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Hearing on H.R. 6311, the Nonnative Wildlife Invasion Prevention Act
Before the House Subcommittee on Fisheries, Wildlife and Oceans

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Madam Chairwoman and Members of the Subcommittee, thank you for the opportunity to testify on H.R. 6311, the Nonnative Wildlife Invasion Prevention Act, and to address the intentional introduction of nonnative wildlife (both terrestrial and aquatic) into the United States (US). The National Invasive Species Council (NISC) considers this an important ecological, economic, and health issue.

To coin a phrase and introduce our topic today, you could say that "there is trouble in paradise." Some of the most beautiful resort communities in our nation have been invaded. On the resort island of Boca Grande, Florida, the black spiny-tailed iguanas (weighing up to 10 pounds) munch on ornamental plants, invade attics and homes, and dine on the eggs of threatened and endangered turtles. Further south in the Florida Keys an all-out effort is underway to eradicate the Gambian pouched rat – known to be a vector of the monkeypox virus that infects humans as well as animals. Nile monitor lizards roam the canals of Cape Coral, Florida and the Sanibel Island National Wildlife Refuge. These aggressive, carnivorous lizards can grow to 7 feet long and are known to be wide-ranging. Closer to home many know the story of the Northern snakehead fish that was eradicated from Crawford Pond in Maryland, only to turn up later in the Potomac. Experts believe it was likely that someone decided to release the snakehead rather than have it for dinner.

The problems created by these animals are not limited to one or even several geographical areas. The Nutria – a furry, plant-eating rodent has become established and spread in Louisiana, Maryland, North Carolina and many other states. Hawaii has been invaded by giant African snails which are serious plant pests that can be a vector for human disease. A number of species of introduced fish (including intentionally introduced species) are harming the Great Lakes. Media stories increasingly document the harm caused by what we at NISC call "charismatic nega-fauna". But, what is really going on and what are the sources of these invasions?

An invasive species is a species that is both non-native (or alien) to a nation or region and whose introduction causes or is likely to cause harm to the economy, the environment or (in some cases) animal, plant or human heath. Invasive species may be plants, animals, insects, aquatic organisms, or pathogens. In recognition of the scope and complexity of the problem, Executive Order 13112 (Order) was issued, establishing the National Invasive Species Council (NISC) to provide coordination, planning and leadership for federal invasive species programs. NISC is co-chaired by the Secretaries of the Interior, Commerce and Agriculture and includes an additional 10 departments and agencies. NISC is directed to adopt a comprehensive approach to the invasive species problem and to work with the States and other key stakeholders. The Order also called for the

establishment of the Invasive Species Advisory Committee (ISAC). ISAC is a group of nonfederal experts and stakeholders representing diverse viewpoints and tasked with making recommendations and providing input to NISC on invasive species issues.

Invasive species have been introduced in a variety of ways. Many invasive species are introduced unintentionally -- moving as unknown stowaways and "hitchhikers" when people and their products are transported by air, water, or over land. Examples include the imported fire ant, the Asian long-horned beetle, and the infamous brown treesnake that drove most of Guam's native birds to extinction. Others have intentionally been introduced for beneficial purposes, that later turn out to be harmful, such as the nutria – introduced in the early 20th century for the fur trade.

It is very important to distinguish between nonnative species and invasive species. Invasive species are those non-native species that are, or are likely, to be harmful. Non-native wildlife (including aquatic) is introduced for a variety of purposes including agriculture, aquaculture, the pet trade, live food, display animals, and for sport hunting and fishing. Many non-native species that have been introduced into the US have proven to be beneficial and others cause no known harm. For example, most US food crops and domesticated animals are non-native as are pheasant and brown trout. The vast majority of non-native species do not possess the adaptations to establish and reproduce meaning that only a small percentage of introduced species have proven to be harmful and thus considered invasive.

The Order calls for a broad and comprehensive approach to dealing with invasive species, as no one single approach will solve the problem. As mandated by the Order, NISC completed the first National Invasive Species Management Plan in 2001 (2001 Plan). Both the Order and the Plan stress the importance of prevention and early detection and rapid response as the most cost-efficient and effective strategies to deal with invasive species. Once an invasive species becomes established and spreads, eradication may be very costly and in some cases impossible. Prevention is particularly critical in aquatic ecosystems where eradication and control options are more limited. Early detection and rapid response can be an effective backup where prevention fails. However, it is a relatively new concept in many areas and may not yet be sufficiently robust to stop the spread of newly established species.

