

# **Committee on Resources,**

## **Subcommittee on Fisheries Conservation, Wildlife & Oceans**

[fisheries](#) - - Rep. Wayne Gilchrest, Chairman

U.S. House of Representatives, Washington, D.C. 20515-6232 - - (202) 226-0200

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### **Witness Statement**

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#### **TESTIMONY OF MARSHALL P. JONES, ACTING DIRECTOR, UNITED STATES FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE HOUSE SUBCOMMITTEE ON FISHERIES, WILDLIFE AND OCEANS, HOUSE RESOURCES COMMITTEE, REGARDING H.R. 643, THE AFRICAN ELEPHANT CONSERVATION REAUTHORIZATION ACT OF 2001, H.R. 645, THE RHINOCEROS AND TIGER CONSERVATION REAUTHORIZATION ACT OF 2001, H.R. 700, THE ASIAN ELEPHANT CONSERVATION REAUTHORIZATION ACT OF 2001 AND IMPLEMENTATION OF THESE THREE MULTI-SPECIES CONSERVATION ACTS.**

**March 15, 2001**

Mr. Chairman, I appreciate the opportunity to be here today to discuss H.R.643, the "African Elephant Conservation Reauthorization Act of 2001", H.R.645, the "Rhinoceros and Tiger Conservation Reauthorization Act of 2001", H.R.700, the "Asian Elephant Conservation Reauthorization Act of 2001", and the U.S. Fish and Wildlife Service's (Service) implementation of these three multi-species conservation Acts. The Service fully supports the reauthorization of these Acts and looks forward to working with the Subcommittee to consider several technical amendments to make the grants program more efficient and encourage greater collaboration with the private sector. My remarks today will focus on an overview of implementation of the grant programs and these technical considerations. Attached to the Service's testimony are copies of the reports for each of the three grant programs. These attachments are also available on the Service's website at <http://international.fws.gov>. These reports provide a summary of various projects funded and include detailed examples of the how these funds help to conserve species in the wild.

As members of the Subcommittee may be aware, the Service has a long history of proactive programs on behalf of foreign endangered species and their habitats. Over the past two decades the Service's conservation efforts in Asia have resulted in the development of local institutional capacity and training, which in turn has facilitated more effective resource protection by local wildlife researchers and managers. On behalf of rhinoceroses, tigers, and Asian elephants, we have been one of the leaders in helping range countries address the problems affecting the continued existence of these animals. The decade-long implementation of the African Elephant Conservation Act in Africa has played a significant role in U.S. efforts to encourage and assist on-the-ground projects aimed at conserving elephants.

As a Party to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), and a major consumer of species covered by the Convention, the U.S. shares responsibility for supporting and implementing measures to provide for the conservation of endangered and threatened species both at home and abroad. The African Elephant Conservation Act, Rhinoceros and Tiger Conservation Act, and the Asian Elephant Conservation Act are designed to encourage and assist efforts to conserve some of the world's most ecologically and sociologically important wildlife species. The key element of these Acts is

the authorization of financial resources, which is a reflection of the strong U.S. commitment to help support local conservation programs of these species in the wild. Continued support by the U.S. through reauthorization of the three Acts remains critical to the conservation of rhinos, tigers, African and Asian elephants.

In implementing these Acts, the Service has designed a streamlined process that allows for timely approval of projects and that has the capacity to respond quickly to emergency situations. Since no implementing regulations were deemed necessary, there has not been any time lag from the initial receipt of funds and the implementation of the program. Furthermore, the grant programs are designed to provide quick, short-term support for holding actions and other conservation measures, in concert with existing or proposed long-range activities, or until such long-range activities are in place. During the early implementation of the African Elephant Conservation Act, it became apparent that there was a definite need for such a responsive grant program. Since that time it has become the hallmark of its success and served as the model for subsequent Acts for rhinos and tigers, Asian elephants, and most recently great apes and neotropical migratory birds.

All five Acts are administered through the Service's International Affairs program under the Multi-National Species Conservation Funds account. While each account is maintained separately for each Act, a single fund allows the Service to maximize coordination of these programs and minimize the administration costs. The Service is currently reviewing ways to administer these programs consistent with the President's Budget to streamline government and operate more efficiently. After this review, the Service will be willing to work with the authors to revise those provisions related to administration of these programs to address the true administration needs of these programs.

