excellent track records of the Species Program, the Regional Program and the Global Program in leveraging Federal dollars and I feel strongly that enhanced funding in all of these programs would get the biggest conservation return at this time.

As indicated in my answer to question #1, above, I also feel that if the Subcommittee decides to pursue the purposes of Sections 122 and 123 of the existing version of H.R. 3086, it should consider transferring the General and Educational Outreach components of Section 122 as well as the Rehabilitation and Recovery Grant component of Section 123 to the Wildlife Without Borders Program. If the Subcommittee should decide to transfer these additional responsibilities to the Wildlife Without Borders Program, I would also recommend transferring the Authorization of Appropriations in both cases (or whatever portion of those authorizations that are deemed appropriate) to the Wildlife Without Borders Program to fund these additional efforts. The possible need for the other components of these two sections could then be carefully reviewed by the Advisory Committee.

2. You recommend keeping the Global Wildlife Conservation Advisory Committee created in H.R. 3086. The bill would have the new Institute Assistant Director establish the Committee. Would you recommend that this authority be given to the Director of the Fish and Wildlife Service or another entity in the Department of the Interior?

Response: I cannot think of a more appropriate authority within Department to carry out this responsibility than the Director of the Fish and Wildlife Service unless it might be the AS/FWP. Unfortunately the AS/FWP has not really engaged on these issues thus far and even if that office were to take on this responsibility it would probably have to be staffed by FWS.

3. Do you agree with the Mr. Robert's recommendation that no Institute employees (or agency employees) should be on the Advisory Committee?

Response: I do agree with Mr. Robert's recommendation in terms of the Advisory Committee itself, although I think it would be perfectly appropriate and probably even preferable for Agency personnel to be involved in managing and coordinating the activities of the Advisory Committee.

4. What is your view of the Global Wildlife Coordination Council? Is it necessary or are existing federal coordination efforts sufficient? If existing federal coordination efforts should be enhanced, how should it be done?

Response: While I don't feel existing Federal coordination efforts are sufficient, I think the establishment of a Global Wildlife Coordination Council at this time would be premature. In general, I think the establishment of such a Council may have great value, but I fear that in the absence of a clearer understanding of how the duties and responsibilities of the Council will actually be carried out and given the immense scope of the immediate responsibilities of the Cabinet Members involved, it is very likely this effort might be wasted at this time.

In my opinion, the first step here should be to have the Advisory Committee look carefully at this issue. I also feel that the benefits of such a Council are likely to take shape more meaningfully following the passage and implementation of new legislation. The Subcommittee may want to take a look at the possibility of extending provisional authority to establish such a Council depending upon the results of review by the Advisory Committee and after further consideration by the Secretary.

5. You discuss the necessity of providing technical assistance, building capacity, and coordinating with range states as part of a strategic global wildlife conservation effort. How would you expand the existing framework to make it more successful?

Response: If the watchword is success, I would begin by funding the Wildlife Without Borders Species Programs more adequately. These programs have already identified keystone species living in critical habitats around the planet. As presently structured they provide the opportunity for congressional oversight and an expand-

ing species-based framework that increasingly and unavoidably must consider the role of habitat.

We have been learning for some time now that for conservation to be truly effective it must be pursued on a larger scale within broader boundaries defined by natural landscapes and viable ecosystems. As we learn more about how to address our own conservation needs in the U.S. we are developing tools and skills that are directly applicable to the problems that are being encountered in range states. Transfer of these capabilities through capacity building and the provision of technical assistance is critical, but it must be done in a way that is consistent with the actual needs, capabilities and desires of those being given assistance.

In terms of actually expanding the existing framework to make it more successful, a critical key from my perspective is the expansion of the Regional and Global programs of WWB. Looking at the broader purposes of H.R. 3086 it seems evident to me that many of these purposes could fit well within expanded Global and Regional programs. I have previously mentioned the direct transfer of some of the components of H.R. 3086 to WWB and consideration should be given to using those components to expand the existing framework of the Regional and Global Programs of WWB.

At the risk of opening a can of worms, I would think about asking the Advisory Committee to look at more effective ways to actually deliver community-based conservation in range states. It really boils down to how habitat is managed sustainably, both economically and biologically. Some of the witnesses at the hearing suggested this can be done relatively easily and cheaply in range states but the experiences of many NGOs with lots of money over many years tells me that is not always the case. The need for effective partnerships here is critical and this is one of the key reasons to emphasize global and regional coordination among a variety of stakeholders.

6. Why do you believe that "much of the hope for the future of this program rests with the Regional and the Global Programs"?

Response: In my opinion the broader scope necessary to address the health, sustainability and species interdependence of landscapes and ecosystems mandates that the future of the Wildlife Without Borders Program must evolve, if it is to evolve in any significant way on a regional and global basis. The hallmark of the Species Program has been the ability to identify and respond to specific and in many cases emergency needs of critically threatened species around the planet. Central objectives of the regional and global programs should be to address broader problems such as climate change, human-wildlife conflict, the need to build local human and institutional capacity and the need to expand outreach and education to regional and global stakeholders. These objectives are in many ways remarkably similar to those of H.R. 3086 and they are what I was referring to when I expressed my feelings about the future of this program.

