

NWX-DOI-FISH & WILDLIFE

**Moderator: Cade London
March 15, 2019
10:00 am CT**

Coordinator: Today's call is being recorded. If you have any objections you may disconnect at this time. You may begin when ready.

Man: Hey, if we can get our council members, Dr. (Chatfield) would you please come take your seat?

((Crosstalk))

Man: Dr. (Chatfield) you're needed to help make a quorum here.

Man 2: This is...

((Crosstalk))

Man: The vice chairman is...

((Crosstalk))

Man: Okay. We have some friends on the phone here.

Woman: Anybody? (Bueller)?

Man: (Deni)? (Olivia)? Here. (Ivan)?

((Crosstalk))

(Olivia): (Olivia) is here.

Man: I heard someone. Okay. So that's it? We need one...

Woman: Yes.

Man: ...person on the phone to maintain a quorum.

Woman: Okay.

Man: So Chairman you may call the meeting back to order.

Man 2: Okay. So we are back to order now. We will have a short council meeting here. The public comments are before or after we will have our short council meeting. And mainly we're going to just further review the speeches, et cetera plus our previous meetings. As all of you know we have been very inclusive in our invitations of groups to present for this meeting.

In the past, we had objectives of trying to get specific input and on this one the specific input was to work with organizations from across the spectrum -- the different conservation organizations. And we issued a bunch of invitations. And as I said earlier, it's unfortunate that there was such a short time frame

that some had conflicts and the proper person was not available to come participate.

We did have five excellent presenters, in my opinion and gained a lot of knowledge from a different perspective than we had had before. The meeting before as you'll all remember we had traditional Africans coming and making presentations. And for them it was basically let us solve African problems with African solutions. We know how to manage wildlife. We know how to manage habitat. And give us the opportunity and we will do proper management and proper conservation.

This time, having the conservation organizations giving their input on it is important from a little different perspective. But it worked out quite good and I for one feel like that we had an excellent meeting.

I believe that our committee is working on a statement that will be read here shortly in just a moment that will be what's released after our meeting. And as you know, lawyers in private practice get paid by the word so it probably will be fairly lengthy.

But in the meantime, I see that Mr. (Ingram) has graciously provided us a book here for each of us called The Master Plan that we can take home and enjoy in our own private time.

Anybody else have comments about this council meeting and kind of where we hope to go in the future? I would anticipate we'll have another meeting probably in the term of September October something like that.

Man 3: Mr. Chairman is it a matter of public record to whom we have extended and to what organization we extended invitations to appear to this meeting?

Man 2: I asked Mr. (Marks) who's chairing that committee to get that information from US Fish and Wildlife and make sure that it's in our release of the invitations that were extended for this meeting.

(Jennifer): And I'd like to make a comment, Mr. Chairman if I might. So there was a lot of effort and coordination that went into this meeting as with our previous ones. And to put together a program such as this with a centralized theme with subject matter experts from those areas of interest related to international Wildlife Conservation is quite an undertaking.

And I'm not sure if everyone is aware the amount of work that our chairman puts into that. It's significant and the caliber of speakers and information presented -- most especially at this meeting. I personally am very impressed and would like to say thank you so much, Mr. Chairman for your effort because I know they are pretty continuous. I'm not sure it ever stops as you are already thinking of our next meeting together. And very much appreciate that on your part.

Man 2: Thank you, (Jennifer). We have a very good group of people that work really hard to try to help provide material, help provide ideas for presenters, and we're fortunate to have the quality of people on here that we have that are interested in help make things work for these meetings.

Man 4: So Mr. Chairman if I may ask a clarifying question for Mr. (Hudson). so with your question as to did you want to know who we invited to present that was not able to participate?

(Hudson): Yes.

Man 4: I can report that out to the council here in a couple minutes. If I can ask (Kaye) to pull the names of people we invited, I can report back before we close today.

(Hudson): Thank you.

Man 2: Okay. I think it would be good if we could get it in the record who all are invited if possible. And as you know, each time we've had numerous invitations -- some that could make it, some that could not -- and this time we focused on organizations as we said.

