

FULL WRITTEN TESTIMONY

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America First: U.S. Leadership & National Security in International Conservation

My name is Ed Newcomer and I was a special agent for the US Fish and Wildlife Service for more than 20 years. I worked primarily on international wildlife trafficking cases and worked overseas for extended periods of time including a six-month assignment in Southeast Asia and a five-year assignment as the senior US wildlife law enforcement official covering nine countries in Southern Africa. As an agent, I successfully served under the Bush, Obama, Trump, and Biden administrations. It was under the first Trump administration that I worked with political appointees at the State Department and politically appointed US Ambassadors to draft and implement the US Visa Ineligibility for Wildlife and Timber Traffickers. No other country has such a visa rule, a tool that helps us keep foreign nationals involved in wildlife trafficking out of our country. Shortly after I retired in 2022, at their request, I consulted with the Republican majority staffers of this committee on Operation Longtail Liberation.

Since my retirement from the Fish and Wildlife Service, I've served on the faculty at California State University, Dominguez Hills, where I teach courses on criminal justice and administrative law. I also serve as the International Law Enforcement Advisor for the non-profit organization known as the Wildlife Investigators Training Alliance.

Organized Crime

International wildlife and timber trafficking is a major source of revenue for criminals around the world, generating many tens of billions of dollars in illegal revenue every year. Groups that control smuggling routes don't care what contraband flows along those routes – they only care about money. Accordingly, the same routes used to smuggle drugs, guns, and people are also used to smuggle wildlife. Our wildlife is not renewable. Criminals can cook up more methamphetamine or manufacture more guns. If we allow them to become extinct, we can't make more rhinos, California condors, sea turtles, or grizzly bears.

International crime creates national security problems for the United States. It destabilizes nations and the rule of law around the world. Criminal operatives corrupt law enforcement and judicial systems and create opportunities for US adversaries to capitalize on corrupt systems and foreign officials. While I was in Africa, I was made aware of a map of Chinese infrastructure projects that overlaid perfectly against a map of elephant and rhino poaching hotspots. This is no coincidence. Members of Chinese wildlife trafficking criminal groups embed themselves around those infrastructure projects and arrive with briefcases full of cash. Money that represents several years of salary for the local wildlife investigator or ranger.

International wildlife trafficking necessarily involves multi-cultural bad actors from a variety of countries. To a great extent, the species of wildlife being trafficked influences which nationalities and regions of the world are involved. For example, rhino horn trafficking tends to involve

criminals operating in various African (source) countries and criminals operating in China and Vietnam (consumer countries). Caviar trafficking tends to involve bad actors from Eastern Europe and Russia (source countries) and Americans (consumer country.) Totoaba trafficking tends to involve Mexican nationals (source country), Americans (transit country), and Chinese nationals in China (consumer country.) The multi-cultural nature of international wildlife trafficking makes it a difficult crime to attack and virtually impossible for one country to address on its own.

International criminal groups follow no laws and give no thought to things like policy or jurisdiction. Accordingly, it is critical for US law enforcement agencies like the US Fish and Wildlife Service, to work closely with their federal counterparts, like the FBI and HSI, as well as with foreign law enforcement agencies in source and consumer countries.

In recent years, the US Fish and Wildlife Service has failed to fully engage in national task forces on wildlife trafficking; often failing to send representatives to regular meetings or not allowing field agents (who are the boots on the ground) to attend and participate in those task forces. Intelligence sharing is another critical component that furthers cooperation and success. While the US Fish and Wildlife Service has an intelligence unit, it rarely, if ever, produces and distributes proactive reports for the field offices where field agents can use those reports to generate new investigations of emerging trends or criminal groups. It is also unclear from recent annual reports whether US Fish and Wildlife Service law enforcement leadership is using intelligence to guide its immediate and long term strategic planning.

The US Fish and Wildlife Service has stationed special agents overseas as law enforcement attaches since 2014. I was one of them and served as the Attache for Southern Africa between 2015 and 2020. The program is now twelve years old but the Service has never issued any policies, directives, or guidance on how attaches are to conduct their operations overseas, what the expectations are of attaches in building and maintaining inter-agency relationships, or how US based agents are supposed to interact with attaches. The result is that Service attache operations from region to region around the world vary wildly and are largely based on the individual ideas and philosophy of a particular Attache. This creates confusion for US based agents, the Service's US law enforcement partners, and its foreign law enforcement partners. It also creates a culture of no accountability, which is a recipe for abuses and controversy.

While international criminal organizations are freely cooperating to achieve their goals, US law enforcement is sometimes failing to capitalize on opportunities to work and share information across agencies and borders.