In the long run I believe the Regional and Global Programs have the potential to more effectively deliver more broad-based conservation benefits than the more traditional local grants approach of the Species Program. Some of these programs are already being developed within FWS. Examples include the MENTOR program, supporting a team of African nationals to address the bushmeat crisis in East Africa and the Western Hemisphere Migratory Species Initiative which has as its purpose the establishment of a hemisphere-wide cooperative involving governments and NGOs to address the problems faced by migratory species. These could be just the tip of the iceberg, but they are, in my opinion the hope for the future of this program.

Ms. BORDALLO. Thank you very much, Mr. Potter. Now, I will recognize the Members for any questions they may wish to ask, alternating between the majority and the minority, and allowing five minutes for each Member, and if you have further questions, we may go a second round. I will begin with Ms. Derek.

These questions are, I think, very generic. How can the United States maintain its leadership role in international wildlife conservation? Do you have any specific ideas?

Ms. DEREK. I really, in the time that I have spent on this issue and in my travels in an official capacity, I really think that the best results have been a combination of the U.S. Government sup-

port and NGO's. I think that their knowledge in the field on the ground and in the communities is vital, and I think it is the best way our tax dollars get spent on these important issues.

Ms. BORDALLO. Very good. Why is it important to increase public awareness among United States consumers regarding the illegal trade of wildlife?

Ms. DEREK. Well, as an American, I was surprised that we were number two in consuming endangered wildlife, and I believe that so much of that is a lack of education. I think that most citizens would not consume these animals if they only knew, and I think that there are a variety of ways to educate them, and I think it is vital. I think that we could solve the problem without getting more involved in law enforcement and prosecution if we would just use education.

Ms. BORDALLO. Education. How has WildAid demonstrated that public awareness campaigns can change consumer behavior? What have you done in that area?

Ms. DEREK. Our campaigns very much resemble mainstream commercial advertising. The production is very expensive, and we use pop icons from around the world especially targeted to those countries where the consumption of endangered wildlife is a problem.

So, for instance, in China, we have Jackie Chan, Yao Ming, and virtually all of the Olympic athletes. We had a very big campaign during the 2008 Olympics; and we were reaching, through free air space, sometimes a billion people a week. It is highly effective, and it is my opinion, having been the object of the media at one time in my life, that when you take someone who is so popular and iconic in a culture, and you have them say that this is not appropriate to consume these products, I think it is more effective than any legislation or enforcement.

We just did a study in China, and 55 percent of the population remember our campaigns and, in some questions, up to 80 percent said that they would not eat shark fin soup again.

Ms. BORDALLO. Well, I tend to agree with you on that, using noted personalities and so forth. What is the size of your organization? What are the numbers?

Ms. DEREK. It is very small but highly effective.

Ms. BORDALLO. Highly effective and very small.

Ms. DEREK. I joined this organization because I meet a lot of people, very dedicated, wonderful people, regarding this issue, and they are very good at defining the problem, and WildAid had a solution that I could truly understand, so that is why I personally got involved with this.

Ms. BORDALLO. Are you represented in all of the states in the United States and other countries?

Ms. DEREK. Mainly international, yes.

Ms. BORDALLO. Mainly international.

Ms. DEREK. Yes.

Ms. BORDALLO. All right.

Ms. DEREK. We would like to get more involved in this country with the public awareness and education. I think our Harrison Ford piece and some of our athletes that we have used in some of our PSAs will be very beneficial.

Ms. BORDALLO. Well, persons like yourself would be able to develop this, I am sure, and to expand the organization.

Ms. DEREK. Yes.

Ms. BORDALLO. Thank you, thank you. I have two questions for Dr. Gould.

Aside from the Administration's stated objections to the organizational reshuffling, does the Administration support the goals and activities of the bill, especially increased public outreach in education, increased emphasis on professional conservation training here and abroad, and greater cooperation and coordination with nongovernmental stakeholder organizations?

Dr. GOULD. I can answer that question in a very concise way: yes.

Ms. BORDALLO. Yes. Good.

Dr. GOULD. It is important to recognize that the Fish and Wildlife Service, as has been indicated by the panel here, works very closely with NGO communities and with international entities. We have always recognized the fact that these kinds of partnerships, outreach, training, appropriate law enforcement activities, coordination and cooperation is the best way to get to where we want to be collectively.

Everybody in this room supports international wildlife conservation, and we are all kind of on the same page, and I am delighted to point out that all of those entities that you pointed out are cornerstones for effective partnerships to get to be the basis of eventually a law that will be very effective in international conservation activities.

Ms. BORDALLO. Good. I guess, then, it would be safe to say that just the organizational reshuffling is a little concern to you.

Dr. GOULD. Yes. The organizational issue is a major concern for us. As you are probably aware, we have CITES functions; the National Park System, due to their Organic Act, has some very legitimate activities in international wildlife conservation; the Department of the Interior has the USGS, which is very, very active in international conservation, both from a scientific perspective and from a technical-assistance perspective. There are lots of programs out there based on their own authorities and their own "Organic Acts," so to speak, are legitimate activities that need to be recognized in a broader conservation law that takes this whole international conservation effort forward.

Ms. BORDALLO. Well, perhaps it is just too strung out, and we need really to bring it all together, and I think this can be worked out. So we look forward to working with you and your Department.