But golly, when it's such a short time frame as we had this time -- through no one's fault, just circumstances that occurred because of the Christmas time and the shutdown and everything that occurred. There wasn't much that we could do about that.

Okay. Any other discussion here before we have our chairman of what, not media...

((Crosstalk))

Man 2: ...communications committee give his report.

Man 4: I'd just like to express concern on meeting. September and October are tough months. Everything in the wildlife society...

((Crosstalk))

Man 2: Yes.

Man 4: ...whatever meeting and also that six months from now -- half a year. There are some real crises that I think that we've heard that over and over again. I just suggest we might have to meet midsummer if we can.

Man 5: Second.

Man 4: I would also suggest we might need some technical speakers. When I say technical, I mean for the Fish and Wildlife Service. The international affairs is a very niche group within the service. They're off to themselves. They have their own marching orders. They're not so much a management entity as a regulatory agency. There are very technical matters that we are bump into.

Man 2: Right.

((Crosstalk))

Man 4: The whole developing world has to deal with. There needs to be cooperation and collaboration.

Man 2: Yes.

Man 4: The Endangered Species Act suggests that. The application of the act of foreign species suggests that. (John Dingell), the father of the Endangered Species Act, everything suggests that we should be working cooperatively with foreign nations and supporting their programs.

Man 2: Yes.

Man 4: Not obstructing or interfering. We have to be very careful to coordinate. And we need to talk to these internal Fish and Wildlife Service people to better

understand why there seems to be conflict between the objectives of the acts, congressional objectives, and the plan design conservation programs of African nations. Thank you.

Man 2: Yes. Thanks for your comments, (John). I just threw out September October off the top of my head. I have in mind to start conferring with the council shortly after this meeting and looking at opportunities when we might have the next one. You're right -- that's quite a bit of time away from now, so we'll see.

Also as you know, the CITIES meeting is coming up. There could be a reason to have fun shortly after that CITIES meeting to discuss what may have occurred there.

So we as you know we're going to be flexible. We're going to see what works best for the majority of the council.

Okay, Mr. (Marks). Would you come up with a statement from the communications?

(Marks): Thank you, Chairman and appreciate the time between the subcommittees and now to provide the information that you felt appropriate in a press release of some sort. I would just read this to the committee as a whole for their approval, comments, additions and then of course subject to the chairman's approval.

The IWCC met in Dallas in their continued effort to determine how the Department of the Interior and US Fish and Wildlife can have the most positive impact concerning international conservation. As in past meetings, those presenting facts and information to the council came from individuals

who are from or work extensively in the area of conservation in foreign countries.

And lightning presentations came from (Richard Salary) -- an on the ground biologist and manager of the Kruger Park in South Africa -- (Curt Alt) of the Wild Sheep Foundation -- a biologist who works extensively in the protection and expansion of wild sheep in Asia -- (Hannah Downy) from the conservation think tank of property and environmental research center, (Corey Mason) -- a biologist from DSC, and (Peyton West) PhD from the Frankfort Zoological Society.

A common theme from the presenters was African wildlife and African places are in a desperate crisis due to certain regulations. Each presenter made a plea for the US to review certain policies. As part of a broad based conservation strategy that will allow for the sustainable use of all wildlife and have the most positive impact on the preservation of wild habitat and provide the most economic benefit to the local communities who must live in these wild places and who come in daily contact with these wild animals.

Chairman of the IWCC, former US Congressman Bill Brewster made these comments. Quote, "If you have noticed, nearly all of our presenters have been traditional Africans or people who actually have boots on the ground in these foreign countries and are speaking from firsthand knowledge. The presenters have ranged from biologist, government officials, or administrators are these countries and those actually coming into contact with the wildlife and local people on a daily basis.

"The unanimous message is that these countries are in a crisis of incredible magnitude. Due to certain constraints, there is immediate and ongoing, most likely irreparable damage being done to habitat and wildlands. In some places,

rampant poaching and wasting of wildlife and others and a devastating impact on local communities in these countries. Something needs to be done.

However, when the US makes a decision it must be made based on facts and sound, sustainable conservation principles that include compliance with societies, international regulations, and contain an accountability requirement.

The IWCC is considering all of the information and we'll be delivering our recommendation to the secretary of the interior in due course." End quote.

