

American Society of Mammalogists

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Dear FWS Administrator,

The American Society of Mammalogists (ASM) is a nonprofit scientific society devoted expressly toward the study of all aspects of mammal biology including natural history, management, and conservation. With more than 3600 members worldwide, we are the world's largest and oldest organization devoted to mammals, many of which are endangered, threatened, or vulnerable.

The ASM would like to express serious concerns regarding the United States Fish and Wildlife Service (FWS) Draft Policy for the Enhancement of Survival Permits for Foreign Species listed as Endangered Species. The proposed policy would remove long-standing and successful Endangered Species Act (ESA) protections to 550 endangered species around the globe. Under the guise of conservation, this change would now allow individuals to legally import protected endangered species, alive or dead, into the United States. Furthermore the proposed rule would allow the importation of endangered species with little concern and virtually no regulatory oversight for how the animals were obtained. The ASM is concerned that the proposed changes to the ESA will encourage widespread and unchecked exploitation of these species around the globe resulting in increased potential for many of these now protected species to become extinct.

The FWS's proposed action would broaden the "enhancement of survival" clause to allow the importation of endangered species so that hunted trophies, skins and live animals (potential pet and circus animals) could be more easily imported into the United States. The proposed changes to the "enhancement of survival clause" would require applicants to comply with the vague criteria that it is "reasonably likely" that the importation would benefit conservation of the species in question for the permit to receive approval. There is extensive

scientific support for maintaining strong protection against trade in species of high conservation risk.

Historically, the importation of trophies and live specimens has generated a market for such items in countries of origin, causing severe problems for the species' long-term survival and ultimately driving some species to extinction. Even species with large ranges have been extirpated from countries due to trade, as has happened with both the black and white rhinos over much of sub-Saharan Africa.

The ASM questions how this new program will be controlled without strident and expensive law enforcement and a rigorous, scientific decision-making process by both the United States and the countries of export – *none of this has been specified or funded*. The major concern remains: how will we know that these new imports are part of a process truly benefiting conservation when the history of wildlife exploitation has led to so many major conservation problems worldwide?

The ASM does not dispute that some sustainable-use programs can contribute to the conservation of endangered species, and does not oppose this in principle. However, we are concerned about the proposed policy's ambiguity, lack of explicit enforcement language, lack of required evidence of how an animal was obtained, and the resulting potential negative impacts on the survivability of wild populations of endangered species that may result. The draft proposal fails to address how the draft policy would enhance existing conservation programs, how implementation of the draft policy and the potential effects of the draft policy would be evaluated and monitored, how data would be collected, or how the program would be designed. Thus, the ASM fears that the proposed change to the ESA's "enhancement of survival clause" is susceptible to abusive interpretation, and weakens the global protection of endangered species. The ASM strongly urges the FWS to strengthen the regulatory and enforcement aspect of the new policy, or leave the current policy in place.

Respectfully submitted,



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