

# Committee on Resources

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TESTIMONY OF CONGRESSMAN JAMES P. MCGOVERN  
BEFORE THE COMMITTEE ON RESOURCES  
SUBCOMMITTEES ON FORESTS AND FOREST HEALTH  
AND FISHERIES CONSERVATION, WILDLIFE AND OCEANS  
JOINT LEGISLATIVE HEARING ON  
H.R. 2416, THE PALEONTOLOGICAL RESOURCES PRESERVATION ACT  
THURSDAY, JUNE 19, 2003

I am grateful for the opportunity to testify before this Joint Subcommittee Hearing today on H.R. 2416, The Paleontological Resources Preservation Act. Like most people, I have always been and continue to be fascinated with dinosaurs, with natural history and with the evolving awareness of our planet's history. As both a conservationist and a former member of the House Resources Committee, I am committed to promoting fossil research and preserving our natural heritage for future generations.

In that spirit, many colleagues and I – on both sides of the aisle -- have introduced legislation again in this session of Congress to protect the irreplaceable and historically significant resources that are found on public land. Neither the rarity of these fossils nor the growing problem of theft and vandalism of these resources should be underestimated.

Far less than 1% of all organisms that have ever lived become fossils. These fossils provide clues that help us solve the mysteries of life on earth. They are one of the few ways we can study evolutionary patterns and environmental change. These fossils are an educational and scientific research tool for not only for our generation but for generations to come. Simply stated, fossils teach us about the history of life on earth. And, it is unlikely that that history will ever be fully written without the most complete fossil record possible.

Protecting that fossil record is precisely why this legislation is so urgently needed. As we sit here today, the most significant threat to vertebrate fossil resources like dinosaurs is the illegal collection of specimens from federal lands. The commercial value of America's fossils has spawned an international black-market trade that is exploding. The sale of fossils has become a highly profitable industry that has led to the theft of fossils from both public and private land. The National Park Service conducted a service wide study in 1999 that revealed an alarming 721 documented incidents of fossil theft or vandalism between 1995 and 1998. A study commissioned by the Forest Service produced even more shocking results. The Forest Service found no less than one-third of paleontological sites surveyed in the Oglala National Grassland in Nebraska showed evidence of unauthorized collecting.

These are public resources on public lands. They belong to all of us, and we must not allow them to disappear into the hands of unscrupulous dealers and black marketers.

Unfortunately, as illegal fossil collection has flourished, we have failed until to develop a clear, consistent and unified policy that gives federal land managers the authority to properly protect these resources. The Paleontological Preservation Resources Act is the product of bi-partisan congressional collaboration which has included numerous federal agencies, respected members of the professional and amateur paleontologist community and distinguished research scientists, including many from Massachusetts. It begins by identifying the fundamental and intrinsic value of these public resources. The bill provides stiff penalties for crimes involving the theft and vandalism of Fossils of National Significance (FONS) in order to deter the illegal collection of these resources on public lands. It is important to note that the bill seeks only to penalize those who seek to profit illegally from these public resources. It does not place any new restrictions on amateur collectors who by and large respect the value of these fossils. Furthermore, the bill requires that all

such fossils taken from federal lands be curated at museums or suitable depositories. Lastly, this bill standardizes the excavation permitting practices on public land to ensure that fossils are not needlessly damaged.

I am convinced that the Paleontological Resources Preservation Act represents the best chance we have to guard our shared history on this planet from being stolen from us any further, and to protect that legacy for future generations to enjoy.