

REPORT OF CITES ACTIVITIES BY THE UNITED STATES  
SINCE THE 49TH MEETING OF THE STANDING COMMITTEE  
FOR PRESENTATION TO THE 50TH MEETING OF THE STANDING COMMITTEE

Report compiled 15 January 2004

Since the 49<sup>th</sup> meeting of the CITES Standing Committee (April 2003), the United States has taken many active measures in its implementation of the Convention. Provided below is a summary of key measures taken during the period from April 2003 through January 2004:

COP13 RELATED ACTIVITIES

PUBLIC PARTICIPATION IN U.S. PREPARATIONS FOR COP13: The 13<sup>th</sup> meeting of the Conference of the Parties to CITES (COP13) will be held 2-14 October 2004, in Bangkok, Thailand. Between April 2003 and January 2004, the U.S. Fish and Wildlife Service (USFWS) published two notices in the U.S. *Federal Register*, as part of the process designed to allow NGOs and the public to participate in the preparations of the U.S. Government for COP13. The first notice solicited recommendations from NGOs and the public on possible species proposals, resolutions, and other issues for the U.S. Government to consider submitting for the agenda at COP13. The second notice listed the species proposals, resolutions, and other issues that the U.S. Government is considering submitting for COP13; provided the public with an opportunity to comment on these potential submissions; announced a public meeting to be held in February 2004 to discuss the potential submissions; and provided information on the process for attendance of observers at COP13.

Approximately 3 months prior to COP13, the USFWS will publish another notice in the *Federal Register* informing the NGOs and the public about preliminary U.S. negotiating positions on species proposals, resolutions, and other issues submitted by other Parties for consideration at COP13. The USFWS will also host another public meeting approximately 2 months prior to COP13, to receive public input on the U.S. negotiating positions regarding COP13 issues.

CITES STANDING COMMITTEE ACTIVITIES

UNITED STATES CONTINUES AS CHAIR AND NORTH AMERICAN REGIONAL REPRESENTATIVE ON THE STANDING COMMITTEE: At COP12 in November 2002, the Parties in North America elected the United States to continue as the North American Regional Representative on the CITES Standing Committee for the intersessional period between COP12 and COP13. The United States also continues as the Chair of the Standing Committee for the intersessional period between COP12 and COP13. Kenneth Stansell, from the USFWS, continues to serve in that capacity.

CITES IMPLEMENTATION WORKING GROUP: In accordance with Decision 12.23, the CITES Standing Committee at its 49<sup>th</sup> meeting (SC49) established a joint working group comprising representatives of the Standing, Plants, and Animals Committees and the CITES Secretariat. The United States was named Chair of the working group. Terms of reference required the group to provide the following products: a list of active implementation issues that have not yet been addressed in CITES, functional categories of these issues; and

development of a clearinghouse process to address these and other future issues within CITES. The group has submitted an interim report for SC50 transmitting these products and proposing that the Standing Committee will send a revised or modified form of the group's products to COP13 for further consideration and decision.

"MIKE": During the period between April 2003 and January 2004, the United States was engaged in a number of ways in the MIKE (Monitoring the Illegal Killing of Elephants) Program, which was first established by COP10 through Resolution Conf. 10.10. The United States is a member of the MIKE Subgroup of the Standing Committee. The United States also has provided significant funding to a number of MIKE-related projects in Africa, through the African Elephant Conservation Act; and in Asia, through the Asian Elephant Conservation Act.

## CITES ANIMALS COMMITTEE ACTIVITIES

UNITED STATES ELECTED AS ALTERNATE NORTH AMERICAN REGIONAL REPRESENTATIVE ON THE ANIMALS COMMITTEE: At COP12 in November 2002, the Parties from North America selected Dr. Kurt A. Johnson, from the U.S. Scientific Authority, as the Alternate Regional Representative for the Animals Committee for the intersessional period between COP12 and COP13. Following Dr. Johnson's departure from the Scientific Authority in November 2003, he has been replaced by the Scientific Authority's Dr. Javier Alvarez.

19<sup>TH</sup> MEETING OF THE ANIMALS COMMITTEE: The United States sent a seven-person delegation to the 19<sup>th</sup> meeting of the CITES Animals Committee (AC19), which was held in Geneva, Switzerland, in August 2003. The interagency U.S. delegation included three representatives from the USFWS, three from the National Marine Fisheries Service, and one from the Caribbean Fisheries Management Council. The United States submitted documents on the conservation of saiga, periodic review of the CITES Appendices, implementation of the Appendix-II listing for seahorses (*Hippocampus* spp.), and progress made by the United States in developing and implementing the IPOA-sharks. The United States also participated in the meeting of the Nomenclature Committee, and was a member of a number of working groups: Significant Trade in specimens of Appendix-II species; review of the criteria for amendment of Appendices I and II (chaired by the United States); periodic review of animal taxa in the Appendices (chaired by the United States); trade in hard corals; production systems; conservation of and trade in tortoises and freshwater turtles; conservation and management of sharks; conservation of seahorses; and conservation of and trade in sea cucumbers.

REVIEW OF THE APPENDICES: The United States chairs a joint Animals Committee-Plants Committee working group on review of animal and plant taxa in the Appendices. The working group continues to work with representatives from Australia, Kenya, Republic of South Africa, Spain, and the World Conservation Monitoring Centre in the development of guidelines for conducting future reviews of taxa in the Appendices as well as a fast-track process.

SEAHORSES: As per the recommendation of Decision 12.53, staff from the USFWS, along with representatives of the U.S. National Marine Fisheries Service, met with representatives of the State of Florida Fish and Wildlife Conservation Commission regarding the CITES seahorse listing (effective May 2004). The purpose of the visit was to brief state personnel about the CITES treaty and permitting requirements, learn about Florida licensing and monitoring programs, and discuss future collaboration on seahorse conservation. Florida has the only known U.S. fishery for seahorses, and USFWS data indicate that there are at least a moderate number of seahorse exporters in the State that will be affected by the 2004

CITES listing of *Hippocampus* spp. At this meeting, Florida experts agreed to participate in the proposed U.S./Mexican workshop on the management of seahorse fisheries (see below).

In September 2003, the United States and Mexico agreed to co-host an international workshop on the management of seahorse fisheries as per Dec. 12.53. The workshop, to be convened February 3-5, 2004, in Mazatlan, Sinaloa, Mexico, will involve 37 experts from the United States, the CITES Secretariat, NGO's, and relevant authorities from other countries significant in the seahorse trade. Invited countries include Mexico, Brazil, India, Philippines, Thailand, Vietnam, and China. CITES Parties that import or transship large amounts of seahorses; including Indonesia, the European Community, and others; should also benefit from the workshop proceedings. This workshop will be a venue to share information on management and monitoring strategies for seahorse fisheries, and other aspects of the recent listing in Appendix II of CITES.

