H.R. 4389, "MIGRATORY BIRDS OF THE AMERICAS CONSERVATION ENHANCEMENTS ACT OF 2023"; H.R. 4770, "CHESAPEAKE BAY SCIENCE, EDUCATION, AND ECOSYSTEM ENHANCEMENT ACT OF 2023"; AND H.R. 5009, "WILDLIFE INNOVATION AND LONGEVITY DRIVER REAUTHORIZATION ACT" OR "WILD ACT"

LEGISLATIVE HEARING

BEFORE THE

SUBCOMMITTEE ON WATER, WILDLIFE AND FISHERIES

OF THE

COMMITTEE ON NATURAL RESOURCES
U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTEENTH CONGRESS

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Wednesday, October 18, 2023
U.S. House of Representatives
Subcommittee on Water, Wildlife and Fisheries
Committee on Natural Resources
Washington, DC

The Subcommittee met, pursuant to notice, at 10:01 a.m., in Room 1334, Longworth House Office Building, Hon. Cliff Bentz [Chairman of the Subcommittee] presiding.

Present: Representatives Bentz, Wittman, Radewagen, LaMalfa; Huffman, Peltola, Hoyle, Dingell, and Porter.

Also present: Representatives Sarbanes.

Mr. BENTZ. The Subcommittee on Water, Wildlife and Fisheries will come to order.

Good morning, everyone. I want to welcome Members, witnesses, and our guests in the audience to today's hearing.

Without objection, the Chair is authorized to declare a recess of the Subcommittee at any time.

Under Committee Rule 4(f), any oral opening statements at hearings are limited to the Chairman and the Ranking Member. I therefore ask unanimous consent that all other Members' opening statements be made part of the hearing record if they are submitted in accordance with Committee Rule 3(o).

Without objection, so ordered.

I also ask unanimous consent the gentleman from Ohio, Mr. Joyce, and the gentlewoman from Florida, Ms. Salazar, be allowed to participate in today's hearing.

Without objection, so ordered.

We are here today to consider three legislative measures: H.R. 4389, the Migratory Birds of the Americas Conservation Enhancements Act of 2023, sponsored by Representative Salazar of Florida; H.R. 4770, the Chesapeake Bay Science, Education, and Ecosystem Enhancement Act of 2023, sponsored by Representative Sarbanes of Maryland; and H.R. 5009, the WILD Act, sponsored by Representative Joyce of Ohio.

I now recognize myself for an opening statement.

STATEMENT OF THE HON. CLIFF BENTZ, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF OREGON

Mr. BENTZ. As everyone should be aware, votes have been scheduled for 11 a.m. this morning. In the interest of hearing from our witnesses, I will keep the statement short.

We are here today because one of our responsibilities as members of the Committee on Natural Resources is to periodically evaluate the authorities this Committee grants to Federal agencies under its jurisdiction. Today, we are evaluating three bipartisan bills that would reauthorize programs within the National Oceanic and Atmospheric Administration and the U.S. Fish and Wildlife Service.

I look forward to hearing from the witnesses regarding the importance of these programs and why they merit reauthorization.

With that, I thank the Members for their work on these bills and the witnesses for testifying today.

I now recognize Ranking Member Huffman for his opening statement.

STATEMENT OF THE HON. JARED HUFFMAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. HUFFMAN. Thank you, Mr. Chairman, and good morning, everyone. I am happy to be here discussing important conservation legislation, and I am grateful to each of our witnesses for making the trip to Washington, DC.

Today, we will be discussing three bipartisan pieces of legislation. Who says there is no bipartisan path forward and this place has to be mired in chaos? Look at this Subcommittee today. All of these bills focus on the conservation and protection of unique animals and ecosystems.

We will hear testimony on H.R. 4770, the Chesapeake Bay Science, Education, and Ecosystem Enhancement Act of 2023, led by our friend, Representative Sarbanes. Chesapeake Bay is an important estuary, the largest in the United States, home to 18 million Americans and a diverse array of fish and wildlife that have suffered from pollution, overfishing, and coastal development. This bill authorizes the NOAA Chesapeake Bay Office to help study and restore this essential part of our landscape.

It also authorizes funds for the competitive Bay Watershed Education and Training Grants. These grants help to fund educational experiences that teach students about the Chesapeake

Bay and develop skills needed to protect it. I look forward to hearing from our witness, Dr. Allison Colden, the Maryland Executive Director of the Chesapeake Bay Foundation, on this important bill.

We will also discuss H.R. 5009, the WILD Act. This bill would reauthorize and amend several wildlife conservation acts, making it easier to support long-term conservation work for iconic species like elephants, rhinoceroses, tigers, great apes, and marine turtles.

The bill also reauthorizes the Partners for Fish and Wildlife Program, which supports habitat restoration efforts across the United States and our territories. The Partners for Fish and Wildlife Program within the U.S. Fish and Wildlife Service employs biologists who work with private landowners to help them conserve and improve wildlife habitat. It is an important program, a component of the collaborative conservation effort for endangered and threatened species that we often talk about in this Committee.

And then finally, we will hear some testimony on H.R. 4389, the Migratory Birds of the Americas Conservation Enhancements Act of 2023. This bill amends the Neotropical Migratory Bird Conservation Act to modestly increase the Federal cost share of each supported project, making grants more accessible to applicants. Projects supported through this Act support nearly 200 species of neotropical migratory birds, and have already benefited 5 million acres of migratory bird habitat in over 40 countries.

Neotropical migratory birds migrate vast distances, spending winter in the tropics and summering in the United States and Canada. This bill will ensure that these species continue to benefit from habitat conservation across their expansive migratory routes for years to come.

Mr. Chair, I ask unanimous consent that our colleague, Mr. Sarbanes, join us on the Democratic side and have permission to sit at the dais and participate in today's hearing.

Mr. BENTZ. Without objection, so ordered.

Mr. HUFFMAN. I appreciate that and yield back.

Mr. BENTZ. Thank you, Ranking Member Huffman. I will now introduce our first panel. As is typical with legislative hearings, the bills' sponsors are recognized for 5 minutes each to discuss their bills.

With us today is Congressman John Sarbanes, who is recognized for 5 minutes.

STATEMENT OF THE HON. JOHN P. SARBANES, A REPRESENTATIVE IN CONGRESS FROM THE STATE MARYLAND

Mr. SARBANES. Thank you very much, Chairman Bentz, Ranking Member Huffman, members of the Subcommittee for the opportunity to testify today in support of H.R. 4770, the bipartisan Chesapeake Bay Science, Education, and Ecosystem Enhancement Act of 2023, or SEEE Act.

This bill takes important steps to support the ongoing restoration of the Chesapeake Bay by reauthorizing NOAA's Chesapeake Bay Office and authorizing the agency's long-running Bay Watershed Education and Training, or B-WET Grant program.

For Marylanders, the Chesapeake Bay is the cornerstone of both our heritage and our economy. My Virginian co-leads on this bill,

Representatives Jen Kiggans, Rob Wittman, and Bobby Scott, who also represent districts directly on the Bay, know from their own experiences how this national treasure has shaped our country's history, and even today serves as the economic engine that powers our region's seafood, tourism, and recreation industries.

Beyond Maryland and Virginia, the Chesapeake Bay watershed spans Delaware, the District of Columbia, New York, Pennsylvania, and West Virginia, intertwining the lives of more than 18 million people with the nation's largest estuary.

Unfortunately, in recent decades, the health of the Chesapeake Bay and the prosperity of the communities who rely on it has been negatively affected by nutrient runoff across the watershed, disappearing coastal and marine habitat, and many other factors. That makes the passage of the Chesapeake Bay SEEE Act all the more important.

NOAA's Chesapeake Bay Office coordinates and conducts scientific research, habitat restoration efforts, and environmental education projects across the watershed to improve the Bay's health and ensure its sustainable use for generations to come. The Chesapeake Bay SEEE Act would bolster NOAA's critical coastal research stewardship work in several ways I will mention very briefly.

First, the bill would reauthorize the Chesapeake Bay Office for the first time since 2006. Though Congress has annually appropriated funds for the Bay Office's operations, it can be challenging for the office to most effectively act as the hub of all NOAA's Bay-related programs and activities amid this uncertainty. By reauthorizing the office, we can best position it to efficiently carry out its mission of using science, service, and stewardship to restore and protect the Bay.

Second, the bill would enhance the Chesapeake Bay Interpretive Buoy System, which collects real-time meteorological, oceanographic, and water quality information, and wirelessly relays this weather and environmental data to inform researchers, boaters, educators, and the public.

Third, the bill would statutorily authorize the B-WET Grant program and centralize its administration within the Bay Office. This will build on the well-established success of the B-WET program, which for more than 20 years has helped inspire the next generation of scientific leaders by providing K-12 students in the Chesapeake Bay watershed invaluable, hands-on education about how their everyday actions affect the Bay.

Fourth and finally, the bill would expand NOAA's Aquaculture Technical Assistance programs, which play a vital role in restoring the Chesapeake's living resources, from oysters to the iconic blue crab. Beyond protecting the Bay's habitat, these programs also provide indispensable support for our seafood industry and the tens of thousands of jobs it provides.

The health of the Chesapeake Bay and its watershed can only continue to improve through robust Federal, state, and local partnerships. Ensuring that NOAA's Chesapeake Bay Office is equipped to best carry out its part in these efforts is essential to a successful, long-term restoration and protection of this national treasure.

Last Congress, the SEEE Act advanced out of this Committee by voice vote, and I hope that today's hearing is the first step in continuing that legacy of strong bipartisan support for the Chesapeake Bay in this Congress.

Again, thank you very, very much, Mr. Chairman, for the opportunity to present today.

I yield back. Thank you very much.

Mr. BENTZ. Thank you, Congressman Sarbanes, for your testimony.

I ask unanimous consent that the statements from Congresswoman Salazar and Congressman Joyce be entered into the hearing record.

Without objection, so ordered.

I will now introduce our second panel.

Ms. Carrie Selberg Robinson, Director of the Office of Habitat Conservation with the National Marine Fisheries Service in Silver Spring, Maryland; Mr. Stephen Guertin, Deputy Director for Policy at the U.S. Fish and Wildlife Service in Washington, DC; Mr. Ben Cassidy, Executive Vice President of International, Government and Public Affairs with the Safari Club International in Washington, DC; Ms. Julie Wraithmell, Executive Director of Audubon Florida in Tallahassee, Florida; Dr. Allison Colden, Maryland Executive Director with the Chesapeake Bay Foundation in Annapolis, Maryland; and Mr. Robert Caccese, Director of Policy, Planning, and Communications with the Pennsylvania Fish and Boat Commission in Harrisburg, Pennsylvania.

Let me remind the witnesses that under Committee Rules, they must limit their oral statements to 5 minutes, but their entire statement will appear in the hearing record.

To begin your testimony, please press the "on" button on the microphone.

We use timing lights. When you begin, the light will turn green. When you have 1 minute remaining, the light will turn yellow. At the end of 5 minutes, the light will turn red, and I will ask you to complete your statement.

I will also allow all witnesses to testify before Member questioning.

I now recognize Ms. Carrie Selberg Robinson for 5 minutes.

STATEMENT OF CARRIE SELBERG ROBINSON, DIRECTOR OF THE OFFICE OF HABITAT CONSERVATION, NATIONAL MARINE FISHERIES SERVICE, WASHINGTON, DC

Ms. ROBINSON. Chairman Bentz, Ranking Member Huffman, and members of the Subcommittee, thank you for the opportunity to testify before you today and to discuss H.R. 4770, Chesapeake Bay Science, Education, and Ecosystem Enhancement Act of 2023, and H.R. 5009, Wildlife Innovation and Longevity Driver reauthorization Act, or the WILD Act.

The National Oceanic and Atmospheric Administration, NOAA, is responsible for the stewardship of the nation's living marine resources and their habitat. NOAA Fisheries provide vital services for the nation: sustainable and productive fisheries, safe sources of seafood, the recovery and conservation of protected species, and

healthy ecosystems, all backed by sound science and an ecosystem-based approach to management.

The resilience of our marine ecosystems and coastal communities depends on healthy marine species, including protected species such as whales, sea turtles, salmon, and corals.

H.R. 4770 would reauthorize the NOAA Chesapeake Bay Office, update our legislative authority, and provide additional direction and flexibility. We would like to thank Rep. Sarbanes for introducing this important piece of bipartisan legislation along with the bill's three co-sponsors who represent the Chesapeake Bay watershed jurisdictions of Maryland and Virginia.

The NOAA Chesapeake Bay Office, NCBO, is a division of the Office of Habitat Conservation within the NOAA National Marine Fisheries Service. NCBO uses its capabilities in science, restoration, and community engagement to improve the understanding, management, and stewardship of the Chesapeake Bay. NCBO focuses on sustainable fisheries and habitat science, oyster restoration, oceanographic and meteorological observations, environmental literacy, and community partnerships. As a part of this overall effort, NCBO is working with partners to support the restoration of oyster populations in 10 Bay tributaries by 2025, which has already resulted in the largest oyster reef restoration project in the world.

NCBO also funds fisheries research that provides real-world applications that support Federal and state marine resource managers.

NCBO also monitors Bay conditions by maintaining the Chesapeake Bay Interpretive Buoy System. This network of buoys, acoustic receivers, and water column sensors tracks water quality, fish movement, and weather information at key locations, and delivers this data to our colleagues engaged in ecological forecasting, as well as to boaters, recreational anglers, and other researchers.

In support of the environmental literacy goal of the Watershed Agreement, NCBO partners with states and school districts throughout the region to increase K-12 environmental literacy programs throughout the Chesapeake Bay Watershed Education and Training Competitive Grant program, also known as B-WET.

This legislation would empower NCBO with the tools and capabilities to directly support the conservation and restoration goals of NOAA, the Chesapeake Bay program, and our partnerships in the Bay, and we appreciate the Committee's attention to this program.

Regarding H.R. 5009, the WILD Act, NOAA works with the U.S. Fish and Wildlife Service to implement the Marine Turtle Conservation Act, which supports international sea turtle conservation and recovery. NOAA Fisheries and the U.S. Fish and Wildlife Service identify high-priority projects and provide financial and technical assistance.

In closing, NOAA stands ready to work with all of you to address the current and future challenges to our marine ecosystems. Thank you, and I look forward to discussing these bills with you today.

[The prepared statement of Ms. Robinson follows:]

PREPARED STATEMENT OF NATIONAL MARINE FISHERIES SERVICE, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE

ON H.R. 4770 AND H.R. 5009

Chairman Bentz, Ranking Member Huffman, and members of the Subcommittee, thank you for the opportunity to testify before you today and to discuss H.R. 4770, "Chesapeake Bay Science, Education, and Ecosystem Enhancement Act of 2023," and H.R. 5009, "Wildlife Innovation and Longevity Driver reauthorization Act" or the "WILD Act."

The National Oceanic and Atmospheric Administration (NOAA) is responsible for the stewardship of the nation's living marine resources and their habitat. NOAA Fisheries provide vital services for the nation: sustainable and productive fisheries, safe sources of seafood, the recovery and conservation of protected species, and healthy ecosystems—all backed by sound science and an ecosystem-based approach to management. The resilience of our marine ecosystems and coastal communities depends on healthy marine species, including protected species such as whales, sea turtles, salmon, and corals.

H.R. 4770 would reauthorize the NOAA Chesapeake Bay Office, update our legislative authority, and provide additional direction and flexibility. We would like to thank Rep. Sarbanes for introducing this important piece of bipartisan legislation along with the bill's three co-sponsors who represent the Chesapeake Bay watershed jurisdictions of Maryland and Virginia.

NOAA Chesapeake Bay Office

The NOAA Chesapeake Bay Office (NCBO) is a division of the Office of Habitat Conservation within the NOAA National Marine Fisheries Service. NCBO uses its capabilities in science, restoration, and community engagement to improve the understanding, management, and stewardship of the Chesapeake Bay. NCBO focuses on sustainable fisheries and habitat science, oyster restoration, oceanographic and meteorological observations, environmental literacy, and community partnerships.

NOAA has been a partner in the Chesapeake Bay Program since 1984. In 2014, NOAA and its Federal and state partners committed to the Chesapeake Bay Watershed Agreement, which included goals supporting the restoration and protection of the Bay watershed and guiding the work of the Chesapeake Bay Program.

NCBO is the Federal agency lead working to implement the Watershed Agreement objectives for oysters, blue crabs, forage species, and fish habitat. As part of this effort, NCBO is working with partners to support the restoration of oyster populations in 10 Bay tributaries by 2025—the largest oyster reef restoration project in the world. NCBO funds important fisheries research that provides real-world applications that support Federal and state marine resource managers.

NCBO is also committed to place-based initiatives to improve fisheries habitat and coastal community resilience in the Choptank River Habitat Focus Area in Maryland and the Middle Peninsula of Virginia.

NCBO monitors Bay conditions by maintaining the Chesapeake Bay Interpretive Buoy System. This network of buoys, acoustic receivers, and water column sensors tracks water quality, fish movement, and weather information at key locations and delivers this data to NOAA colleagues engaged in marine weather and ecological forecasting, as well as to boaters, recreational anglers, and other researchers.

In support of the Environmental Literacy Goal of the Watershed Agreement, NCBO partners with states and school districts throughout the region to increase systemic and sustainable implementation of K–12 environmental literacy programs through the Chesapeake Bay Watershed Education and Training (B-WET) competitive grant program.

Climate change is a critical issue facing the Chesapeake Bay and its watershed. Climate considerations are embedded into all NCBO does—from observations and fisheries research to education, workforce development, and community engagement programs. NCBO coordinates the Chesapeake Bay Program's climate and resilience activities, including supporting the development of green infrastructure in underserved communities.

Finally, NCBO is strongly committed to increasing diversity, equity, inclusion, and justice both in our office culture and in our programs. We do this by actively seeking engagement of underserved communities in our place-based initiatives, supporting internship programs focused on students from populations historically excluded from science fields, and ensuring our grant funding supports the priorities of diverse communities and is accessible to them.

H.R. 4770—Chesapeake Science, Education, and Ecosystem Enhancement Act

NOAA supports the objectives of H.R. 4770, which would reauthorize the NOAA Chesapeake Bay Office and update its legislative authority.

The bill would recognize and provide authority for long-standing NCBO programs and activities, including two programs not included in the 2002 reauthorization act—the Chesapeake Bay Interpretive Buoy System and the Chesapeake B-WET Program. The Chesapeake Bay Coastal Living Resources Management and Habitat Program will also allow for development of programs that restore, protect, and build the resilience of critical coastal habitats and vulnerable communities to offset the effects of climate change.

This legislation would authorize NCBO with the tools and capabilities to directly support the conservation and restoration goals of NOAA, the Chesapeake Bay Program, and the Chesapeake Bay Watershed Agreement.

H.R. 5009 (Rep. Joyce of Ohio), "Wildlife Innovation and Longevity Driver reauthorization Act" or the "WILD Act"

The Marine Turtle Conservation Act supports international sea turtle conservation and recovery. Through the Marine Turtle Conservation Fund, USFWS provides financial and technical assistance to international partners to reduce terrestrial and marine threats to sea turtles and to better assess and understand their population status. NOAA Fisheries coordinates with USFWS to identify high priority projects and provide financial and technical assistance.

