

**Adam Gardner,
Frontman of Guster,
Founder and co-director of Reverb**

**Testimony on *Legislative Hearing on HR 3210 and HR 4171*
Submitted May 4, 2012**

**Before the Natural Resources Subcommittee on
Fisheries, Wildlife, Oceans and Insular Affairs**

May 8, 2012

Good afternoon. My name is Adam Gardner, and I'm the frontman of a band called Guster and the founder and co-director of Reverb, a non-profit organization that educates and engages musicians and their fans to take action toward a more sustainable future. Since 2004, Reverb has worked with over 60 top-selling artists on greening more than 115 tours and over 1800 concert events. We've achieved a reduction of nearly one-hundred thousand tons of carbon emissions, partnered with over 2,500 environmental organizations, and have reached an estimated 14.5 million fans with our message. We believe in using the musician's voice to create change, which is why I am providing testimony today on this very critical issue for our forests, climate, and planet.

Great music transports us to the sublime, where we can forget the banal tugs of the physical world. But the ability to create ethereal symphonies and emotionally raw thrasher solos alike rests on the availability of some very physical materials, most notably the prized tonewoods that give guitars, violins, pianos, and dozens of other instruments their immediately recognizable timbre. Unfortunately, these precious woods are running out and the availability of those materials and the jobs that depend on them are under severe threat because of illegal logging. For instance, Brazilian Rosewood, once ubiquitous in guitars and other stringed instruments, was loved nearly to death: because of illegal logging, this species is now under imminent threat of extinction. Efforts to revitalize dwindling tree populations and manage their harvest sustainably are severely undermined by the black market trade in these goods. The effects can be seen in illegal logging hotspots like Madagascar and Indonesia: tugged by the lure of quick profits, illegal logging gangs bribe officials to gain access to national parks and other protected areas, pillage the valuable species, and sometimes feed themselves by hunting endangered "bushmeat" like lemurs.

The human consequences are no less devastating. Revenue from illegal logging and export trade supports and perpetuates corruption and criminal activities, and is reaped in an atmosphere of fear, intimidation and human rights abuses. Illegal logging in some countries has been used to finance violent conflicts – much like the "blood diamonds" that funded wars in West Africa – while in others it is linked with wildlife and drug smuggling operations.

As a result of this threat to sources of tonewoods, many individual instrument manufacturers have taken important steps to ensure that their wood is both legal and sustainable. Speaking about Taylor Guitars' response to Lacey, Bob Taylor says, "It's very simple. We now investigate the sources of our wood, and we ensure to the best of our ability that the wood was taken

legally. We fill out the paperwork required and we present our business as an open book. The cost isn't so much for us. It's not an unbearable added burden, and we're happy to do the extra administrative work." Similarly, Chris Martin, Chairman and CEO of Martin Guitars stated last year, "I think [the Lacey Act] is a wonderful thing. Illegal logging is appalling. It should stop. And if this is what it takes unfortunately to stop unscrupulous operators, I'm all for it."

The law is delivering impressive results. According to a recent report from Chatham House (the UK's equivalent of the Council on Foreign Relations), the Lacey Act has helped reduce illegal logging globally by a whopping 22 percent, as companies around the world take steps to ensure their supplies come from legal sources. The United Nations recently recognized the Lacey Act as one of the world's three most effective forest conservation laws, and the European Union passed similar legislation after seeing Lacey's outsize success.

But just as the Lacey Act is starting to work, we are being presented with the FOCUS act that would remove any criminal liability and the need to comply with foreign laws, and the so-called RELIEF Act, which proponents would like you to believe is a surgical "fix" to the Lacey Act. The reality is much different.

The RELIEF Act's provisions would remove almost all the key deterrents to illegal logging; those things that are really bringing about change on the ground and in the trade. They are so far reaching that they would completely undermine the law's effectiveness in preventing deforestation as well as threaten U.S. jobs by allowing cheap illegal imports to undercut local products. The changes being proposed would mostly benefit the commercial agenda of big Asian timber conglomerates that have long opposed the Lacey Act. The revised provisions would exempt pulp and paper from the core requirements of the Lacey Act, even though these products comprise more than half of forest products imports. The bill would also lower fines for import of illegally logged wood to the meaningless level of a traffic ticket – just \$250 for "first offenders," even if that first offense involves a container-size shipment of illegally-sourced forest products.