QUEEN CONCH: On June 11-12, 2003, the United States, in conjunction with Jamaica and the Caribbean Regional Fisheries Mechanism, hosted a meeting of the International Queen Conch Initiative countries in Montego Bay, Jamaica. The main purpose of this meeting was to discuss the draft report from the Secretariat on the Review of Significant Trade in queen conch (as per Resolution Conf. 12.8). The meeting comprised country reports, explanation of Resolution Conf. 12.8, discussion of the draft Secretariat report, and formulation of next steps for the major exporting nations. For the first time in the wider Caribbean, almost all countries were represented by one official from their CITES offices and one official from their domestic fisheries agency. By the close of the meeting, delegates had agreed on a number of recommendations which would be passed to officials in each country and to the CITES Animals Committee. Delegates also pledged to make specific comments on the draft Secretariat report by the deadline of June 30, 2003, and to coordinate with their regional representatives on the Animals Committee prior to the August 2003 Animals Committee review of the report.

At AC19 in August 2003, the United States and Mexico were active participants in the working group on the Review of Significant Trade (Phase V - Queen conch). This working group developed comprehensive recommendations (based in part on the Montego Bay recommendations) to improve the application of Article IV in the exporting countries, which remain in effect as of January 2004.

Representatives from the U.S. Scientific Authority and the National Marine Fisheries Service attended the 56<sup>th</sup> meeting of the Gulf and Caribbean Fisheries Institute (November 2003; Tortola, British Virgin Islands) to explain the process and outcome of Resolution Conf. 12.8 on Queen conch. Participants included NGO's, fisheries scientists, and fishery managers from the wider Caribbean.

TRANSPORT WORKING GROUP: The United States remains active on the Animals Committee Transport Working Group and intends to continue in this capacity for the foreseeable future. The United States believes that the group should continue its focus on addressing the most serious causes of transport mortality, injury, and extreme stress, and welcomes an increased effort from the Parties to alleviate existing problems. The United States supports the Working Group's intention to recommend updates to the CITES Transport Guidelines for methods of animal transport other than by air. In October 2003, the USFWS attended the International Air Transport Association (IATA) Live Animals and Perishables Board (LAPB) meeting, representing both the United States and as a member of the Transport Working Group.

## CITES PLANTS COMMITTEE ACTIVITIES

UNITED STATES ELECTED AS ALTERNATE NORTH AMERICAN REGIONAL REPRESENTATIVE ON THE PLANTS COMMITTEE: Following the departure of Dr. Bertrand Von Arx from the Canadian Scientific Authority, who was the North American Regional Representative to the Plants Committee, the North American Region met by teleconference during 2003 and selected Dr. Patricia Davila of Mexico to replace Dr. Von Arx. In addition, the Region selected Mr. Robert Gabel, Chief of the U.S. Scientific Authority, as the Alternate Regional Representative, at least until COP14.

13<sup>TH</sup> MEETING OF THE PLANTS COMMITTEE: The United States sent a two-person delegation to the 13<sup>th</sup> meeting of the CITES Plants Committee (PC13), which was held in Geneva, Switzerland, in August 2003. Both delegates were from the USFWS. The United States prepared and submitted one document for discussion on the agenda: PC13 Doc. 10.4, "Determination of the Definition of *Swietenia macrophylla* Plywood." The U.S. delegation was active in numerous issues, including the review of the CITES listing criteria, review of existing resolutions pertaining to plants, evaluation of procedures for the Review of Significant Trade, and selection procedures for inclusion of species in the Review of the Appendices.

PLANT RESOLUTIONS WORKING GROUP: At PC13, the United States was chosen to chair a working group to review and revise, as appropriate, the current CITES Resolutions related to plants, particularly Resolutions Conf. 9.19 and Conf. 11.11. This work was assigned for the period between PC13 and PC14. The group consisted of both Management Authorities and Scientific Authorities of countries representing the three official languages of the Convention. Revisions to Resolution Conf. 9.19 were limited to clarification of wording used in the French and Spanish versions of the Resolution. For Resolution Conf. 11.11, the working group focused on clarifying and simplifying the resolution, especially with regard to the definition of "artificially propagated," but also examined other sections of the Resolution. Drafts of both resolutions have been submitted for consideration by the Plants Committee at PC14.

MAHOGANY PLYWOOD: The CITES Appendix-II listing of the neotropical populations of *Swietenia macrophylla* (bigleaf mahogany) is annotated to logs, sawn wood, veneer sheets, and plywood, but not any other parts or derivatives. Plywood is a new mahogany commodity not included in the previous Appendix-III listing of the species. Believing that; in order for the Parties to effectively implement the Appendix-II listing of *Swietenia macrophylla* with respect to plywood, it is important for CITES to determine a definition for this commodity, and to include the appropriate HS code(s) for Parties to apply in describing the commodity; the United States submitted Document PC13 Doc. 10.4, entitled "Determination of the definition of *Swietenia macrophylla* plywood," at PC13. The Plants Committee endorsed the U.S. proposed interim definition of *Swietenia macrophylla* plywood as outlined in PC13 Doc. 10.4, as well as the U.S. proposed HS codes and descriptions for this commodity outlined in this document. The Plants Committee also agreed with the recommendation of the United States that the endorsed interim definition and HS codes and descriptions should be submitted for consideration of the Mahogany Working Group at its 2<sup>nd</sup> meeting in October 2003.

As such, the United States submitted Document MWG2 Doc. 10.1, entitled "Determination of the definition of *Swietenia macrophylla* plywood," at the 2<sup>nd</sup> meeting of the Mahogany Working Group in October 2003. The Working Group agreed that CITES adopt the U.S. proposed definition on an interim basis until it can be adopted formally at COP13. As a step to ensure that the U.S. proposed plywood definition is adopted at COP13, the United States submitted to PC14 a draft revision of Resolution Conf. 10.13 to include the U.S.

definition of plywood and the HS code(s) for the commodity endorsed by the Plants Committee and agreed to by the Mahogany Working Group.

CYCADS: On April 5, 2003, the USFWS provided information to TRAFFIC East/Southern Africa for the Significant Trade Review of cycads. Information was provided on *Cycas micronesica*, *Zamia amblyphyllidia*, *Zamia integrifolia*, *Zamia portoricensis*, and *Zamia pumila*, which are native to the United States and its territories.

## ACTIVITIES RELATING TO THE CITES LISTING CRITERIA

REVIEW OF CRITERIA FOR LISTING SPECIES IN THE CITES APPENDICES: At COP12, the Parties adopted a Decision directing the Animals and Plants Committees to continue a review of the criteria with particular emphasis on evaluating their applicability to different taxa. The outcome of this review is to be reported to COP13, where possible amendments to Resolution Conf. 9.24 are to be considered. At SC49, the Standing Committee established that the Animals Committee and Plants Committee should submit at SC50 a progress report on the review of the criteria. It also agreed that the review should focus on the finalization of the text in COP12 Com. I. 3 and that test of the applicability of the criteria should be conducted on a limited number of taxa to be selected by the Animals and Plants Committees. At both PC13 and AC19 (held in August 2003), the United States was asked to chair the working group on review of the criteria. At their respective meetings, the technical committees discussed and adopted a document (PC13 Doc. 9.4.3) prepared by the Chairman of the Plants Committee, in collaboration with representatives from the United Kingdom, United States, and Spain, proposing terms of reference and a schedule for the completion of the review of the criteria. The Plants and Animals Committees also compiled a list of 24 animal, 16 plant and 1 fungus species to be used by volunteering Parties to evaluate the applicability of the criteria and recommend specific changes to Doc. CoP12 Com. I. 3 criteria, if necessary. The United States volunteered to evaluate the listing criteria using 3 plant and 8 animal taxa. The results of the reviews were submitted to the Chairs of the Plants and Animals Committees in late November 2003.