In addition to the actual in-person presenters, the IWCC also received and reviewed written presentations from - and at this point (Eric) we'd like you to include all of the written presentations that we received. The committee has solicited comments from a vast array of conservation groups. And at this point (Eric) I would like you to include all of the groups that were invited to participate in today's this week's meetings.

And they were asked to participate in order to obtain all varying viewpoints in order to make the most impactful recommendation based on a broad-based collection of information and ideas. End of statement.

Man: Questions?

Man 5: I would suggest where you had policy early in the draft that you put policy and practices. And that's the same that we talked about practices that are not necessarily policy. The policy and practices.

Man 2: Okay so where the word policy was used, you would suggest policy and practices?

Man 5: Yes, sir.

Man 2: Okay. If you would (Keith) review it and see if it fits in grammatically with what we're trying to do.

Questions from anyone else? (Rowena)?

(Rowena): Thanks for reading that out (Keith). Can you go over the part where it says that there is a crisis, the part where it says that there is a crisis? And I'm just trying to understand the link between US regulations and crises going on in Africa that may or may not be linked to US policies or connections?

(Keith Marks): Sure. The presenters have ranged from biologists, government officials, or ministers of these countries and those actually coming in contact with the wildlife and local people on a daily basis. The unanimous message is that these countries are in a crisis of incredible magnitude due to certain constraints. There is immediate and ongoing, most likely irreparable damage, being done to habitat and wildlands in some places, et cetera.

(Rowena): So the certain constraints are unqualified.

(Keith Marks): That is true. Would you'd like me to qualify those? I'd be happy to.

(Rowena): No. I think that that's going beyond the scope of what the statement is trying to get at. Can you go on to the next - I just wanted to hear...?

((Crosstalk))

(Keith Marks): I want to make sure that we have this clear in the record. And again I'm just trying to reiterate what the speakers had said. And they all said...

(Rowena): Okay.

(Keith Marks): ...there was crisis.

(Rowena): Okay.

(Keith Marks): That part of the deal is that they indicated there was crisis and I mean, can we agree it was a common theme?

((Crosstalk))

(Rowena): Yes, I'm just making sure that I heard you correctly. So you're representing a theme that you picked up on from all the presenters that there is a crisis going on and it said due to certain constraints.

(Keith Marks): Correct.

(Rowena): And then the next sentence was...

(Keith Marks): Due to certain constraints, there is immediate and ongoing and most likely irreparable damage being done to habitats and wildlands -- in some places rampant poaching and wasting of wildlife and others, and a devastating impact on local communities in these countries.

And then the next statement is when the US makes a decision, it must be based on and then I go on to say sound and sustainable conservation principles that include compliance with societies, international regulations, and contain accountability requirements.

(Rowena): Yes, so the way the crisis is described right now, it's that broad based -- all the different pieces that...

((Crosstalk))

(Keith Marks): That's correct.

Man 2: In characterizing what our speakers have said, I don't remember any of them specifically singling out what is creating crises -- that they had numerous things that we're creating crises within the parameters of wildlife and habitat and poaching trafficking.

And so I think it's preferable to paint it with a fairly broad brush rather than trying to specify the different things. Because there's many things that are creating the crisis in all those points in habitat and wildlife.

(Keith Marks): And I agree with that. And obviously it's subject to committee approval, but when we heard from all the speakers -- not only today but earlier -- a lot of the comments stemmed from there on the ground perspective. Some of that has to do with international regulations. We heard quite clearly that some of it came from foreign they believed from foreign country involvement unregulated in those countries. I think one of the speakers specifically refer to the expanse in China and so on and so forth.

And so obviously I'm not pointing any fingers in any one direction. On behalf of the committee I just think the characterization that it is a crisis there I personally feel that that's important that we list that in our statement. And in no way was I trying to point specific fingers at anyone for the crisis and if there is a better way to word that in your mind (Rowena) I'm subject to, you

know, giving you a rough draft of you know, to you know, fix that in any way you think appropriate.

(Rowena): Thank you. I'd love to just see it in writing because listening is a little different than seeing something. And if it's going to be posted, I just wanted to make sure that I caught all it. But I understand what you're saying. It sounds fine.