Dr. GOULD. The Administration looks forward to working with you further.

Ms. BORDALLO. How does the Service handle confiscated wild and endangered animals, and could that process be simplified and improved by formal partnerships with veterinary, zoological, and aquarium facilities?

Dr. GOULD. I would have to turn to my experts behind me.

Ms. BORDALLO. You can step forward.

Dr. GOULD. Can I have Benny Perez, our Chief of Law Enforcement, with your permission?

Ms. BORDALLO. If you could introduce yourself for the record and just answer that question, please. Yes.

Mr. PEREZ. Good afternoon, Madam Chairwoman. I have been here before.

We have six various regulatory authorizations to dispose of wildlife, including converting it to our own use, eventual sale of legitimate items for sale, destruction, and returning to the wild. All of that is codified in Regulation 50[c] of FAR Part 12. We have a National Property Repository in the Denver area where we do stockpile a lot of the material that we seize that is utilized for some of the training that we deliver, the training of our own personnel, and then availability for a variety of uses. At some point, we make a determination as to the best use of that stuff, including disseminating it under our Suitcase for Survival program that we provide to elementary schools with a training module. Those items are used to further the conservation message within the U.S.

Ms. BORDALLO. Thank you very much.

Now, I would like to ask our Ranking Member, Mr. Brown, if he has any questions, to please proceed.

Mr. BROWN. Thank you, Madam Chair, and thanks to the witnesses all for being so informative.

My question is to Mr. Potter and, Dr. Gould, you might want to add in on this, too, and any other members of the panel equally. In your testimony, you stated that H.R. 3086 may actually impeded progress already being made under the Wildlife Without Borders program. Do you believe H.R. 3086 could diminish the funding available to the existing programs?

Mr. POTTER. I think that is possible, Mr. Brown. I think that is one of the issues that the Subcommittee needs to take into consideration, and I think that a number of points have been made here about the unfunded mandates issue. If some of the programs and reports are required to be done under this legislation, presumably those may have to be done by the existing staff of the Fish and Wildlife Service. That is not clear at all in the bill, and so that would be a concern that I would have, yes.

Mr. BROWN. Dr. Gould, do you want to weigh in on that?

Dr. GOULD. Yes, I do. Right now, the international conservation work that we do in the Fish and Wildlife Service is maxed out in terms of the amount of money we have to do the work we are doing. Much more could be done, obviously. If we were to add increased infrastructure, including many advisory groups that may be redundant to the kind of CITES advisory groups already in place, it would require a diversion of resources that we would have to take from somewhere. Unfortunately, that "somewhere" would be some very effective programs in the Wildlife Without Borders program, and we would not like to see that happen.

Obviously, if we work together and minimize unnecessary or better overlapping infrastructure, we could more effectively use the resources we have available right now.

Mr. BROWN. Let me add further to that question. Would it be correct to state that you believe more could be accomplished for wildlife conservation if we bolstered the existing program instead of creating a new institute and center, as H.R. 3086 does?

Dr. GOULD. Yes, sir.

Mr. BROWN. Mr. Potter?

Mr. POTTER. Yes. I agree with that, and to augment the point that was made by Rowan, I think one of the things that H.R. 3086 offers you the opportunity to do is to really look at the costs here and think about what needs to be done, and that could be done under the aegis of an advisory committee in concert with the expansion of our authorization of Wildlife Without Borders.

Mr. BROWN. Would any other members of the panel like to chime in? Have you got an opinion on it, anybody?

Dr. Wasser, my question is to you. What impact has the African Elephant Conservation Act had on conserving this flagship species, and are the right grants being issued by the U.S. Fish and Wildlife Service?

Dr. WASSER. I think the Elephant Conservation Act has been extremely effective. I think that they are utilizing their money very, very effectively. It is an extremely important mechanism to get funding to outside nations, as well as to include scientists, such as myself, to be able to develop methods that can be very effective and can nurture collaborations between other countries and the Fish and Wildlife Service.

Mr. BROWN. Ms. Derek, in your statement, you recognized that there are concerns with aspects of the bill. Would you support authorizing only the Wildlife Without Borders program?

Ms. DEREK. I would have to discuss this with some of the witnesses, I think, for me to have a concrete opinion on that.

Mr. BROWN. But that is your number-one program, isn't it?

Ms. DEREK. Yes.

Mr. BROWN. OK. Thank you, Madam Chair.

Ms. BORDALLO. I thank the Ranking Member, the gentleman from South Carolina, Mr. Brown, and now I would like to recognize the gentlelady from the Virgin Islands, Mrs. Christensen.

Mrs. CHRISTENSEN. Thank you, Madam Chair, and I want to also thank the witnesses for their testimony. It is really very informative as I read through it. I want to also commend our Chairwoman for her efforts to stop the illegal trafficking of wildlife and the adverse impact it has on a variety of habitats and eventually on all of us.

My first question is around the institute. I want to understand the need for the institute, so maybe I will start with Ms. Derek and Mr. Roberts on this.

What is it that the institute would do that the Department of the Interior and the Service is not doing or cannot do?

Mr. ROBERTS. You are asking me to provide a rationale for a part of the bill that is not our highest priority from the point of view of WWF.

