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To the U.S. House Committee on Natural Resources,
Subcommittee on Water, Wildlife and Fisheries
Legislative Hearing
“Oversight of the Migratory Bird Treaty Act.”
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Chair Hageman, Ranking Member Hoyle and members of the Subcommittee on Water, Wildlife and Fisheries, it is my honor to testify at this oversight hearing on the Migratory Bird Treaty Act. My name is Paul Schmidt, and I have almost 50 years of experience in wildlife conservation with a focus on migratory birds for most of those years. I served in many management positions in the U.S. Fish and Wildlife Service from 1978 to 2011, ultimately serving as the senior executive responsible for the Migratory Bird Program from 2003–2011. I served as the Chief Conservation Officer for Ducks Unlimited from 2011-2017. Upon retiring from Ducks Unlimited, and returning to Virginia, I began working as a consultant for numerous projects including assisting in the siting of wind turbines to avoid waterfowl populations, assisting in the protection of critical bald eagle nesting sites, and launching an innovative bird conservation initiative called Road to Recovery by serving as its first executive director for 4 years. I have testified before this Committee several times previously in those various roles, but today I come before you in my semi-retirement representing only myself.

The Migratory Bird Treaty Act has served the citizens of United States and the over 1000 avian populations of the country for 108 years. This foundational environmental law has provided guideposts for the lawful taking of birds and was one of the first of many federal laws and policies that would help provide and maintain healthy wildlife populations in the United States. The four bilateral treaties that underpin this law have built global partnerships to protect our shared environment. The MBTA is the bedrock upon which we conduct bird conservation and build partnerships ensuring sustainable populations. Importantly, the law provides the legal framework to prevent human activities from being harmful to bird populations. It demonstrates government’s (Congress and the Executive Branch) commitment to protect and conserve birds.

Recent scientific papers published in Science in 2019 (Rosenberg, et.al. Decline of North American Avifauna) and more recently in 2026 (Leroy, et.al. documenting the recent acceleration of declines in “hotspots” in southern and warm parts of North America) demonstrate the need for strong legislation and partnerships to understand declines and deliver conservation to reverse those declines. Rosenberg, et.al. was the first-ever comprehensive assessment of net population changes in the U.S. and Canada. It revealed across-the-board declines scientists called staggering. All told, the North American bird population is down by nearly 3 billion birds since 1970 with devastating losses among birds in every biome. The most recent study by Leroy, et.al. documents that these losses are accelerating in some biomes. These studies are a clarion call to action.

It has been documented many times that a healthy avifauna is important for a healthy environment broadly and indeed for a vibrant and healthy society. As birds go so goes our environment and our own health as humanity. America has been blessed with a culture that values a healthy environment, and we have used science to guide our work in conservation for decades. It is prudent to continue to research these issues and use science to guide our decisions and collective conservation to protect our environment for us and the generations that will follow.

Birds are a significant economic driver in the United States, contributing an estimated \$279 billion in annual economic output supporting 1.4 million jobs and generating billions in tax revenue through birding-related activities and equipment. Nearly 100 million Americans engage in birding, which provides, alongside natural pest control for agriculture, a major boost to local economies.

Birds bring people together! North America is blessed to have a long tradition of partnerships, not only between governments, but also throughout society to include non-governmental entities such as non-profit conservation organizations, universities, and individuals. Working together in partnerships is critical to our success in conservation and recovery of populations. Our government leaders recognized the need for partnership by negotiating and signing bilateral treaties with countries with which we share bird populations including Canada, Mexico, Japan and Russia. These treaties have served us well as important platform to coordinate conservation actions across borders for the benefit of over a thousand species of migratory birds that call the United States home for part of their lifecycle. There are plenty of successful examples of government-non-government partnerships that work to benefit birds such as our migratory bird joint ventures, North American Waterfowl Management Plan, Partnerscapes, Partners in Flight, grassland birds initiatives, Western Hemisphere Shorebird Reserve Network, Flyway Initiatives, Road to Recovery, species working groups, wind and wildlife partnerships, North American Bird Conservation Initiative and more. These partnerships provide a platform upon which deliver conservation that will recover populations provided there is appropriate investment from the partners.

Among these partnerships, one of the most recent movements is the Road to Recovery, which strives to have regional partnerships called “working groups” come together with a specific and stated goal of recovering a species or several species called “Tipping Point” species, that without targeted and effective conservation will become listed as threatened or endangered under the ESA. The Road to Recovery Initiative has identified 112 species in this category for which conservation is urgently needed.

Current funding levels are not sufficient to recover bird populations on the brink of being listed as threatened or endangered, but there are existing funding streams that contribute to the recovery of birds such as North American Wetlands Conservation Fund, the Neotropical Migratory Bird Conservation Fund, and funding for Joint Ventures. Additionally, and most importantly, funding for the basic bird conservation mission of the Fish and Wildlife Service has suffered significant decreases over the past decade such that Migratory Bird Management functions within the Fish and Wildlife Service have been severely hampered. Unfortunately,

none of these funding levels are sufficient to meet the needs and challenges facing bird populations in 2026.

Underpinning all this conservation work must be solid science and monitoring programs that provide managers and private landowners with key information. Such monitoring programs as the U.S. Geological Survey Breeding Bird Survey, U.S. Fish and Wildlife Service Breeding Waterfowl Survey, Waterfowl Surveys more broadly, bird banding programs, and others, must be fully funded to provide us with current data on populations and trends that ensure we do the right things for the right populations in the right places. This includes information on declining populations as well as those that are far exceeding population goals and causing problems for private and public property and causing nuisances to public activities. All the partners (government and non-government) rely heavily upon these datasets to execute sound and effective conservation. At present none of these critical monitoring programs are receiving the funding necessary to continue these longstanding and critical databases.

With effective laws and sufficient funding, we have demonstrated the ability to recover species. The MBTA is credited with saving Snowy Egrets and many other species from extinction, including the Wood Duck, Sandhill Crane, American Golden-Plover and many more. Today, the MBTA protects most of the country's native bird species, including songbirds, shorebirds, raptors, wading birds, and more from unauthorized taking or killing. The law and its regulations, particularly the broad, unequivocal prohibition of take under Section 703 of the Act, provided a backstop for efforts to stabilize and conserve bird populations and continue today to be the foundation for a wide array of bird conservation initiatives. The Bald and Golden Eagle Protection Act and Endangered Species Act are credited with recovery of our national symbol, the Bald Eagle, along with lesser known species such as the Kirtland's Warbler and Red-cockaded Woodpecker.

Bird conservation is good for our environment, good for our health, and good for our economy. And best of all, it is nonpartisan or bipartisan! Birdwatchers and sportsmen alike contribute to our conservation successes and support bird conservation. And they expect our government to lead the conservation efforts. For us to continue to successfully meet the challenges of recovering and maintaining healthy bird populations we must have strong, effective, and well-funded laws like the Migratory Bird Treaty Act, North American Wetlands Conservation Act, and Neotropical Migratory Bird Conservation Act; and robust funding for the science and conservation delivery necessary to prevent ESA listing as well as overpopulations of birds.

Thank you again for the opportunity to testify to this important law and associated government programs. I am at your service and ready to help find solutions to problems vital to Americans and critical to healthy bird populations. I look forward to responding to any questions you have and opening a dialogue that would look to develop a long-term strategy where birds and people thrive.