Conclusion

NOAA is proud to continue to be a leader in conducting ocean science, serving the nation's coastal communities and industries, and ensuring responsible stewardship of our ocean and coastal resources. We value the opportunity to continue working with this Subcommittee on these important issues. Thank you, Members of the Subcommittee and your staff for your work to support NOAA's mission. I am happy to take your questions.

Mr. BENTZ. Thank you.

I now recognize Mr. Guertin for 5 minutes.

STATEMENT OF STEPHEN GUERTIN, DEPUTY DIRECTOR FOR PROGRAM MANAGEMENT AND POLICY, U.S. FISH AND WILDLIFE SERVICE, WASHINGTON, DC

Mr. GUERTIN. Good morning, Chairman Bentz, Ranking Member Huffman, and members of the Subcommittee. I am Steve Guertin, Deputy Director for the U.S. Fish and Wildlife Service. We appreciate the opportunity to testify before you today on two bills that reauthorize three successful programs that invest in partnerships to conserve wildlife at home and abroad.

H.R. 4389, the Migratory Birds of the Americas Conservation Enhancements Act, would reauthorize the Neotropical Migratory Bird Conservation Act, or Neotrops Act. The Service supports H.R. 4389 with a few recommended modifications.

Since the early 1900s, the United States has undertaken substantial actions and investments to conserve migratory birds, but these investments are at risk if the migrating birds do not have suitable habitat to support their life cycles outside of the United States. Congress enacted the Neotrops Act to protect these investments we make here in the United States.

Through the Neotrops Act the Service works to conserve 390 species of neotropical birds that migrate to the United States each year from other countries. These birds pollinate plants, control pests, and generate billions of dollars of economic activity through bird watching and photography. Since 2002, the Neotrops Act has

conserved or restored more than 5 million acres of bird habitat and leveraged an additional $346 million in partner funding.

While we support and welcome the changes this bill would make, the Service recommends decreasing the cost share requirement even further to a one-to-one match. This would open doors to a broader coalition of applicants and partners.

The Service also supports increasing the cap on administrative expenses to address anticipated growth in demand for the program, and we note that demand for the program has outstripped funding in recent years.

H.R. 5009, the WILD Act, reauthorizes two popular, long-standing Service programs that promote species and habitat conservation: the Partners for Fish and Wildlife Program and the Multinational Species Conservation Fund.

The Service supports H.R. 5009.

Through the Partners Program we advance collaborative conservation on private lands. Our biologists work with landowners on a voluntary basis to help them conserve and improve wildlife habitat on their lands. Conservation on private lands is critically important to accomplish our mission, because nearly 70 percent of the land in the United States is privately owned.

Over the past 35 years, the Partners Program has helped around 30,000 landowners to conserve more than 6.4 million acres of fish and wildlife habitat. A 2014 study found that every dollar the program contributed to a project generated nearly $16 in economic returns to local communities. The program is flexible, effective, and provides lasting benefits for wildlife and communities across the country.

We have seen similar successes through the Multinational Species Conservation Fund, which conserves some of the world's most iconic species, including sea turtles, great apes, elephants, rhinos, and tigers. Conserving these species is a specific directive from Congress to the Service. From 2015 to 2022, the funds provided over $90 million in grants and cooperative agreements, and leveraged nearly $200 million in additional funds toward conserving these species. U.S. dollars invested in the range countries go a long way. Projects supported by the funds mitigate threats to these species, conserve ecosystems, advance diplomacy, improve stability in foreign countries, and build goodwill toward the United States.

Thank you for the opportunity to testify today. We appreciate the Subcommittee's interest in our conservation partnerships. Working with others is central to our mission, and reauthorization of these programs will enable us to continue to advance our conservation mission at home and abroad.

I would be pleased to answer any questions the Committee has.

[The prepared statement of Mr. Guertin follows:]

PREPARED STATEMENT OF STEPHEN GUERTIN, DEPUTY DIRECTOR FOR POLICY, U.S. FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

ON H.R. 4389 AND H.R. 5009

Introduction

Good morning, Chairman Bentz, Ranking Member Huffman, and Members of the Subcommittee. I am Stephen Guertin, Deputy Director for Policy for the U.S. Fish and Wildlife Service (Service) within the Department of the Interior (Department). I appreciate the opportunity to testify before you today on two bills that reauthorize three long-standing and successful programs that invest in partnerships to conserve wildlife at home and abroad.

The Service's mission is working with others to conserve, protect, and enhance fish, wildlife, plants, and their habitats for the continuing benefit of the American people. For more than 150 years, the Service has collaborated with partners across the country and around the world to carry out this mission. The programs reauthorized in the legislation before the Subcommittee today are pivotal to these conservation partnerships.

The Neotropical Migratory Bird Conservation Act (NMBCA) has created durable and effective partnerships with other nations to conserve a shared resource. Each year, 390 species of neotropical migratory birds migrate to and from the United States, spending winters in southern countries and returning to North America in the summer. These birds include beloved and familiar species such as the Baltimore oriole, the Golden-cheeked warbler, and the American oystercatcher along with broader groups of songbirds, shorebirds and birds of prey. In addition to their role in pollination, seed dispersal and pest control, migrating birds also provide warnings of the effects of climate change and environmental contamination and generate billions of dollars of economic activity through bird watching and photography. A key aspect of this law is that it ensures that conservation activities undertaken in the U.S. are bolstered by habitat conservation outside of the U.S. in key areas of the species' ranges. It also leverages about four times the funds invested and has provided critical support for neotropical bird conservation and research throughout the Western Hemisphere for over two decades.

The Partners for Fish and Wildlife (PFW) Program has long been a critical tool in helping the Service advance collaborative conservation on private lands. With more than 70 percent of land in the U.S. in private ownership, the success of the Service's conservation mission hinges on its ability to work with partners to conserve and restore fish and wildlife habitat on private lands. Established in 1987, the PFW Program facilitates conservation with private landowners to benefit both trust species and landowners. Through over 200 PFW biologists located in all 50 states and territories, the Service provides free technical and financial assistance to private landowners, managers, tribes, corporations, schools, and nonprofits interested in improving wildlife habitat on their land. Projects are custom designed to meet the unique needs of each partner and can range from several-acre wetland restorations to grassland restoration projects that stretch thousands of acres.

Similarly, the Multinational Species Conservation Funds have been essential to conserving some of the world's most iconic species, as identified by Congress, through partnerships in their range countries. Poaching, wildlife trafficking, human-wildlife conflict, habitat loss, and disease have all contributed to the decline of these species, which include elephants, rhinoceros, tigers, great apes, and marine turtles. Key populations of many of these species are found in countries where these threats are compounded by political instability, expanding human populations, and a lack of funding and capacity for conservation. Projects supported by the Multinational Species Conservation Funds mitigate threats to these species, conserve ecosystems, advance diplomacy, improve stability in foreign countries, and build good will towards the United States.

H.R. 4389, Migratory Birds of the Americas Conservation Enhancements Act of 2023

H.R. 4389, the Migratory Birds of the Americas Conservation Enhancements Act of 2023 would reauthorize the NMBCA through fiscal year (FY) 2028. The bill would increase the federal share of each project to a maximum of 33.3 percent; require the Service to submit a report to Congress within 180 days of enactment describing the implementation of existing collaborative requirements in the Act; increase the allowable administrative expenses available to the Secretary each fiscal year to a maximum of 4 percent or $200,000, whichever is greater; and increase the authorization of appropriations. The Service supports H.R. 4389, with some recommendations for improvement, which would continue the legacy of effective

international, collaborative conservation and provide increasing financial support for, and thereby public access to, bird conservation.

The Service's Neotropical Migratory Bird Conservation program provides grants for the conservation of neotropical migratory birds to countries in Latin America, the Caribbean, Canada, and the United States. The program operates an annual grant cycle where Service staff and outside experts review eligible project proposals and makes recommendations to the Director. Since 2002, NMBCA has provided more than $89 million to support 717 projects in 43 countries. These projects have positively affected more than 5 million acres of bird habitat and leveraged an additional $346 million in partner funding. This May, the Service awarded $5.1 million in federal funds, leveraging more than $19.6 million in partner contributions, for 32 projects across 30 countries. The networks developed through this program have evolved into a powerful conservation tool.

Increasing the federal cost-share requirement to 33 percent from the current 25 percent will open doors to a broader coalition of applicants and partners. However, the Service notes that if the federal share were increased to a maximum of 50 percent, a 1:1 match, it would enable the Service to engage an even larger number of partners, take on a greater partnership role with projects, and reduce risk to the program if partners are unable to raise a higher match level.

Similarly, while the Service appreciates support for increasing allowable administrative expenses, we recommend increasing the amount permitted under the legislation to up to 5 percent or $300,000, whichever is greater. If the federal cost share increases, increased administrative funding will be critical to handle the additional workload associated with an expected increase in applicants and grant recipients. Additionally, increasing the maximum amount to the recommended level would enable Service employees to ensure better compliance with federal financial assistance requirements that improve performance and conservation delivery.

Finally, the Service is requesting $9.9 million for this program in the President's FY 2024 budget. In recent years, proposals for funding have totaled close to $10 million annually. Authorizing appropriations at the Service's requested level would allow the program to meet increasing demand from applicants and improve outcomes for birds that are facing threats from climate change, habitat degradation, and other challenges that require long-term education, research and monitoring.

For these reasons, we would welcome the opportunity to work with the sponsor and the Subcommittee to ensure the NMBCA can continue its legacy of collaborative conservation and meet the demand from applicants and partners across the Hemisphere.

H.R. 5009, Wildlife Innovation and Longevity Driver Reauthorization Act

H.R. 5009, the Wildlife Innovation and Longevity Driver Reauthorization (WILD) Act reauthorizes two popular, long-standing Service programs that promote species and habitat conservation: the PFW Program and the Multinational Species Conservation Funds. The Service supports H.R. 5009, which would enable the Service to continue leveraging some of our most successful collaborative conservation efforts at home and abroad.

Over the past 35 years, the PFW Program has been highly successful in helping the Service and its partners meet shared conservation goals, helping around 30,000 landowners complete more than 50,000 habitat restoration projects totaling more than 6.4 million acres of fish and wildlife habitat. A 2014 study found that for every $1 the PFW Program contributed to a project, the program generated $15.70 in economic returns to local communities. Whether the program is restoring coastal marshes in Ottawa County, Ohio, or working with the partners to restore a park in Bay City, Michigan, it proves to be a flexible and effective program that provides lasting benefits to wildlife and communities.

The Multinational Species Conservation Funds are authorized through five laws that created individual competitive grant programs supporting the conservation of international at-risk species. These programs provide critical technical and financial assistance to local communities, government agencies, and non-government organizations, working to conserve at-risk species and habitat across the globe. From 2015 to 2022, the Funds provided $92.5 million in grants and cooperative agreements and leveraged nearly $200 million in additional funds towards conserving these species. Since their inception, the Funds have engaged nearly 600 domestic and foreign partners in over 54 countries.

Each of the five Funds are applied to unique species conservation challenges abroad:

The African Elephant Conservation Fund provides critical support for curbing the current African Elephant poaching epidemic, combatting the trafficking of this

species' ivory and meat, and reducing the demand for these products. The Asian Elephant Conservation Fund specializes in enhancing human-Asian Elephant co-existence through local stewardship and community outreach in addition to promoting applied research and transboundary conservation efforts. The Rhinoceros and Tiger Conservation Fund is aimed at community engagement in both South Africa and South Asia, and includes a suite of measures, such as wildlife trafficking mitigation measures that seek to eliminate to collection and sale of rhinoceros horns as well as tiger pelts, teeth, bones, and products, and establishing networks of citizens to protect tigers through reduced human-wildlife conflict. The Great Ape Conservation Fund seeks to preserve some of our world's most intelligent animals by combatting pet-trade related capture and poaching throughout Africa and Asia. Lastly, the Marine Turtle Conservation Fund addresses threats to turtle survival through nesting site protection, marine debris reduction, fishery bycatch reduction, and other localized conservation projects. The program was also expanded by Congress in 2019 to include support for the conservation of freshwater turtles and tortoises.

H.R. 5009, Wildlife Innovation and Longevity Driver Reauthorization Act, reauthorizes funding for the PFW Program through FY 2028; reauthorizes funding for the Multinational Species Conservation Funds at existing funding levels through FY 2028; and authorizes multiyear grants for up to five years for the Multinational Species Conservation Funds programs.

The Service has identified some suggested modifications, which are discussed below.

Reauthorization of the PFW program would enable the Service to continue to achieve strong conservation outcomes through hand-in-hand collaboration with private landowners. However, the Service notes that the Administration's FY 2024 budget request includes almost $80 million for the PFW Program—nearly $5 million more than would be authorized by H.R. 5009. This proposed increase underscores the need for collaborative efforts to enhance private lands, protect trust species, and support ecosystem and community resiliency and the program's capability to address that need. The Service would welcome the opportunity to discuss with the Subcommittee how the PFW Program is equipped to deploy the additional funding included in our budget request, including how we anticipate an increase in funding could amplify the program's achievements and benefits to landowners and neighboring communities.

With regard to the Multinational Species Conservation Funds programs, we note that the current caps on administrative funds are not consistent across the five programs, nor are they sufficient to cover total administrative costs associated with implementing and overseeing the Funds. The Service would welcome the opportunity to discuss this further with the sponsor and the Subcommittee.

Conclusion

The Service appreciates the Subcommittee's interest in our conservation partnerships. Working with others is central to the Service's mission, and reauthorization of the Neotropical Migratory Bird Conservation Act, Partners for Fish and Wildlife Program, and Multinational Species Conservation Funds will enable the Service to continue our work with our partners to conserve species at home and abroad.

QUESTIONS SUBMITTED FOR THE RECORD TO MR. STEPHEN GUERTIN, DEPUTY DIRECTOR FOR POLICY, U.S. FISH & WILDLIFE

Mr. Guertin did not submit responses to the Committee by the appropriate deadline for inclusion in the printed record.

Questions Submitted by Representative Bentz

Question 1. Why is the Service is not utilizing the Partners for Fish and Wildlife Program more to reduce or eliminate the need for listing rather than putting more money towards Ecological Service budget and personnel? Oftentimes the work of the ecological services department would be duplicative of the work that could be done by the partners program before a species is listed.

Mr. BENTZ. Thank you.

I now recognize Mr. Cassidy for 5 minutes.

STATEMENT OF BEN CASSIDY, EXECUTIVE VICE PRESIDENT OF INTERNATIONAL, GOVERNMENT AND PUBLIC AFFAIRS, SAFARI CLUB INTERNATIONAL, WASHINGTON, DC

Mr. CASSIDY. Chairman Bentz, Ranking Member Huffman, members of the Subcommittee, thank you for your invitation today to discuss H.R. 5009, Wildlife Innovation and Longevity Driver Reauthorization Act, or the WILD Act. I am here as a representative of Safari Club International, or SCI, an organization that has long prioritized conservation efforts here in the USA, as well as across the globe.

Our organization's work on the ground in Africa, facilitated by the best available wildlife science, leads to the inescapable conclusion that the future of the continent's wildlife depends on the extraordinary power of community-driven conservation. When we say community-driven conservation, we mean that the African communities and the African people have not only the inalienable right, but also the knowledge of how to best protect the wildlife species whose habitats are within their borders and, indeed, in their backyards.

That is why SCI supports the WILD Act, as it represents the largest U.S. Fish and Wildlife Service allocation of funds toward community-driven conservation projects in southern and eastern Africa, including but not limited to, range states such as Zimbabwe, Zambia, Angola, Namibia, and Botswana, which make up the Kavango-Zambezi Transfrontier Conservation Area, or KAZA.

KAZA, which is home to 55 percent of the world's elephants and 20 percent of African lions, recently used WILD Act grant funding to help complete a monumental elephant survey covering 106 million acres, that is the size of France, which showed stable and increasing elephant populations across the region. The reason for this success? The incorporation of sustainable use strategies, often more plainly referred to as legal regulated hunting.

Southern African wildlife officials and African wildlife scientists agree that the incorporation of legal and regulated hunting is an essential component of larger conservation strategies, scientifically proven to save wildlife habitat from human development, bolster economic opportunities for rural African communities, and combat the criminal and unregulated killing of wildlife, also known as poaching.

Congressional reauthorization of the WILD Act should further fund and acknowledge these countries' proven conservation strategies, especially with respect to not only African elephants, but also Asian elephants, rhinoceros, tigers, and turtles.

All of this points to one glaring truth: it is easy for us to mandate policies and pontificate about protecting elephants from thousands of miles away, but look at what successes we can bring about when we incorporate, instead of reject, the expertise of the people who co-exist with these animal populations.

Unfortunately, the U.S. Fish and Wildlife Service currently administers the WILD Act in a way that all too often hinders

community-based conservation. The process of receiving WILD Act conservation funds has become too tangled and dominated by large NGOs, who can afford to retain the staff necessary to navigate the overly complicated legal maze required to petition for funding. The WILD Act must more easily facilitate the allocation of resources for community-based conservation, not bury African applicants under American paperwork, bureaucracy, and red tape.

Secondly, the unfortunate truth is that communities and officials in southern African countries see the U.S. Fish and Wildlife Service as divorced from their reality on the ground, and therefore not a good faith partner. And who can blame them? On one hand, Fish and Wildlife is giving grants that promote sustainable use projects like the KAZA survey. Then, on the other hand, Fish and Wildlife Service is rejecting sustainable use proposals at international conferences like the Convention on International Trade in Endangered Species of Wild Fauna and Flora, also known as CITES. When the leadership of Fish and Wildlife Service speaks out of both sides of its mouth, African stakeholders do not see a reliable ally.

Lastly, the WILD Act's implementation scheme represents a significant diversion of assets from countries and communities whose population management strategies represent the most substantial and effective form of conservation. Many WILD Act grant beneficiaries reject the benefits of legal, regulated hunting and use WILD Act funds as a crutch to fund programs that might otherwise be successfully paid for by hunting revenue in range states. Why are we subsidizing a choice to be less efficient and less strategic?

U.S. Fish and Wildlife can find more effective ways to communicate with and listen to southern African countries to address their wildlife conservation needs. This must be an approach hunters and anti-hunters alike can agree on.

SCI remains very supportive of the WILD Act, but we suggest that Congress use its oversight function to ensure that community-based conservation funds reach the African communities that need it most, rather than the coffers of multi-national NGOs. Such reforms to the application process would ensure the WILD Act fulfills its true mission of funding effective conservation.

Thanks for your time, and I welcome any and all questions from the Committee.

