

**Testimony of Dave Miko  
Acting Deputy Director for Operations  
U.S. Fish and Wildlife Service  
Department of the Interior  
Before the  
House Committee on Natural Resources  
Water, Wildlife, and Fisheries Subcommittee  
Legislative Hearing  
on**

**H.R. 8195, Responsible Cormorant Management and Control Act of 2026; H.R. 6251, To amend the Marine Mammal Protection Act of 1972 to allow importation of polar bear trophies taken in sport hunts in Canada before the date the polar bear was determined to be a threatened species under the Endangered Species Act of 1973; H.R. 4219, National Wildlife Refuge System Invasive Species Strike Team Act of 2025**

**April 16, 2026**

Good morning, Chair Hageman, Ranking Member Hoyle, and members of the Subcommittee. My name is Dave Miko, and I am the Acting Deputy Director for Operations for the U.S. Fish and Wildlife Service (Service) within the Department of the Interior (Department). Thank you for the opportunity to provide this testimony on the following legislation: H.R. 8195, H.R. 6251; and H.R. 4219.

**H.R. 8195, Responsible Cormorant Management and Control Act of 2026**

The Service is the primary federal agency responsible for managing migratory birds under the Migratory Bird Treaty Act (MBTA). The Service recognizes the negative impacts that double-crested cormorants can have on fisheries, wildlife, Americans' private property, and agricultural and aquaculture operations. The Service works with partners to attempt to minimize the damage produced by cormorants through multiple avenues: The Service can authorize take of double-crested cormorants to reduce damage through predation permits issued to Americans. The Service can also issue special double-crested cormorant permits to state or tribal fish and wildlife agencies that allow agencies to take cormorants to protect land, water, and fishery resources under their jurisdiction.

H.R. 8195 would require the Secretary of the Interior (Secretary) to coordinate with the four Regional Flyway Councils to establish regional management frameworks for the take of double-crested cormorants within 180 days of enactment. It would require the regional management frameworks to identify entities that may take double-crested cormorants, specifically including state licensed hunters, lake managers, and pond managers. It would also direct the Secretary to identify management actions that could be taken on the National Wildlife Refuge System (Refuge System) to meet state, tribal, and Regional Flyway Council management objectives for double-crested cormorants while protecting Refuge System resources.

H.R. 8195 would, provide the Service with more opportunity to manage populations of double-crested cormorants at a regional level and mitigate the damage produced by these large birds. The Service currently issues predation permits for commercial agricultural damage, including

aquaculture facilities, and to assist in the recovery of native protected fish and wildlife species, but does not issue permits to private pond and lake managers or to state-licensed hunters.

The Department supports the goals of H.R. 8195 to reduce the negative impacts of double-crested cormorants on Americans and better work with our partners in the Regional Flyway Councils and others to effectively manage these populations. The Service would welcome the opportunity to work with the bill sponsor and members of the Subcommittee to clarify which specific management actions are intended to be included in regional management frameworks and how the frameworks are intended to interact with current permitting for double-crested cormorant management strategies and Refuge System laws.

**H.R. 6251, To amend the Marine Mammal Protection Act of 1972 to allow importation of polar bear trophies taken in sport hunts in Canada before the date the polar bear was determined to be a threatened species under the Endangered Species Act of 1973**

The Department supports H.R. 6251. The Marine Mammal Protection Act of 1972 (MMPA) defines the federal responsibility for conservation of marine mammals, with management authority vested in the Service for the sea otter, walrus, polar bear, dugong, and manatee. The MMPA establishes a moratorium on taking and importing marine mammals, including parts and products. The polar bear was listed as threatened under the Endangered Species Act of 1973 (ESA) in 2008. Until the polar bear was listed under the ESA, the MMPA allowed sport-hunted polar bear trophies to be imported into the U.S. from approved populations in Canada. However, any marine mammal listed as threatened or endangered under the ESA is automatically considered “depleted” under the MMPA regardless of the reality on the ground, and consequently, the MMPA prevents the import of sport-hunted polar bear trophies, with one exception. The MMPA contains a grandfather clause that authorizes the import of polar bears legally harvested in Canada prior to February 18, 1997, when the Service published final regulations regarding the import of sport-hunted polar bear trophies.