Risk-based screening is one of the most important tools available to curb intentional introductions of invasive species. In this regard, Section 5(b) of the Order requires that the first Plan include "… a science-based process to evaluate risks associated with (non-native species) introductions." The 2001 Plan called for the development of a risk-based screening process for intentionally introduced species in a series of steps or phases, including screening for nonnative land animals and nonnative aquatic organisms. It called for separate consideration and evaluation of newly introduced species and those species currently moving in trade in the US.

The NISC Prevention Committee -- which is jointly hosted by the Aquatic Invasive Species Task Force (ANSTF) -- has made progress regarding the development of a

phased screening process. The USDA Animal Plant Health Inspection Service (APHIS) has issued a Notice of Proposed Rulemaking which outlines an approach to screening plants for planting under the authority of the Plant Protection Act, which provides APHIS with extensive legal authority to address invasive plant pests, including to set import regulations that help keep exotic pests and diseases out of the United States. When necessary, APHIS officials can also respond swiftly to detections of invasive plant pests that threaten U.S. agriculture or, in the case of forest pests, the environment.

NISC has made less progress in the area of invasive animals and their pathogens (including aquatic species) that fall outside of the traditional agricultural coverage provided by APHIS/Veterinary Services within USDA. One issue is that agencies lack broad authority over the importation of nonnative species, unless they are specifically listed under the Injurious Wildlife Provisions of the Lacey Act. The Lacey Act (18 U.S.C 42) is administered by Interior's US Fish and Wildlife Service and prohibits importation into the United States of certain categories of animal species determined to be "injurious to human beings, to the interests of agriculture, horticulture, forestry, or to wildlife or the wildlife resources of the United States." The statute does not apply to all animals. Thus far, 17 species and families have been listed under the Lacey Act. Assistant Director Gary Frazer will provide the Subcommittee with more specific information about these issues later in the hearing.

The chances of preventing establishment of invasive species would be enhanced if non-native species could be evaluated for invasiveness before they are introduced in the United States. Such a prevention tool would help to "close the barn door before the horses are out" by requiring that the risk of the species be evaluated for potential invasiveness before importation is allowed. All of this must be done in a timely manner that does not unfairly restrict trade or duplicate roles of other agencies. Such screening systems do exist. For example, the US screens fruits and vegetables prior to importation in order to protect US crops from plant pests.

Currently, there is limited invasive species coverage under international treaties and standards that address trade in nonnative wildlife and their pathogens. Several nations, including Australia and New Zealand, have systems in place for screening nonnative wildlife. Such a screening system must be tailored to a specific nation and its legal system in order to be effective. I note that H.R. 6311 calls for the screening of nonnative wildlife before importation. Since this bill was introduced very recently, I cannot take a position with respect to this legislation nor can I comment on the specific details of the bill on behalf of the 13 NISC members. I would, however, like to offer some of the elements that NISC believes should be included in any risk-based screening process. These elements would include, but not be limited to:

1) Defining a clear purpose to prevent the introduction of invasive nonnative wildlife species that clearly targets harmful non-native species.
2) Establishing a species list in a manner that is cost effective and not overly burdensome.
3) Establishing a process based on scientific findings and risk analysis.

4) Providing flexibility so that the implementing agency can adjust the process to reflect new information and technologies, as appropriate.
5) Establishing a mechanism to adjust or change the status of any listed species declared either invasive or benign, based on new information, but in a manner not overly burdensome to the implementing agency or commerce.
6) Providing emergency authority to temporarily restrict a species of concern while seeking additional supporting data.
7) Establishing a consultation process with stakeholders and an opportunity for stakeholders to submit data to assist the process.
8) Providing sufficient support for the design and implementation of a fully functional screening process.

Obviously, any regulatory authority developed should be consistent with both the statute that it implements as well as the administration's basic regulatory principles.

NISC and ISAC and their members have actively pursued a number of non-regulatory approaches to the prevention of intentional introductions that have the potential to become invasive species. These are also critically important and would complement a national screening process. Both regulatory and non-regulatory approaches may be needed to address the prevention issue. No one approach will be a silver bullet and thus a variety of approaches are needed. For example, Habitattitude™ is a fairly recent, but very successful, effort to educate pet owners not to release their pets into the wild. Later today you will hear from Marshall Meyers of the Pet Industry Joint Advisory Council and a former member of ISAC, who is an expert on this initiative. Efforts to establish best management practices, educate stakeholders and reduce the risk that species will be released into the wild where they might become established are all critical efforts that we can build on to reduce the spread of invasive animals. NISC is also working to develop early detection and rapid response systems that would work with state and local programs to back-up prevention efforts.

NISC thanks the Subcommittee for its work on this critical issue, and stands ready to work with the Subcommittee to explore the potential to add cost-effective tools, including prevention tools, to the tool box to address invasive wildlife species that harm our environment, economy and health.