[The prepared statement of Mr. Cassidy follows:]

PREPARED STATEMENT OF BENJAMIN CASSIDY, EXECUTIVE VICE PRESIDENT OF INTERNATIONAL, GOVERNMENT AND PUBLIC AFFAIRS, SAFARI CLUB INTERNATIONAL

ON H.R. 5009

Good morning, Chairman Bentz, Raking Member Huffman, Representative Joyce, Representative Dingell, and members of the House Committee on Natural Resources, Subcommittee on Water, Wildlife and Fisheries. Thank you for the opportunity to testify today about how commonsense, community-centered conservation is critical for the meaningful protection of the world's most iconic species. I am Benjamin Cassidy, Executive Vice President of International, Government and Public Affairs for Safari Club International ("SCI"). SCI is a nonprofit I.R.C. § 501(c)(4) corporation with approximately 85,000 members and advocates worldwide. SCI is the only hunting rights organization with a Washington, D.C. based national and international advocacy team and an all-species focus. SCI's missions include conservation of wildlife, protection of the hunter, and education of the public concerning hunting and its use as a conservation tool. The conservation programs

of SCI's sister organization Safari Club International Foundation ("SCIF"), support research, wildlife management, conservation projects, and rural community leadership in North America, Africa, and Central Asia.

SCI's global conservation efforts, specifically those in Africa, prioritize community-driven conservation. What we see time and again is that these communities are relentless advocates for the incorporation of legal, regulated hunting as a component of their larger, multifaceted conservation strategies. It is no surprise that the countries that conserve 80% of the world's African elephants, nearly 70% of black rhinos, and approximately 90% of all white rhinos allow lawful hunting.[1] The same can be said for populations of lion, leopard, giraffe, wild dog, cheetah, and many more. Specifically, this legal regulated hunting offers benefits that include, but are not limited to, preserving wildlife habitat and combatting poaching through reducing human-wildlife conflict and providing economic opportunities to communities, thereby disincentivizing poaching or other wildlife crimes. Let us not forget that the two largest threats to wildlife species are habitat loss and poaching.

The WILD Act represents the largest pool of money from the Department of the Interior that is directed towards community-driven conservation projects in African range states. The WILD Act would reauthorize the Multinational Species Conservation Fund ("MSCF") which supports global conservation of imperiled species, including rhinos, elephants, tigers, great apes, and turtles. The grants target species and address habitat conservation, law enforcement, and technical assistance for conserving species under the MSCF. SCI supports H.R. 5009 and its grant programs but believes that the process for putting funds into conservation has become too tangled and dominated by large international non-governmental organizations ("NGOs"). SCI suggests that the grant process be reformed to fulfill the MSCF's mission of putting resources into conservation, rather than being consumed by paperwork and bureaucracy.

The WILD Act Reauthorizes Critical Funding for Elephants, Rhinos, and Other Wildlife

The WILD Act would reauthorize MSCF funding used to promote conservation of certain species. For African elephant, the WILD Act would reauthorize the African Elephant Conservation Act ("AECA") for fiscal years 2024 through 2028 at $5 million per fiscal year. The AECA grants the U.S. Fish and Wildlife Service ("Service") the authority to establish the African Elephant Conservation Fund ("AECF") to provide funding for projects that benefit African elephants through research, conservation, and management of the species and its habitat. Projects are carried out in cooperation with African range states and NGOs.

As a recent example of the importance of this funding, the AECF provided grant monies for the first ever synchronized aerial elephant survey for the entire Kavango Zambezi Transfrontier Conservation Area ("KAZA"). Established in 2011 and covering 106 million acres across parts of Angola, Botswana, Namibia, Zambia, and Zimbabwe, KAZA is the world's largest transboundary conservation landscape. In September 2023, KAZA announced the results of its 2022 elephant survey.[2] The much-anticipated results from the first-of-its-kind survey show exactly what hunters, outfitters, and southern African governments have known all along: elephants are stable or increasing throughout the region and in particular in countries where they are part of a sustainable use conservation hunting program. The estimated elephant population for the region was calculated at 227,900.[3] This represents an increase from the IUCN's 2016 African Elephant Status Report, which estimated a combined 216,970 elephants in the KAZA region. Across KAZA, 58% of elephants were found in Botswana, 29% in Zimbabwe, 9% in Namibia, and the remaining 4% were found in Zambia and Angola combined.[4] These kinds of surveys

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[1] C.R. Thouless et al., African Elephant Status Report 2016 ("Elephant Status Report"), https://portals.iucn.org/library/sites/library/files/documents/SSC-OP-060_D.pdf (reporting over 339,000 of the total 415,000 African elephants are estimated to inhabit the seven countries where they are hunted); African and Asia Rhinoceroses—Status, Conservation and Trade (2022), CITES CoP19 Doc. 75 Annex 4, Report prepared by the IUCN Species Survival Commission and TRAFFIC (reporting 68% of Africa's black rhinos and 89% of Africa's white rhinos inhabit Namibia and South Africa).

[2] KAZA Launches its 2022 KAZA Elephant Survey results (2023), https://www.kavangozambezi.org/2023/08/31/kaza-launches-its-2022-kaza-elephant-survey-results/.

[3] Bussière, E.M.S. and Potgieter, D., An Aerial Survey of Elephants and Other Large Herbivores in the Kavango Zambezi Transfrontier Conservation Area Volume I: Results and Technical Report (2023).

[4] *Id*.

and resulting data are critical for the implementation of both domestic and international elephant management policies that drive effective elephant conservation.

Reauthorization of the MSCF via the WILD Act will provide important conservation funding administered through the AECA and other relevant Acts. However, from SCI's perspective, Congress should encourage the Service to structure the relevant grant programs such that local and community conservation programs are the end beneficiaries, rather than funneling grant funds through large, international NGOs.

Implementation of the MSCF Needs to Change

Despite the well-meaning intent of the MSCF and Congress's reauthorization of these funds, the implementation process for administering the grants, and the Service's general approach to awarding conservation efforts in Africa, should be improved. Regrettably, many stakeholders and conservation partners in southern Africa view many of the Service's actions related to African charismatic mega-fauna as divorced from their reality on the ground. Rather than recognizing the conservation successes of southern Africa—related in particular to elephants, rhinos, and other popular species—the Service's actions routinely hinder development of robust conservation programs in the region. Elephant management in Botswana is a great example.

After a five-year closure, Botswana reopened hunting in 2020 because of increased human-wildlife conflict and the failure of photographic tourism to successfully accommodate for the livelihoods of rural Botswanans. Botswana has an estimated 130,000 elephants with an estimated carrying capacity of 50,000 elephants. Upon lifting the moratorium, the Director of Wildlife and National Parks, Kabelo Senyatso stated, "Botswana has an estimated 130,000 elephants and the population is growing, not declining . . . we lifted the hunting moratorium on elephant in order to generate sustainable income for our communities, not to control the elephant numbers."[5] Hunting generated income has become necessary to compensate communities who live near and among large and destructive wildlife, like elephants. And the results of the KAZA elephant survey, explained above, indicate that elephant populations in the region are stable and increasing, with Botswana having the most elephants of any country in the world.

Despite the need to mitigate human-wildlife conflict and the benefits of clearly sustainable hunting, the Service's rules and regulations related to African elephant promulgated and implemented pursuant to the Endangered Species Act have diminished the positive impacts that conservation hunting can have in Botswana. By putting up regulatory barriers, in particular related to the importation of sport-hunted elephants, the Service continues to reduce the funding that might otherwise be available to mitigate significant human-wildlife conflict and supplement overstretched government resources.

Notwithstanding the Service's general recognition that sustainable use hunting programs drive conservation and benefit local communities throughout the region (and elsewhere around the world), the Service routinely makes it unnecessarily more difficult for range states to implement robust sustainable use programs by restricting or prohibiting the importation of sport-hunted wildlife, voting against beneficial sustainable use trade in fora like the Convention on International Trade in Endangered Species ("CITES"), and awarding conservation grants to programs that oppose sustainable use conservation. This must change.

Regulated hunting generates significant benefits with low environmental impact. The seven countries where elephants are hunted and exported to the U.S. sustain over 81% of the global elephant population. The four countries which export 90% of all elephant trophies conserve over 60% of the world's elephant. Normally, when a community has achieved some impressive metric—a school with high test scores, a town with high incomes—we admire this success and try to replicate it. Instead, the Service routinely grants MSCF funds to countries and programs with no hunting in an attempt to manufacture positive conservation outcomes in otherwise failing programs.

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[5] IUCN Says Support for Proven Elephant Management is Critical to Species' Conservation in New Red List Assessment (2021) ("IUCN Red List Assessment"), https://safariclub.org/iucn-says-support-for-proven-elephant-management-is-critical-to-species-conservation-in-new-red-list-assessment/.

Dr. Chris Comer, Director of Conservation for SCIF, and an experienced wildlife biologist, stated:

> There are two kinds of elephants; those that are struggling due to unmitigated poaching and dwindling habitat; and those where government and landholders have set aside wild areas, implemented programs to incentivize communities to protect elephant, and invested in efforts to counter the commercial poaching rings that decimate elephant populations. Overwhelmingly, the elephants that are doing well are located in Southern African countries, particularly [Southern African Development Community] countries, where elephant management includes both non-consumptive and consumptive use of the species.[6]

The Department of the Interior must find better, more effective ways to promote sustainable use conservation, recognize successful programs, and meet the needs of programs that produce benefits to wildlife and habitat. WILD Act grant monies should be sent to the countries and communities with demonstrable successes in order to continue and enhance those successes and encourage others to do the same. SCI encourages these grant funds be utilized as an incentive to reward positive outcomes, rather than continuing to prop up programs with limited benefits.

In particular, many community-based conservation programs could use additional funds to preserve critical habitat and allocate resources toward anti-poaching efforts. As co-sponsor Congressman Joyce said, "[c]ommonsense, community-centered conservation helps restore habitats and endangered wildlife, lifts up economies, and makes communities more secure."[7] MSCF grants should focus on providing communities with the funds necessary to disincentivize poaching, reduce the competition for habitat, and provide additional livelihood opportunities.

Anti-Poaching Efforts

Currently, hunting raises most of the revenue needed for anti-poaching efforts. Hunting raises substantial revenue from concession leases, trophy fees, conservation fees, taxes, and other charges levied by national and local governments and landholders. Prior to trophy import restrictions imposed by the U.S. and other western countries, elephant hunting was the highest or among the highest sources of hunting revenue.[8] A large percentage of this revenue is used for law enforcement and anti-poaching by national wildlife authorities.[9] For example, in Zimbabwe in 2014, hunting revenue funded one-quarter of the wildlife authority's budget, and over 60% of this revenue was dedicated to anti-poaching efforts.[10]

Further, hunting operators frequently run their own anti-poaching patrols, which reduce the national government's law enforcement burden and expand the "boots on the ground".[11] It is not uncommon for hunting operators to spend $70,000 to $100,000 a year (or more) on anti-poaching. In the same vein, community game scouts, employed using revenues from safari hunting, extend poaching control into communal areas. For example, there are over 750 community game scouts in Zambia, funded by hunting revenues. Similarly, from 2010 to 2015, rural district councils in Zimbabwe spent $1.77 million on law enforcement activities in CAMPFIRE areas.

These efforts are working—far better in hunting areas than in other parts of Africa, in which hunting is not part of the conservation regime. One key indicator of the level of elephant poaching, the Proportion of Illegally Killed Elephant

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[6] IUCN Red List Assessment.

[7] Joyce, Dingell Introduce Legislation to Protect Wildlife and Conservation Programs (2023), https://joyce.house.gov/posts/joyce-dingell-introduce-legislation-to-protect-wildlife-and-conservation-programs.

[8] P.A. Lindsey et al., The Significance of African Lions for the Financial Viability of Trophy Hunting and the Maintenance of Wild Land, PLoS ONE 7(1) (2012), https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0029332.

[9] E.g., Zimbabwe Parks and Wildlife Management Authority, Zimbabwe National Elephant Management Plan (2021–2025) ("Zimbabwe Elephant Plan"), pp. 11, 12, 14 ("Financial resources deployed in the management and general conservation of elephant during the years 2016 to 2019, averaged approximately $5.6 million per year or about $90.00 per km^2 excluding administrative costs."); I.R. Nkuwi, Conservation Status and Related Impacts of Elephants and Lion Trophy Ban to Tanzania, Presented During International Wildlife Conservation Council (Sept. 2018) ("Conservation Status of Elephant and Lion in Tanzania").

[10] Showcasing Implementation of Zimbabwe's National Elephant Management Plan (2015–2020) and Its National Action Plan, CoP18 Inf. 32 (2019), https://cites.org/sites/default/files/eng/cop/18/inf/E-CoP18-Inf-032.pdf.

[11] Zimbabwe Elephant Plan, p. 12 ("The presence of regulated hunting can also reduce illegal activities. Many hunting operators in Zimbabwe have specialised anti-poaching units. Private operators' lease agreements include anti-poaching as an obligation of the concessionaire."); Conservation Status of Elephant and Lion in Tanzania.

("PIKE"), shows both a consistent downward trend in elephant poaching in southern and eastern Africa, and that poaching is well below the "unsustainable" threshold.[12] On the other hand, the PIKE in central and western Africa is considerably higher and above the "unsustainable" threshold. Faced with these metrics of success, it is difficult to understand why the Service sends so much money to countries without regulated hunting.

Habitat Protection

Countries that allow for legal, well-regulated hunting protect habitat, save wildlife, support communities, and directly fight poaching. The primary threat facing elephants—and almost all species—is loss of habitat. Hunting justifies the preservation of large tracts of intact habitat. Hunting areas protect far more land than national parks in the relevant range states, from 1.5 times as much land to more than five times as much land. Hunting areas also conserve far more habitat than national parks in popular photo-tourist destination countries that do not permit hunting, such as Kenya.[13]

A 2007 study found that hunting areas protected over 22% more habitat than national parks, or twice the size of Texas, that is more than all formally protected areas on the continent combined.[14] That figure does not account for the growth of communal conservancies, private ranches, and trans-frontier conservation areas ("TFCAs") since 2007. For example, 50 communal conservancies in Namibia protected 118,000 km^2 in 2007. As of the end of 2021 (in the middle of the international Covid-19 pandemic), in Namibia alone, 86 conservancies protected over 180,000 km^2.[15] Communal lands are of special importance, with the majority of elephant range in southern Africa on communal lands, outside strictly protected national park boundaries.[16] The incentives from hunting (such as revenues, infrastructure projects, employment, and meat) help maintain this land as habitat and prevent its conversion to crops, livestock grazing, and other human purposes.[17]

Buffer zones created by hunting concessions provide critical habitat for protecting national parks and expand the habitat available for wildlife species. In part this explains why countries that depend on regulated hunting have the largest populations of elephant, rhino, lion, leopard, giraffe, wild dog, cheetah, and many more.

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[12] The CITES "Monitoring the Illegal Killing of Elephant" ("MIKE") program collects data on elephant mortalities and causes of death, and evaluates relative poaching levels based on the PIKE, calculated as the number of illegally killed elephant divided by the total number of elephant carcasses observed. A PIKE value of 0.5 or above implies that more elephant died from illegal killing that any other causes. The 2022 MIKE report for eastern Africa shows "strong evidence for . . . a downward trend [in poaching] from 2011 to 2021," and that "[t]he trend [in poaching] in the last five years, from 2017 to 2021, is downward." The PIKE for eastern Africa for 2021 was estimated at 0.28, which is well below the "unsustainable" threshold of 0.5 and well below the continental average of 0.40. CITES Secretariat, Report on Monitoring the Illegal Killing of Elephants (MIKE), CoP19 Doc. 66.5 (2021), § 23. Likewise, "[i]n the last five years, from 2017 to 2021, there is strong evidence of a downward trend" in poaching in southern Africa, and the PIKE was estimated at 0.27, below the average continental PIKE estimate of 0.40." *Id*. § 25. Notably, the high PIKE of 0.70 in western Africa, where there is no regulated hunting, increased the continental estimate. But the low elephant population and small sample size means the reliability of this PIKE estimate has "a high level of uncertainty" *Id*. §§ 26-27.

[13] For reference, Kenya is approximately two-thirds the size of Tanzania, but its elephant range is less than one-third the size of Tanzania's elephant range, and its elephant population is less than half as large as Tanzania's. African Elephant Specialist Group, Elephant Database, https://africanelephantdatabase.org/. "[W]ildlife numbers outside parks have declined in Kenya since it banned hunting." R. Emslie et al., Prince William Is Talking Sense—Trophy Hunting Is Crucial to Conservation, The Independent (Mar. 18, 2016), https://www.independent.co.uk/voices/comment/prince-william-is-talking-sense-trophy-hunting-is-crucial-to-conservation-a6940506.html.

[14] P. Lindsey et al., Economic and Conservation Significance of the Trophy Hunting Industry in Sub-Saharan Africa, 134 Biological Conservation 455-469 (2007), https://www.perc.org/wp-content/uploads/2015/08/Economic-and-conservation-significance.pdf.

[15] Namibian Association of CBNRM Support Organisations, State of Community Conservation in Namibia (2021) ("State of Community Conservation in Namibia"), http://www.nacso.org.na/resources/state-of-community-conservation.

[16] Elephant Status Report, p. 138. Communal areas protect well over half a million square kilometers of habitat across southern Africa.

[17] R. Cooney at al., The Baby and the Bathwater: Trophy Hunting, Conservation and Rural Livelihoods, 68 Unasylva 249 (2017/1), https://www.fao.org/3/i6855en/I6855EN.pdf; A. Dickman, Ending Trophy Hunting Could Actually Be Worse for Endangered Species, CNN (Nov. 24, 2017), https://www.cnn.com/2017/11/24/opinions/trophy-hunting-decline-of-species-opinion-dickman/index.html.