Woman: Well and just a process standpoint so it's a recommendation, is it a finalized press release or is it a draft press release it comes to the department of the interior?

(Keith Marks): Well my understanding is that what could be a rough draft could be approved by the committee as a whole.

Woman: Right.

(Keith Marks): To be then submitted to (Eric) for his changes or additions and then on to anyone else in the chain of command that would make their changes as well.

Man 2: So if I can clarify, so it cannot be changes from us. Basically I am forwarding the -- as the DFO -- I will take what the council wants done and provide it to the Department. And then as it goes through the Department, then potentially some changes may occur at that point.

Woman: Right.

(Keith Marks): But it's a done process. It's not - the agency cannot have a role in massaging any words or anything.

Man 2: Right. And the way I understand it, (Keith) is requesting that you put in the data of who all was invited to the events. And we need to show that back through our meetings we've been inclusive by inviting numerous organizations to participate.

(Keith Marks): I have the information earlier requested by Mr. (Hudson). So also invited to participate at this meeting and because of the short timing as you stated Mr. Chairman, they were unable to attend. We invited the World Wildlife Fund, the Conservation Society, the International Fund for Animal Welfare, and the African Wildlife Foundation to present but they were unable to.

Man 2: Thank you.

Woman: So I think at this point maybe motion for the council to accept and approve pending for recommendations from our officiant state department members to be accepting - I would move that those changes be made for approval by our chairman and our vice chairman of the communications committee. And then sent forward.

Man 2: Okay, you're making that as a motion?

Woman: I am.

Man 2: Okay. Do we have a second?

Man: Second.

Man 2: We got seconds and thirds down here. All of those - well first off will there be discussion? Seeing no discussion, all those in favor say aye. Aye. Those opposed? Motion passes. Okay.

(Eric) we now have I believe the next thing on here is any public statements. Anyone that is here that is signed up to make public comment can do so at this time.

(Eric): So we can just invite them to the front, Mr. Chairman if you so wish.

Man 2: Okay.

(Eric): It looks like (Anna Sideman).

Man 2: (Anna Sideman), please state your name even though I just did.

(Anna Sideman): Thanks, anyway. I was forgetting. I'm (Anna Sideman). I'm a director of legal advocacy and international affairs for safari club international. And I thank you again for the opportunity to add to my comment of yesterday.

I ended my public comment of yesterday with a suggestion of potential topics for future meetings and I'd like to add a few additional suggestions of issues that may not necessarily be directly under the authority of the secretary of the interior, but maybe issues that are certainly issues that affect international wildlife conservation and maybe areas where the secretary can work with other departments to try and resolve issues that are having that impact.

For example, issues that affect travel with firearms and trophies through international airports and on international airlines. Work with the FAA to try and solve some of the concerns and problems there.

Second, the use of form 4457 for firearm transport and the use by other countries of form 4457 as a method for allowing firearms use in the countries.

That can be something to work with the partners at state and Homeland Security who are in the process of reviewing form 4457 for importation and exportation of individually owned firearms.

And finally, the potential for the secretary to create a statement, have some input with state legislatures that are in the process of adapting state laws that ban possession, sale, importation of international wildlife trophies of species. A number of states are in the process of doing that and in the process are attempting in some cases to override the Endangered Species Act to put restrictions on state conflicts with federal law. Conservation of course had a very successful ruling in a lawsuit in New Jersey on that, but that hasn't stopped other states from attempting to do similar things.

I don't believe that any of these states are actually checking with the US Fish and Wildlife Service or the Department of the Interior on the potential impact that their rules would have or their new state laws would have on species conservation or on the federal government's ability to work with other countries to improve species conservation. This could potentially be an area that the secretary could weigh in on and provide us with some assistance in our dressing state laws. That's all I have. Thank you very much.

Man 2: Thank you. Any questions for the presenter?

Man: I would like to comment to say that (Anna's) suggestions at least two areas are well taken. One is not simply the restrictions on transportation of firearms, temporary transportation of firearms from country to country but also trophies. It's certainly within the capacity of this administration to positively influence airlines to import trophies that the service is found to enhance the survival of the species in the wild. It's very important that this service - that

that policy and practice be known to enforce the Endangered Species Act in practice as well as in law.