## CITES TRAINING AND ASSISTANCE

USFWS PROVIDES WILDLIFE LAW ENFORCEMENT TRAINING IN AFRICA: In June 2003, a team of USFWS special agents and forensic scientists provided wildlife investigative training to 29 officers and investigators from six African countries at the International Law Enforcement Academy (ILEA) in Gaborone, Botswana. The students included wildlife and customs enforcement professionals with patrol, inspection, and investigative responsibilities in Botswana, South Africa, Tanzania, Mozambique, Namibia, and Zambia. The USFWS first developed and presented this training program in 2002 at ILEA's request. The course focused on enforcement skills that wildlife investigators and customs officials need to combat the illegal take of wildlife in sub-Saharan Africa. Officers from Botswana Wildlife and National Parks helped present material and facilitate field exercises for the two-week training program, which covered endangered species laws and CITES, intelligence gathering, crime scene processing, surveillance, undercover operations, interviewing and raid planning, and preparing cases for court.

UNITED STATES, THE CITES SECRETARIAT, AND TRAFFIC NORTH AMERICA CONDUCT CITES TRAINING WORKSHOP IN SAINT LUCIA: The USFWS agreed to conduct, in conjunction with the CITES Secretariat and TRAFFIC North America, a CITES training workshop in Gros Islet, Saint Lucia, 15-19 September 2003. The purpose of the workshop was to provide participants from 14 countries in the Caribbean region, as well as representatives of the overseas territories of France and the United Kingdom, with training on the development of national CITES implementing legislation, the roles and responsibilities

of the CITES Management and Scientific Authorities, and identification of specimens of CITES-listed species by inspection officials. Conducting training workshops such as this provides the U.S. Government an important opportunity to demonstrate its commitment to assisting regional conservation efforts as well as helping to ensure that the participating CITES Party countries have the knowledge and ability to properly implement the CITES treaty. This clearly benefits both the participating countries and the United States.

The USFWS sent two representatives to conduct the workshop. Two representatives of the CITES Secretariat and the Mexico Program Officer for TRAFFIC North America completed the training team. 51 participants attended the CITES workshop: 3 from Antigua and Barbuda, 3 from the Bahamas, 2 from Barbados, 1 from Belize, 3 from Cuba (participation costs were covered by funds provided by the CITES Secretariat from their training budget), 3 from Dominica, 1 from Grenada, 1 from the French Department of Martinique (participation costs were covered by the Government of France), 2 from Guyana, 3 from Jamaica, 3 from St. Kitts and Nevis, 16 from Saint Lucia, 3 from St. Vincent and the Grenadines, 2 from Suriname, 4 from Trinidad and Tobago, and 1 from the U.K. Overseas Territories (participation costs were covered by the Government of the United Kingdom). As a result of communication problems (inability to obtain confirmation via telephone or email), the expected 3 participants from the Dominican Republic were not able to attend the workshop.

The U.S. Department of State provided \$29,000 toward the total cost of conducting this training workshop. The remaining funds required to conduct the workshop came from U.S. monies given to the CITES Secretariat for its National Legislation Project and the Secretariat's budget for CITES training.

ASIAN OFFICERS TRAINED IN WILDLIFE CRIME INVESTIGATION: In September 2002, two USFWS special agents taught portions of an Asian regional training course on conducting wildlife crime investigations, which was presented in association with the International Law Enforcement Academy, Bangkok (ILEA), the Wildlife Conservation Society, and WildAid. Held in Thailand at the ILEA training facility and Khao Yai National Park, the two-week course drew participants from Cambodia, China, Indonesia, Malaysia, the Philippines, Singapore, Thailand, and Vietnam. Students included administrators and staff from police agencies, customs, and CITES Management and Scientific Authorities; forest and park rangers; and biologists. Instruction in Bangkok on CITES and wildlife identification skills was followed by a week of hands-on training in investigative techniques conducted in the field in Khao Yai National Park.

USFWS SUPPORTS ONGOING WILDLIFE LAW ENFORCEMENT TRAINING PROGRAMS: During 2003, USFWS special agents continued to serve as instructors for two ongoing wildlife law enforcement training programs sponsored by the U.S. Agency for International Development. A five-person team conducted anti-poaching enforcement training for 35 game protection officers in Tanzania. Another USFWS-led training team provided marine resource protection training to 19 Tanzanian coastal law enforcement officers. A USFWS agent served as an instructor for the third in a series of wildlife protection training programs for law enforcement officers in the Galapagos National Park and Marine Reserve in Ecuador. Students completing this most recent course included 25 park officers and three Equadorian environmental policemen.

CITES ENFORCEMENT TRAINING PROVIDED TO MEXICAN BORDER INSPECTORS: USFWS wildlife inspectors in El Paso, Texas, conducted a CITES enforcement training program for PROFEPA border inspection officers working in Ciudad Juarez and Chihuahua. Instruction on identifying species common in the U.S./Mexico wildlife trade was also provided.

USFWS SUPPORTS MARINE ENFORCEMENT TRAINING IN MICRONESIA: A USFWS special agent based in Hawaii served as an instructor for a marine enforcement training workshop held in Pohnpei, Federated States of Micronesia. The training program, which was sponsored by WildAid, was designed to help Pohnpei State officers improve safeguards for marine resources in newly designated protected areas in what is currently a relatively healthy coral reef ecosystem.

## LAW ENFORCEMENT ACTIVITIES

***STRENGTHENING U.S. CITES ENFORCEMENT CAPACITY:*** During the period between April 2003 and January 2004, the USFWS Office of Law Enforcement worked to maintain and improve its CITES enforcement infrastructure and core investigative and inspection capabilities. Accomplishments in these areas include:

USFWS INVESTIGATIVE FORCE GAINS AGENTS: During the spring of 2003, 25 new USFWS special agents (the second "class" hired as part of the agency's effort to rebuild its wildlife investigative capacity) completed training and reported to their first duty stations. Although retirements continue to deplete the agent workforce, the hiring of 18 new officers is planned for 2004; this infusion should help the Law Enforcement program to continue devoting a viable level of investigative effort to upholding CITES and U.S. wildlife protection laws.

CONGRESS SUPPORTS MODEST EXPANSION OF WILDLIFE INSPECTION PROGRAM: Late in 2003, the USFWS Law Enforcement program received funding to add nine additional wildlife inspectors along U.S. borders with Canada and Mexico to police North American wildlife trafficking and establish two new "designated ports" for wildlife trade (Memphis, Tennessee; and Louisville, Kentucky). Enhancement of the agency's land border operations will help address a number of CITES trade issues, including the smuggling of birds from Mexico and Central America, regulation of the wildlife leather industry (which utilizes a number of CITES Appendix-II species), and increased trafficking of Asian arowanas across the U.S./Canadian border. In the latter portion of 2003, USFWS Law Enforcement began working on the regulatory process required to designate the ports of Memphis and Louisville; both cities serve as hubs for major international express mail companies. The introduction of inspection services at these locations will help USFWS Law Enforcement address the growing use of express mail as a vehicle for wildlife smuggling.