Mrs. CHRISTENSEN. OK.

Mr. ROBERTS. Certainly, from our point of view, the essential thing is to strengthen the existing programs but also to strengthen coordination between them. It appears there are a variety of ways to strengthen coordination.

Our plea is to simplify rather than to complicate, to coordinate without complications, and to simplify the administration of this program, which means relying as much as possible on existing pro-

grams and making sure that the financing, to the greatest extent possible, is managed by the Fish and Wildlife Service itself.

So you are asking me to provide a rationale for something that is not the core of the bill that we support at this point in time.

Mrs. CHRISTENSEN. Ms. Derek, did you want to add?

Ms. DEREK. I would agree with Mr. Roberts. I think that unless it can enhance the work that is already being done by the Fish and Wildlife, I do not think it is at the core either.

Mrs. CHRISTENSEN. OK. I wondered about that. So maybe, in part, you have answered my next question. I have worked with the Coral Reef Task Force, and the council seems to be modeled on that, and the Coral Reef Task Force has been very effective.

Let me go to Dr. Gould first. Since you are supporting codifying the Wildlife Without Borders, what about the council, in your opinion, and if it is in your testimony, I apologize; I did not get a chance to read all the way through it.

Dr. GOULD. Well, the proposed creation of the Global Wildlife Coordination Council is also of some concern. As written, the creation of this body would appear to diminish or conflict with legal authorities that have already been delegated to the Department and the Service by codifying an oversight role in other departments. So those are problems that need to be worked through. We absolutely support coordination and cooperation, but this particular structure could be problematic for those reasons.

Mrs. CHRISTENSEN. Did anyone else want to talk to the importance of the council in the bill? Mr. Roberts, is that something that is one of the core parts you support?

Mr. ROBERTS. The council, in and of itself, seems like a perfectly worthwhile idea, bringing together different agencies with interests in wildlife. It is interesting. I have another meeting following on the Arctic. When you look at all of the different parts of the U.S. Government that touch conservation and wildlife, certainly coordination is essential, and having like mechanisms to make that happen are essential. In the case of the Arctic, it is of interest to Interior, to the State Department, to the White House, to the Navy, to Fish and Wildlife, and more.

Having mechanisms for the U.S. Government to come together with coordinated, coherent planning is essential, particularly because, in a lot of parts of the world, the conservation of wildlife, the rule of law, sustainable use of resources is as much a security issue, as much an issue of development, as it is a conservation issue, per se. So having a mechanism to bring together the intelligence of the U.S. Government in a concentrated way, particularly as it relates to these programs, is important.

Mrs. CHRISTENSEN. Thank you. My time is up. Thank you, Madam Chair.

Ms. BORDALLO. I thank the gentlelady from the Virgin Islands. I have a couple of questions for Dr. Roberts.

Could the U.S. Government be doing a better job of giving organizations like your own a seat at the table when it comes to the creation and execution of an international conservation strategy?

Mr. ROBERTS. We at WWF, and also the wildlife trade monitoring program we call TRAFFIC that we created with IUCN, have been grateful for the partnership we have had with the U.S.

Government which goes back many decades. Could it be stronger? Sure. Are we complaining? No.

We have such a close partnership with government agencies, and there is such a track record of success in places like the Congo and Africa with particular species, in the Terai Arc in Nepal, which is a centerpiece. Actually, there is an exhibit in the National Zoo which talks about this partnership conservation effort in the Terai Arc in Nepal. So we are grateful that the bill emphasizes those partnerships, and if makes them stronger, great.

Ms. BORDALLO. Thank you.

Mr. ROBERTS. I have one last point. I am sorry.

Ms. BORDALLO. Yes. Go ahead.

Mr. ROBERTS. The other thing which is true is that for every dollar which is expended through Fish and Wildlife, in partnership with NGO's and the like, those dollars are multiplied sometimes fivefold, and so it is only smart for the government to encourage such partnerships because not only are we able to bring expertise and a global reach, but also we are able to bring financing from other sources to bear on the problem.

Ms. BORDALLO. I have another question for you, Dr. Roberts. How can the structures created within this particular bill be changed to better achieve the intent of greater coordination and cooperation within the Department of the Interior and among U.S. agencies in international wildlife conservation efforts?

Mr. ROBERTS. That is a great question. Certainly, the first order of business would be to make full and best use of the structures that currently exist.

Ms. BORDALLO. To make the what?

Mr. ROBERTS. The structures that currently exist before creating new ones, and I am sure our staff would be happy to work with Members of the Committee staff in looking at models of how that might work.

Another point that I have made is the financing of this work, to use the Fish and Wildlife agencies as the first recourse to finance that work before using other entities. I am sure there are a lot of other ideas that we could bring to the table and are happy to work with your Committee to bring those forward.

Ms. BORDALLO. Well, we are looking forward to it, and that is the reason for a hearing, so we can get some of the input from you. I am a strong believer in coordinated efforts and consolidating. Since I have been a Member of this Committee—I do not know—I just asked the staff here—how many organizations do we work with? There are over hundreds of them some of them with the same purpose when they were organized. So it is very confusing, and sometimes you do not get as much done when they are just so spread out like that.

