

TESTIMONY OF ROWAN GOULD, ACTING DIRECTOR OF THE U.S. FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE HOUSE NATURAL RESOURCES SUBCOMMITTEE ON INSULAR AFFAIRS, WILDLIFE AND OCEANS REGARDING H.R. 3086, THE GLOBAL WILDLIFE CONSERVATION, COORDINATION, AND ENHANCEMENT ACT OF 2009

July 28, 2009

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 international 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 Affairs 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 US 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.