Community Livelihoods

Hunting, especially elephant hunting, benefits the rural communities who live alongside elephants (and other species) and who are most impacted by this wildlife. Human-elephant conflict is a major issue in southern Africa. Communities are increasingly exposed to loss of crops, damage to water supplies and fences, and even physical harm to humans.[18] For example, in the Zambezi and Erongo-Kunene regions of Namibia's communal conservancies, there was an average of 700 elephant conflict incidents reported between 2015–2019.[19] When hunting was suspended in Zambia (2012–2014), the wildlife authority received over 5,440 reports of crop or property damage and human injury caused by elephants. In ten communal districts in Zimbabwe, an estimated 50 people were killed, and more than 7,000 hectares of crops were destroyed by elephants between 2010 and 2015. The financial losses of the crops were estimated to be as high as $1 million.[20]

Hunting can help boost community tolerance for elephants through creating clear and direct benefits from wildlife. For example, in the national elephant management plan, the Zimbabwe Parks and Wildlife Management Authority explains,

> When it is viewed as a valuable asset, wildlife becomes an economically competitive land use in Zimbabwe, which leads to habitat preservation instead of habitat destruction and conversion to agriculture or livestock production. Game animals have a survival advantage because of user-pay stewardship systems where use revenue generated from tourist hunters is paid through to wildlife authorities and local communities.[21]

Prior to the Service's suspension of elephant trophy imports from Zimbabwe in 2014, hunting revenues averaged $2.2 million/year in CAMPFIRE Areas, and elephant hunting alone generated approximately $1.6 million/year (~70% of the total on average).[22]

Opposing potential restrictions on trophy imports in the state of Connecticut, the Director of Zambia's Department of National Parks and Wildlife explained,

> the benefits of regulated hunting are crucial to maintaining rural community support for growing populations of dangerous game such as elephants, lions, and leopards. . . . [S]ome of Zambia's poorest communities bear the greatest impact of crop-raiding elephants . . . But these communities tolerate the wildlife largely because they derive income, social services, and much-needed game meat from regulated hunting.[23]

Under Zambia law, at least half of all hunter-harvested game meat must be shared with local communities, resulting in approximately 130,000 kg of fresh game meat provisioned each year to local communities.[24]

Similarly, approximately 55% of the hunting revenues in Namibia's communal conservancies come from elephant hunts alone. The conservancies secure otherwise unprotected habitat across 180,000 km^2 and benefit 238,700 people.[25] Revenue from hunting is reinvested into badly needed rural infrastructure, like construction of

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[18] Botswana Department of Wildlife and National Parks, Botswana Elephant Management Plan and Action Plan (2021–2026), CoP19-Inf-102 ("Botswana Elephant Plan"), p. 15; CAMPFIRE Association, The Role of Trophy Hunting of Elephant in Support of the Zimbabwe CAMPFIRE Program (Dec. 2016) ("CAMPFIRE Role of Trophy Hunting"); CAMPFIRE Association, Press Statement on Lifting of the Suspension of Elephant Trophy Imports into America (Nov. 21, 2017) ("CAMPFIRE Press Statement"), https://campfirezimbabwe.org/article/press-statement-21-november-2017; N. Onishi, A Hunting Ban Saps a Village's Livelihood, The New York Times (Sept. 12, 2015).

[19] State of Community Conservation in Namibia, pp. 63-64.

[20] CAMPFIRE Press Statement.

[21] Zimbabwe Elephant Plan, p. 12.

[22] CAMPFIRE Role of Trophy Hunting; CAMPFIRE Press Statement.

[23] C. Simukonda, CT's Ban of 6 African Species Would Hurt, Not Save, Wildlife, Stamford Advocate (Apr. 19, 2021), Stamford Advocate, https://www.stamfordadvocate.com/opinion/article/Opinion-CT-s-ban-of-6-African-species-would-16105621.php.

[24] P.A. White & J.L. Belant, Provisioning of Game Meat to Rural Communities as a Benefit of Sport Hunting in Zambia, PLoS ONE 10(2) (2015), https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0117237.

[25] R. Naidoo et al., Complementary Benefits of Tourism and Hunting to Communal Conservancies in Namibia, 30 Conservation Biology (Jan. 8, 2016), p. 635, https://conbio.onlinelibrary.wiley.com/doi/pdf/10.1111/cobi.12643; State of Community Conservation in Namibia, p. 11.

clinics and schools, improvements in drinking water, building and improving roads, and much more.[26]

In addition, when rural communities live near hunting areas (common in some countries, less common in others), elephant hunting provides much-needed protein. Hunting operators and conservancies are also major sources of employment in the remote areas where hunting takes place.[27]

Botswana's President took to international media to explain why Botswana was reopening hunting after a moratorium;[28] this is further explained in Botswana's national elephant management plan:

> The hunting moratorium [in Botswana] resulted in ill-feeling in a number of communities and settlements, especially from members of the local population who regard hunting as a traditional way of life. Many local people were formerly reliant on controlled hunting for food, income and employment especially on marginal lands where elephant occur but where land that is not suitable and financially viable for photographic tourism and other economic options, such agriculture is very limited. . . . When hunting was suspended in 2014, many community Trusts in northern Botswana experienced large declines in income.[29]

Currently, countries where regulated hunting is banned or severely limited are using MSCF grants to fund otherwise unsuccessful conservation strategies because they do not achieve the same benefits that sustainable use conservation hunting programs generate. In other words, the very fact that most of these grants go to programs in range states that do not have robust sustainable use conservation hunting programs is indicative of the failure of hunting prohibitions. These countries use MSCF funds as a "crutch" to fund the same programs successfully paid for by hunting revenue in range states. Why is the Service rewarding ill planned conservation strategies? This is a diversion of the bulk of the funds from countries and communities whose population management strategies represent the most substantial and effective form of conservation.

Conclusion

In essence, the grant programs should be utilized to help protect habitat and incentivize good conservation practices, including community-based conservation. These programs ensure a low-overhead, results-based approach to maximize effectiveness, efficiency, and conservation success. Hunting already does all of the above. It helps protect target species like elephant and rhino. It helps reduce trafficking with boots on the ground anti-poaching efforts. It is low overhead and results-based—hunting cannot occur without a sustainable and sizable population. And the countries that rely on hunting have documented conservation success.

SCI supports H.R. 5009 and the relevant grant programs but the process for putting funds into conservation has become too tangled and dominated by large international NGOs. Congress and the Service should work to reduce the paperwork and bureaucratic burden required to access these funds and incentivize successful conservation programs, rather than continuously sinking grant monies into programs antithetical to community-centered conservation that have little chance of on-the-ground success.

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[26] E.g., E. Koro, Significant Benefits: The Reason Why Hunting Will Not Stop in Africa Despite Foreign Opposition, The Chronicle (Feb. 22, 2023), https://www.chronicle.co.zw/significant-benefits-the-reason-why-hunting-will-not-stop-in-africa-despite-foreign-opposition/.

[27] R. Cooney at al., The Baby and the Bathwater: Trophy Hunting, Conservation and Rural Livelihoods, 68 Unasylva 249 (2017/1), https://www.fao.org/3/i6855en/I6855EN.pdf.

[28] H.E.M. Masisi, Hunting Elephants Will Help Them Survive, Wall Street Journal (June 19, 2019), https://www.wsj.com/articles/hunting-elephants-will-help-them-survive-11560985152.

[29] Botswana Elephant Plan, pp. 21, 23; see also E. Koro, Inside Botswana Communities' 21st century International Hunting Windfall, Zimbabwe Independent (Mar. 15, 2023), https://www.theindependent.co.zw/local-news/article/200008854/inside-botswana-communities-21st-century-international-hunting-windfall (discussing benefits to Botswana communities from reopening of regulated hunting).

QUESTIONS SUBMITTED FOR THE RECORD TO MR. BEN CASSIDY, EXECUTIVE VICE PRESIDENT OF INTERNATIONAL, GOVERNMENT AND PUBLIC AFFAIRS, SAFARI CLUB INTERNATIONAL

Questions Submitted by Representative Bentz

Question 1. Mr. Cassidy, in your testimony, you mentioned that the U.S. Fish and Wildlife Service's actions do not always support international community-centered conservation. Can you provide additional explanation as to what the Service can do better related to international conservation?

Answer.

1. Remove regulatory red tape.

In the Endangered Species Act (ESA), Congress did not require permits for most hunting trophies. In fact, Congress created a presumption of legality for the import of most hunting trophies in Section 9(c)(2) of the ESA.[1] Under this presumption, most hunting trophies would be importable without a permit. However, the U.S. Fish and Wildlife Service (USFWS), by regulation, has overridden this presumption of legality for species including elephant, argali, and lion—the latter, over the objections of range countries. By so doing, the USFWS has created red tape for the range countries with the world's largest populations of these species. And it has created more work for itself. As explained in my testimony, the USFWS has been unable to timely process permits. The delays and uncertainty created by the USFWS permit requirements are one way by which the USFWS does not support community-centered conservation. And the USFWS could address this problem fairly easily. It could amend its regulations to remove the permit requirements. That would make its administration of the ESA more consistent with Congress' intent in Section 9(c)(2). And it would be more consistent with Section 8 of the ESA, which requires the USFWS to "encourage foreign conservation."

2. Respond to community requests for amended regulations that recognize and support community-centered conservation.

Two community associations, the CAMPFIRE Association representing rural communities in Zimbabwe and the Ngamiland Council of Non-Governmental Organizations (NCONGO) from Botswana submitted a petition in 2021 to the Department of the Interior, asking to revise USFWS regulations to reduce the burden on rural and local communities and to make the regulations consistent with the President's Executive Order on Advancing Racial Equity and Support for Underserved Communities through the Federal Government.[2] The USFWS has not proposed regulations in response to this petition. But the suggestions from these community representatives would provide a good starting point for how the USFWS could improve its international conservation efforts, should the USFWS decline to remove the regulations that serve as barriers to conservation.

3. Streamline the permitting process.

At the very least, the USFWS should reconsider how it goes about its permitting process. Rural communities and range countries routinely object to the USFWS "moving the target" for how to demonstrate the undefined term of "enhancement" required in USFWS regulations.[3] Until 2014, the "enhancement" requirement sought a demonstration of benefits, typically in terms of habitat protection, anti-poaching funding, or improved community livelihoods. Range countries with hunting programs could make this showing without much difficulty. Countries like Botswana, Mozambique, Namibia, South Africa, Tanzania, Zambia, and Zimbabwe indisputably have more habitat set aside for wildlife than in countries without hunting, have stable sources of anti-poaching funding, and are implementing community-based conservation programs. Thus, these countries maintain the world's

[1] Section 9(c)(2) is codified at 16 U.S.C. § 1538(c)(2) (presuming as legal the non-commercial import of species that are not listed as endangered and are already protected by listing on Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)). Hunting trophies are imported for non-commercial purposes. Several notable species that are hunted—argali from Central Africa, lion from southern Africa, almost all elephant from southern Africa—are listed as threatened (so not listed as endangered) and are listed on Appendix II of CITES. But for USFWS regulations, the import of hunting trophies of these species would be presumed legal.

[2] https://www.campfirezimbabwe.org/sites/default/files/petition_ncgongo_ca.pdf.

[3] *See, e.g.*, 50 C.F.R. § 17.32, § 17.40(e), (j).

largest populations of elephants, giraffes, leopards, lions, and other species. But the USFWS has gradually moved away from its prior interpretation of "enhancement." In 2014, for example, despite recognizing that Zimbabwe has an elephant population exceeding 80,000, the USFWS suspended the issuance of import permits for elephant from Zimbabwe without warning or notice because it found Zimbabwe's 17-year-old national elephant management plan was "outdated." Similarly, in late 2022 the USFWS published a proposed rule that would require range countries to make a host of certifications on very specific points.[4] The USFWS should go back to its previous interpretation of "enhancement," which created less of a barrier to imports and less of a detriment to community-centered conservation programs.

Additionally, the USFWS could make nationwide enhancement findings. For argali sheep, USFWS regulations would permit such national findings to be made by the USFWS Director and published in the Federal Register.[5] For elephants and lions, the USFWS could develop these findings under its typical notice-and-comment rulemaking process. Although the initial rulemaking would take a little more time than the current individual enhancement findings, the USFWS could reduce its overall burden, as well as the burden on individual hunters, and would give confidence that imports could occur pursuant to a rulemaking. The USFWS could consider setting the rule for set duration, such as ten years, and then revisit the rule as needed. That would assist communities and range countries with their conservation planning.

4. Streamline the grant application process.

As explained in my testimony, the process for applying for Multinational Species Conservation Fund grants is onerous. As a result, the grants are often awarded to U.S. non-governmental organizations (NGOs) who then partner with NGOs in range countries. Rural communities do not often partner with U.S. NGOs in the same way—especially in southern Africa, where wildlife populations are healthier. The USFWS should reduce the paperwork associated with the grant program. It could also develop specific grants for which local communities could apply, such as grants under the African Elephant Conservation Fund to reduce human-elephant conflicts. It could also develop a specific grant program for the range countries themselves, again, with reduced paperwork. Such a program would be consistent with the directive of the African Elephant Conservation Act.

Question 2. Promotion of community-centered conservation seems to have broad bipartisan support in Congress. In addition to passing the WILD Act, what else can Congress do to promote international wildlife conservation and fix related challenges?

Answer.

1. Make minor amendments to the ESA to encourage foreign conservation, including by making Section 9(c)(2) mandatory.

Fifty years ago this December, the U.S. Congress passed, and President Nixon signed, the ESA into law. The Supreme Court has called the ESA "the most comprehensive legislation for the preservation of endangered species enacted by any nation."[6] But sprawling, comprehensive legislation can become less effective over time when administrative agencies take liberties to implement the statute differently than intended. Having the benefit of learning from 50 years of implementation, Congress can reflect on what was intended when the ESA was enacted, how the law is implemented by the USFWS, and how to fix situations in which implementation conflicts with Congress' original intent. A few small changes can make a significant and meaningful impact that will benefit international wildlife conservation.

Perhaps the best example of a small change with big impact is amending Section 9(c)(2) of the ESA.[7] This section was intended to facilitate the import of certain foreign species. When adopting the ESA, the 1977 Congress undoubtedly realized that the USFWS has no power to regulate foreign species on foreign soil. Thus, the ESA's signature protections, such as recovery planning and critical habitat

[4] SCI's comments explaining the many shortcomings of this proposal are available at https://safariclub.org/wp-content/uploads/2023/03/2023-03-20-Elephant-4d-Rule-Comment-Final37.pdf?_s=0i1gtazdh4pevnasl74i.

[5] 50 C.F.R. § 17.40(j).

[6] *TVA v. Hill*, 437 U.S. 153, 180 (1978).

[7] 16 U.S.C. § 1538(c)(2).

designations, cannot apply to foreign species. The USFWS only has the authority to regulate the import of these species.

Congress expected the USFWS to use this authority as a carrot, not a stick—and Section 9(c)(2) and its legislative history reflect this expectation. Section 9(c)(2) provides that the import of a non-endangered (i.e., threatened or non-ESA listed) species, which is already protected by listing on Appendix II of CITES and which is not being imported for commercial purposes, is presumed to be legal. However, the USFWS has interpreted Section 9(c)(2) as a rebuttable presumption and asserts that it has rebutted the presumption for a number of ESA threatened and CITES Appendix II species, including African elephant, lion, and Asian argali. Thus, the exemption does not apply for import of these species, and ESA import permits are required.

The "architect" of the ESA, Michigan Rep. John Dingell, explained that this section was included primarily so that the import of hunting trophies from healthy wildlife populations could continue without obstruction. Rep. Dingell acknowledged that the bill which became the ESA "ha[d] been attacked by some as a[n] anti-hunter bill; it ha[d] been attacked by others as a prohunter bill. In reality, it is neither." He explained that the ESA was "carefully drafted to encourage . . . foreign governments to develop healthy stocks of animals occurring naturally within their borders. If these animals are considered valuable as trophy animals, and are not endangered, they should be regarded as a potential source of revenue to the managing agency and they should be encouraged to develop to the maximum extent compatible with the ecosystem upon which they depend."[8]

Rep. Dingell further confirmed that the Department of the Interior would place "no barriers" on the import of "nonendangered trophy animals" from countries where they "are being managed in such a way as to assure their continued and healthy existence." He concluded: "This is as it should be, because it is only in the understanding that these animals have a real and measurable value that many of the less developed countries will agree to take steps to assure their continued existence."[9] According to Rep. Dingell, Section 9(c)(2) was intended to provide security for those who lawfully hunted animals in these countries, so they could import the animals without fear the USFWS would block their imports. Yet that is exactly what the USFWS has done.

In the last few years, the USFWS has developed a huge backlog for the import of hunting trophies, for personal (non-commercial) purposes, from countries with impressive conservation records. For example, the USFWS has hundreds of permit applications pending for the import of elephant trophies from Botswana, Zimbabwe, Namibia, and South Africa. These four countries conserve over half the world's elephants; they also account for almost 90% of imports of elephant hunting trophies. Elephants are listed as threatened, not endangered, and elephants from these populations are listed on Appendix II of CITES. But for USFWS regulations, these imports would be exempt from ESA permit requirements pursuant to Section 9(c)(2). The same is true for lions from southern Africa, argali from central Asia, and a number of other species worldwide. An amendment to Section 9(c)(2) would alleviate a significant (self-inflicted) burden on the USFWS' permitting office and allow those federal employees to focus on species that truly need permitting oversight.

Countries around the world depend on the revenues and other benefits from hunting to justify and fund the protection of habitat, and to incentivize conservation of these species by private and community stakeholders. In southern Africa, Botswana, Zimbabwe, and Namibia, countries with large elephant populations and increasing lion populations, have well-developed community-centered conservation programs that ensure the people who live side-by-side with dangerous megafauna can benefit from regulated hunting. Yet these well-developed programs are negatively impacted by import restrictions. These countries, and their communities, private stakeholders and ecologists, have spoken out against such restrictions. But their comments have fallen on deaf ears. Despite the opposition from range countries, the USFWS continues to put up barriers to the import of hunting trophies.

Congress could fix this problem with a one-sentence amendment to the ESA. Congress could make the language in Section 9(c)(2) mandatory. In other words, instead of "presuming" the legality of imports, Congress could simply declare that the non-commercial import of non-endangered species already regulated by Appendix II of CITES is legal and does not require import permits.

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[8] House Consideration and Passage of H.R. 37 with Amendments, U.S. Congressional Record (Sept. 18, 1973), p. 195.

[9] *Id.*

The corrective amendment to Section 9(c)(2) is as simple as:

> (2) Any importation into the United States of fish or wildlife ~~shall~~is lawful, and not subject to permit requirements or other regulation by the Secretary pursuant to this Act, if —
>
> (A) such fish or wildlife is not an endangered species listed pursuant to section 4 of this Act but is listed in Appendix II to the Convention,
>
> (B) the taking and exportation of such fish or wildlife is not contrary to the provisions of the Convention and all other applicable requirements of the Convention have been satisfied,
>
> (C) the applicable requirements of subsections (d), (e), and (f) of this section have been satisfied, and
>
> (D) such importation is not made in the course of a commercial activity~~,~~
>
> ~~be presumed to be an importation not in violation of any provision of this Act or any regulation issued pursuant to this Act~~.

This change would effectuate the original intent of Congress when it included Section 9(c)(2) in the ESA. As Rep. Dingell declared, allowing the import of trophies from healthy wildlife populations "is as it should be."[10] But it is not how it is.

2. Require robust consultation with range states prior to listing amendments and special rule amendments.

The ESA's predecessor, the Endangered Species Preservation Act of 1966, only applied to domestic species. In 1969, that law was amended to allow the listing of foreign species as threatened or endangered, but only for purposes of regulating international commercial trade.

The 1977 ESA for the first time allowed foreign species to be listed the same as domestic species. In so doing, Congress required the USFWS to "encourage foreign conservation programs," ESA Section 8,[11] and to "take these [programs] into account" when making a listing determination, ESA Section 4(b).[12]

Despite these—and other—directives from Congress, the USFWS routinely fails to fully consider foreign conservation programs when deciding whether to list a species or when amending a listing rule. The USFWS also fails to consider any negative impacts that listing decisions may have on such foreign conservation programs. And the USFWS generally fails to use its listing authority to encourage foreign conservation; rather, it tends to apply sweeping rules and restrictions that do not adequately differentiate between countries that have successful conservation and those that do not.