The rationale that RELIEF advocates put forth for these sweeping changes is that Lacey poses a threat to musicians. This is simply not the truth. Let's set the record straight on a number of misleading claims that have been raised: First, no individual has ever been investigated or had their instrument taken under the Lacey Act. Moreover, the U.S. government itself has said it's not after individual musicians. Second, the Lacey Act does not ban the purchase of rare types of wood, nor travelling with rare types of wood; it simply bans trade in *illegal* wood products. Third, the government has made allowance in the declaration for musical instruments or other products manufactured prior to May 22, 2008 to declare them as pre-2008 material, without the specifics usually required by the declaration.

In effect H.R. 3210 only provides "relief" to illegal loggers while leaving musicians and other consumers of wood products with burdensome doubt about the legality and sustainability of the wood products we use. By contrast, the Lacey Act provides comforting assurance to conscientious consumers like myself that the wood I am buying in my instruments or elsewhere is legally sound.

No musician I know wants to play a guitar, violin, or piano made from illegal wood, wood stolen from a national park, or harvested using slave and child labor. In fact, the musicians I know

through Reverb's work are doing as much as they can to make the products and practices of their music as earth-friendly as possible, from fueling their tour busses with sustainably produced biodiesel to offering organic merchandise to fans. There is no more obvious product than the instrument itself through which we express our music. The musicians I know are committed to ensuring sustainable practices so future generations also have access to the tonewoods that provide the rich sounds that make music great.

Reverb has recently created a formal coalition of these like-minded musicians called the Green Music Group. Since learning about the recent challenges to the Lacey Act, a number of prominent musicians have signed a pledge to support the Lacey Act and oppose current efforts to weaken it. The pledge reads as follows:

Widespread illegal logging is placing at risk the wood we treasure in our musical instruments, and thus the future of music as we know it. As musicians dedicated to our art and to protecting the earth's natural resources, we call on everyone involved in the sourcing, crafting and production of musical instruments to join us in our commitment to eliminate all trade in illegally logged timber and forest products. We will not buy a new instrument without asking where the wood comes from and if it was harvested legally and sustainably.

We support the Lacey Act and other laws that prohibit trade in illegally sourced wood and we oppose the efforts currently underway to weaken the Lacey Act. We urge lawmakers, suppliers and craftsmen to ensure that our art has a positive impact on the environment rather than contributing to forest destruction. We call on our fellow musicians to do the same.

The following musicians signed on within 48 hours of learning about the threat to the effective implementation and enforcement of the Lacey Act:

Bonnie Raitt
David Crosby
Willie Nelson
Maroon 5
Jason Mraz
Bob Weir
The Barenaked Ladies
Brad Corrigan of Dispatch
Pat Simmons of the Doobie Brothers
Ray Benson of Asleep At The Wheel
The Cab
Of A Revolution (O.A.R)
Ryan Dobrowski and Israel Nebeker of Blind Pilot
Razia Said
Rob Larkin
My band, Guster
And my organization, Reverb

This is in addition to over 40,000 sign-ons to a petition called "Musicians Against Illegal Logging" last January. Having worked on initiatives within the music industry for a while, I can say that this is quite an enthusiastic showing of support to have such quick responses from bands of this

caliber. And as word spreads across the music industry, more are sure to add their names and voices in support of the Lacey Act.

U.S. leadership to combat illegal logging in this way has been impressive. It has taken away a market that was historically “no questions asked” – and other consuming nations are following the U.S. lead.

Chairman Fleming and honorable members of Congress: please listen to the voices of America’s musicians and keep the U.S. on a path of defending forests, the law, American forest products, companies with ethical wood sourcing, and a sound future for music.

Thank you.