TECHNOLOGY ENHANCES U.S. TRADE MONITORING EFFORTS: In the spring of 2003, the USFWS introduced a new Internet-based system for declaring wildlife imports and exports. Use of the system during the reporting period helped speed shipment declaration and clearance, facilitate communication between the import/export community and USFWS enforcement staff, and promote compliance with CITES and U.S. wildlife laws.

INTERAGENCY TRAINING EXPANDS U.S. CITES ENFORCEMENT: USFWS wildlife inspectors have always worked closely with other U.S. inspection agencies to monitor trade and travelers at airports, ocean ports, and land borders. During the period between April 2003 and January 2004, the USFWS expanded efforts to provide "cross training" on wildlife trade regulations to officers from these other U.S. entities (most of which are now part of the Department of Homeland Security's Bureau of Customs and Border Protection [CBP]). As a result, more than 4,000 new CBP inspectors received training in wildlife import/export enforcement in 2003 - four times as many as were trained the previous year.

INTELLIGENCE UNIT IMPROVES TRADE ENFORCEMENT EFFORTS AND INTERNATIONAL COORDINATION: An expanded USFWS Intelligence Unit, which includes four full-time analysts, supported U.S. CITES enforcement by collecting and analyzing intelligence on wildlife trafficking and coordinating intelligence sharing with other law enforcement agencies in the United States, CITES member nations, and U.S. and international conservation groups. Efforts to monitor the reptile trade, for example, allowed intelligence analysts to alert USFWS officers about shipments of mata mata turtles smuggled from South America and set the stage for the arrest of an individual in Washington State. Liaison with the United Kingdom's National Wildlife Crime Intelligence Unit yielded timely information about a suspicious shipment of reptiles from Tanzania that transited the United Kingdom; USFWS inspectors in Los Angeles met the shipment on arrival, confirmed the suspected CITES violations, and seized 93 protected chameleons. In another case, analysis of the commercial spider trade revealed a smuggling scheme involving German nationals who were bringing shipments of protected tarantulas into the United States using false CITES documents.

***INSPECTIONS AND INVESTIGATIONS:*** The enforcement of CITES and the interception of illegal wildlife trade remained a mission priority for the special agents and wildlife inspectors of the USFWS Office of Law Enforcement. USFWS agents conducted criminal investigations of individuals and companies attempting to exploit animal and plant species protected under CITES. USFWS wildlife inspectors monitored U.S. wildlife trade for CITES compliance and intercepted illegal shipments of CITES-listed species. Specific accomplishments for the reporting period include:

CAVIAR COMPANY OWNER IMPRISONED, FINED FOR SMUGGLING: The owner of a company that had been the largest U.S. importer of caviar in recent years was sentenced to serve 21 months in prison and pay a \$400,000 fine after pleading guilty to six felony Lacey Act counts involving illegal trafficking in Russian and American caviar. The subject was charged with smuggling an unknown quantity of caviar into and out of the United States. Use of fraudulent documents and false labeling facilitated this large-scale smuggling operation, which laundered Russian caviar through Poland. The man must also give up ownership of the caviar company (which was bringing in \$12.5 million in profits each year) and his well-known New York City restaurant.

CAVIAR DEALER PLEADS GUILTY TO MULTIPLE FELONIES: A businessman who headed up three New York based caviar companies pleaded guilty in July 2003 to four felony counts and agreed to a sentence of between 57 to 71 months in prison. The man, who failed to appear in court to enter a plea in March 2001, was a fugitive until USFWS and FBI agents successfully tracked him down and arrested him in October 2002. In his guilty plea, he admitted to conspiring to commit securities fraud, mail fraud, and wire fraud; committing securities fraud; smuggling caviar; and submitting a false loan application.

U.S. PROTECTS CITES-LISTED NATIVE FISH: The 1998 extension of additional protections for sturgeon species under CITES has prompted an upsurge in the illegal take and sale of U.S. caviar-producing species, including paddlefish, short-nosed sturgeon, and the endangered pallid sturgeon. USFWS Law Enforcement is working not only to police U.S. caviar importations but also to protect native CITES species from unlawful exploitation in the domestic caviar trade. In April 2003, agents arrested five individuals from Russia and other Eastern block nations after they were indicted for illegally trading in caviar from paddlefish and sturgeon that had been unlawfully harvested from U.S. lakes and rivers in Tennessee and Kentucky. The five, who owned caviar companies in New York and Los Angeles, have been charged with conspiracy



and violating the Lacey Act; the caviar that they sold unlawfully was often falsely labeled as Russian caviar.

These arrests followed the convictions of eight other individuals and four U.S. businesses whose illegal caviar dealings were exposed by the USFWS investigation. Results from those prosecutions included the spring 2003 sentencing of the two owners of a Tennessee caviar business who were found guilty of conspiracy and six felony Lacey Act charges for illegal trafficking in paddlefish and paddlefish roe. One was sentenced to two years in prison, while the other will spend 21 months in prison; each was fined \$25,000.

ARTIFACT DEALER SENT TO PRISON: In June 2003, the owner of two Florida businesses specializing in the sale of Amazonian tribal artifacts was sentenced to 40 months in prison and three years of supervised release in connection with the smuggling and sale of CITES-protected wildlife from Brazil. The defendant, who must also pay \$9,425 in restitution to USFWS Law Enforcement and forfeit all seized wildlife items, pleaded guilty to three felony counts - smuggling, obstruction of justice, and violating the Lacey Act. Contraband in the case included jaguar teeth and feathers from blue and gold macaws, red and green macaws, scarlet macaws, and great egrets. The three-year covert investigation of the man's business dealings was coordinated with the Brazilian Federal Police's wildlife protection unit.

THREE CHARGED FOR WILDLIFE TRAFFICKING: In October 2003, a Federal grand jury in Hawaii returned a 12-count indictment against a tribal artifacts dealer from Honolulu and his brother, who lives in Oregon. Both men were charged with one count of conspiracy to smuggle CITES-protected wildlife and endangered species body parts. The dealer was also charged with seven counts of smuggling protected wildlife and three felony Lacey Act violations for the sale of endangered species illegally imported into the United States. The indictment also alleges that the dealer advertised wildlife body parts over the Internet and sold hornbill ivory to a USFWS agent through an online auction site. Other items smuggled included parts from orangutans, clouded leopards, and leopards. A third defendant - a Maryland resident and well-known ivory expert - was charged in September with four misdemeanor violations of the Endangered Species Act.

ILLINOIS ART GALLERY INVESTIGATED FOR SELLING ENDANGERED WILDLIFE PRODUCTS: USFWS special agents served three search warrants at properties belonging to the owners of a Chicago art gallery in the spring of 2003. An investigation of the business had already shown that the gallery owners had imported undeclared ivory and sea turtle items when they returned from a buying trip to China. The searches recovered more than \$1 million worth of wildlife contraband from around the world, including items made from jaguar, elephant, scarlet macaw, hyacinth macaw, sea turtle, tiger, leopard, wood stork, jabiru, and egret.