To help rectify this defective approach to foreign species conservation, Congress should amend Section 4(b)(1) of the ESA:

> Section 4(b)(1) of the Act (16 U.S.C. § 1533(b)(1)) is amended to include the following subsection (C):
>
> (C) In carrying out this subsection and taking into account efforts made by any foreign nation, or any political subdivision of a foreign nation, to protect such species, the Secretary shall:
>
> (i)(a) Contact, in-person if practicable, any nation in which such species is presently found in significant numbers (at least 3% of the estimated global population), to consult on the status of the species in that nation and potential negative impacts of the listing on that nation's conservation programs; and (b) Provide a questionnaire asking for information on conservation practices to protect the species in that country, to which the foreign nation shall be provided a reasonable time to respond.
>
> (ii) Give any information provided in response to this consultation request and/or questionnaire the highest weight in assessing the factors identified in the above section.

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[10] House Consideration and Passage of H.R. 37 with Amendments, U.S. Congressional Record (Sept. 18, 1973), p. 195.

[11] Section 8 is codified at 16 U.S.C. § 1537.

[12] Section 4(b) is codified at 16 U.S.C. § 1533(b).

(iii) Determine not to list such species in the relevant foreign nation if information provided by that nation demonstrates that its conservation efforts, including predator control, protection of habitat and food supply, or other conservation practices, are reasonably maintaining the available habitat and current population of the species in that nation (which may include a decline in the current population, if the decline is not considered statistically significant by peer-reviewed scientific analyses), unless compelling scientific or management data indicate otherwise.

(iv) Explain in any rule listing such species, based on country-specific data and findings, why the listing is necessary despite any negative impact on the foreign nation's conservation efforts demonstrated by that foreign nation in response to the consultation and/or questionnaire required by this section.

If the ESA is really going to protect and recover species, the USFWS should be working with range countries, not against them. The USFWS, via the ESA, should better acknowledge successful conservation efforts and apply the burden of ESA listings only on those countries that have demonstrated an inability to successfully conserve the relevant species.

Question 3. In addition to these grants, what programs or efforts does the USFWS have in place to encourage foreign conservation? How could the USFWS improve its international conservation efforts?

Answer. To SCI's knowledge, the USFWS has very few programs in place to encourage foreign conservation, outside of these grant programs. That belief was reinforced by the proposed 4(d) rule for African elephant that the USFWS published in November 2022, which has been vigorously opposed by the southern African range countries.[13] In the proposed rule and the subsequent public listening session to explain the proposal, the USFWS stated that it provides "technical assistance and capacity building" for range countries, but clarified that such assistance is specific to how to comply with U.S. requirements for import of hunting trophies. Such a program is not really "technical assistance."

In addition to the recommendations above to revise its regulatory requirements, the USFWS could improve its international conservation efforts by developing a technical assistance and capacity building program, where it could assist range countries with on-the-ground conservation. Similarly, if the USFWS is concerned about law enforcement or legal requirements in range countries, the USFWS could develop programs that provide technical assistance and capacity building in these areas. The USFWS could hire biologists to help develop best practices for habitat protection, anti-poaching, or reducing human-wildlife conflicts, and share these best practices with range countries. Should the USFWS endeavor to provide such assistance, SCI is confident that the USFWS biologists and on-the-ground agents would likewise learn from the range state personnel who successfully conserve the world's most charismatic megafauna.

Question 4. In your opinion, are the USFWS' international conservation efforts effective? Why or why not? What could the USFWS do better?

Answer. Some of the USFWS' international conservation efforts are effective. The USFWS has issued many grants that have assisted with on-the-ground conservation. The Kavango Zambezi Transfrontier Conservation Area (KAZA) elephant survey is a good example of an effective use of USFWS grants.[14] But, at least with respect to southern Africa, the USFWS has used its permitting power as a stick—not as a carrot. The USFWS can do better by no longer trying to force foreign conservation efforts into compliance with USFWS permitting requests and demands, which are inflexible and often ignore the differences among the land tenures and conservation programs of the countries in southern Africa. Instead, the USFWS should focus on partnering with countries, as well as local and rural communities, to continue their track record of successful conservation. As discussed throughout these responses, the USFWS can do this by listening to the range countries, instead of ignoring their petitions or their opposition to proposed USFWS policies.

[13] 87 Fed. Reg. 68975 (Nov. 17, 2022).

[14] Information about the KAZA elephant survey is available at https://safariclub.org/kaza-elephant-survey-results/.

Question 5. In addition to reauthorizing these grant programs, what could Congress do to improve the USFWS' international conservation efforts?

Answer. In addition to the reauthorization of conservation funding under the WILD Act and the minor ESA amendments discussed above, Congress can further support international conservation efforts by adopting the U.S. Foundation for International Conservation Act (USFICA), H.R. 1298.

USFICA will enhance global conservation efforts by leveraging public-private partnerships, empowering local communities, expanding habitat buffer zones, and promoting sustainable use of natural resources. Congress should pass the bill as critical to safeguarding biodiversity and promoting sustainable use, community-centered conservation around the world.

- The bill's 1:1 public-private funding formula will advance efficient and dynamic conservation projects beyond federal bureaucracy while boosting current government and NGO efforts.
- The bill appropriately recognizes that tailoring conservation to local needs leads to security and sustainable development.
- The bill's funding can be used for developing buffer zones around protected areas, which helps to reduce human-wildlife conflict.
- The bill acknowledges that local communities and governments, particularly in southern Africa, have a right to manage their wildlife and benefit from their natural resources; hunters' support is critical to these wildlife economies.

USFICA has bipartisan support in Congress and broad support from conservation stakeholders. As it will provide long-term, core support for conserved areas and leverage additional contributions from other funding sources, SCI encourages Congress to pass USFICA as another measure that will provide support for community-centered conservation.

Mr. BENTZ. Thank you.

I now recognize Ms. Wraithmell for 5 minutes.

STATEMENT OF JULIE WRAITHMELL, VICE PRESIDENT AND EXECUTIVE DIRECTOR, AUDUBON FLORIDA, MIAMI, FLORIDA

Ms. WRAITHMELL. Thank you, Chairman Bentz, Ranking Member Huffman, and members of the Subcommittee, thank you for the opportunity to testify before you today in support of H.R. 4389, the Migratory Birds of the Americas Conservation Enhancements Act.

My name is Julie Wraithmell. I am the Vice President and Executive Director of Audubon Florida, the Florida State program of the National Audubon Society. With our nearly 2 million members, Audubon works to protect birds in the places that they need through our 16 state and regional offices, 32 centers, 450 chapters, and by working in 10 countries across the Americas.

Over the past few weeks, millions of migratory birds have been passing through my home state, Florida, as well as Washington, DC, and communities across the United States during their fall migration. These birds are undertaking awe-inspiring journeys from their nesting habitat throughout America. More than half of our country's birds will fly to Latin America and the Caribbean to winter, including hundreds of beloved species of birds like orioles, hummingbirds, ducks, shorebirds, hawks, and many more.

It is only normal for us to think of the birds of our everyday lives, the birds of our neighborhoods and communities as "our birds," belonging to that place. But in reality, many of them are only on loan to us and, in fact, spend their lives in motion washing like tides back and forth across the hemisphere. These lives in

motion are made possible by a connected chain of habitats like stepping stones that birds have depended upon for thousands of years.

In Florida, I can do everything that I can to protect the places that my birds need in my state. But no matter how successful I am, the chain is only as strong as its weakest link. And if the links to Florida's south are failing, the birds that we bid farewell to in the fall won't return to us again in the spring.

The presence of migratory birds in our communities provides a deep sense of joy and wonder, whether it is birds like Baltimore orioles gracing our backyard trees and feeders, purple martins raising their families in our schoolyards and farms, to waterfowl such as blue winged teal dabbling in local wetlands. More than 96 million people participated in bird watching in 2022, according to the latest survey released by the U.S. Fish and Wildlife Service. And consumer spending on bird feeding, bird watching equipment, and travel creates more than $100 billion in economic output annually. Birds also provide numerous ecosystem services, including pest control, pollination, seed dispersal, and more.

Tragically, bird populations are in steep decline, which means that these benefits to people and communities are also disappearing. A 2019 report found that North America's bird population has declined by 3 billion birds since 1970. That is more than 1 in 4 birds on the continent that have vanished in less than a lifetime.

Recognizing the need for migratory bird conservation investments, Congress passed the Neotropical Migratory Bird Conservation Act in 2000. Since its inception, this program has provided essential conservation funding across the Americas by catalyzing partnerships and investing in cost-effective projects to improve habitat conservation, promote bird-friendly land use and farming practices, advanced research, and more. Since 2000, the program has supported more than 700 projects across 43 countries, benefiting more than 5 million acres of habitat. Of the $89 million invested by the United States, partners have brought an additional $346 million to the table.

Audubon supports the Migratory Birds of the Americas Conservation Enhancements Act because it will help address several current needs and opportunities for migratory birds. The legislation will grow its authorized funding to meet the demand for the program and the needs of our declining bird populations, and it will improve the program's accessibility by amending the matching requirement which has been identified as an obstacle for partners, especially for smaller organizations that do not have access to large funding resources.

Now is the time to reauthorize and enhance the Neotropical Migratory Bird Conservation Act through passage of this legislation. We are grateful for the leadership of Representatives Salazar, Larsen, Joyce, and Peltola for introducing this bipartisan bill, and to the Subcommittee for holding this hearing. We encourage the advancement of this bill to support America's migratory birds so that they can continue to provide the significant value to the nation that they do, and contribute to part of what makes America special.

Thank you, and I would look forward to any questions that you may have.

[The prepared statement of Ms. Wraithmell follows:]

PREPARED STATEMENT OF JULIE WRAITHMELL, EXECUTIVE DIRECTOR, AUDUBON FLORIDA

ON H.R. 4389

Chairman Bentz, Ranking Member Huffman, and Members of the Subcommittee—thank you for the opportunity to testify before you today in support of H.R. 4389, the Migratory Birds of the Americas Conservation Enhancements Act.

My name is Julie Wraithmell, and I am the Vice President and Executive Director of Audubon Florida, a state office of the National Audubon Society. Nationwide, Audubon represents nearly 2 million members and works to protect birds and the places they need through its 16 state and regional offices, 32 centers, 23 sanctuaries, more than 450 grassroots chapters, and by working in ten countries across the Americas.

Audubon Florida is Audubon's largest state program with nearly 100,000 members, around 100 researchers, resource managers, educators, and policy staff working to protect our water, wildlife, habitat, and climate through the lens of birds.

Over the past several weeks, millions of migratory birds have been passing through Florida, Washington, DC, and communities across the United States during their fall migration, when many of the birds who nest in the U.S. and Canada head south for the winter. According to the bird migration tracking tool, BirdCast, more than 415 million birds have migrated across Florida since August—including more than 54 million birds on one night alone.

These birds are undertaking awe-inspiring journeys, traveling from their nesting habitat throughout America and as far north as the Arctic and the vast boreal forest of Canada. Some overwinter in the southern U.S., but more than half of America's birds will make their way to Latin America and the Caribbean to winter—some traveling thousands of miles and navigating countless hazards. This includes hundreds of beloved species of birds from across the nation, such as orioles, hummingbirds, swallows, ducks, shorebirds, hawks, and many more.

Many of them migrate at night, navigating by the stars, the earth's magnetic field, and even the low frequency rumble of waves on distant shores and winds crossing distant mountain ranges. Some, like Whimbrels, a large shorebird, may fly for days nonstop over water. Others, like Ruby-throated Hummingbirds, will lose more than 60% of their bodyweight in their 15-hour nonstop flight across the Gulf of Mexico from Louisiana to the Yucatan.

Some, like the Red Knot, spend their lives in perpetual summer—spending the northern hemisphere's summer nesting on the tundra and enjoying the southern hemisphere's summer at the southern tip of South America.

The Blackpoll Warbler will fly up to 12,000 miles each year, from as far as Alaska to Brazil, including nonstop journeys for days at a time, while weighing as much as a AAA battery. Many of these journeys are illustrated through Audubon's Bird Migration Explorer, which brings together the latest tracking data for more than 450 species of birds, along with conservation challenges they face along the way, and the connections they illuminate between places across the hemisphere.

It's only normal for us to think of the birds of our everyday lives—the birds of our neighborhoods and communities, states, and regions, as our birds, belonging to that place. But in reality, many of them are only on loan to us, and in fact spend their lives in motion, washing like tides back and forth across the hemisphere.

These lives in motion are made possible by habitat anchors, where birds nest in the north and winter in the south, connected by a chain of essential habitats like stepping stones that the birds have depended on for tens of thousands of years. In Florida, we can do everything we can to protect the places "my" birds need in the state. But no matter how successful we are, the chain is only as strong as its weakest link. And if the links to Florida's south are failing, the birds we bid farewell to in the fall, won't return to us again in the spring.

The presence of migratory birds in our communities during parts of the year provides a deep sense of joy and wonder for people across the country. Whether it's the enjoyment of birds in our backyards like Baltimore Orioles gracing our trees and birdfeeders, Purple Martins raising their young in our schoolyards and farms, to the waterfowl such as Blue-Winged Teal dabbling in local wetlands, to the jewel-toned

warblers that delight birders in our local parks, National Wildlife Refuges, and beyond.

Last week, the U.S. Fish and Wildlife Service and the Association of Fish and Wildlife Agencies released a new survey, which found that more than 96 million people across the country participated in birdwatching in 2022, including around the home and during travel. That represents more than 1 in 4 people in the country, making it one of the most popular and fastest-growing pastimes in America. 95% of those participants enjoyed birdwatching around the home, and nearly half of them—more than 43 million people—traveled outside the home to observe wild birds. And during the height of the Covid-19 pandemic, participation surged as millions of people found solace and comfort in watching birds around their homes and neighborhoods.

Birds also provide significant cultural, spiritual, and subsistence values to communities, and a direct connection to nature. They provide numerous ecosystem services, such as pest control by consuming insects that can damage our agricultural production and forests, while feeding on mosquitoes in our communities, as well as supporting pollination of our crops, seed dispersal, and more. Studies have even found that the presence of birds benefits our psychological well-being.

And birds have a major economic impact. The 96 million people that participate in birdwatching results in substantial consumer spending on bird-feeding, bird-watching equipment, and travel, which supports local communities around the nation, and creates more than $100 billion in economic output annually. Wildlife-watching generally has a substantial and growing economic impact. The most recent FWS and

AFWA survey found that wildlife-watchers spent more than $250 billion on these activities in 2022, including trip-related expenses, equipment, and more.

Bird migration hotspots like Cape May NJ, Hawk Mountain PA, Grand Isle LA, Bosque del Apache NM, Magee Marsh OH, and Platte River NE demonstrate that protecting their habitat makes dollars and sense because of the wildlife-viewing tourism-economies driven by birds.

In Southwest Florida, Audubon's Corkscrew Swamp Sanctuary attracts more than 100,000 people every year to enjoy birdwatching and wildlife viewing. In many regions across the hemisphere, bird watching supports sustainable ecotourism, which provides economic lifelines to communities while keeping birds and ecosystems healthy.

Tragically, bird populations have been in decline for decades, which means that these valuable benefits to people and communities are also disappearing. A 2019 report found that North America's bird population has declined by 3 billion birds since 1970—in other words, more than 1 in 4 birds on the continent have vanished in less than a lifetime.

The 2022 State of the Birds report found that birds of nearly all types and in all landscapes, except for waterfowl and wetland-dependent birds, are in decline, including more than half of all bird species. On the one hand, the recovery of our waterfowl populations shows that conservation efforts can work with sufficient resources and partnerships. Yet the report also found that 70 species are now at a tipping point, which have already lost half of their populations since 1970, and their populations will be further halved in the years ahead without action.

Birds are indicators of the health of our environment. So declining bird populations means that the health of our ecosystems and the conditions that support human well-being are also in decline. And we also know that birds are facing ongoing and increasing threats. This includes habitat loss, pollution, preventable mortality, climate change, and more. These threats are putting increasing pressure on bird populations which only increases the need to invest further resources in their conservation.

For example, devastating wildfires in the U.S. and in the boreal forest of Canada are creating tragic impacts for people and communities and damaging habitat for millions of migratory birds, and increasing hazards during migration such as building collisions present serious challenges to birds. This month in Chicago, more than 1,000 migratory birds died at just one building along the lakefront, which puts further stress on their populations.

Migratory birds—especially the hundreds of species that travel long-distances across the hemisphere—have seen some of the greatest population declines, and face some of the most significant challenges going forward. Of the 3 billion birds lost since 1970, 2.5 billion were migratory birds. That includes a loss of more than 2 in 5 Baltimore Orioles and Barn Swallows on the continent. Bird species that migrate to South America have declined overall by more than 40%. While these recent numbers paint a stark and shocking picture, the declines and needs for migratory birds have been known for many years.

That's why Congress passed the Neotropical Migratory Bird Conservation Act in 2000. That bipartisan legislation, passed with leadership from the late Congressman Don Young, created a grant program to support bird conservation efforts throughout the Western Hemisphere.

This program provides an essential source of funding and partnerships for migratory bird conservation across the Americas. It enables the U.S. Fish and Wildlife Service to support efforts across the U.S., Canada, Latin America, and the Caribbean, by catalyzing partnerships and investing in cost-effective projects that benefits bird habitat, enhances education and awareness, advances necessary research and coordination, and more.

Successful bird conservation in our states and across the nation depends on conservation and partnerships not only in the states, but across the full ranges of migratory birds. Maintaining and recovering bird populations will require working together within the United States, and also in places like Colombia, Panama, Chile, Mexico, Canada, and more.

This program helps to preserve all the links in the chain of migration that these birds depend upon. In part because of the concentration and importance of wintering migratory birds in certain regions, these projects can be a highly cost-effective investment in conservation and make an outsized impact. Moreover, many of these wintering and migratory stopover sites in Latin America continue to be at risk from habitat loss, including deforestation, and the program supports efforts to target key places for conservation to address these challenges.

Since 2000, the NMBCA program has supported more than 700 projects, across 43 countries, benefiting more than 5 million acres of habitat. Of the $89 million invested by the U.S., partners have brought more than $346 million to the table. These projects have advanced conservation across the entire flyways of migratory birds and their full annual cycle.

For example, the Wood Thrush is an iconic bird of our eastern forests, which is famous for its flutelike, ethereal song, and it is the official bird of Washington DC. Sadly, these songs are fading from our forests, as this species has declined by more than 60% since 1970. It has been identified as a Species of Greatest Conservation Need in 29 states, including Florida, Virginia, Arkansas, West Virginia, and more. NMBCA projects have helped to conserve its nesting habitat in the Appalachian Mountains of West Virginia, as well as its wintering habitat in places like Guatemala.

There, funding has helped to empower young women of the Maya highlands to help sustainably manage natural resources and forest habitat in their communities, while securing vital wintering areas for Wood Thrush and other migratory and resident birds. In doing so, this funding also helps our states achieve their bird conservation goals through the State Wildlife Action Plans by helping to advance their recovery and reinforce state investments.

