

WRITTEN TESTIMONY OF J. CRAIG POTTER, INTERNATIONAL WILDLIFE LAWYER, 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

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 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 tradeoffs 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.