So this is the reason for the bill, and we just want a little tighter coordination, and I think it would be much more beneficial in the long run.

Mr. ROBERTS. Madam Chairwoman, our written testimony includes some very specific recommendations——

Ms. BORDALLO. Solutions.

Mr. ROBERTS [continuing]. Regarding structure, simplification, coordination, so I——

Ms. BORDALLO. Very good. The staff will take a look at that.

Mr. ROBERTS. Great. Thank you.

Ms. BORDALLO. Dr. Gould, you mentioned the fund established in this bill would create a conflict of interest because the same nongovernmental organizations that could donate to the fund would also be seeking resources from it. Now, why is this a concern now? It is my understanding that the current multinational species conservation funds allow the same kind of thing, and no concerns about conflicts of interest have been raised before.

Dr. GOULD. Well, as I understand it, these donated funds would also be potentially donated by entities that could come under both our regulatory and law enforcement functions or oversight, and so it could set up a situation where there might be a conflict of interest or some issue that might be looked on in a nonethical way. So we are concerned about having a structure in place that would put our people in a position of working with people that are contributing a lot of money to this particular function.

You have to remember, we do permit a lot of activities in terms of trade in pelts. We permit a lot of activity related to hunting, trophies. We permit a lot of activity related to legal trade within the international community, legal trade through CITES, and so on and so forth. So the concern is, whatever structure gets set up obviates that potential that people would be questioning our role with those folks.

Ms. BORDALLO. So, for the record, Dr. Gould, prior to this bill being introduced, you had these concerns, the conflict and so forth.

Dr. GOULD. Yes. We have these concerns right now.

Ms. BORDALLO. Thank you. That is what I wanted to hear.

Mrs. Christensen, you go ahead, and I have two more.

Mrs. CHRISTENSEN. It is related to the fund as well, and I was wondering if, given the concerns of conflict of interest, and I would ask this of anyone on the panel, does anyone have a recommendation for how that can be addressed and maybe a different structure for the fund or any other way than how it is presented in the bill? Is there some other way that we could do that and avoid a conflict of interest? Should a foundation be set up like the National Park Foundation, if there are any suggestions? You can go ahead, Mr. Roberts, if you have one. You did not. OK.

Mr. POTTER. I have a thought on that. It strikes me that you have a similarity here. You mentioned the Park Fund. The National Fish and Wildlife Foundation is an entity that does similar work that allows matching activities, and it is an entity that is outside the structure of the Interior Department but actually started within the structure of the Interior Department, and that is something to think about possibly.

Mrs. CHRISTENSEN. Thank you, Madam Chair. If there are no other answers, that is my only other question.

Dr. GOULD. I would like to make one other point.

Mrs. CHRISTENSEN. Sure.

Dr. GOULD. Apparently, the structure that we have right now, any donation specifically——

Ms. BORDALLO. Could you speak up a little bit?

Dr. GOULD.—specifically, donations go right into our Multinational Species Conservation Fund. It is a very pointed activity,

and there is little chance that that money—there is any conflict of interest that could result from that kind of activity. That is a grant program for the five multi-species grant programs that we administer.

The concern is that law enforcement comes under this institute, and if there was a general donation to this institute for general programs, that could constitute a major problem, and that is what I meant by we just do not see a way around that problem. I am sure that there are structures that we could come up with that would be beneficial, but that is a particular problem with this bill.

Mrs. CHRISTENSEN. Thank you. Thank you, Madam Chair.

Ms. BORDALLO. I thank the gentlelady from the Virgin Islands. I have two questions for Dr. Monfort.

Why is it important, Doctor, to engage the conservation community, especially zoo and aquarium stakeholders, in assisting the Federal government in the conservation of wildlife?

Dr. MONFORT. Well, as I mentioned in my previous remarks, the zoo community consists of more than 200 organizations and, collectively, they have a tremendous capacity to help in terms of conserving species in a variety of different ways. Species recovery programs are one key way.

Even small zoos can participate in doing recovery programs on species like amphibians, for example, where they do not need extensive facilities, but they happen to have scientific expertise or capacity.

Larger zoological organizations, the larger ones, like the Chicago Zoological Society or the San Diego Zoo, a number of other zoos, including the Smithsonian and Bronx Zoo and so on, have quite an impressive capacity to do science, capacity building, training, and do that on a pretty wide scale already.

So I think what we are talking about is a resource that already exists and is already making a strong contribution but that has a much greater potential than is currently being exploited, and I think that really relates to the whole issue of partnership, the importance of partnership that is outlined in the bill, the kinds of partnerships we are working around, for example, under the Global Tiger Initiative that we are doing, working with other zoos, with World Wildlife Fund, with the World Bank, and so on.

So the zoo community is part of the conservation community, and it is open to becoming more involved and more engaged in conservation activities, so I think it is a very strong constituency on a number of levels that are relevant for the bill.

Ms. BORDALLO. Thank you, Doctor. One other question: Is it helpful to have a program that authorizes the Secretary to reimburse zoos and aquariums for costs related to the care and recovery and rehabilitation of injured, sick, or seized wildlife, and what limits should there be on such a program? Should certain facilities be identified, or should the program be available to all facilities?