"E-SMUGGLERS" SNARED IN REPTILE TRAFFICKING INVESTIGATION: Two reptile smugglers from Singapore, who were the focus of multiple USFWS investigations nationwide, were arrested on June 28, 2003, when they decided to come to the United States to conduct business in person in lieu of trafficking via the Internet. The pair cleared Customs in Los Angeles and continued on to Orlando, Florida, where USFWS agents followed them from the airport to their motel and arranged a meeting with them at a warehouse wired for sound and video. The subject who kept the appointment was arrested while his partner was picked up later at the motel. Both confessed to smuggling activities. The USFWS also learned that the pair had a shipment of radiated tortoises in transit to a mail facility in Sarasota, Florida; the shipment was intercepted

by USFWS inspectors in Anchorage. One of the men pleaded guilty to felony conspiracy, smuggling, and false labeling charges in September 2003; in December, he was sentenced to 37 months in prison.

SNAKE SMUGGLING CASE WRAPS UP: In June 2003, a subject who arranged for a Madagascan national to smuggle 27 live Madagascar tree boas, a CITES Appendix-I species, into the United States in January 1996 was sentenced to pay \$50,000 in restitution to the National Fish and Wildlife Foundation and spend 18 months on probation. The boas, which were hidden in the courier's luggage along with two live venomous non-protected snakes, were discovered and seized by a USFWS wildlife inspector in Chicago.

REPTILE SMUGGLER INDICTED: A Wisconsin reptile dealer investigated by the USFWS was charged with nine felonies, including conspiracy, smuggling wildlife, falsely labeling wildlife, making false statements, and money laundering. If convicted, he faces up to 20 years in prison and \$2 million in fines. His foreign supplier in Thailand was also indicted on 13 felony counts related to the alleged scheme. Starting in 2002, the pair shipped dozens of live turtles, tortoises, and other reptiles, including Indian star tortoises, Hermann's tortoises, and pancake tortoises, to the United States from Thailand in packages marked as "wooden handicrafts." USFWS wildlife inspectors intercepted several packages in Anchorage after X-rays revealed that one contained 24 turtles and another held 85 other live reptiles.

USFWS INVESTIGATIONS UNCOVER REPTILE "MAIL" TRAFFICKERS IN CALIFORNIA: Indictments are pending in four southern California cases involving the smuggling of CITES-protected reptiles from Singapore and Thailand via international mail. One case involved the smuggling of 10 live Indian star tortoises in a shipment of toy cars and figurines imported from Singapore. A second intercepted mail shipment en route from Thailand to a subject in San Diego, California, contained four green tree monitors and five pancake tortoises in a parcel of T-shirts and sandals. In another mail smuggling incident, agents documented the unlawful importation of four radiated tortoises and four Burmese star tortoises; a search of the importer's residence yielded two additional radiated tortoises, 13 more Burmese star tortoises, and a ploughshare tortoise, bringing the value of wildlife seized in this investigation to as much as \$69,000. A fourth case involved an individual who is suspected of running a large-scale commercial smuggling operation specializing in star tortoises and other species shipped in from Singapore and Thailand.

TWO PLEAD GUILTY IN LEOPARD SKIN CASE: Two men indicted in connection with the illegal importation and interstate sale of two leopard skins pleaded guilty in a case that began when a police dog reacted to a package at the Tallahassee Airport express mail facility. The package contained two fresh leopard skins, which had been shipped to a Florida resident by a native of Cameroon with an address in Washington, D.C. The USFWS completed a controlled delivery of the skins, and a search of the Florida man's residence uncovered 17 grams of hashish, \$13,080 in cash, and drug packaging materials and equipment. Both men were sentenced in August 2003; they must serve six months house arrest and three years of probation and pay \$1,250 in fines. The subject linked to drug trafficking was also prosecuted by the State of Florida, which ordered him to forfeit the \$13,080 found at his residence.

IVORY SMUGGLER CAUGHT IN HOUSTON: In May 2003, USFWS agents apprehended an individual who smuggled 22 pieces of ivory in a commercial shipment that entered the United States via George Bush Intercontinental Airport in Houston, Texas. The carvings, which were detected by X-rays, were covered in a painted paper-mache

material to disguise their appearance and were hidden in a shipment of wood carvings painted in a similar fashion. The subject was fined \$3,200 and forced to forfeit the ivory carvings, which included bracelets, leopard statues, ceremonial staffs, talismans, and hand axes.

LOS ANGELES PET STORE LINKED TO BIRD SMUGGLING: In May 2003, wildlife inspectors at Los Angeles International Airport stopped a man entering the country from Vietnam who had 16 live CITES protected birds taped up and concealed in socks and badminton "birdie" tubes inside of his suitcase. Further investigation revealed that the suspect was bringing the birds, which had an estimated retail value of over \$3,500, to his sister, who owns a retail pet shop in Los Angeles. Prosecution is pending.

IMPORTER SENTENCED FOR MEDICINAL TRAFFICKING: A businessman in Oakland, California, who was investigated by the USFWS, was sentenced to spend four months in prison and pay a \$10,000 fine for medicinal trafficking. Agents showed that the man had imported hundreds of medicinals labeled to contain rhino and tiger, raw herbs without CITES permits, herbs subject to quarantine, and patented medicines that contained drugs controlled by U.S. laws. A month after his sentencing, USFWS inspectors in San Francisco intercepted a shipment that was destined for his business; it contained contraband seal products and other medicinals made from CITES-protected wildlife.

BEAR BILE SHIPMENT INTERCEPTED: Inspectors in San Francisco intercepted a shipment containing 50 vials of unlawfully imported dried bear bile, each holding 5 grams. A controlled delivery to the consignee (a woman who lives in Los Angeles) led to the seizure of five more vials. The subject (an undocumented alien) was indicted for smuggling, but pleaded guilty to a lesser charge. The case was turned over to U.S. immigration authorities since the woman is in the United States illegally.

AROWANA SMUGGLERS CAUGHT CROSSING BORDER: USFWS agents and inspectors in the Northeast foiled multiple attempts to smuggle Asian arowanas across the border from Canada. A man who was apprehended on two occasions for this type of wildlife trafficking pleaded guilty to one felony smuggling count; he must spend six months at a community detention center, serve three years probation, and pay a \$2,000 fine. Another individual charged with arowana smuggling is slated to go on trial in Vermont. This defendant was caught crossing into the United States from Canada with 14 live endangered Asian arowanas concealed in a custom-built hidden compartment attached to the chassis of his vehicle.

SEA TURTLE PROTECTION "BLITZ" SNARES EGG SMUGGLERS: To stem trafficking in sea turtle eggs, USFWS wildlife inspectors in Houston organized and conducted an interagency enforcement blitz that targeted "high risk" flights arriving from Central America. This effort resulted in the seizure of 557 sea turtle eggs from 20 passengers and allowed USFWS staff to alert Customs and Border Protection officers to this ongoing smuggling problem and train them in procedures for making and processing egg seizures.

FLORIDA WOMAN LINKED TO HAWKSBILL COMMERCIALIZATION: The owner of a nail salon who was investigated by the USFWS admitted smuggling hawksbill sea turtle mounts and jewelry out of Vietnam by bribing foreign customs officials. The woman tried to sell a sea turtle mount to an undercover agent, and a search conducted at her business recovered six mounted sea turtles and more than 100 pieces of jewelry. Penalties have not yet been assessed.