Similarly, the Cerulean Warbler, a stunning blue-and-white songbird beloved by birders, has declined by more than 70% since the 1970s, and has been identified as a Species of Greatest Conservation Need by 35 states, including Florida. The NMBCA has supported conservation of its nesting habitat, such as the aforementioned West Virginia project, along with efforts in Ohio, Iowa, and Canada, and vital projects in its wintering habitat in Colombia, Peru, Ecuador, and more. This includes efforts to not only conserve key habitat, but also work with landowners on projects such as bird-friendly coffee production.

Despite the important and effective investments in the NMBCA, there has been more demand for the grants than the program can currently meet. As of 2021, less than one-third of all proposals have been able to receive funding, leaving more than 1,800 projects unable to be supported and implemented.

And to help meet the needs of the birds that are vanishing before our eyes, more resources are urgently needed for bird conservation on the ground, and in the places of greatest need. NMBCA projects help proactively invest in these species, which reduces the need for listing under the Endangered Species Act.

Many of the species this program benefits are facing long-term declines, and could be considered for ESA listings without further investments.

Audubon supports H.R. 4389, the Migratory Birds of the Americas Conservation Enhancements Act, because it will address several current needs and opportunities for migratory birds and for the NMBCA program. First, the legislation will reauthorize the program, which is an important and timely step as the five-year authorization ran through Fiscal Year 2023. Second, the legislation will help grow the authorized funding over time, which will help provide additional resources to meet the overwhelming interest in the program.

Third, the legislation will address a significant current barrier to participation in the program and improve its accessibility by amending the matching requirement.

The current 3:1 match has been identified as an obstacle for partners to apply for grants, especially for smaller organizations that do not have access to large funding resources. By amending the statutory requirement to a 2:1 match, more partners will be able to come to the table, while bringing it closer in line with similar conservation grant programs. Additionally, this does not limit partners from bringing more funding to the table than would be required under the legislation.

Fourth, the legislation will support greater capacity for managing the program, by increasing the ceiling for administration. Current levels under the 3% ceiling are insufficient to support full-time staff capacity to implement the program, and the legislation will help provide greater support for management by raising it to 4%.

Now is the time to reauthorize and enhance the NMBCA program, and the Migratory Birds of the Americas legislation will take key steps to achieve these important and necessary goals. We are grateful for the leadership of Representatives Salazar, Larsen, Joyce, and Peltola for introducing this bipartisan legislation, and for the bill's co-sponsors, as well as to Chairman Bentz and Ranking Member Huffman for holding this hearing on this vital legislation. We look forward to assisting the committee, and we encourage the advancement of this bill to support America's migratory birds, so that our communities will continue to enjoy the economic and quality of life benefits of having these birds among us.

Thank you, and I would look forward to any questions you may have.

Mr. BENTZ. Thank you.

I now recognize Dr. Colden for 5 minutes.

STATEMENT OF ALLISON COLDEN, MARYLAND EXECUTIVE DIRECTOR, CHESAPEAKE BAY FOUNDATION, ANNAPOLIS, MARYLAND

Dr. COLDEN. Thank you, Chairman Bentz, Ranking Member Huffman, and members of the Subcommittee. Thank you for inviting me here to testify today on behalf of the Chesapeake Bay Foundation and our more than 300,000 members in support of H.R. 4770, the Chesapeake Bay Science, Education, and Ecosystem Enhancement Act, or SEEE Act.

I would also like to take a moment before I start and recognize Mr. Wittman and thank him for his support of this important legislation.

For more than half a century, CBF has led a landmark effort to save the Chesapeake Bay, a national treasure on which more than 18 million people and more than 3,600 species of plants and animals depend. Our watershed spans from the headwater streams of Cooperstown, New York to the confluence of the Atlantic Ocean in Virginia Beach, Virginia, and westward to the Allegheny Mountains. We are the largest estuary in the nation and the third largest estuary in the world.

More importantly, the Chesapeake Bay is a vital economic engine for our region and for our nation. Setting aside recreation, cultural, and tourism industries, the commercial and recreational fisheries alone supported more than $7 billion in sales, nearly $2 billion in income, and supported more than 60,000 jobs in 2020, according to NOAA's latest reports.

For more than 40 years, Federal, state, and local governments, alongside non-profit partners and businesses have worked to restore the Chesapeake Bay's habitats, enhance their ecosystem function, and reduce pollution. And it is because of this broad partnership that so much work has been done to date. However, there is still much work to be done.

To achieve meaningful and lasting restoration, as well as accelerate the pace of our progress, we need all of our Federal partners at the table, and that is why I sit before you today. The reauthorization of the NOAA's Chesapeake Bay Office, or NCBO, an authorization of the Chesapeake Bay Watershed Education and Training Program, or B-WET, could not come at a more critical time.

The SEEE Act would reauthorize NCBO and strengthen their ability to lead cutting-edge science to restore the Bay and support our watersheds vital fisheries. Through research, technical assistance, coordination, monitoring, and restoration, NCBO provides the important insights for improving the Bay ecosystem and supporting our coastal economies.

One area where NCBO's leadership really shines is large-scale oyster restoration. Over the past decade, with NOAA's coordination and leadership, NCBO has led more than 1,300 acres of oyster reef restoration and led the planting of more than 10 billion juvenile oysters in the Chesapeake Bay. This equates to more than 1,000 football fields' worth of healthy habitat, water filtration, and enhanced fishing opportunities. NCBO led the development of the large-scale oyster restoration approach, helped design our success metrics, has supported oyster hatchery production and the ongoing comprehensive monitoring of these projects. Because of this leadership and support, the Chesapeake Bay has become a global model. And without NCBO, projects of this scale, complexity, and level of success simply would not be possible.

NCBO is also on the front lines of advancing our understanding of impacts to the Chesapeake Bay from a changing climate through its vast ocean observing network which includes buoys that track oceanographic conditions, telemetry arrays that monitor fish movement, and water quality sensors monitoring key environmental parameters. These insights are critical to our understanding of the impacts of climate change on the Bay, and for providing timely management relevant information to decision makers.

The SEEE Act would also authorize the B-WET program, which offers students and teachers the opportunity to learn about the scientific value and wonder of the Chesapeake Bay firsthand. As the Federal lead for K-12 education in the Chesapeake Bay Program Partnership, NCBO implements the B-WET program providing the tools, resources, and funding necessary to ensure the next generation of Bay stewards have a comprehensive understanding of our complex watershed.

Since its inception more than two decades ago, the B-WET program has supported more than 700,000 students and more than 25,000 teachers through high-quality, meaningful watershed education experiences. Since 2002, NOAA has awarded more than $48 million to nearly 300 projects in the Chesapeake Bay watershed alone.

At this critical time, we encourage this Committee to promote the swift passage of H.R. 4770 to ensure NCBO has the necessary financial stability to continue its vital role in restoring the Bay's waterways, fisheries, and wildlife.

Chairman Bentz, Ranking Member Huffman, and members of the Subcommittee, thank you again for the opportunity to testify, and I look forward to hearing your questions. Thank you.

[The prepared statement of Dr. Colden follows:]

PREPARED STATEMENT OF ALLISON COLDEN, PH.D., MARYLAND EXECUTIVE DIRECTOR, CHESAPEAKE BAY FOUNDATION

ON H.R. 4770

Chairman Bentz, Ranking Member Huffman, and Members of the Subcommittee, thank you for inviting me to testify today on behalf of the Chesapeake Bay Foundation (CBF) and its over 300,000 members in support of H.R. 4770—Chesapeake Bay Science, Education, and Ecosystem Enhancement Act (SEEE Act).

For more than half a century, CBF has led a landmark effort to save the Chesapeake Bay—a national treasure on which the health and wellbeing of over 18 million people [1] and 3,600 species of plants and animals depend.[2] The watershed spans 64,000 square miles from Cooperstown, New York to Virginia Beach, Virginia and westward to the Allegheny Mountains. In total, it encompasses six states—Delaware, Maryland, New York, Pennsylvania, Virginia, and West Virginia—and the District of Columbia.[3] There are 11,684 miles of shoreline and includes 150 major rivers and streams in the watershed.[4] It is our nation's largest estuary and the third largest estuary in the world.[5]

The Bay is a vital economic engine for the region and for the nation. According to NOAA's latest report, in 2020 the commercial seafood industry in Maryland and Virginia brought nearly $6.7 billion in sales, over $1.6 billion in income, and nearly 46,000 jobs to the region.[6] Recreational fishing in Maryland and Virginia in 2020 supported over 16,000 jobs, nearly $725 million in sales, and nearly $268 million in income.[7]

For more than 40 years, federal, state, and local governments alongside non-profit partners and businesses have worked together to reduce pollution, restore habitat, and enhance ecosystem function in the Chesapeake Bay. It is thanks to this broad partnership that we have made great strides toward restoration. In 2025, Chesapeake Bay restoration efforts will face a key deadline for implementation of best management practices and achievement of Bay Watershed Agreement restoration goals, but there is still much work to be done. In order to be successful and to accelerate the pace of progress, we will need the strong support of all federal partners in the Chesapeake Bay clean-up. Thus, the reauthorization of the National Oceanic and Atmospheric Administration Chesapeake Bay Office (NCBO) and authorization of the Chesapeake Bay Watershed Education and Training (B-WET) program, could not come at a more critical time.

H.R. 4770—Chesapeake Bay Science, Education, and Ecosystem Enhancement Act (SEEE Act)

The SEEE Act would reauthorize the NCBO and strengthen the Office's ability to deliver cutting-edge science to help restore the Bay and support the watershed's oyster, blue crab, striped bass, and other ecologically and economically valuable fisheries. Through research, technical assistance, coordination, long-term monitoring, and habitat restoration, NCBO provides important insights for improving the Bay's ecosystem and supporting coastal communities. Through its leadership role in the Environmental Protection Agency (EPA) Bay Program's Goal Implementation Teams, the NCBO is responsible for the stewardship of our fisheries

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[1] Environmental Protection Agency (EPA) Chesapeake Bay Program (CBF), What is a Watershed?, https://www.chesapeakebay.net/discover/watershed.

[2] The flora and fauna in the watershed including in this number are 348 species of finfish, 173 species of shellfish, over 2,700 plant species and more than 16 species of underwater grasses. Additionally, the 87 species of waterbirds rely on the Bay. Fish and Wildlife Service, Chesapeake WILD, www.fws.gov/program/chesapeake-wild#.

[3] EPA CBP, What is a Watershed?, *supra* note 1.

[4] Id.

[5] Id.

[6] National Marine Fisheries Service. 2022. Fisheries Economics of the United States, 2020. U.S. Dept. of Commerce, NOAA Tech. Memo. NMFS-F/SPO-236A, p.110, available at https://media.fisheries.noaa.gov/2023-09/FEUS-2020-final2-web-0.pdf.

[7] *Id*. at 111.

and coastal habitats and ensuring the estuary and the species that depend on it have a healthy future for many years to come.[8]

Large-scale Oyster Restoration

The Eastern oyster (*Crassostrea virginica*) is a keystone species in Chesapeake Bay, responsible for building complex, three-dimensional reefs which provide critical nursery habitat for more than 350 species and filtering sediment and nutrients from the water, improving water quality and clarity. Oyster reefs, once a dominant feature of the Bay's shallows are essential habitat for important fish species like black sea bass, red drum, summer flounder, and spotted sea trout. Many recreational fishers value these reef habitats for the abundance and diversity of fish communities they support.

As a result of historical overharvesting, pollution, and disease, the Bay's native oyster population is at a fraction of historic levels. Large-scale restoration projects provide the best chance for reversing the population decline and safeguarding the vital services oysters provide. These projects create reef habitat for oysters to grow, reproduce and contribute larvae to additional reef areas in the Bay. They also build functioning reef systems that work collectively to improve the Bay's water quality and biodiversity.

In 2009, the Executive Order on Chesapeake Bay Protection and Restoration acknowledged the economic, social, and cultural value of the Chesapeake Bay to the nation as a whole and created a Federal Leadership Committee including EPA and NOAA, charged with developing priority strategies to restore the health and natural resources of the Chesapeake Bay.[9] It was through this committee that the concept of large-scale oyster restoration was born.

In June 2014, representatives from the entire watershed signed the Chesapeake Bay Watershed Agreement.[10] For the first time, Delaware, New York, and West Virginia committed to full partnership in the Bay Program. The agreement includes the Chesapeake Clean Water Blueprint goals for 2017 and 2025, but also established additional conservation goals, such as goals for habitat restoration and conservation, improving fisheries, increasing public access public access, and environmental literacy. This Agreement included a commitment to large-scale oyster restoration in ten tributaries by 2025.

This outcome, to complete oyster restoration in ten tributaries, is currently on track to be completed by 2025 and is widely recognized as the largest oyster restoration project in the world, thanks in no small part to the contributions of the NCBO.[11]

NCBO provides critical leadership and financial support to Chesapeake Bay oyster restoration efforts. They led the development of the restoration approach, the definition of success metrics, and the ongoing comprehensive monitoring of restoration projects. Each year, NCBO contributes funding to support production of oyster spat-on-shell, a key restoration product used to seed newly-constructed reefs. In 2023, a record 1.7 billion oyster spat were planted in Maryland alone, with nearly 1 billion planted on large-scale restoration projects alone.[12]

NCBO scientists conduct habitat assessments to understand baseline conditions before and after oyster restoration projects, providing critical knowledge to resource managers who work to ensure long-term success of these restoration efforts. The data and information that the NCBO collects helps other resource managers across the globe shape their own restoration projects based on lessons learned here in the Bay.

Over the past decade, with NOAA's coordination and leadership, more than 1,300 acres of oyster reefs have been restored and more than 10 billion juvenile oysters have been planted in Chesapeake Bay. NOAA equates these numbers to "1,055

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[8] See, e.g., EPA CBP, Maintain Healthy Watersheds Goal Implementation Team, https://www.chesapeakebay.net/who/group/maintaining_healthy_watersheds_goal_implementation_team.

[9] Exec. Order No. 13508, 75 Fed. Reg. 23,099 (May 15, 2009).

[10] EPA CBP, Chesapeake Bay Watershed Agreement, https://www.chesapeakebay.net/what/what_guides_us/watershed_agreement.

[11] All of the outcomes under NOAA leadership are on track to meet their commitments making it clear that NOAA plays an invaluable role in ensuring that the partnership is making progress to restoring the Bay. EPA, Charting a Course to 2025: A Report and Recommendations for the Chesapeake Executive Council on How to Best Address and Integrate New Science and Restoration Strategies Leading up to 2025, at 25 (July 21, 2023), available at https://d18lev1ok5leia.cloudfront.net/chesapeakebay/documents/Charting-a-Course-to-2025_CBP_2023-07-26-001306_jvtn.pdf.

[12] See Governor Moore Announces New Annual Record for Chesapeake Bay Oyster Planting, (Oct. 10, 2023), https://governor.maryland.gov/news/press/pages/governor-moore-announces-new-annual-record-for-chesapeake-bay-oyster-planting.aspx.

football fields" of healthy habitat, natural water filtration, and enhanced fishing opportunities for people.[13] Additionally, NOAA has recently released a draft restoration goal defines steps to build on and improve the next phase of large-scale oyster restoration following the completion of the ten tributaries restoration in 2025.[14]

Monitoring indicates that these restoration projects are showing great promise, with most reefs meeting the success criteria to be considered fully restored. A NCBO-led comprehensive research program indicates that restoration is also paying dividends to the Chesapeake Bay ecosystem. Restored reefs are estimated to removed seven times as much nitrogen from the water each day than unrestored areas, reducing excess nutrients that fuel low-oxygen 'dead zones.' Productivity of important prey species for fish, including worms, grass shrimp, mud crabs, and others, can exceed 5,000 individuals per square meter, and survival of juvenile blue crabs is three times higher on reefs than in unrestored areas. These ecosystem benefits have tangible advantages for coastal communities as well. Once mature, oyster reefs in the Choptank River system in Maryland are expected to increase fishery landings and revenue by $23 million annually and support an additional 300 jobs in coastal counties that are heavily dependent on the seafood industry.

Without NCBO's technical expertise, coordination, monitoring, and support, projects of this scale, complexity, and level of success would simply not be possible. The SEEE Act supports and allows the NCBO to expand its restoration efforts.

Ocean Monitoring and a Changing Climate

Across the Chesapeake Bay, the NCBO manages a vast ocean observing network, including observation buoys that track meteorological and oceanographic parameters, telemetry arrays that monitor fish movement, and water quality sensors that monitor ecosystem conditions. For example, the Chesapeake Bay Interpretive Buoy System (CBIBS)[15] provides weather and environmental information such as wind speed, temperature, and wave height, updated every six minutes. The data provided by CBIBS is available online, via mobile app, or by phone call, allowing boaters and anglers to access real-time data to plan their trips and be safe on the water. Data from the buoys are combined with satellite data to track harmful algal blooms, monitor sediment plumes, measure oxygen levels important to fish throughout the year, and forecast the distribution and severity of dangerous bacteria—information critical to oyster aquaculture operations.

Additionally, NCBO is on the front lines of advancing our understanding of how a changing climate will impact the Chesapeake Bay, particularly fish species and the habitats they depend on. NCBO has brought together experts from across the watershed and beyond to understand how rising water temperatures, low oxygen 'dead zones', and habitat availability will change over time, and the impacts that will have on commercial and recreational fisheries. NCBO staff recently co-authored a seminal report on the impacts of rising water temperatures on Chesapeake Bay, including key fish habitat like underwater grasses.[16] Ongoing work will quantify the availability of habitat for species like striped bass, summer flounder, and black sea bass. Researchers are also working to identify the environmental drivers that determine the productivity of forage fish species like Atlantic menhaden, which serve as primary prey for the Bay's top predators. These insights are critical to understanding the challenges that a changing climate presents for the Bay and providing timely, management-relevant information for resource agencies and decisionmakers.

The ability to address the complex challenges of rising water temperatures, low oxygen 'dead zones', and habitat availability have on our watershed demands scientific expertise and adequate funding. As the federal lead for the climate resiliency goal team, the NCBO is equipped to continue leading climate resilience and adaptation work in the watershed. However, to stand up to the challenges a changing climate poses and position the next generation of Bay stewards for success, deeper investments must be made in this vital work. The SEEE Act expands the NCBO ocean monitoring efforts, which will provide the necessary data to implement science-based decision making across the watershed.

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[13] 2022 Chesapeake Bay Oyster Restoration Update, https://d18lev1ok5leia.cloudfront.net/chesapeakebay/documents/2022-Chesapeake-Bay-Oyster-Restoration-Update.pdf

[14] Chesapeake Progress, Oysters, https://www.chesapeakeprogress.com/abundant-life/oysters (the ten tributaries are Harris Creek, the Little Choptank, Tred Avon, upper St. Mary's and Manokin rivers in Maryland, and the Great Wicomico, Lafayette, Lower York, Lynnhaven and Piankatank rivers in Virginia).

[15] NOAA, Chesapeake Bay Interpretive Buoy System, https://buoybay.noaa.gov/.

