

Testimony before the Subcommittee on Fisheries, Wildlife and  
Oceans of the House Committee on Natural Resources  
On HR 5534, The Bear Protection Act of 2008

by

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Thank you, Madam Chairwoman. I am Ray Schoenke, President of the American Hunters and Shooters Association (AHSA) and I appreciate the opportunity to share with you AHSA's support for HR 5534, The Bear Protection Act of 2008.

My experience as an outdoorsman includes being a lifelong gun owner, hunter, conservationist and former Washington Redskin football player. I own and operate a 300-acre hunting preserve on Maryland's Chesapeake Bay, and have hunted throughout the United States and Europe; from the plains of South Dakota, to the panhandle of Texas, to the slopes of Mauna Kea, Hawaii, to the countryside of England.

My organization, ASHA, is a new pro-hunting, gun rights organization, which has only been in existence for about two years. Despite that fact, AHSA is steadily gaining national recognition for not being afraid to speak out in favor of policy positions that may not always be popular with traditional gun organizations. AHSA has national membership base of hunters and shooters who not only believe in the individual right to keep and bear arms, but also believe that along with our 2<sup>nd</sup> amendment right comes a civic responsibility to make sure our communities are safe and our environment is protected and maintained for future generations.

AHSA believes in the biologically sound management of our wild natural resources. Responsible and ethical actions are the duty of all hunters and shooters who enjoy the shooting sports. Our hunting heritage depends upon hunters understanding their contribution to the maintenance of a healthy, productive environment. By setting the proper example, AHSA believes we can protect the natural environment for future generations to enjoy. Sound conservation policies assure quality hunting opportunities and the managed use of our wildlife and other natural resources.

We firmly believe hunting is a natural, beneficial and enjoyable use of our renewable wildlife resources and it is an American tradition to be passed on to future generations.

Madam Chairwoman, as you are likely aware, most black bear populations in the United States appear to be healthy and generally increasing. Also, as you are likely aware, the statutory responsibility for the conservation and management of bear species in the United States lies largely with state fish and wildlife agencies. Our fear however, is that the growing illegal trade in bear parts has put our country on a fast track toward the eventual decline of otherwise healthy bear populations here in the United States.

Wildlife management experts agree that the market demand for bear gallbladders and bile is on the rise and is negatively impacting bear populations worldwide. Evidence points to a systematic pattern of killing bears in the United States and Canada in order to satisfy the demand for bear parts in consuming nations, primarily Asian markets. The bear parts trade is international in scope and difficult to regulate and contain. The current approach of trying to regulate the legal bear parts trade on a state-by-state basis in the United States and on a country-by-country basis globally has failed and, according to some experts, has actually facilitated illegal markets. AHTA believes it is time to recognize the usefulness, if not the necessity, for national legislation uniformly prohibiting commercialization of bear viscera.

In the late 1980s, U.S. and Canadian park rangers began finding carcasses of American black bears, missing only their gallbladders and paws or claws. It was not long before law enforcement officials began to realize the nature and scope of the problem: American black bears were slaughtered to meet demand in South Korea, Japan, Taiwan and China. In these countries, the bile from bear gallbladders is considered to have great medicinal qualities.

We know the Asian bear population has declined rapidly. All five of Asia's bear species are so rare that captive animals are being farmed for their gallbladders and bile. Overall, all but two of the world's eight bear species are in danger of extinction. As Asia's economic development expands, the demand for bear viscera will very likely increase.

Adding to the problem is the fact that international trade in American black bear parts is largely unregulated. States such as New York, Virginia, West Virginia, Idaho, Wyoming, New Hampshire, Vermont, and Maine allow the sale and export of the bear parts. Conservationists maintain that because it is impossible to tell an American black bear's gallbladder from that of a protected species, traders can claim the organs come from legally hunted

animals. The wide open policy of some states that allow the sale and export of bear viscera may be driving the bear poaching problem.

Worth noting here, is a recent highly successful sting operation to uncover bear poaching and the illicit trade in bear parts in the Shenandoah National Park in Virginia. Operation VIPER (Virginia Interagency Effort to Protect Environmental Resources), which was announced in January 2004, documented nearly 500 state violations and more than 200 federal violations by 100 or more people in seven states and the District of Columbia for their roles in this illegal trade. Shenandoah National Park Superintendent Douglas K. Morris unequivocally stated that "Commercialization of protected natural resources is a nationwide, worldwide problem, and some of it starts right here in Shenandoah National Park as well as other National Park Sites."

Operation VIPER uncovered evidence that the trade in bear parts from the East Coast, West Coast, and Mid-Atlantic region of the US continues unfettered, involving whole bears, bear gallbladders, paws, and other parts being trafficked to Washington, DC, Maryland, West Virginia, North Carolina, New Jersey, New York, and California. Nationals of the Republic of Korea have been implicated in the trade as the destination of the bear parts in this case and in other cases as well.

Wildlife management experts have long warned that the variations in state laws that regulate the trade in bear parts create an unhealthy incentive for poachers. Cases such as VIPER are not unusual. Even Alaska, a state with the largest bear population, is susceptible to poaching and illegal trade. As a US Fish and Wildlife Service Special Agent in Alaska told the Anchorage Daily News the danger poaching poses is that it "can make a significant impact [to the bear population] in a small area." Despite the fact that Alaska has a ban on the commercialization of bear parts, poaching occurs because gallbladders can easily be smuggled out of the state and sold in other non-restrictive states.

The HR 5534, the Bear Protection Act of 2008 would assist state and federal wildlife law-enforcement efforts regarding bear management while creating a sound national policy against the trade in bear gallbladders and bile.

HR 5534 is narrowly crafted to address U.S. involvement in the bear gallbladder trade without federalizing hunting, usurping lawful sportsmen's ability to hunt bears in accordance with state laws and regulations, or undermining the ability of state game agencies to otherwise manage their resident bear populations. AHSA believes a uniform national "bright line" prohibition on the trade of bear gallbladders and viscera will greatly clarify the rules for all American hunters.

Similar legislation, which was approved by the United States Senate twice before, had overwhelming bi-partisan support and was supported by dozens of representatives of state wildlife agencies.

In fact, opponents of federal legislation that had been introduced in previous sessions of Congress to prohibit the commercialization of bear parts argued simply that the relative health of the US bear population makes such legislation unnecessary.

Historically, human decisions to protect wildlife from exploitation usually come long after its time for taking necessary action. Some wildlife populations have been drastically diminished, sometimes past the point of recovery, before appropriate steps have been taken to prevent further declines. By learning from these conservation mistakes, and applying responsible wildlife management principles, we can prevent ecological mistakes and protect our precious natural resources before it is too late.

Thank you for the opportunity to share AHSA's view on this important piece of legislation, and I would be happy to answer any questions.