Dr. MONFORT. There are already a large number of zoos that are engaged in wildlife rehabilitation, some that work in partnership with the Fish and Wildlife Service and state wildlife agencies, so that is something that is already ongoing, and I am sure that those zoos with that capacity would very much appreciate having the opportunity to recover costs related to those activities.

It is, however, important to recognize there is a limited capacity, and the species that are selected for those sorts of programs ought to have appropriate conservation prioritization put to them. We cannot become a clearinghouse for every animal that has been confiscated or recovered, and so for those that are of high priority and have conservation value, then that would certainly be appropriate, but it is also equally appropriate to make sure that any organization involved in taking care of these animals is meeting the highest standards that we have to offer of animal care.

I believe we have that under the Animal Welfare Act, but even way above and beyond that, we have the ability now, with modern zoological practice, to provide really outstanding care, and the AZA sets really tight standards, and I would think that that would be a good starting point for setting standards for organizations that were involved in that kind of work.

Ms. BORDALLO. When you said that the zoos, many of them already have this in place, what percentage of the zoos across the Nation would you say are carrying on with this?

Dr. MONFORT. I do not know the percentage. Actually, it was going around on the director's lists for the last couple of weeks. I think it is actually a fairly small percentage. It is quite a liability to take on, and you end up warehousing animals that take up a lot of space and resources. I think that you would see the potential for participation to increase if funding were made available.

Ms. BORDALLO. Yes. When you said some of the zoos are already, I figured it might be a large majority.

Dr. MONFORT. It is probably a minority, and those zoos are taking it out of hide basically to participate in those programs, by and large.

Ms. BORDALLO. And then I have two other questions for Dr. Wasser. Can you elaborate on some of the broader impacts of illegal wildlife trade?

Dr. WASSER. Yes. I think one of the biggest problems facing nations is acquiring hard currency in many of these poor countries, and one of the most reliable sources of hard currency is their natural resources. So, frequently, natural resources are utilized to generate hard currency to keep regimes in power, and this has tremendous impacts on biodiversity.

If you look at the effects of the illegal timber trade, right now, that is probably one of the most egregious crimes going on. This impacts climate change around the world. If you look at the ability of forest structure to recover, and you consider the amount of poaching of African elephants that is occurring in central African forests, which is one of our most important sources of carbon capture, and you have elephants which disperse billions of seeds annually and, right now, the numbers of elephants in that area have gone from 200,000 down to numbers probably near 15,000 elephants, the whole forest structure is likely to change in the very near future.

So these are some of the impacts that are likely to happen and, as Ms. Derek said, there is also a serious relationship between the illegal wildlife trade, especially the bush meat trade, and the spread of emergent diseases. So these are all very, very serious im-

pacts that will have repercussions over the long term, and sometimes they are hard to see in the short term.

Ms. BORDALLO. I have another question. Why focus on source countries as opposed to consumer countries?

Dr. MONFORT. Well, one of the problems is that if you look at the wildlife trade, right now, just the liberalization of trade laws to promote global trade has resulted in a situation where there are nearly a million containers being shipped around the world on practically a daily basis, and Customs is able to inspect about one percent of these.

So when you think about that, plus the fact that these crimes are very, very low priority, once the wildlife products leave a country, it is virtually impossible to track them effectively. We get lucky a couple of times, but most of the time it is really a very, very difficult task.

The source countries can defend their wildlife much, much more reliably. They just need tools to direct them to the proper sources. They have done it in the past and, relatively speaking, it does not take a lot of money. It takes vehicles, gasoline, and perhaps some munitions, and really the thought that people care, and that will allow you to really contain this trade, prevent it from getting into the global market where you cannot trace it, and it will thwart the ineffective prosecution that is happening in this trade right now.

Ms. BORDALLO. I thank you very much for your answer to that, and I want to thank all of the witnesses for their participation in the hearing today. Your answers will certainly assist us as we go forward with this legislation.

I want to thank Dr. Gould, Bo Derek, Mr. Carter Roberts, Dr. Monfort, Dr. Wasser, and J. Craig Potter for being with us.

Before we adjourn, I would like to thank one of our staff members, our clerk, Megan Maassen, for her dedication and her work in this Committee. I have traveled with her to hearings throughout the country. This is her last hearing with us today, and her abilities, spirit, and smile will truly be missed. So let us give her a hand. Megan?

[Applause.]

Ms. BORDALLO. So if there is no further business before the Subcommittee, the Chairwoman again thanks the Members of the Subcommittee and our witnesses for their participation here this afternoon, and the Subcommittee now stands adjourned.

[Whereupon, at 2:25 p.m., the Subcommittee was adjourned.]

[Additional material submitted for the record follows:]

[A statement submitted for the record by John F. Calvelli, Wildlife Conservation Society, follows:]

Statement of John F. Calvelli, Executive Vice President, Public Affairs, Wildlife Conservation Society

This statement is submitted in support of H.R. 3086, Global Wildlife Conservation, Coordination and Enhancement Act and includes recommendations that are designed to significantly improve this legislation. The Wildlife Conservation Society (WCS) welcomes this legislation's establishment of an overarching international wildlife conservation program to facilitate broader international coordination and enhance conservation efforts at the Department of the Interior. WCS applauds the Committee's leadership on this legislation's comprehensive attempt to deal with conservation challenges such as habitat loss, illegal wildlife trade, climate change and

emerging wildlife diseases through the authorization of the Wildlife Without Borders program, creation of an international wildlife institute, strengthened law enforcement and public education to reduce threats to wildlife, increased commitment to international wildlife treaty obligations such as CITES, support for captive breeding and wildlife recovery; and greater U.S. government collaboration in supporting global wildlife conservation.