QUEEN CONCH SMUGGLERS FOILED IN TEXAS: A USFWS wildlife inspector in Brownsville, Texas, seized two large shipments of queen conch shells that were being smuggled into the United States by sea. The owner of the vessel involved in the first case was fined \$2,500 and forfeited 516 shells that had been collected from Honduran waters. The second interdiction, which occurred in November 2003, involved the seizure of 23,823 shells unlawfully imported from Haiti. An 18-wheeler and dump truck were needed to transport the shells to the warehouse where they will be held pending final disposition of the case. The shells, which have a wholesale price of more than \$21,000, would have fetched some \$43,000 in the U.S. retail market.

USFWS POLICES WILDLIFE "SKIN" TRADE: Boots and other products made from the skins of CITES-protected species remained among the items commonly seized by USFWS inspectors working the U.S./Mexico border. In San Antonio, Texas, USFWS officers uncovered a conspiracy to smuggle cowboy boots made from caiman, python, and cobra skins into the United States from Mexico. Two defendants forfeited \$15,000 worth of boots and were fined \$2,600. In El Paso, Texas, USFWS inspectors teamed with their Mexican counterparts to intercept a shipment of 2,000 caiman skins illegally exported from the United States. The Mexican government seized the shipment, which was worth approximately \$114,000.

BIG CAT TRAFFICKING CASE SECURES FUNDS FOR TIGER CONSERVATION: A USFWS investigation into the sale and killing of captive-bred tigers and leopards for the trophy and animal parts trade saw those convicted pay \$226,000 in restitution to the National Fish and Wildlife Foundation's "Save the Tiger Fund" to support efforts to safeguard endangered species in the wild. Sixteen individuals and one business were successfully prosecuted in the case; in addition to restitution payments, total penalties included 80 months of prison sentences, 46 years of probation, and \$75,000 in fines. The USFWS investigation, which exposed a loosely knit network of animal dealers and taxidermists trafficking in big cats, helped prompt passage of a new law intended to discourage the growing number of these animals that are now privately owned in the United States.

PLANT INVESTIGATION SNARES REPEAT OFFENDER: USFWS special agents in Hawaii apprehended a subject for the third time for illegally importing CITES Appendix-I cycads from Africa. The subject was first caught committing this crime in 1993. A 1998 arrest resulted in an assessed civil penalty of \$5,000. Prosecution for the third offense is pending.

ORCHID SMUGGLER SENTENCED: A Hawaii man who pleaded guilty to smuggling CITES Appendix-I orchids must forfeit the highly valuable plants involved in the case; spend six months in home detention and three years on probation; and pay a \$1,000 fine. The USFWS investigation showed that the man was importing and selling one of the rarest orchid species in the world - a lady slipper orchid (*Paphiopedilum*) native only to one national park in Borneo.

SUBJECT CAUGHT SMUGGLING ORCHIDS ACROSS U.S./CANADA BORDER: USFWS agents in Washington State investigated a man who took a large quantity of artificially propagated Appendix-II orchids into and back out of Canada without the required CITES permits. The orchids, which had been legally imported into the United States from the man's family-owned greenhouse business in Peru, were smuggled into Canada to be sold at an orchid show. The subject "re-smuggled" 291 specimens back into the United States via the border crossing at Blaine, Washington, after he failed to sell the plants in Canada.

MAN CHARGED WITH ORCHID SMUGGLING: In November 2003, a Federal grand jury in Florida indicted a Virginia man for unlawfully importing CITES-protected tropical lady slipper orchids from Peru, including a specimen of what is believed to be a newly discovered species. The defendant did not have the permits required to export orchids from Peru or import them into the United States. The USFWS received assistance from the Peruvian CITES Management Authority in pursuing this investigation.

BRAZILIAN BIGLEAF MAHOGANY HELD AT U.S. PORTS: Since February 2002, the U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS), the agency responsible for inspecting and clearing CITES plant shipments into and out of the United States, has held a total of 50 shipments of Brazilian *Swietenia macrophylla* (bigleaf mahogany) at U.S. designated ports of entry due to questions about the validity of the accompanying Brazilian export permits and the legality of the mahogany. These shipments totaled 8,958.065 cubic meters of wood. The holds began following a meeting in January 2002 in Washington, D.C., between officials of the USFWS and IBAMA, the Brazilian CITES Management Authority. At that time IBAMA told the USFWS about Brazil's Regulatory Order No. 17, effective October 22, 2001, that suspended logging, transport, and trade of *Swietenia macrophylla*, imposed due to legality concerns. IBAMA also informed the USFWS that Brazilian courts had granted injunctions to several Brazilian timber exporters against the export prohibition. This forced IBAMA to issue permits to those companies. IBAMA asked the United States to help stem the illegal trade in this species as they appealed the injunctions. In response to this and the fact that many of the CITES export permits accompanying shipments of *Swietenia macrophylla* from Brazil were not completely endorsed by Brazilian inspection officials, APHIS began to hold Brazilian mahogany shipments in February 2002. Such shipments were only released when the CITES Management Authority of Brazil confirmed that the permits were valid and the mahogany was legally acquired.

For each of the 50 shipments, the USFWS, the U.S. CITES Management Authority, communicated with IBAMA to verify the accompanying CITES permits' validity and the legality of the mahogany. As of September 2003, after numerous communications with IBAMA over the previous 19 months, and after a study conducted by IBAMA to determine the legal origin of mahogany in shipments that were exported from Brazil during 2002, the U.S. Government received information from IBAMA verifying the legality of the mahogany and the validity of the accompanying permits for 38 full shipments and 2 partial shipments from the original total of 50. These shipments, totaling 5,915.947 cubic meters of wood, were released.

On September 12, 2003, APHIS officially refused entry into the United States of the remaining 10 full shipments and 2 partial shipments, and provided the U.S. importers until October 10, 2003, to re-export these shipments out of the country. As of January 2004, 5 full shipments and 3 partial shipments, with a volume of 236.619 cubic meters of wood, were re-exported by U.S. importers. APHIS has issued forfeiture actions on the remaining 3 full shipments and 3 partial shipments. These forfeited shipments total 2,805.499 cubic meters of wood.

## **PUBLIC EDUCATION EFFORTS**

U.S. GOVERNMENT PROVIDES OUTREACH ON IMPLEMENTATION OF THE APPENDIX-II LISTING OF BIGLEAF MAHOGANY: At COP12 in November 2002, the Parties adopted a proposal to include the neotropical populations of *Swietenia macrophylla* (bigleaf mahogany) in Appendix II. The United States supported the proposal. The new listing did not become effective until November 15, 2003. During the year between the adoption of the proposal and effective date of the Appendix-II listing, the U.S. Government provided

extensive outreach to the U.S. timber industry and the general public to ensure that the United States would be able to effectively implement the listing. Major outreach efforts included:

- In March 2003, a representative of APHIS attended a Conference of the International Wood Products Association (IWPA) and gave a presentation on the CITES requirements in the United States for implementing the Appendix-II listing of *Swietenia macrophylla*.
- In April 2003, the USFWS sent a letter to over 250 U.S. mahogany importers and re-exporters, providing information about the implementation in the United States of this Appendix-II listing. The USFWS also posted this letter on its Website and worked with the IWPA and the Hardwood, Plywood & Veneer Association (HPVA) to have it posted on their Websites as well.
- Also in April 2003, the USFWS published an article in its CITES Update about implementation of the *Swietenia macrophylla* Appendix-II listing in the United States. This CITES Update was distributed to a mailing list of over 700 CITES Cooperators from other U.S. Government agencies, State governments, NGOs, industry, academia, and the general public.
- In September 2003, a representative of APHIS attended a Conference of the HPVA and gave a presentation on the CITES requirements in the United States for implementing the Appendix-II listing of *Swietenia macrophylla*.
- In October 2003, the USFWS sent a second letter to over 250 U.S. mahogany importers and re-exporters, informing them about the U.S. interim policy regarding acceptance of CITES mahogany documents before, on, and after November 15, 2003, and the U.S. interim policy regarding mahogany plywood. The USFWS also posted this letter on its Website and had it posted on the IWPA and HPVA Websites as well.
- In November 2003, the USFWS completed and opened a new Website on CITES timber, with an emphasis on *Swietenia macrophylla* (<http://CITES timber.fws.gov>). The site contains information on tree species listed under CITES, including import and export requirements, common name lists, general overview of mahogany, Mahogany Working Group information, and links to other related timber sites and research articles.