[16] Batiuk, R., Brownson, K., Dennison, W., et al. 2023. Rising Watershed and Bay Water Temperatures: Ecological Implications and Management Responses—A STAC Workshop. STAC Publication Number 23-001. Edgewater, MD. (505 pages), available at https://www.chesapeake.org/stac/wp-content/uploads/2023/01/STAC-Report_-Rising-Temps.pdf.

Environmental Education

Additionally, the SEEE Act would authorize the B-WET program which offers students and teachers the opportunity to learn about the scientific value and wonder of the Bay ecosystem firsthand. The NCBO is the federal lead for K-12 education in the Chesapeake Bay Program partnership providing the tools, resources, and funding necessary to ensure the next generation of Bay stewards have a comprehensive understanding of our complex watershed.

Throughout the watershed, students, teachers, and experts team up year-round to learn about the Chesapeake's diverse habitats through hands-on learning. Students engage in defining local issues, participate in field investigations, learn to synthesize information and draw conclusions, and develop action-oriented projects. This learning, known as Meaningful Watershed Educational Experiences (MWEE)[17], is a cornerstone of environmental education, and enables student learning in the context of life-relevant, real-world problems.

NCBO implements the B-WET program, which delivers grant funding across the watershed for dozens of environmental literacy programs, educating tens of thousands of students, and providing professional development for hundreds of teachers. B-WET helps equip educators with the skills, knowledge, and confidence to effectively teach students about the watershed, ensuring the next generation of bay stewards are environmentally literate. For instance, in Fiscal Year (FY) 2022 NOAA awarded funding to CBF to assist in bringing together teachers and community members to build and maintain successful MWEEs in four counties in Pennsylvania.[18] This program will help ensure that educators receive the tools needed to effectively develop and teach an environmental education curriculum in addition to ensuring that the community supports and participates in getting students out into nature.

Moreover, NCBO helps states across the watershed organize. It connects state departments of education with their natural resource agencies, focusing on key opportunities to benefit students and share innovative ideas (such as MWEEs) between states.

NCBO also runs the Environmental Science and Training Center, providing educators the knowledge and tools they need to deliver up-to-date science information to the next generation. Through workshops at NOAA's Oxford Lab and throughout the watershed with partner organizations, teachers learn how to apply science with students in the classroom and in the field.

Since its inception two decades ago, Chesapeake B-WET has evolved from funding projects in individual schools to supporting school districts and state-wide environmental literacy efforts. It has directly reached more than 730,000 students and nearly 30,000 professional development opportunities in the Chesapeake Bay watershed.[19] Since 2002, NOAA has awarded more than $117 million to 929 B-WET projects[20] with over $51 million to support more than 275 B-WET projects in the Chesapeake Bay Watershed.[21]

The SEEE Act would authorize the B-WET program, providing more students with the opportunity to learn first-hand about the importance of protecting and restoring the Chesapeake Bay watershed.

Funding for NCBO

The SEEE Act would provide necessary financial stability to the NCBO for FY 2024 through FY 2027. To effectively implement its Strategic Plan,[22] the NCBO needs reassurances it will have consistent funding. As highlighted above, and one example of how sustained funding is necessary to meet NCBO's goals, the ten oyster restoration projects that NCBO is working on will require additional monitoring and

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[17] NOAA, Bay Watershed Education and Training, https://www.noaa.gov/office-education/bwet; *see also* CBF, Meaningful Watershed Educational Experiences, https://www.cbf.org/join-us/education-program/mwee/.

[18] NOAA, Past and Current Chesapeake B-WET Projects, www.fisheries.noaa.gov/new-england-mid-atlantic/chesapeake-bay/past-and-current-chesapeake-b-wet-projects#pennsylvania.

[19] EPA CBP, 40 years of Educating Chesapeake Bay Stewards, (Sept. 22, 2023), https://www.chesapeakebay.net/news/blog/40-years-of-educating-chesapeake-bay-stewards.

[20] NOAA, Bay Watershed Education and Training, *supra* note 17.

[21] Pers. Comm. with NOAA (Oct. 13, 2023).

[22] NCBO 2020–2025 Strategic Plan, https://repository.library.noaa.gov/view/noaa/28762/noaa_28762_DS1.pdf; see also NCBO Biennial Report to Congress Fiscal Years 2019 and 2020, https://media.fisheries.noaa.gov/2021-04/NCBO%2019-20%20Biennial%20Report%20to%20Congress%20FINAL.pdf?null.

evaluation past 2025 in three-to-six-year intervals.[23] In order to ensure that these long-term restoration projects are completed and the agency has the ability to collect the necessary data to determine the water-quality benefits, reassurances that funding will be available is needed. Additionally, efficiencies can be derived from sustained funding for monitoring and restoration by reducing uncertainty and associated mobilization costs, making federal investments more cost-effective over time.

Conclusion

Restoring the Chesapeake Bay has always been a bipartisan effort. At this critical time for the Bay cleanup effort, we encourage this committee to promote swift passage of H.R. 4770 to ensure that NCBO continues to play a vital role in restoring the health of the Bay—its waterways, fisheries, and wildlife habitats, meeting the 2025 restoration requirements and helping to lead the next chapter of restoration efforts in Chesapeake Bay.

Mr. BENTZ. Thank you, Dr. Colden.

I now recognize Mr. Caccese for 5 minutes.

STATEMENT OF ROBERT T. CACCESE, DIRECTOR OF POLICY, PLANNING, AND COMMUNICATIONS, PENNSYLVANIA FISH AND BOAT COMMISSION, HARRISBURG, PENNSYLVANIA

Mr. CACCESE. Good morning, Chairman Bentz, Ranking Member Huffman, and members of the Committee. Thank you for the opportunity to testify. I am Bob Caccese, Director of Policy, Planning, and Communications for the Pennsylvania Fish and Boat Commission.

Today, I am representing the Association of Fish and Wildlife Agencies. Our mission is to protect the authorities of our member agencies and enhance their abilities to manage fish and wildlife as public trust resources for current and future generations. All 50 states are members, as well as the U.S. Virgin Islands and the District of Columbia.

My testimony focuses on H.R. 5009, the Wildlife Innovation and Longevity Driver Reauthorization Act, or WILD Act, but I wanted to mention that the Association also supports H.R. 4389, the Migratory Birds of the Americas Conservation Enhancements Act, as well. Both are important programs that deliver tangible conservation outcomes.

I would like to thank Congressman Joyce and Congresswoman Dingell for introducing the WILD Act. This bipartisan legislation would reauthorize critical U.S. fish and wildlife conservation programs. Specifically, it would reauthorize the Partners for Fish and Wildlife Program, which enables wildlife and habitat conservation in all 50 states and territories, and the Multinational Species Conservation Funds, which help conserve some of the world's most iconic species, including rhinos, elephants, tigers, great apes, and turtles.

While the Association supports the bill in its entirety, I will focus my testimony on the Partners for Fish and Wildlife Program (Partners Program), as that is where my expertise is most applicable.

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[23] Chesapeake Progress, Oysters, *supra* note 14 ("Monitoring and evaluation will take place at three- and six-year intervals following construction and seeding. This monitoring and evaluation phase will not be complete until after 2025.").

H.R. 5009 reauthorizes the Partners Program through Fiscal Year 2028, and its enactment is a critical priority of the Association, as the program is set to expire this year.

Since its inception in 1987, the Partners Program has enabled restoration of more than 6 million acres of habitat by bringing together state, Federal, tribal, and private partners. Last year alone, the program aided completion of more than 1,800 projects and leveraged every Federal dollar spent on projects with almost $4 in partner contributions.

In Pennsylvania, the Partners Program assisted in restoration of Cooper's Run, a trout fishery upstream of the Susquehanna River in the Chesapeake Bay. Like many successful conservation efforts, it was private landowners who initiated this project with designs and permitting provided by Partners for Fish and Wildlife staff. The work of the Partners Program enabled NGOs and the Fish and Boat Commission to restore 14 stream and river miles, increasing habitat for trout, songbird, waterfowl, and threatened turtles. Land and business owners will see tangible economic benefits as well, thanks to reduced flooding and improved water quality. Ultimately, this project reduced sediment by approximately 214 tons per year.

Other highlights of the program in Pennsylvania include stream restoration projects, enhancing our world-class Spring Creek fishery, increasing the amount and quality of habitat, and providing greater access for angling and recreation. The program also supports implementation of our state Wildlife Action Plan, like in Lancaster County, where we introduced the Chesapeake logperch, a species of greatest conservation need that we are actively working to keep from becoming endangered.

The Partners Program works with our Game Commission as well, creating hundreds of acres of habitat for American woodcock, and assisting with critical telemetry data on migration routes and breeding habitat. They are also working together to keep the Allegheny woodrat off the endangered species list by installing nesting structures and conducting ongoing scientific studies on colonization of the use of artificial structures. This type of scientific support provided by the program helps state agencies maximize the impact of our conservation efforts and ensure the American taxpayer the best possible return for their investment in our public trust resources.

Other examples from across the country include Partners' work at River Bend West in Michigan last year, where $73,000 in project investment from the program was leveraged with $1 million in partner contributions to restore one of the few undeveloped sites in the Saginaw River. Mitigation of contaminated soils, eradication of invasive species, extensive planting of native species, and restoration of natural features for herpetofauna, mammals, waterfowl, and other migratory birds, and the benefits extend to people, too. Projects like Riverbend West that provide targeted restoration within city limits ensure that the benefits of nature are more equitable and accessible for all members of the public to enjoy.

Now just a few moments on H.R. 4389. With its enactment in 2002, the Neotropical Migratory Bird Conservation Act established one of the most cost-effective and impactful conservation programs

for addressing the needs of migratory birds. And again, as I mentioned, the Association supports that bill.

In closing, the Association of Fish and Wildlife Agencies strongly supports passage of H.R. 5009, which delivers common-sense, community-centered conservation that helps restore habitats and endangered wildlife, lifts up economies, and makes communities more secure.

Thank you for the opportunity to testify, and I welcome your questions.

[The prepared statement of Mr. Caccese follows:]

PREPARED STATEMENT OF ROBERT T. CACCESE, DIRECTOR OF POLICY, PLANNING AND COMMUNICATIONS, PENNSYLVANIA FISH AND BOAT COMMISSION

REPRESENTING THE ASSOCIATION OF FISH & WILDLIFE AGENCIES

ON H.R. 5009 AND H.R. 4389

Good morning, Chairman Bentz, Ranking Member Huffman, and members of the Committee. Thank you for the opportunity to testify.

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H.R. 5009, "WILD Act"

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While the Association supports the bill in its entirety, I will focus my testimony on the Partners for Fish and Wildlife Program (Partners Program) as that is where my expertise is most applicable. H.R. 5009 reauthorizes the Partners Program through fiscal year 2028 and its enactment is a critical priority of the Association as the program is set to expire this year.

Since its inception in 1987, the Partners Program has enabled restoration of more than six million acres of habitat by bringing together state, federal, tribal, and private partners. Last year alone, the program aided completion of more than 1800 projects and leveraged every federal dollar spent on projects with almost 4 dollars in partner contributions.

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Greatest Conservation Need that we are actively working to keep from becoming endangered.

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This type of scientific support provided by the program helps state agencies maximize the impact of our conservation efforts and ensure the American taxpayer the best possible return for their investment in our public trust resources.

Other examples from across the country include partners' work at Riverbend West in Michigan last year, where $73,000 in project investment from the program was leveraged with $1 million in partner contributions to restore one of the few undeveloped riparian sites on the Saginaw River.

Mitigation of contaminated soils, eradication of invasive species, extensive planting of native species, and restoration of natural features significantly enhanced upland and wetland habitats for small mammals, herpetofauna, deer, waterfowl, and other migratory birds, but the benefits extend to people too. Projects like Riverbend West that provide targeted restoration within city limits ensure that the benefits of nature are more equitable and accessible for all members of the public to enjoy.

H.R. 4389, "Migratory Birds of the Americas Conservation Enhancements Act"

Now, just a few comments on H.R. 4389. With its enactment in 2002, the Neotropical Migratory Bird Conservation Act established one of the most cost-effective and impactful conservation programs for addressing the needs of migratory birds.

Although only a portion of the funding provided through the Act is applied to projects within the United States, the Association supports this bill because of the tangible positive impacts to bird species breeding within our states, many of which are Species of Greatest Conservation Need, and which spend the remainder of the year distributed throughout Latin America and Caribbean.

Absent a dedicated effort to support conservation projects in these areas, Neotropical migratory birds will continue to decline as they have been for the past fifty years despite the careful management by our state wildlife agencies. This bill will enable more on-the-ground conservation actions where it will benefit bird populations the most and continue to demonstrate the collaborative, multi-national approach necessary to be effective in the management of these species.

Conclusion

In closing, the Association of Fish and Wildlife Agencies strongly supports passage of H.R. 5009, which delivers commonsense, community-centered conservation that helps restore habitats and endangered wildlife, lifts up economies, and makes communities more secure. We also support H.R. 4389. Once again, thank you to Chairman Bentz, Ranking Member Huffman, and members of the Committee for the opportunity to testify. I am glad to answer any questions you have or follow up with more information as needed.

Mr. BENTZ. Thank you. I thank the witnesses for their testimony, and we will now recognize Members for 5 minutes each for questions.

Mr. Wittman, you are recognized for 5 minutes.

Dr. WITTMAN. Thank you, Mr. Chairman. I would like to thank our witnesses for joining us today.

Ms. Selberg Robinson, I want to start with you. Can you give us your perspective on what has happened with the Chesapeake Bay in the past two decades, as far as restoration efforts, where we are today with our resources such as oysters, and also where we are with water quality?

And can you talk about the role that the Chesapeake Bay Program Office plays as far as coordinating the efforts of each state

and, obviously, the requirements under the Federal Clean Water Act like TMDLs, where everybody has to look at what they are doing to improve water quality?

Ms. ROBINSON. [Audio malfunction.] To meeting that goal, and the scale of this work is really unprecedented. As you have heard this morning, this has become the world's largest oyster restoration project in the world, and it has resulted in more than 1,400 acres of healthy, restored reefs.

So, how do we know that they are healthy? We know that they are healthy because we monitor them. We are looking for key things like density and biomass to make sure that they are a functioning reef. And a functioning reef really contributes to both the ecology and the economy of the Chesapeake Bay. We are really pleased with the progress we are making with oyster restoration and the role that it plays to support our commercial or recreational fisheries like blue crab in each state.

We lead work groups that bring all of the states together and our NGO partners to have important conversations about fisheries research, oyster restoration.

Our office does not have a lead role in the TMDL effort. That is led by our colleagues over at the EPA.

Dr. WITTMAN. Thank you, Ms. Selberg Robinson.

Dr. Colden, I want to get your perspective on oyster restoration, how you see it. Obviously, the overall numbers are very impressive, but if you could give us a little drill-down on what that has involved. In other words, when you have reef restoration, is it a combination of aquaculture, is a combination of private interest on the Bay that do spat on shell culture, all of those different things? Can you give us an overall view about how that is unfolding?

Dr. COLDEN. Absolutely, and thank you for the question.

Oyster restoration that NCBO leads is a tremendous effort that involves states as well as local non-profits, private and public oyster hatcheries, which are producing the oyster larvae necessary for these projects, as well as supporting local watermen who are participating in placing spat on shell, who are participating in the restoration activities themselves.

More recently as well, oyster aquaculture was approved as a best management practice for reducing nitrogen, and oyster restoration has been approved as of last week. So, not only are these industries contributing to the recovery of oyster populations, they are also helping us achieve our pollution reduction goals through bioextraction through harvest, and enhanced denitrification, which removes excess nitrogen from the water.

Dr. WITTMAN. You talked a little bit about the role that the oysters play as filter feeders. Can you give us a little perspective on what they do in taking food that is algae out that can, for an overpopulation, create some problems for the Bay, but also what they do in removing sediment?

We know there is a function that they remove sediment that is not food, and are able to take that out of the water column.

Dr. COLDEN. Yes, absolutely. They also improve the water's clarity. As sediment enters the Chesapeake Bay it clouds the water, making it difficult for things like underwater grasses to thrive. By filtering out that sediment and packaging up into small

packages, it makes it sink to the Bay bottom faster, making the water clearer and allowing those other habitats like underwater grasses, which are incredibly important for things like blue crabs, allowing that water clarity to improve, allow the sunlight to reach down to the bottom, and improve the overall water clarity conditions.

Dr. WITTMAN. So, large-scale oyster restoration is really Mother Nature's filter in taking a lot of stuff out of the Bay that otherwise would take years and years to do, they can do it in days?

Dr. COLDEN. Yes, absolutely.

Dr. WITTMAN. Thank you, Mr. Chairman.

Mr. BENTZ. The Chair recognizes Mrs. Peltola.

Mrs. PELTOLA. Thank you, Mr. Chairman, and thanks to all the folks who are here to testify on these really good pieces of legislation today.

My first question is for Ms. Wraithmell. I represent Alaska, and we have about 470 birds that call Alaska home. And most of these are migratory birds, and their range extends thousands of miles. And these international corridors that these migratory birds traverse, thousands of miles, I think that all these species really benefit from the international conservation projects that we have agreements with Canada and Mexico on. And I was just wondering if you could elaborate on how H.R. 4389 is making grants more accessible to more diverse applicants because of the increased Federal cost share.

Ms. WRAITHMELL. Absolutely. Alaska has many species that spend lots of time in Latin America, whether it is blackpoll warblers that are traveling all the way to Brazil or Hudsonian godwits that are wintering in Chile. So, we recognize that we need to have investments in all of the parts of their range, not just in those that are in Alaska.

By looking at the matching requirements that are a part of the grant, we can make sure that we are lowering the barrier of entry for some of these projects in Latin America. We recognize that our dollars go a really long way in some of these geographies. And in fact, very small investments can yield outsized benefits for these species, having almost a catalytic role for them.

Mrs. PELTOLA. Mr. Chairman, my next question is for Dr. Colden.

I really appreciated your testimony. I was wondering if you can share a little bit about why supporting education, research, and monitoring is so important to maintaining healthy fisheries and coastal economies.

Dr. COLDEN. Absolutely. Thank you so much for the question. I will start with education.

Saving the Chesapeake Bay is a long-term prospect. Our organization and others throughout the watershed have been working for more than 50 years to try to tackle this very large, very complex issue. That is why we think it is so incredibly important to make those investments in our next generation of Bay stewards through K-12 education. It not only has been shown to improve their academic performance, but it has also been shown to really connect them with the watershed and also give students the feeling that

there is something that they can do in order to improve their local environment.

We find that education is absolutely critical to instilling that early sense of stewardship in students, and we have seen the benefits of that as many of our own staff at the Chesapeake Bay Foundation and others working in the restoration partnership have gone on because of those experiences to work on Bay restoration for their career.

As far as research and monitoring, we are right on the cutting edge. Chesapeake Bay actually sits in a very unique biogeographic area, where there is a transition from some tropical and subtropical species to more temperate species. So, as our climate continues to change and we observe those observations in the Chesapeake Bay, it will be ground zero for seeing rain shifts, seeing impacts of warming waters, impacts of changes to ocean acidification. So, we believe that investing in research and monitoring in the Chesapeake Bay will give us those important insights right on the front lines, which will be applicable to other estuaries throughout the United States.