Regarding H.R. 463, H.R. 465 and H.R. 700, the Service would also recommend the creation of an Advisory group for each of the Acts to help increase public involvement and federal and private partnerships. Both of the newly enacted multi-species conservation acts, the Great Ape Conservation Act and Neotropical Migratory Bird Conservation Act, provided for advisory groups, and we believe that it would be a positive addition to these Acts as well.

The Service would also recommend the inclusion of language to ensure that grants supporting local capacity building and institutional development are among the projects for potential funding. The intent here is to balance the needs for direct species focused projects with the need to develop human resources necessary to achieve effective conservation over the long term. We have attached language to this testimony that we believe will further benefit these species as well as help range countries better manage their natural resources. In addition, while both the Asian Elephant Conservation Act and the Rhinoceros and Tiger Conservation Act include language providing for consultation with the U.S. Agency for International Development, this language is absent from the African Elephant Conservation Act. With regard to this consultative role, the Service recommends amending the African Elephant Conservation Act with parallel language to make it consistent with these other Acts. We believe that these minor technical amendments will serve to further enhance these dynamic programs.

As the first of the multi-species conservation Acts, the African Elephant Conservation Act was enacted in 1989 and received its initial funding in fiscal year 1990. The Act has now given us over 10 years of experience with African elephant programs in 23 of the 37 African range countries. The African Elephant Conservation Act came into existence at a time when most African elephant populations were declining at an alarming rate, due primarily to poaching for a large illegal trade in ivory. In response to this precipitous decline, the Act authorized a two-pronged conservation strategy. First, it required a review of elephant

conservation programs and established a process for implementation of strict ivory import controls; and second, it established a Fund for cooperative conservation projects in African countries. Throughout the last decade, the African Elephant Conservation Act has been a critical link in enabling continued U.S. involvement in African elephant conservation, through both its import control provisions and the grant program. African elephant populations today are now stable in some countries and increasing in others. However there is still a need to help control poaching in many countries and assist those countries with recovering elephant populations with their management. Much still needs to be done to secure the continent's elephant populations at sustainable levels.

Much of the success of the African Elephant Conservation Act has been a direct result of the unique small project conservation Fund that is targeted at cooperative, on-the-ground conservation projects in Africa. Implementation of this program has had a positive impact on the conservation of the African elephant, and played an indirect role in the conservation of numerous other species that benefit from the conservation of this keystone species. To date, the Service has funded 123 different projects in 23 African countries affecting over 300,000 elephants. Each project is a cooperative effort with African CITES Management Authorities, other foreign governments, non-governmental organizations, or with private sector entities. No in-country project is approved unless it has the full support of and has been identified by that country as a priority for conservation. Through this cooperative approach, the actual on-the-ground resources directed at African elephant conservation is nearly 5 times the \$11 million allocated to the grant program since 1990.

In response to the growing concerns of the status of rhinos and tigers world-wide and modeled after the African Elephant Conservation Act, Congress enacted the "Rhinoceros and Tiger Conservation Act of 1994." Rhinos and tigers remain among the most charismatic and some of the most endangered species on earth. However, since its inception, the Service has been able to provide substantive support to range countries to aid their efforts to conserve these species. Sustaining tigers and rhinos in the wild depends on a number of factors including international and national commitment to conservation, effective implementation of existing international and national laws, upgrading the legal status of rhinos and tigers wherever necessary, strict implementation of CITES by all tiger and rhino range countries, cooperation between range countries in combating poaching and trade in tiger and rhino products, efforts to protect existing tiger and rhino populations and their habitat, and international support for conservation in tiger and rhino range countries.

To date, the Service has funded 116 different projects in 16 Asian and African countries. Each project is a cooperative effort with local range country governments, non-governmental organizations, CITES Management Authorities, or with private sector entities with experience in rhino or tiger conservation. No project is approved unless it has the full support of and has been identified as a priority for conservation. Through this cooperative approach, the actual on-the-ground resources directed at tigers and rhinos is twice the \$4 million appropriated to the grant program since 1996. It is noteworthy to mention that in the previous 2 years, 51 percent of the matching funds and in-kind contributions originated from range countries. Continued funding of this Act is crucial in order to help support efforts for these critically endangered species.

