July 26, 2021

Re: Recovering America's Wildlife Act (H.R. 2773)

To: Chairman Raúl Grijalva and members of the House Natural Resources Committee

On behalf of our organizations, members and supporters we urge you to support revisions to the Recovering America's Wildlife Act (H.R. 2773) that would ensure greater accountability and broader public input in wildlife governance while still achieving the bill's primary goal of providing significant new funding for implementation of state wildlife action plans.

The Recovering America's Wildlife Act (RAWA) introduced by Representative Debbie Dingell would provide nearly $1.4 billion annually to states, territories and tribes for the management of fish and wildlife species of greatest conservation need. This is a laudable goal which we support in principle. More funding is urgently needed for the conservation of imperiled and nongame species to prevent further loss of species, populations and habitats.

However, as currently written, there are several problems with the bill that, if not addressed, will reduce its effectiveness in achieving critically important conservation goals and squander an opportunity to modernize wildlife management in the United States.

1. RAWA will flood the states with new money for wildlife conservation—nearly $1.4 billion, which would equal a 25 percent increase over the current collective state wildlife agency budgets of $5.63 billion. While the need for this money to conserve species of greatest conservation need is clear, many state wildlife agencies currently lack the legal authority to use it for this purpose. Only a handful of states have granted wildlife managers authority to protect the full range of vertebrate and invertebrate species found within their borders. In most states, management authority does not extend to most invertebrate species, and in some states it does not even cover all vertebrate species. In NM, for example, the Game Commission and Department of Game and Fish only have authority to manage about 60 percent of vertebrate species.

We believe it would be a mistake for Congress to enact RAWA without also ensuring that states have taken measures to fully utilize RAWA funding for its intended purpose.

We recommend that language be added to RAWA that would require states as a condition of receiving funding to amend their statutes as needed to grant management authority over all vertebrate and invertebrate species to their state wildlife agencies.

There is, of course, a precedent for attaching strings like this on federal conservation funding to the states. The Pittman-Robertson Act of 1937, and later the Dingell-Johnson Act of 1950, required states, as a condition of receiving funding, to enact laws stipulating that revenues from the sale of hunting and fishing licenses could only go to administration of their state wildlife agency. These laws created what have arguably been the most successful funding programs for

wildlife conservation in the history of the U.S. In addition, section (6)(c)(1) of the Endangered Species Act of 1973 requires that state wildlife agencies must first be given the authority to conserve threatened and endangered species before receiving federal grants for the conservation of listed species.

2. State wildlife managers have traditionally viewed consumptive users of wildlife—hunters, anglers and trappers—as their primary constituents. State wildlife policies and institutions developed around the idea that the primary goal of state wildlife management was to produce a harvestable surplus of game and fish for the benefit of these users. While most states also now have programs to conserve nongame, threatened and endangered species, the main focus continues to be on managing game species for the benefit of consumptive users. The status quo is reinforced by the fact that: 1) consumptive users are disproportionately represented on wildlife commissions that oversee or advise state wildlife agencies;[1] 2) the staff at state agencies tend to be consumptive users themselves;[2] and, 3) state wildlife agencies have historically relied on the sale of hunting and fishing licenses for a significant portion of their revenues.[3]

The injection of RAWA funding has the potential to change the current orientation of state wildlife management over time, but we are concerned that providing enormous sums of new funding to states without also incentivizing changes in wildlife governance--namely diversifying the constituent base so that all wildlife stakeholders' interests are met--would be a missed opportunity.

We recommend that language be added to RAWA that would require states as a condition of receiving funding to make statutory and other changes as needed to ensure representation on their wildlife commissions of individuals, in proportion to their numerical distribution within the general population of the state, who are neither consumptive wildlife users nor agricultural representatives.

We believe that all residents of a state, not just hunters, anglers and agricultural interests, should be given the opportunity to help shape wildlife public policy in a meaningful way. Doing so would help build new constituencies and funding sources for wildlife conservation in every state at a time when increased public engagement in nature conservation is urgently needed.

3. Finally, we note that as currently written the only accountability mechanism in RAWA is a requirement that state wildlife agencies submit a work plan, budget and implementation

[1] Available information suggests that at least 75 percent of seats on state wildlife commissions are occupied by active hunters and/or anglers.

[2] See America's Wildlife Values:The Social Context of Wildlife Management in the U.S., 2018.

[3] Although hunters and anglers are often credited with generating another important source of revenue for state wildlife agencies—excise taxes collected under the Pittman-Robertson/Dingell-Johnson Acts—in fact non-consumptive users are responsible for most of the revenue generated under Pittman-Robertson, and possibly under Dingell-Johnson as well.

report every three years to the Senate Committee on Environment and Public Works, the House Committee on Natural Resources, and the U.S. Fish and Wildlife Service. We support this requirement but recommend that it be strengthened to ensure greater accountability and transparency on the expenditure of these significant new funds.

We recommend that RAWA include language to require that these documents as well as annual RAWA work plans be posted by state wildlife agencies on their public websites. In addition, states should be required to hold meetings annually at which RAWA projects are reviewed and approved, with opportunities for the public to provide comments in person and in writing.

RAWA will be a game changer for wildlife conservation. It is also a once in a lifetime opportunity to incentivize states to transform wildlife management to be more accountable, inclusive of the broader public and expand public support for their efforts. We believe our recommended changes would help achieve those goals.

Thank you for your consideration.

cc: Senator Martin Heinrich
Senator Roy Blunt

Signed:

- Southwest Environmental Center (Kevin Bixby, Executive Director; kevin@wildmesquite.org; (575) 649-7260
- WildEarth Guardians
- Predator Defense
- Wyoming Wildlife Advocates
- Nevada Wildlife Alliance
- Western Wildlife Conservancy
- The Rewilding Institute
- Friends of the Bitterroot
- Project Coyote
- Endangered Habitats League
- Endangered Small Animal Conservation Fund
- Red Wolf Coalition
- Wolf Conservation Center
- Western Nebraska Resources Council
- Trap Free Montana Public Lands
- National Wolfwatcher Coalition
- Madrean Archipelago Wildlife Center
- International Marine Mammal Project of Earth Island Institute
- Wyoming Untrapped
- Great Old Broads for Wilderness
- Plan B to Save Wolves
- Environmental Protection Information Center

- Klamath Forest Alliance
- Resource Renewal Institute
- Friends of the Wisconsin Wolf & Wildlife
- Great Lakes Wildlife Alliance
- Advocates for Snake Preservation
- Eastern Coyote/Coywolf Research
- Northwest Center for Alternatives to Pesticides
- Protect Our Wildlife Vermont
- Mountain Lion Foundation
- New Hampshire Wildlife Coalition
- Ohio Valley Environmental Coalition
- Friends of Blackwater
- Turner Endangered Species Fund
- Footloose Montana
- Designs for A Better World: Habitat Restoration
- Center for World Indigenous Studies
- Animal Protection New Mexico
- Attorneys for Animals