And same thing applies to where states are passing laws knowing that it's in violation of the Endangered Species Act and saying that their passing it deliberately because this administration -- so called administration -- has authorized the import of trophies in some case, it must be wrong. Then the state knows better. But that's contrary of the Commerce Clause of the United States and the Endangered Species Act and CITIES.

And if the service could find a way of influencing those states and legislatures backing up the Endangered Species Act and CITIES, it would be helpful to the poor range nations that suffer the consequences of political short-term name saying in these different states.

So we need the service to be more active in that. We might need some testimony in that towards these issues in the future.

Man: Okay.

Man 2: (Anna) do you have a response?

(Anna Sideman): (John) and I are in agreement.

Man 2: Okay. Thank you. I'm told that we didn't get an official report out of some of the subcommittees that met this morning, even though the committees met at length. (Jennifer) you were acting chair of the conservation committee. Would you make a quick statement please?

(Jennifer): Yes. So the conservation committee met this morning. And we had a request that we think that the manuals that were referenced by (Richard Sorowies) the manuals related to the procedures that they use for evaluation take, we'd like to request those that our DFO get those from (Richard) and distribute to the council.

And additionally discussed some other issues. We didn't have any recommendations at this time for the council to approve, just that request.

Man 2: Any question of that subcommittee report? Seeing none, the next committee that met was the anti-poaching anti-trafficking. And Chairman (Carter) was on the phone at the beginning. I don't know if he is or not. He asked me to continue the meeting after he opened it.

But briefly it was a discussion of what's going on in the anti-poaching arena, what is being done to try to halt trafficking in endangered species, parts, et cetera. And the committee had discussions. No recommendation as such other than continuing the efforts to halt poaching and trafficking as much as possible. Any questions about that report? Seeing none, the next one was communications.

(Woman): (Unintelligible).

Man 2: Let's go ahead and do policy next, then if you would make a quick report of your, Chairman (Hudson).

(Hudson): Certainly. The policy subcommittee met and we discussed one issue. We selected our recommendation to the council. We discussed the regulatory framework established by the CITIES Treaty which requires mandate a

CITIES export permit marry up with a CITIES import permit with respect to for our purposes for importation to the United States is four hunted trophies.

And currently those permits are valid from a regulatory standpoint for only six months after issuance. And we would like to recommend to the council to request of the service to investigate the occurrence and frequency occurrence of those CITIES import permits or CITIES export permits, whether those expired permits how often they result in the reissuance of those permits and/or the confiscation by the United States Fish and Wildlife Service those four hunted trophies. Notwithstanding the fact that the four hunted trophies was a valid, legally harvested trophy.

In addition as part of that investigation, when you look at the regulatory inefficiencies resulting from reissuance and the deterrent effect to the four hunting communities with respect to confiscation of trophies and being deemed contraband and valuable trophies and/or for litigation expense burden of the agency associated with these permits.

And finally, we'd like the service to examine whether removing entirely the validity timeframes to these permits would be consistent with satisfying the objective of CITIES and/or extending the time frame to maybe one or two years after issuance whether that would be consistent with accomplishing the goals of the import export permit treaty framework.

Man 2: Any questions?

Woman: I'd like to move that the council make the request for such information.

Man: Just to clarify, excuse me, under the Federal Advisory Committee Act that this committee is chartered under, be careful. You cannot charge or direct an

agency to accomplish or do any policy or changes. You can recommend to the secretary that the agency take any action that this council sees that is needed under your purview of charter.

However, it is appropriate any request for clarifying or data that the council can use and its deliberation for a recommendation is absolutely appropriate and that can come through the chairman and vice chairman.

Man 2: Thank you.

Woman: And I would move that we make such a request as brought forward by our committee chairman.

Man 2: Any other comment?

Woman: You want a second to that motion?

Man: This is a second.

Man 2: Yes. We got a motion. We got a second. Any discussion? Seeing no discussion, those in favor say aye.

Group: Aye.

Man 2: Those opposed? The ayes have it. And...

((Crosstalk))

Man: So Mr. Chairman for just reporting and transparency of the recommendation can come from you?

