

**TESTIMONY OF MARY BETH BEETHAM**  
**DIRECTOR OF LEGISLATIVE AFFAIRS**  
**DEFENDERS OF WILDLIFE**  
**HOUSE COMMITTEE ON APPROPRIATIONS**  
**SUBCOMMITTEE ON INTERIOR, ENVIRONMENT, AND RELATED AGENCIES**  
**PUBLIC WITNESS HEARING**  
**MARCH 13, 2008**

Mister Chairman, Ranking Member and members of the subcommittee, thank you for the opportunity to testify. I am Mary Beth Beetham, Director of Legislative Affairs for Defenders of Wildlife. Founded in 1947, Defenders of Wildlife has more than one million members and activists across the nation and is dedicated to the protection and restoration of wild animals and plants in their natural communities.

Defenders continues to be greatly concerned that the U.S. Fish and Wildlife Service (FWS) and the wildlife related programs in other natural resource management agencies have reached a breaking point. The president's budget again cuts funding for lands and wildlife. Bright spots such as "Safe Borderlands" and "Birds Forever" are paid for by cuts in other programs, with the result a net conservation loss. We deeply appreciate increases provided by the subcommittee in H.R. 2643, the excellent House version of the FY 2008 Interior, Environment and Related Agencies appropriations bill and are also very grateful for the increases that were maintained in the final omnibus bill after negotiations with the administration reduced the subcommittee's allocation. Funding provided has begun to stabilize our land and wildlife programs. However, significant additional amounts will be needed in the coming years to reverse the damage to the FWS and other agencies, to make them once again whole and critically important, to equip them to deal with the growing crisis of climate change. We know that the subcommittee must operate within the constraints of its 302(b) allocation, but we ask you to do as much as possible. Defenders has again worked during the development of the FY 2009 Congressional budget resolutions to support the environment and natural resources budget function, and we will continue to do so in the coming years.

**We urge the subcommittee to continue to rebuild the FWS workforce which has suffered substantial losses, nearly 800 staff from 2004-2007, an 8 percent reduction.** We are particularly concerned about the loss of biological capability.

- The endangered species program continues to experience a 30 percent overall vacancy rate, yet the president's FY 2009 budget cuts the program by \$3.7 million, 2.5 percent.
- The National Wildlife Refuge System has lost 300 staff and will eliminate at least another 250 if funding increases are not forthcoming. A comprehensive staffing model developed by the International Association of Chiefs of Police recommended 840 law enforcement officers for the System which currently can afford only 180 full time officers.
- The Office of Law Enforcement (OLE) is down to 191 special agents down from a high of 238 in 2002, far below the authorized level of 260, and is expected to lose another 20 to 25 through retirement in the next year. The OLE also is in desperate need of both scientists for its world renowned wildlife crime forensics laboratory and port inspectors.
- In the International Wildlife Trade Program, under International Affairs, the Division of Scientific Authority's already small staff continues to be short by one third and the Division of Management Authority still suffers a 15-20 percent staffing shortfall. Still, the president's budget cuts International Affairs by \$1.2 million, 10.3 percent. In addition, the important International

affairs program is currently buried in the General Operations Activity – Defenders recommends that it be moved and given equal status with other programs such as Migratory Birds and OLE.