Due to a court order, the Service’s final rule listing the polar bear under the ESA went into effect immediately, rather than after 30 days, as is generally the case. When the ESA listing took effect, except for those trophies that qualify under the grandfather clause, the import of sport-hunted trophies was immediately prohibited. The Service conducted extensive outreach to hunters prior to issuing the final listing opinion. At the time the ESA listing took effect, the Service had a few dozen permit applications pending in various stages of review. In addition to these applications, it is possible that additional U.S. hunters had legally hunted polar bears prior to the listing date but had not yet applied for an import permit for the trophy. The Service recognizes that choosing an immediate effect of the ESA listing unfairly penalized American hunters who had followed the law and left them with no legal options for nearly 20 years and despite having followed the law, saddled them with significant expense for storage or other fees.

H.R. 6251 would amend the existing grandfather clause in the MMPA to allow importation of sport-hunted polar bear trophies legally taken from an approved polar bear population in Canada before the date upon which the polar bear was listed under the ESA. This is one of many issues being faced by permittees under the ESA and MMPA statutes. The Administration’s proposal to consolidate ESA and MMPA implementation responsibilities into the U.S. Fish and Wildlife

Service would further create a single program at scale to reduce programmatic costs, speed application reviews and produce consistent outcomes for permittees. This legislation would lift a longstanding unintended regulatory burden on legal American hunters, which is a top priority for the Trump Administration.

### **H.R. 4219, National Wildlife Refuge System Invasive Species Strike Team Act of 2025**

H.R. 4219 directs the Service to establish the Refuge System Invasive Species Strike Team (ISST) Program to eradicate, control, and reduce the adverse effects of invasive species on Refuge System lands and waters. The bill would require the Service to establish at least one invasive species strike team in each Service region to identify and respond to priority invasive species threats, primarily through prevention, biosecurity, and early detection and rapid response (EDRR). The bill directs the Service to collaborate with federal, state, tribal, and non-governmental, partners to carry out this work and authorizes the Service to provide assistance to partners, upon request, to help address invasive species challenges on and adjacent to Refuge System lands and waters. H.R. 4219 authorizes \$15 million annually for the program for Fiscal Years (FY) 2026 through 2030.

This legislation would codify the Service's existing ISST Program, which was established in 2004 to develop a coordinated approach for addressing the growing threat posed by invasive species to native habitats and wildlife. The program currently focuses on protecting the Refuge System's natural resources through use of EDRR principles, helping refuges respond quickly to emerging invasive species threats before they become established and cause irreversible ecological and economic damage. The program has grown from three to 21 strike teams, with at least one team in each Service region. Each strike team tailors its approach to addressing local invasive species challenges based on regional capacity, the risk of invasion, and partner support. The strike teams work closely with partners to coordinate efforts across jurisdictions and landscapes, to advance shared priorities and to promote efficiency. During President Trump's first term, he launched a strategic plan to combat invasive species, which improved coordination across the Department. In May, 2025, the President underscored his ongoing commitment to combatting invasive species by issuing a Presidential Memoranda, titled "Protecting the Great Lakes from Invasive Carp" which directed federal agencies to strengthen protections for the Great Lakes, including new actions to stop invasive carp from spreading into the region. The Trump Administration prioritizes the protection of America's natural resources from invasive species.

The Department supports the goals of H.R. 4219 and is committed to working with partners to prevent and mitigate the effects of invasive species on America's natural resources.

### **Conclusion**

Thank you for the opportunity to testify before you today. I would be pleased to answer any questions that you may have.