((Crosstalk))

Man: I'm sorry. I beg your pardon, thank you. The request can come from either one of you and then we can provide...

Man 2: Great.

Man: ...the information.

Man 2: Very good. We will make that. Okay. The only thing we don't have our report from the committee on is communication at this point. Mr. (Marks)?

(Keith Marks): Thank you, Mr. Chairman. I just want to make a couple of comments. And obviously the press release was written somewhat hastily and I appreciate the committee, their patience in reviewing this.

But one other things that the communication committee wants to make clear to the director that we do not believe that the United States is responsible for all of the problems that we've heard being presented. And that was not the intent of what we're doing.

But in any event, we did have a committee meeting regarding communications. We're kind of at the mercy of the committee as a whole, if you will, in that we can only communicate what's been done. Obviously, we listened just like everyone else that was here. And we heard the common theme. And we've put together the press release, tried to quote the chair accurately with regard to where we are.

The Chair said that there would not be any recommendations formally made after this week's meetings and that would be something that would be forthcoming in an appropriate and timely manner. And we tried to reiterate that.

I think it's worth noting that it would be inappropriate for members of the committee to comment publicly, representing the committee as a whole privately -- that the committee should only speak as a committee based on approved language and where we're at in the scheme of things. Obviously, individuals can be individuals but if you're going to speak, you don't privately speak on behalf of the committee.

And that's really where we were. Thank you, Mr. Chairman.

Man 2: Thank you Mr. (Marks). I think those are very good points. We each have our private life to live, but as a council when we have a meeting that the discussion that we have is what actually happened -- transparency of a statement that of what occurred. And then we go live our private lives. But we cannot speak for the council outside of the actual council meeting.

Any questions? Okay. Is there any other business to come before the council at this time? Have I overlooked anything, (Eric)?

(Eric): No, sir. I don't know if the council members have any additional business but before we close, I just have a couple recaps whenever you're ready.

Man 2: Okay. You want to recap?

(Eric): Okay, so just to reiterate there were subcommittee meetings. We had some printouts handed out that will be posted on the website. And then the request

for information, that will be coming from the chair and subcommittee or vice chair.

And the request for (Richard Sorowies) information I'm not sure how big it will be. So we can put it on the website and as a link for folks to get to and we'll know and send that link to you if that is appropriate to the council.

Woman: (Unintelligible).

(Eric): Okay.

Man 2: Okay. Put it on the website as some of us are not is technologically advanced as others. So I would personally like to see the copy of it if possible.

(Eric): All right. We can do that.

Man 2: Anyone else that would like to receive a copy? Okay. We've got three others - - old guys that are not as technologically advanced.

((Crosstalk))

(Eric): We'll try to convert it into PDF that we can then send out as an attachment.

Man 2: Yes. And there is no rush. As you get the opportunity to do it, do so. And anyone that's on the phone if you would like to do that, do that as well. Okay.

(Eric): We'll just send it to everybody.

Man 2: Okay. Anything else from (Rowena)? Or (Andrea)?

Woman: No, just thanks. I thought a really good discussion the last day and a half here and it's just kind of things to watch for in the future, the next couple months, is CITIES as that public comment period closed here I think April 22nd. And then we'll be heading out to Sri Lanka the end of May.

And I know the ESA was brought up. So be looking for that to come out hopefully the finalized format soon as well, so. And if you've got any...

Man 2: Okay.

Woman: ...questions along the way that you need to reach out or get anything from me, don't hesitate. And I know we've got (Eric) her as the DFO. Thank you.

Man 2: (Eric) is there anything else we need to do to meet requirements on our meeting?

(Eric): No, Mr. Chairman.

((Crosstalk))

Man 2: In that case, I think we would entertain a motion to adjourn.

Woman: So moved.

Man 2: Do we hear a second?

Man: Second.

Man 2: Seconds all over the room. Okay no discussion those in favor say aye.

Group: Aye.

Man 2: Those opposed. This meeting is adjourned. Thank you.

Man: Thank you everyone on the phone and recording for the transcription will now cease. Thank you.

Coordinator: Thank you for your participation in today's conference. You may disconnect at this time.

END