While H.R. 3086 laces together the many vital components of delivering U.S. government assistance to global wildlife conservation, WCS remains concerned about this legislation being an unfunded mandate for the Department of the Interior without specific mention of authorization of appropriations levels for key sections of the bill that cover wildlife and landscape conservation. WCS, through its economic investment projections for conservation, has been able to estimate that for select landscapes such as the Maya Bio Reserve in Central America and the Eastern Steppe of Mongolia alone, it would take anywhere in the range of $52 million to be able to implement lasting conservation strategies that would ensure the biological richness of these key landscapes over the next decade. WCS understands that the U.S. government cannot undertake the sole responsibility of providing conservation assistance globally. However, the cost of implementing a meaningful international wildlife conservation program would roughly be $100 million annually—$ 50 million each for the Wildlife Without Borders regional and global programs (Sec. 121)—which would not take into account the investments covering the Multinational Species Conservation Funds and the other components of this bill such as captive breeding, curbing illegal wildlife trade, delivering conservation education, strategic planning for future conservation investments and strengthening inter-agency coordination. In the absence of these authorization levels, the aspirations of this important legislation would fall short of delivering upon its mandate.

WCS is also concerned about the proposed delegation of management authority of the International Wildlife Conservation Fund (Sec. 132) to the National Fish and Wildlife Foundation. While recognizing the contributions of NFWF to date, WCS believes the traditional responsibility of investing and reinvesting federal funds or accepting donations for the Fund must remain within the federal government. Existing U.S. Fish and Wildlife Service international programs are administered by the Secretary of the Interior in concert with the fiduciary role of the Secretary of the Treasury. It is recommended that these functions not be altered by this legislation.

WCS is supportive of enhancing greater coordination (Sec. 201) between federal agencies that would elevate wildlife conservation through the highest ranks of the U.S. government while recognizing that this legislation needs to further clarify the role and purpose of each federal agency in order for an effective coordination model to work. The international conservation community currently benefits from modest levels of funding transferred via inter-agency mechanisms. For example, the U.S. State Department and U.S. Agency for International Development have regularly supported the work of the U.S. Fish and Wildlife Service on central African great ape conservation through the Congo Basin Forest Partnership (CBFP) and the Central African Regional Program for the Environment (CARPE). It is recommended that such examples of inter-agency coordination that have delivered invaluable support to conservation on the ground are strengthened. It is also recommended that H.R. 3086 include provisions to clarify that the Secretary of the Interior remains a convener of a global wildlife coordination council and does not diminish the role of other federal agencies whose primary role is to advance U.S. foreign policy and assistance.

WCS recommends that H.R. 3086 include regional pilot projects in the U.S. monitoring wildlife in large ports of entry to curb illegal wildlife trade and address health risks posed to humans, wildlife and local ecosystems. The pathogens that affect wildlife have, in many cases, destabilized trade and caused significant economic damage that have exceeded an estimated $100 billion in losses to the global economy since the mid-1990s. With increased international travel and trade and threats such as climate change affecting both wildlife and humans, monitoring wildlife at ports of entry for illegal trade and potential health risks will help us predict where trouble spots will occur and plan how to prepare for them. These efforts would complement the increased education and law enforcement capabilities that this legislation proposes.

While WCS applauds this legislation for providing incentives to organizations caring for rescued animals (Sec. 123), we remain concerned about the status of confiscated and rescued animals. Oftentimes, monitoring large ports for wildlife trade and disease result in confiscation of thousands of wildlife species. As an institution constantly called upon by law enforcement and quarantine authorities in the New York metropolitan area to care for confiscated animals, WCS is confronted with this responsibility on a weekly basis. This responsibility has significant impacts on the

conservation value of a species and management of additional species in our collections. It is recommended that this legislation clarify that captive breeding of rescued or confiscated animals not be incentivized.

The Department of the Interior plays a pivotal and catalytic role in global wildlife conservation. H.R. 3086 will help develop new relationships and strengthen existing ones through increased collaboration among U.S. Government agencies. WCS stands in support of any U.S. government investment made for global conservation and continues to remain committed to leveraging financial assistance through private, corporate and philanthropic sources. WCS looks forward to working with the Committee to strengthen this legislation for effective and efficient implementation of on the ground global wildlife conservation programs.

[A statement submitted for the record by Hon. Craig Manson, Former Assistant Secretary of Interior, follows:]

Statement submitted for the record by The Honorable Craig Manson, Former Assistant Secretary of Interior, Now Distinguished Professor & Lecturer in Law, Capital Center for Public Law and Policy, University of the Pacific McGeorge School of Law

Chairwoman Bordallo, Ranking Member Mr. Brown, and distinguished Members of the Subcommittee:

It is a singular pleasure to be able to testify on this very important matter. I had the honor of testifying before the Committee many times between February 2002 and December 2005 when I served as Assistant Secretary of the Interior for Fish, Wildlife and Parks. In that position, I had responsibility for the United States Fish and Wildlife Service and the National Park Service. I paid particular attention to the international activities of both bureaus. Twice (2002, Santiago; 2004) Bangkok), I led the United States Delegation to the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES). I was actively involved with our participation in the UNESCO World Heritage Committee. I also held a separate Presidential commission as United States Government Representative to the joint U.S.-Canada Great Lakes Fishery Commission. Additionally, I was the Secretary's designee as co-chair of the United States Coral Reef Task Force.