**We urge the subcommittee to continue its effort to fully fund agency fixed costs which typically increase by 3-5 percent yearly and to restore the integrity of the National Wildlife Refuge System, one of the crown jewels in our nation’s conservation heritage.** The FY 2007 and 2008 bills took excellent first steps in correcting the damage done by years of funding below fixed costs that had forced severe erosion of programs. We deeply appreciate the subcommittee’s effort in the FY 2008 House bill to fully fund the Refuge System at its peak year FY 2004 inflation adjusted level of \$451 million. We also thank the subcommittee for standing firm in final negotiations on the bill to still provide a substantial increase which has given the Refuge System breathing room to put on hold plans for massive staff downsizing; however, with the \$434.1 million level in the request, refuges still would slide backward. The Refuge System needs \$15 million each year just to keep pace with fixed costs and the FY 2004 inflation adjusted level now totals \$466 million. Moreover, even if fixed costs were fully funded, the FWS still would not have the resources to ensure that the System envisioned in the landmark 1997 National Wildlife Refuge System Improvement Act would be realized. Defenders supports the recommendation of the Cooperative Alliance for Refuge Enhancement, a diverse coalition of 22 national conservation, sporting, and scientific organizations for a yearly level of \$765 million for Refuge Operations and Maintenance by FY 2013 and, to make progress toward this goal, \$514 million for FY 2009.

**To address the needs of our nation’s most vulnerable plants and animals, we urge the subcommittee to rebuild the FWS endangered species program.** The budgets of this administration have further damaged this most important of programs that already was suffering from chronic funding shortfalls. Currently, 280 candidates await proposal for protection under the Endangered Species Act – many have been candidates for years. Further, the loss of staff has left the FWS without the needed biological capability to oversee recovery of listed species, to adequately address the workload of consultations, or to effectively monitor hundreds of Habitat Conservation Plans covering millions of acres.

**We urge the subcommittee to provide increases to important FWS grant programs where it will not take needed funding from core operations, and continue to provide direction that maximizes their efficiency.** Our highest priorities among the grant programs are the State and Tribal Wildlife Grants (STWGP) and the Cooperative Endangered Species Fund. The STWGP was established to serve the federal interest by conserving species before they decline to the point where they need Endangered Species Act protection. We appreciate the subcommittee’s strong oversight of the implementation of the Action Plans created through STWGP and ask that it be continued.

**We urge the subcommittee to continue its efforts to refocus the Bureau of Land Management (BLM) on its multiple use mission, and, in particular, halt the diversion of wildlife program resources to support energy and other programs.** We appreciate the subcommittee’s efforts to limit the amount of appropriated dollars devoted to energy development on BLM lands and to address the diversion of resources from wildlife programs to pay for compliance activities of BLM’s energy, grazing and other non-wildlife related programs, which should instead come from benefiting programs. Unfortunately, despite the subcommittee’s diligent oversight of this diversion, no information has emerged to suggest that the situation has been rectified. This practice significantly undermines the wildlife programs which already are grossly underfunded; for example, more than \$60 million is needed annually just to implement actions

assigned to BLM in recovery plans for listed species, and the recent court action overturning the FWS decision failing to list the sage grouse under the Endangered Species Act will likely lead to a need for substantially increased resources for its protection. Moreover, the diversion of resources has increased the importance of the Challenge Cost Share program, with reports that it is the primary means through which proactive wildlife conservation work is accomplished. In addition, we strongly support the Native Plant Materials Development program which will become more crucial in the face of the climate change threat and recommend that the subcommittee examine the need for a separate Plant Conservation Activity or Subactivity under Management of Lands and Resources.

**We urge the subcommittee to continue restoration of the Land and Water Conservation Fund (LWCF).** Habitat loss is one of the main threats to wildlife and will be greatly exacerbated by climate change. According to a recent Forest Service report, “Cooperating Across Boundaries – Partnerships to Conserve Open Space in Rural America,” the U.S. loses 6,000 acres of open space a day. The administration has repeatedly cut LWCF funding by increasingly greater levels each year, and even though the unspent balance in the Fund on paper exceeds \$16 billion, proposed just \$50 million for FY 2009, more than 67 percent below FY 2008.