Mrs. PELTOLA. Just a quick follow-up on there. Are there any fisheries or species that you think could benefit significantly from the passage of this legislation?

And I know you talked extensively about oysters, but are there some others?

Dr. COLDEN. Yes, absolutely. There is a tremendous number of species which use the Chesapeake Bay as a nursery habitat, but either spawn within the Chesapeake Bay or spawn offshore and come into the Chesapeake Bay. Our anadromous fishes, for example, things like Atlantic striped bass, the endangered Atlantic sturgeon, blue crabs, these are all species which support important commercial and recreational fisheries, and also that are either using the Chesapeake Bay as a nursery or a spawning area that then those fish move out of the Chesapeake Bay and support fisheries all along the Atlantic coast.

So, understanding the dynamics of what is going on in the Chesapeake Bay will have benefits for states all along the East Coast.

Mrs. PELTOLA. And their economies, yes.

Dr. COLDEN. Yes, absolutely.

Mrs. PELTOLA. Thank you, Mr. Chairman.

Mr. BENTZ. The Chair recognizes Mrs. Radewagen for 5 minutes.

Mrs. RADEWAGEN. Thank you, Mr. Chairman and Ranking Member Huffman. I want to welcome the panel and thank you for appearing today. My questions are for Mr. Caccese.

Fear of both government and ESA regulations and other red tape can often make it difficult to get the support of industry and private landowners for conservation projects. What can Congress do to get buy-in from these partners and incentivize more voluntary conservation?

Mr. CACCESE. Yes, thank you for the question. And really, at the heart of it, it comes down to providing the resources.

Having the private landowners reach out and be interested in doing a voluntary conservation measure on their property, there is a wealth of benefits that occur whether it is habitat, whether it is

increased outdoor recreation, a booming economy, et cetera. But really, once one person does it, they can tell their neighbors. At least I know that usually when you are looking for advice on how good of a product something is, you are going to talk to somebody to see what their thoughts are on it. And that is what we have seen with this program, is neighbors sharing their good stories and good news. And it has really had an effect with others wanting to get into it, as well. So, really, it boils down to providing those resources.

Mrs. RADEWAGEN. So, it is clear that it takes a broad coalition of partners to make conservation programs successful. Why should Federal agencies continue to work with the states to facilitate many of these on-the-ground partnerships?

Mr. CACCESE. Yes, again, thank you for the question.

The states are the boots on the ground. And they have, No. 1, the authority within their jurisdictions for handling certain species. They have created partnerships with the local NGOs, counties, boroughs, parishes that they may live in, as well as knowing how resources can be used in different ways.

It is really between, again, partnerships, trusts that have been built, use of those resources, and then a knowledge of essentially the backyard, right, the habitat that is in those areas. The state agencies are really the ones that can work with the Feds on the funding, but then take those resources and really put them back into the community.

Mrs. RADEWAGEN. Thank you. Keeping species off the ESA list is important, but what are some of the economic benefits the public can expect from investing in state and private landowner conservation programs?

Mr. CACCESE. Sure. And again, thanks for the question.

Really, I think it is certainty. Putting voluntary measures in place, again, it can help put outdoor recreation at the forefront, it can help increase jobs in certain areas. I know there was an example that I can refer to in Louisiana, where there was a project, about $5.5 million that essentially aims to protect and restore 90,000 acres of fire-adapted plant communities. And what that does then is it opens up and will open up, three different public lands areas for outdoor recreation but, again, create jobs and increase that habitat to what it once was. So, a lot of different benefits.

Mrs. RADEWAGEN. Thank you, Chairman Bentz. I yield back.

Mr. BENTZ. Thank you. The Chair recognizes Ranking Member Huffman for 5 minutes.

Mr. HUFFMAN. Thank you, Mr. Chairman.

Dr. Colden, I want to start with you and begin by complimenting you on how well you have a command of your subject matter and explain that in such a compelling way to all of us today. I am conditioned, of course, to believe that the San Francisco Bay estuary is the center of the universe. But listening to you does make me think that this Chesapeake Bay place might be kind of a big deal. So, thank you for that.

And I want to ask you about some of the pressures that we have talked about here today threatening the Chesapeake Bay estuary: Ag runoff, industrial sewage, pollution, overfishing, coastal development, and others, all exacerbated by climate change. And I am

wondering if you can elaborate a little bit on how programs like the Chesapeake Bay Watershed Education and Training Program kind of serve as an early warning system to help anticipate and understand emerging threats, and why that is so important for the communities that rely on the Chesapeake Bay watershed.

Dr. COLDEN. Yes, thank you so much. I appreciate the opportunity to speak more about the B-WET program and environmental education.

As I mentioned previously, we are able to reach a tremendous number of students and teachers through the B-WET program, hundreds of thousands over the past 20 years. And to borrow the name of an old TV show, Kids Do Say the Darndest Things. So, we really get an insight into the hearts and minds of how our communities are viewing the Chesapeake Bay, how they are viewing the Chesapeake Bay cleanup and restoration through interaction with these students as they come through the education programs that Chesapeake Bay Foundation and many other organizations work on.

So, we get to have some immediate feedback, but also have learned that some of the best teachers are children going home and speaking to their families or speaking to their parents about the things that they have learned through environmental education. So, really growing that stewardship from the youngest Bay stewards all the way up through their families and making change systematically that way is a really important way that the environmental education works its way through our watershed.

Mr. HUFFMAN. There is also a collaborative element to this work: partnerships between universities, non-profits, community stakeholders. How does that improve research and monitoring in the Chesapeake Bay, and what is your hope for future collaborations if we can pass this legislation?

Dr. COLDEN. Collaboration has been absolutely essential to all of the progress that has been made thus far in Chesapeake Bay restoration. The reason why it is so important is because it brings together the best of every different sector, and all of the strengths that we have as a community to this very large and complex problem.

For example, the NOAA Chesapeake Bay Office provides a fisheries research funding program which provides grant funding to universities and other academic institutions to carry out cutting-edge research. We are making sure, through that grant funding program, that folks who are on the front lines of the latest in the scientific methods and approaches are able to carry out this very timely and management relevant research that goes, because of NCBO's involvement in the Chesapeake Bay program partnership, right back into the management framework.

So, there is a very strong feedback loop between research, monitoring, and management.

Mr. HUFFMAN. Thank you.

Ms. Robinson, Dr. Colden educated us a bit about the importance of oysters. From the NOAA perspective, though, I wonder if you could speak a little bit about the critical work on oyster reef restoration that this legislation would sustain, and what your hopes are for the future of that work.

Ms. ROBINSON. Absolutely, thank you for the question. As we have heard today, the oyster restoration is not only important from a water quality perspective, but also because it serves as critical habitat for species such as striped bass and blue crabs.

And while we are really pleased with the progress we have made so far, we also know that current oyster population levels are well below historic highs, and we want to continue to build upon our successes that we have had collaborating with all of our partners, continue this great work of oyster restoration into the future.

Mr. HUFFMAN. Thank you, Mr. Chair, I yield back.

Mr. BENTZ. The Chair recognizes Mr. LaMalfa for 5 minutes.

Mr. LAMALFA. Thank you, Mr. Chairman. I am sorry to parachute in on this from a previous Committee, and I hope I have no redundancy here.

But I wanted to ask a couple of our panelists, under the Partners for Fish and Wildlife Program to assist with the fish food program, which we are having some pretty decent success with on the Sacramento River area in Northern California in rice country. Please comment, Mr. Guertin and Ms. Robinson, on that, if you would, on what you see, the potential there, how the progress is so far, and what potential it would yield for being able to increase fish populations using farmers and available technology and lands that would complement that.

Mr. GUERTIN. Thank you, Congressman, for your question.

The Partners for Fish and Wildlife Program is one of our premier, voluntary, non-regulatory approaches that we can employ to work with ranchers, farmers throughout the country. In Northern California, as you point out, we are doing a lot of work. I am aware we did some work, for example, on the Scott River drainage, which benefited a lot of coho and chinook salmon runs, and things like that.

We do a lot of work where we can provide technical assistance, we can provide project dollars, we can work with landowners, help them develop a business model that will allow them to increase yields, balance that with wildlife conservation measures. And just 2 weeks ago, I was out in Montana for the Partnerscapes Conference. On private lands day, we had about 50 landowners from around the country there, seminars on fire management and invasive species control, seminars on things like that.

Mr. LAMALFA. Certainly, so you look at it as a very positive partnership that you want to continue to be a part of?

Mr. GUERTIN. Yes, Congressman. This is one of our most effective programs. We have been able to work with 50,000 landowners across the United States.

Mr. LAMALFA. OK, let me throw it to Ms. Robinson, too.

Ms. ROBINSON. We aren't engaged in that specific program. Would you like me to speak to some of our habitat restoration work in that area?

Mr. LAMALFA. Yes, that would be helpful.

Ms. ROBINSON. OK. Our community-based restoration program focuses both on providing funding for on-the-ground restoration, as well as technical assistance, like Fish and Wildlife Service, to make sure that we are getting good habitat restoration on the ground that addresses the recovery of endangered species.

Mr. LAMALFA. Thank you. Let me shift to the Klamath Lake and Klamath River for a moment, please, as we have a waterfowl bill here. It isn't necessarily geared toward the Pacific Flyway, but we do have giant issues with the Pacific Flyway, and how important that the basin is for propagating ducks and other waterfowl, and how difficult that has been the last few years here with the way water is being allocated or not allocated to those refuges and areas, and agriculture is an important part of that.

Please comment what you think moving forward with these, the only species management there is for the fish in the river or in the lake, and the waterfowl has been left to suffer on that. Mr. Guertin, please.

Mr. GUERTIN. Thank you for your question, Congressman. I know there has been a lot of frustration by hunters in that region. We have had to eliminate or curtail some of their hunting opportunities for waterfowl. The long-term restoration vision for the Klamath Basin is to restore that ecological function, to balance out the needs for the endangered species fish with vibrant waterfowl populations and hunting opportunities, providing recreation and commercial fishers, as well.

We have testified previously about some of the investments the Administration is making through the Bipartisan Infrastructure Law that is dedicating millions of dollars there to the Klamath Basin to help alleviate some of the frustration folks have felt about those lack of hunting opportunities.

Mr. LAMALFA. It isn't just hunting, it is the actual populations that are being devastated. And the whole situation is just hell bent on sending water only down the river, much to the detriment of agriculture. So, when you talk restoration, does that mean agriculture is going to be restored out of business in the basin? That is what many people are concerned about, because all should be at the table, especially since there was plenty of water in the lake this year, and the numbers just keep decreasing, both for Ag and for the refuge.

So, with 10 seconds left, Ms. Robinson?

Ms. ROBINSON. I will just echo that I think the entire Federal family is working with the states and all of the interests in the Klamath Basin to come up with a sustainable solution going forward.

Mr. LAMALFA. Thank you.

I yield back, Mr. Chairman.

Mr. BENTZ. Thank you. The Chair recognizes Congresswoman Dingell for 5 minutes.

Mrs. DINGELL. Thank you, Mr. Chair.

Protecting wildlife has always been a top priority. Many of you know that I am very concerned about America's shrinking wildlife populations. And, unfortunately, it is a problem that extends far beyond our nation's borders. Global wildlife populations are also facing growing risks, and research shows world wildlife populations have plummeted nearly 70 percent in the last 50 years. This should alarm all of us.

As part of our response to the biodiversity crisis, the Multinational Species Conservation Fund, or MSCF, was enacted by Congress to address this decline. Since 1989, this program has

enabled the Fish and Wildlife Service to provide more than 4,500 grants totaling more than $330 million in support of cost-effective partnerships to advance international conservation.

For decades, it has played a key role in protecting some of the world's most treasured species like elephants, rhinos, tigers, and great apes that are now being pushed toward extinction, due to the threats of poaching, human encroachment, and illegal hunting and trapping. For example, funding projects have led the international effort over the past decade to halt and reverse the rapid growth in the poaching of wild elephants and rhinos. Grants have also helped secure the remaining habitats for many great ape species such as gorillas and orangutans.

The MSCF has been highly successful in strengthening global wildlife conservation, which is why I am proud to join Representative Joyce in introducing the Wildlife Innovation and Longevity Driver Reauthorization Act, or WILD Act, to reauthorize it for 5 years. And I deeply appreciate Representative Joyce's partnership with this important legislation.

So, let me ask some quick questions. Mr. Guertin, can you elaborate on the successes of the MSCF?

Mr. GUERTIN. Thank you for your question, Congresswoman.

This has been a highly effective international effort on behalf of the U.S. Government, deployed through the Fish and Wildlife Service. We have been able to deliver hundreds and hundreds of quality conservation projects working in partnership with our counterparts in range countries. This has benefited many species, including Asian and African elephants, rhinos, and others.

My colleague, Mr. Cassidy, talked a little previously about some of the work Safari Club International does on that front, and we recognize and value that partnership, and we believe, if reauthorized, we can continue that momentum.

But more importantly, this would provide almost a third more funding, going from $20 million to $30 million. The projects we get already are at that level. So, if Congress reauthorizes this program at a higher level, we could redouble our efforts and deliver more quality conservation on the ground.

Mrs. DINGELL. Would you build on that, on what new threats to wildlife will the MSCF be able to address?

Mr. GUERTIN. We are addressing many challenges within the habitats of these species. These range from competition with agriculture, they range from habitat destruction, they range from a changing climate. There is a lot of poaching going on and illegal hunting. So, we are able to, through these projects, put in place a lot more protection with fencing, rangers and patrols, on-the-ground surveillance, monitoring of populations, and head off any future issues that we may see.

So, that reauthorization will give us the authority to continue to deploy the program and do these good conservation efforts.

Mrs. DINGELL. And can you elaborate on the role local communities play in recovering declining populations?

Mr. GUERTIN. Local communities are the fulcrum point of our effort with any type of work that we do, whether it is internationally or domestically. Our first imperative is to partner with local communities, local government organizations, build trust and

confidence, demonstrate to them through our prior successes our ability to have a successful partnership and deliver outcomes. That is the same for the Multinational Species Conservation Fund as it is for the Partners for Fish and Wildlife Program here in the United States.

Mrs. DINGELL. Thank you. It is very important we be able to protect wildlife for future generations, and I believe that this reauthorization is a critical part of this.

I will briefly add, because I can't not, that I hope the Recovering America's Wildlife Act, which invests in the proactive conservation of America's imperiled wildlife, is part of this conversation.

I look forward to working alongside all of my colleagues to swiftly reauthorize the MSCF without delay.

Thank you, Mr. Chair, and I yield back.

Mr. BENTZ. Thank you. The Chair recognizes himself for 5 minutes.

Ms. Wraithmell, what is the greatest driver of bird mortality?

Ms. WRAITHMELL. The greatest driver of bird mortality is [Audio malfunction].

Mr. BENTZ. It has been suggested by the gentleman to my left that it is actually cats.

[Laughter.]

Mr. BENTZ. That is not true?

My wife is a veterinarian. She suggests that it is not cats, either, but I don't believe her.

So, my question to you is do these bills appropriately address, focus upon, and prioritize your view of what is the greatest driver of mortality? And if not, what should we do differently in the bills?

Ms. WRAITHMELL. Thank you so much for your question. Yes, I do think that they provide latitude to address all of the issues that are affecting birds in the places that are most important to them. And the bill is very strategic in the way that it is increasing the funding that is available for these programs because we recognize there have been so many applications that have simply gone unfunded for lack of funding.

At the same time, by addressing some of the cost share issues, it is making the program more accessible, especially to smaller partners and partners in other geographies so that the money is ending up in the geographies that the birds [Audio malfunction].

Mr. BENTZ. Right. And forgive me for going so rapidly here, but we are going to be called to the Floor soon.

So, the money that is being spent is doing something good. And the measure of that good is what I am interested in. And I am going to move to Dr. Colden with a similar question in a moment, but the measure of the good, how many millions of birds have been saved as a result of the money that we are spending.

Ms. WRAITHMELL. I would have to get back with a specific number for how many millions of birds, my apologies. But I think that we can look at the acres that have been protected, particularly in wintering grounds, as a proxy for the number of birds.

Mr. BENTZ. What I would be interested in, if perhaps you can share it, is the measure of good that these expenditures are achieving, not just broad, general swipes that yes, we throw money at it and it gets better. I would like to see the numbers.

Dr. Colden, I actually asked Ms. Robinson this yesterday in regard to the education aspect of some of these bills. And I was on school boards in the past—actually, two of them—for a number of years. And I would repeatedly ask for measures of performance, measures of outcomes. And I heard a lot of general statements about how great this educational effort is. Tell me, what is your measure of that greatness?

Dr. COLDEN. There are studies that show that the increase in academic performance, particularly in the areas of science and math and other STEM fields, do benefit from environmental education and curricula that is developed under these programs.

Mr. BENTZ. Can you stop there for a second? These bills are not designed—at least I don't think they are—to drive educational output in STEM; they are designed as, I thought, for purposes of environmental benefit.

Now, perhaps the definition of environmental benefit is such that STEM fits in there someplace, but it almost seems like that would belong in a different committee. But share with me why you think that would be a measure of good that these bills are trying to drive?

Dr. COLDEN. Exactly. As I mentioned previously, this is a long-term effort, and we need to be building the scientific workforce that can drive these restoration projects long-term. So, by getting students interested in STEM fields, and then supporting them through career development through middle school, high school, and through college, we are building the workforce that can help continue the work of Chesapeake Bay restoration.

Mr. BENTZ. I may well agree with you. Can you show me the study that proves what you just said?

Dr. COLDEN. I will follow up with whatever metrics that we have available with the Committee. I am happy to do that.

Mr. BENTZ. That would be great, and forgive me for being so abrupt, but I believe we are going to be out of time here soon.

Mr. Cassidy, elaborate on what you think the U.S. Fish and Wildlife isn't doing correctly. I think you were alluding to how things could be done better.

Mr. CASSIDY. Thank you, Mr. Chairman. I appreciate the question.

I mentioned CITES, where we have a very outsized role on that international stage. We are 1 out of 183 parties. One vote, but a lot of countries around the world look to us and the positions that we take. I want to say I attended the last convention of parties in Panama City, where we as a country took positions that were against sustainable use. I want to just say that it came as a surprise, I think, an unpleasant one, to a number of our partners. I think that that goes to needs to have stronger, better consultative processes and more transparency with how we arrive at the votes we end up taking as a nation at these conventions.

Mr. BENTZ. Thank you. I will have to stop you there. I really appreciate your answers.

I want to thank all the witnesses for their testimony and the Members for their questions.

The members of the Committee may have additional questions for the witnesses, and we will ask you to respond to these in writing. Under Committee Rule 3, members of the Committee must submit questions to the Subcommittee Clerk by 5 p.m. on Monday, October 23. The hearing record will be held open for 10 business days for these responses.

If there is no further business, without objection, the Subcommittee stands adjourned.

[Whereupon, at 11:13 a.m., the Subcommittee was adjourned.]