USFWS PROMOTES CONSERVATION AT FOOD SHOW: At the invitation of the National Association for the Specialty Food Trade, USFWS International Affairs and Law Enforcement participated as an "educational exhibitor" at the 2003 East Coast Fancy Food Show, which was held in New York City, June 30-July 2, 2003. USFWS representatives discussed CITES protections and U.S. laws and regulations governing the import of CITES-listed wildlife foods that range from caviar to queen conch meat. The trade show was attended by an array of food industry representatives, including many involved in the import and sale of caviar.

OUTREACH TO INTERNATIONAL HUNTERS IMPROVES COMPLIANCE: During the summer of 2003, USFWS wildlife inspectors in Alaska again provided compliance briefings to U.S. big game hunters traveling from Anchorage to Russia. Of the import violations documented when hunters returned with their brown bear trophies, only one was committed by an individual who was briefed by USFWS staff before leaving the United States.

USFWS CONTINUES OUTREACH TO TCM COMMUNITY: The USFWS International Affairs and Law Enforcement programs teamed with the World Wildlife Fund (WWF) and International Fund for Animal Welfare (IFAW) to present a symposium on the use of

protected species in traditional Chinese medicine (TCM) at the October 2003 TCM World Foundation conference in New Jersey. This outreach effort targeted U.S. practitioners of TCM and emphasized U.S. and international protections for endangered species and alternatives to their use in TCM. The USFWS also continued working with non-profit conservation groups to develop a formal conservation curriculum for use in U.S. schools of acupuncture. This partnership, which includes the Wildlife Conservation Society, IFAW, and WildAid, also hopes to secure the addition of questions addressing wildlife issues on the national certifying exam for these non-traditional healthcare professionals.

NEW EDUCATIONAL CAMPAIGN SUPPORTS CONSERVATION OF CARIBBEAN SPECIES:

The USFWS and WWF/Traffic North America produced a new public outreach brochure to promote conservation awareness among tourists visiting the Caribbean. This publication, which encourages travelers to check wildlife protection laws before buying wildlife items in the Caribbean, was made available at the beginning of the fall 2003 tourist season. A media campaign to promote its distribution secured coverage of wildlife trade issues in such major U.S. newspapers as the *Washington Post*, *Wall Street Journal*, and *USA Today*. The brochure was produced in both English and Spanish.

PUBLIC BULLETINS ALERT TRADE COMMUNITY TO CITES CONCERNS:

During 2003, the USFWS Law Enforcement program successfully used its public bulletin system to keep U.S. wildlife importers and exporters informed about changes in CITES requirements. Bulletins were issued via the Internet, posted at ports of entry, and sent to the National Customs Brokers Association for distribution to member companies. This notification network was used to inform the U.S. trade community about identification requirements for CITES-listed hard corals; the imposition and lifting of trade restrictions on CITES species from Fiji; the ban on wildlife imports from Paraguay; and new trade restrictions on queen conch parts and products from specific Caribbean countries.

CITES UPDATE:

The USFWS produces a periodic news letter called the CITES Update, which provides the latest information relative to the CITES treaty. The USFWS has distributed each edition of the CITES Update to a mailing list of over 700 CITES Cooperators from other U.S. Government agencies, State governments, NGOs, industry, academia, and the general public. It also posts each edition on its Website. During the period from April 2003 through January 2004, the USFWS produced, distributed, and posted two editions of its CITES Update.

UNITED STATES WORKS WITH ITS TRADITIONAL MEDICINE COMMUNITY:

Between April 2003 and January 2004, the USFWS continued to work with the U.S. traditional medicine community through the community's pre-existing educational infrastructure. The USFWS continued to raise awareness about the use of endangered species in traditional medicines, in keeping with its commitment to community ownership of this issue.

U.S. CITES WEBSITE:

The USFWS has continued to develop and improve its CITES Website at <http://international.fws.gov>. Among other items, the site contains the CITES treaty, CITES Fact Sheets, lists of CITES Party countries and non-Parties, a directory of Management and Scientific Authorities in Party countries and of equivalent authorities in non-Parties, copies of recent CITES Updates (see above), COP12 and 13 pages, and links to the CITES Secretariat's Website. In the Fall of 2003, the USFWS launched two new Web pages; one on CITES timber (see above) and one on queen conch. Another new page on ginseng is in the early stages of development.

U.S. PERMITS WEBSITE:

During 2003, the USFWS launched a Website for permits issued under CITES and other domestic conservation laws (<http://permits.fws.gov>). It includes an overview of the permit programs; a step-by-step guide on how to obtain a permit; an

alphabetical index to frequently asked questions; fillable application forms; information on import and export; copies of laws and treaties and their implementing regulations; and more.

## NATIONAL COLLABORATIVE EFFORTS

INTERGOVERNMENTAL STURGEON QUOTAS: In accordance with CITES Resolution Conf. 12.7, the United States submitted intergovernmental quotas for two *Acipenseriformes* species in December 2003. After consulting all 50 States to obtain information on current regulations and harvest/management schemes and contacting the Management Authority of Canada, catch and export quotas for 2004 were provided to the CITES Secretariat for white sturgeon (*Acipenser transmontanus*) and green sturgeon (*A. medirostris*).

U.S. CITES EXPORT TAGGING PROGRAM: The United States cooperates with its States and Indian Tribes and Nations in utilizing a tagging program for the exports of skins of the following Appendix-II species: bobcat (*Lynx rufus*); river otter (*Lontra canadensis*); Alaskan lynx (*Lynx canadensis*); Alaskan wolf (*Canis lupus*); Alaskan brown bear (*Ursus arctos*); and American alligator (*Alligator mississippiensis*). [Polar bear trophies are also tagged in limited numbers under the Marine Mammal Protection Act.] The USFWS initiated this program over twenty years ago to streamline the USFWS's CITES permit issuance process for the exports of skins of these species. The USFWS currently cooperates with 45 States and 7 Indian Tribes/Nations that have instituted approved harvest programs. The USFWS approves a State or Indian Tribe/Nation for inclusion in the CITES Export Tagging Program when it can make the two CITES findings based on that State's or Tribe/Nation's harvest program. Each approved State or Tribe/Nation applies CITES tags, provided by the USFWS, to all skins of approved species taken in that State or Tribe/Nation. The tags serve as evidence that the skins were legally taken and that their export will not be detrimental to the survival of the species. During 2003, the USFWS issued about 640,000 tags. Between April 2003 and January 2004, the USFWS approved into the program one Indian Nation for exports of river otter and one State for exports of river otter.