I am now and have been since January 2006, a faculty member at the University of the Pacific McGeorge School of Law, resident in the Capital Center for Public Law and Policy. I teach about, and research issues of policy development at all levels of government.

From the foregoing experiences, I have an appreciation of the issues that the drafters and supporters of H.R. 3086 wish to address. In my view, however, this well-intentioned bill is seriously flawed.

Here are the reasons that I believe this bill is unnecessary and less useful than the status quo:

1. The bill creates unnecessary bureaucratic structures: The "Institute for International Wildlife Conservation" is a high-minded notion to be sure. However, for many decades the Department of the Interior, the Fish and Wildlife Service and other agencies have successfully implemented international treaties and carried out Congressional mandates and Executive initiatives with respect to international wildlife conservation. The Institute created in Section 101 would duplicate the functions of some other units of government and outright usurp the role of others.

As for coordination of Federal, state, local, tribal and NGO wildlife conservation efforts, the bill is not clear as to how much involvement the Institute would have in the municipal affairs of these entities. In any event, the existing processes for development of the United States positions in CITES is a model for interagency cooperation and public participation in international wildlife conservation policymaking. This existing model does not require additional bureaucratic structures and can be replicated easily in other aspects of international wildlife conservation policymaking.

With respect to the Global Wildlife Coordination Council, there are already plenty of things for busy Cabinet officers and their seconds to do without these additional meetings to track and attend. Nothing would be gained from adding to the schedules a Congressionally mandated duty when in fact, the Executive Branch, through Administrations of both parties, has fashioned adequate mechanisms to address the coordination issues that the Council would oversee. On the other hand, the Council represents another diversion of Cabinet members' time, attention and funds.

The proposed "Center for International Recovery Partnerships" would at best duplicate the functions of other Fish and Wildlife Service and DOI programs. Indeed, the creation of the Center as proposed could eventually harm the programs which for many years have accomplished the intended goals without the additional overhead costs that inevitably accompany a restructuring like this one: adding positions with haughty titles like "Executive Director" and such.

2. The bill goes beyond Congressional oversight to micromanage the Fish and Wildlife Service, an Executive Branch agency. There is no question but that Congress has a right and a duty to legislate in areas within its constitutional powers and to see that its mandates are carried out. However, it is the President who is given the constitutional power to implement the laws passed by Congress. This power is conferred under Article II, section 3; the President "shall take care that the laws be faithfully executed." This includes the power to determine how and by what means "the laws be faithfully executed." Necessarily, then, Congress is obligated to give the Executive Branch the leeway to do this.

H.R. 3086 amounts to nothing so much as a preferred organizational plan for one part of one bureau of a Cabinet Department. Such a thing Congress should not indulge. When it comes to a matter of "preferred" methods, the Executive has the greater prerogative as long as "the laws be faithfully executed."

Not only does H.R. 3086 interfere with the Executive Branch's programmatic prerogatives, the bill also imposes many new and unnecessary reporting requirements for the Fish and Wildlife Service. These reports duplicate other reporting requirements and divert administrative resources from other tasks.

Furthermore, the bill also offends separation-of-powers sensibilities by mandating "Action Plans" and "Action Strategies." The development of such specific products should be left to the discretion of the Executive Branch.

3. The bill discourages innovation in species conservation worldwide. As written, the bill demonstrates a bias in favor of traditional approaches to species conservation, some of which may have little or no application in some foreign jurisdictions. Additionally, the bill does nothing to encourage new research or the exploration of scientificapproaches to conservation that depart from the present orthodoxical edifices. These facts serve to heighten a perception of the bill as simply repackaging existing programs unnecessarily to the benefit of no one.

The United States over the last decade has remained exceptionally influential in the area of international wildlife conservation. Our accomplishments at CITES in Santiago, Bangkok, and The Hague, demonstrate that as fact. At Bangkok, for example, the State Department and the Interior Department took the opportunity to highlight illegal trafficking and to forge partnerships with the ASEAN states.

The success of existing U.S. programs can also be seen in the desire of certain coral dependent states to participate in our coral reef programs. The successes, I believe, come from the fact that a more cooperative and collaborative approach was taken with our foreign colleagues. They were not treated as ignorant innocents who had to be shown the right way—they were rather regarded as important partners of equal standing in overcoming common problems. I think the tone of H.R. 3086 may encourage a return to the paternalistic bad old days.

Finally, I concur with the testimony of the Administration that portions of this bill could seriously hinder our broader international efforts to conserve wildlife globally, particularly those efforts undertaken within the mandate of other Federal agencies."

I thank the Chair and the Committee for this opportunity to present my views on H.R. 3086 and I can be contacted by the staff in the event of further questions.

○