Terrorism

Over the years, there have been various attempts to link international wildlife trafficking to known international terrorist groups. I urge caution whenever someone is asserting such definitive links. Terrorist groups are groups who systematically employ violence or fear of violence against Americans, American assets, or our allies, to further the terrorist group's political goals. In recent years, the US has designated certain drug cartels as terrorist groups but those groups do not meet the traditional definition of an international terrorist organization.

To be sure, there are some terrorist organizations that have used wildlife trafficking as a primary source of generating funds for their terror operations. The proven examples are the Lord's Resistance Army, in Uganda, and the Janjaweed, in Sudan. Both have engaged in elephant poaching and ivory trafficking to directly fund their operations. However, both of these groups operate locally, have locally focused goals, and do not target Americans or US assets. They do not operate internationally, as do groups like ISIS and Al-Qaeda.

During my service as a special agent, especially while serving overseas, I was always on the lookout for connections between terrorist organizations and wildlife trafficking. I regularly met with my counterparts in the FBI, HSI, and US intelligence agencies to discuss the issue and compare what we knew. I made additional efforts to consult with our allied law enforcement and intelligence officers serving at the embassies / high commissions of the UK, Canada, and Australia. Despite all of these efforts, no one was aware of an international terrorist organization intentionally using wildlife trafficking as a direct source of funding. The FBI Legal Attache (LEGAT) for Southern Africa and I developed a saying that we applied whenever someone started talking about a direct link between terrorist organizations and wildlife trafficking — “Show us the case.”

This is not to say that international terrorist organizations don't indirectly benefit from wildlife trafficking. To be sure, these groups often control the territories and smuggling routes where wildlife trafficking occurs. They are surely earning money through bribes or required payments to allow contraband to move through areas they control. This is indirect income derived from wildlife trafficking (and other types of international crime) but not direct income derived from an intentional effort to use poaching and wildlife trafficking as a funding source.

Accordingly, while international terror organization do benefit from lawlessness, corruption, and wildlife trafficking, I urge caution in attributing direct links or cause and effect relationships between international terror groups and wildlife trafficking.

Human Health and Economic Risks of Zoonotic Disease

International wildlife trafficking poses serious risks to the health and economic stability of the United States. Every year, smugglers bring live wild birds into the US from Vietnam. These birds are frequently hidden on the smugglers' bodies while they fly inside the passenger cabins of long-haul commercial flights. The most virulent strain of bird flu occurs among wild birds in Vietnam and kills about 50% of the humans who become infected. Imagine the consequences if that strain makes the one small mutation that allows it to easily jump from human to human while maintaining its lethality. The highest death rate during the COVID pandemic was just 3%. I lay awake at night wondering what will happen to this country if an easily transmissible, high mortality variant of bird flu arrives on an airplane.

There are other zoonotic diseases that have an impact on our national security. Newcastle's disease infects domestic poultry and comes from wild birds, such as parrots, which are regularly smuggled into the United States from Latin America. An outbreak of Newcastle's disease in Southern California during the early 2000's originated from wild parrots smuggled into the US

from Mexico. That outbreak resulted in the destruction of more than three million chickens and economic damages approaching \$300 million dollars. A disaster that put farmers out of business and raised prices at the grocery store.

There are many examples of zoonotic disease threats that can be spread through wildlife trafficking. A third interesting, but seldom talked about, disease is currently a domestic issue but could find its way into international commerce.

Many US states continue to deal with outbreaks of chronic wasting disease (CWD) in wild deer populations. The disease affects deer in much the same way that “mad cow disease” impacts domestic cattle. Chronic wasting disease poses a threat to the health and well-being of America’s wild deer and elk populations but ingesting contaminated meat of infected deer can cause Variant Creutzfeldt-Jakob Disease in humans, which is always fatal.

How CWD is spread among wild deer continues to be the subject of research but one suspected contributing factor is the illegal interstate movement of deer by humans from one deer farm to another deer farm or the illegal release from farms to the wild to “populate” desired hunting areas. Such illegal movement of deer across state lines, if true, is a violation of the Lacey Act and considered interstate trafficking. Chronic wasting disease could easily become an international issue if the demand for American deer species, or their parts, increases in high-consumer countries like China. For now, CWD is probably something the US Fish and Wildlife Service should be looking at proactively.

Cooperation puts America First

Combatting international wildlife trafficking requires strong international relationships. Cooperation is the best way to put America first. Between 2016 and 2020, I helped capture three major wildlife traffickers in Botswana, Malawi, and South Africa. That was only accomplished because of the strong, trusted, and mutual relationships the United States had with those countries. I am concerned that chronic underfunding of Fish and Wildlife Service law enforcement, and the dismantling of government agencies like USAID, is putting us at a disadvantage when it comes to combating international wildlife trafficking.

Conclusion

I love this committee’s motto, “Putting Conservatives Back into Conservation.” There’s no question that traditional conservative values are consistent with preserving our natural resources.

Thank you.