## CONSERVATION FUNDING

MULTINATIONAL SPECIES CONSERVATION FUNDS: The Multinational Species Conservation Funds consist of five programs created to fulfill direct congressional mandates to conserve populations of and habitats for neotropical migratory birds, African and Asian elephants, great apes, rhinoceroses, and tigers. Four of these programs involve CITES-listed species: the African Elephant Conservation Act of 1989, Rhinoceros and Tiger Conservation Act of 1994, Asian Elephant Conservation Act of 1997, and the Great Ape Conservation Act of 2000. These programs provide direct support to range countries through broad-based partnerships with national governments, NGOs, and other private entities for on-the-ground activities to conserve these species and their habitats.

The USFWS administers the Multinational Species Conservation Funds. During the period from April 2003 through January 2004, the USFWS granted a total of \$4,270,730 for various projects around the world in support of conservation of African and Asian elephants, rhinoceroses, tigers, and great apes. Listed below is a breakdown of this project funding by species group:

African elephants:	24 projects granted a total of \$1,149,610 in funding
Asian elephants:	21 projects granted a total of \$995,801 in funding
Tigers:	16 projects granted a total of \$535,566 in funding



Rhinoceroses: 20 projects granted a total of \$618,422 in funding  
Great apes: 30 projects granted a total of \$971,331 in funding

## **OTHER U.S. CITES-RELATED ACTIVITIES**

2<sup>nd</sup> MEETING OF THE MAHOGANY WORKING GROUP: In 2003, the United States continued to review U.S. imports of bigleaf mahogany (*Swietenia macrophylla*), with a view toward assessing implementation of the CITES listing of this species. At COP12, in addition to listing bigleaf mahogany in Appendix II (effective November 15, 2003), the Parties expanded the mandate of the CITES Mahogany Working Group; which prior to COP12 had been to consider the effectiveness of Appendix-III listings, the status of the species, legal and illegal trade, and ways to increase the number of range States listing mahogany in Appendix III; to include implementation of the Appendix-II listing.

The United States, as a major importer of mahogany, contributed \$60,000 in financial support for the 2<sup>nd</sup> meeting of the Mahogany Working Group (MWG2), which was held in October 2003, in Belem, Brazil. The focus of MWG2 was on implementation of the listing, including how range countries were planning to make their non-detriment findings. The United States attended as a major importer, and submitted a document on mahogany plywood. Endorsed by the Plants Committee in August, the document proposed that the CITES Parties adopt the World Customs Organization's definition of plywood for mahogany plywood. The Mahogany Working Group agreed on an interim basis until formal adoption at COP13.

OTHER MAHOGANY ISSUES: The USFWS has been working closely with other Federal agencies to facilitate implementation of the Appendix-II listing of *Swietenia macrophylla* (bigleaf mahogany). The USFWS hosted a number of intergovernmental meetings during 2003, including representatives from several U.S. Government Departments (including Agriculture, Interior, Justice, State and Treasury), as well as the Office of the U.S. Trade Representative and the Environmental Protection Agency. These meetings focused on implementation and enforcement of the listing, as well as identifying sources of funding for MWG2.

The United States contacted all mahogany range countries during 2003 to inquire about their preparations for implementation of the listing and to determine if the United States can support their preparations in any way. Various U.S. agencies are collaborating to identify potential mechanisms for providing capacity building, training, and other technical assistance.

PUBLIC MEETING ON AMERICAN GINSENG: On May 21, 2003, the USFWS held a public meeting in Lexington, Kentucky, with the assistance of the Kentucky Department of Agriculture, to obtain information from the general public on *Panax quinquefolius* (American ginseng). About 40 persons attended the meeting, primarily representing ginseng dealers and growers (i.e., persons who produce some form of cultivated ginseng). The day-long meeting yielded significant information on research and outreach needs, as well as information on the production systems used for *Panax quinquefolius* and practical experience with the species. Information derived from the public meeting will be used in developing the necessary findings required for exports of this Appendix-II species, and for guiding future actions to ensure that exports are derived from sustainable harvest programs.

U.S. SUBMITS ITS 2002 CITES ANNUAL REPORT: Article VIII of CITES prescribes that each Party shall prepare annual reports on its trade in CITES-listed species. On October 29, 2003, the USFWS submitted, directly to the World Conservation Monitoring Centre

(WCMC) in electronic format, the U.S. CITES Annual Report datafile for 2002. The file (104,848 data records) contained data on all U.S. trade with the rest of the world in CITES-listed species of fauna and flora during 2002. The data represent actual trade and not just numbers of CITES permits issued.

ARGENTINA PETITION FOR APPROVAL OF A SUSTAINABLE-USE MANAGEMENT PLAN:

The Wild Bird Conservation Act of 1992 (WBCA) limits or prohibits import of exotic bird species into the United States in order to ensure that wild populations are not harmed by international trade. Since 1993, imports into the United States of all CITES-listed birds have been prohibited except as provided under certain exemptions. One of the exemptions provided under the WBCA is for the import of species from countries that have approved sustainable-use management plans (SUMPs) for those species. In January 2003, the USFWS completed a Draft Environmental Assessment of Argentina's petition for approval of a SUMP for blue-fronted amazon parrots (*Amazona aestiva*). In August 2003, the USFWS published a rule in the *Federal Register* proposing approval of Argentina's petition. The project managers in Argentina have recently contracted with a population biologist to undertake population surveys and evaluate the harvest quotas established under the management plan. It is anticipated that the results of this research will complement the ongoing management for this species in Argentina. The United States intends to complete final rulemaking on this issue within the next year.

RHINOCEROS AND TIGER CONSERVATION ACT: The U.S. Congress created the Rhinoceros and Tiger Conservation Act to assist in the conservation of rhinoceroses and tigers by supporting and providing financial resources for the conservation programs of nations whose activities directly or indirectly affect rhinos and tigers. Later amendments to the Act provided for the development and implementation of an educational outreach program and outlined the prohibitions relating to the sale of rhino and tiger parts in the United States. During 2003, through the Rhinoceros and Tiger Conservation Fund, the USFWS funded the development and production of a brochure entitled "Ancient Traditions... New Alternatives." The brochure, in English and Chinese, outlines the traditional medicinal uses of rhino and tiger parts as well as the status of these species in the wild. It also explains the U.S. and international laws for the protection of rhinos and tigers and discusses the penalties for violating them. Finally, the brochure notes the growing practice of using alternatives to treat ailments historically treated with rhino and tiger parts.

FREE TRADE AGREEMENT: As part of Free Trade Agreement (FTA) negotiations in the United States, the USFWS continues to contribute to an interagency Environmental Assessment of wildlife trade and policy with various countries. The USFWS has completed summaries for Singapore, Chile, and Morocco, and has prepared reports for the Central American countries of Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua. These assessments summarize trade of CITES-listed species between those countries and the United States and provide an overview, for each particular country, of its wildlife legislation, including CITES implementation, trade enforcement, and other relevant wildlife activities and issues.