**We thank the subcommittee for direction and funding in the FY 2008 bill to address impacts of illegal immigration and related enforcement on sensitive land and wildlife resources along the border and urge continued oversight and increases.** We support the administration’s “Safe Borderlands” initiative; however we believe greater increases are needed to adequately address the situation. To date, there has been no assessment by the land management agencies of the costs to fully address the situation– we ask the subcommittee to include language in the bill requesting this information. In addition, the Department of Homeland Security (DHS) is expediting plans to start construction of border walls in Texas that will have devastating impacts on one of the most biologically diverse areas in America, including the Lower Rio Grande Valley National Wildlife Refuge, in which approximately \$90 million and three decades has been invested purchasing land and restoring habitat for ocelots, jaguarundi and other rare wildlife and plants. Recently, DHS has begun to pursue an even more damaging alternative formerly dismissed in a Draft Environmental Impact Statement (EIS) to build a wall into the existing levee without revising the EIS, doing hydrologic modeling, or formally consulting on impacts to refuges or endangered species. We ask the subcommittee to do everything in its power to protect its investment in the refuge by working with the DHS appropriations subcommittee to ensure that a thorough assessment to select the least harmful alternative and full mitigation plan is completed before any construction proceeds.

**We urge the subcommittee to reject the proposed cut to Forest Service (FS) Wildlife and Fisheries Habitat Management.** Although more than 425 listed species and 3,200 at-risk species occur on FS lands, the budget proposes a 10.6 percent cut (\$14 million) and reduction of 130 staff.

**We urge the subcommittee to restore the integrity of the U.S. Geological Survey (USGS) Cooperative Fish and Wildlife Research Units.** One fifth of all CFWRU scientist positions (24) are vacant due to erosion of funding since FY 2001. The Research Units provide critical scientific capability to the four land management agencies, yet the president’s budget reverses the FY 2008 \$1 million increase provided by the subcommittee.

**We are deeply grateful for the subcommittee’s leadership on climate change and, in particular, for establishment of the National Global Warming and Wildlife Science Center (Center). We ask that you continue leadership on this critically important issue.** The new

Center will be a critical front in the battle to help wildlife adapt to climate change, supporting research needs of both federal and state agencies in dealing with a threat in which we have no analogous experience. While the subcommittee allocated up to \$2.5 million for FY 2008 for the Center, we were disappointed to find that the administration has allocated only \$1.5 million and has requested only that amount for FY 2009. We urge \$10 million for FY 2009. In addition, comprehensive bills are moving forward that likely will dedicate significant sums to the natural resource agencies for climate change adaptation; the agencies need to start planning now to spend these sums strategically and effectively. We ask the subcommittee to include funding and specific direction for the development of a national strategy to ensure a coordinated interagency framework to address impacts of climate change on fish, wildlife, and habitat.

**RECOMMENDED FY 2009 PROGRAM FUNDING LEVELS (DOLLARS IN MILLIONS)**

Program	President's Request	Recommended Level
FWS Endangered Species Total	146.8	185.2
<i>Candidate Conservation</i>	<i>8.7</i>	<i>12</i>
<i>Listing</i>	<i>18.2</i>	<i>25.2</i>
<i>Recovery</i>	<i>68.4</i>	<i>84.8</i>
<i>Consultation</i>	<i>51.6</i>	<i>63.2</i>
FWS National Wildlife Refuge O&M	434.1	514
FWS Office of Law Enforcement	57.4	69.5
FWS Migratory Bird Management	53.2	53
FWS International Affairs	10.3	20.4
FWS State and Tribal Wildlife Grants	73.8	100
FWS Cooperative Endangered Species Fund	75.5	96.2
FWS Multinational Species Conservation Fund	4.3	12
FWS Neo-tropical Migratory Bird Cons. Fund	4	6
BLM Wildlife and Fisheries	43.8	65.4
BLM Threatened and Endangered Species	20.6	29.9
BLM Native Plants	4.6	15.8
BLM Challenge Cost Share	9.2	19.3
FS Wildlife and Fisheries Habitat Management	118	176.5
USGS Coop. Fish and Wildlife Research Units	15.4	19.4
USGS National Global Warming Wildlife Ctr.	1.5	10
Land and Water Conservation Fund	50	403 (\$278 federal and \$125 stateside)