Again in 1997, following the small grants model as a blueprint for success, Congress enacted the "Asian Elephant Conservation Act." The Asian elephant shares a land mass that contains some of the largest and poorest human populations in the world. The combination of pressures on the environment brought on by these conditions has resulted in the conversion of forest cover to village and agriculture use, thereby fragmenting elephant habitat and populations. It is believed that there are only about ten elephant populations with over 1,000 elephants and half of these are found in India. The majority of populations are

small and consist of less than 100 elephants. The greatest threat, although not new, is the increased poaching of Asian elephants.

The first funds were made available in fiscal year 1999. Following the successful methods of implementation of the African Elephant Conservation Act and the Rhinoceros and Tiger Conservation Act, the Service has developed a grants program encouraging proposals for protection to at-risk elephant populations, habitat and ecosystem conservation and management, applied research including surveys and monitoring, conservation education, protected area management, development of elephant conservation action plans, and support of efforts to decrease human-elephant conflicts. Similar to the other two multi-species conservation fund programs, the Service seeks cooperative efforts with in-country wildlife organizations, non-governmental organizations, CITES Management Authorities, and private sector entities with Asian elephant conservation experience. While this grant program is only in its 3<sup>rd</sup> year of funding, 27 grants for Asian elephant conservation activities have been awarded involving 9 range countries and leveraging a 1:1 financial match to the \$1.9 million appropriated.

In closing, Mr. Chairman, the findings made by Congress in first enacting these Acts are regrettably still true today. Many African and Asian countries do not have sufficient resources to properly manage, conserve, and protect their rhino, tiger and elephant populations. While much has been accomplished, much remains to be done. The annual requests for support of high priority projects greatly exceed the funds available, and we believe that reauthorization of the three Acts can make important contributions to rhino, tiger and elephant conservation. The United States must share the responsibility to provide for the conservation of these magnificent species. The principles embodied in these Acts are sound. They provide catalysts for cooperative efforts among the governments of the world, non-governmental organizations, and the private sector to work together for a common goal - the conservation and continued healthy existence of populations of rhino, tigers and elephants. These are not hand outs, but helping hands. For all of these reasons, the Service strongly supports the reauthorization of these Acts.

We look forward to working with the Members of this Committee regarding reauthorization of the multi-species conservation acts. I would be happy to answer any questions.

### **Suggested Language Regarding Formation of an Advisory Group**

This language is modeled after Section 7 (b) of the Neotropical Migratory Bird Conservation Act" (16 U.S.C. 6106(b), P.L. 106-247).

(1) In General - To assist in carrying out this Act, the Secretary may convene an advisory group consisting of individuals representing public and private organizations actively involved in the conservation of [species name].

(2) Public Participation -

(A) Meetings - The advisory group shall --

(i) ensure that each meeting of the advisory group is open to the public; and

(ii) provide, at each meeting, an opportunity for interested persons to present oral or written statements concerning items on the agenda.

(B) Notice - The Secretary shall provide to the public timely notice of each meeting of the advisory group.

(C) Minutes - Minutes of each meeting of the advisory group shall be kept by the Secretary and shall be made available to the public.

(3) Exemption from Federal Advisory Committee Act - The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the advisory group.

**Suggested Language Regarding Project Sustainability and Capacity Building**

A section on "Project Sustainability" should be added to the African Elephant Conservation Act (16 U.S.C. 4211):

"(e) Project Sustainability - To the maximum extent practical, in determining whether to approve project proposals under this section, the Secretary shall give consideration to projects which will enhance sustainable conservation programs to ensure effective, long-term conservation of African elephants."

Section 5 (e) of the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5304) should be amended to read:

"(e) Project Sustainability - To the maximum extent practical, in determining whether to approve project proposals under this section, the Secretary shall give consideration to projects which will enhance sustainable conservation programs to ensure effective, long-term conservation of rhinoceros and tigers."

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