

United States Senate

WASHINGTON, DC 20510

March 13, 2018

The Honorable Ryan Zinke
Secretary
United States Department of the Interior
1849 C Street NW
Washington, DC 20240

Mr. Greg Sheehan
Principal Deputy Director
U.S. Fish and Wildlife Service
1849 C Street, NW
Washington, DC 20240

Dear Secretary Zinke and Principal Deputy Director Sheehan:

We write to you today with serious concerns regarding the recent decision by the United States Fish and Wildlife Service (USFWS) to allow for the import of sport-hunted elephant, lion, and bontebok trophies taken in several African nations.

Under the Endangered Species Act (ESA), in order to import a sport-hunted trophy of a listed species, the USFWS must find “that the killing of the trophy animal will enhance the survival of the species.” In November 2017, USFWS published an enhancement finding in the Federal Register to allow the import of African Elephant trophies from Zimbabwe and Zambia. Following forceful public outcry and comments made by President Donald Trump, that decision was subsequently put “on hold,” though the notice remained in the Federal Register and the relevant documents remained available on the USFWS website. This lack of clarification and public notice caused significant confusion as to the status of the relevant enhancement findings.

President Trump has consistently expressed opposition to trophy hunting. In November 2017 he challenged specious claims about its conservation benefits, saying he would “be very hard pressed to change my mind that this horror show in any way helps conservation of Elephants [sic] or any other animal.” Additionally, it is clear that the President was not merely expressing his personal views on the matter, as he made repeated statements over the course of several months that a final decision to uphold the Obama Administration’s ban was imminent. However, no requisite action was taken by USFWS.

We understand that USFWS must now also comply with the December 22, 2017 decision by the United States Court of Appeals for the District of Columbia that clarified the administrative process needed to issue or alter an enhancement finding. Yet, rather than initiating the administrative procedures necessary to implement the President’s stated policy banning the import of some or all hunting trophies, USFWS issued a memorandum to allow, on a case-by-case basis, for the import of sport-hunted trophies of three separate listed species taken from six African nations. Based on this memorandum, we must conclude that either USFWS is willfully

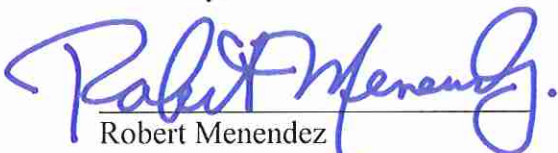
ignoring the direction of the President, or the President is ignoring the necessary policy, regulatory, or legal considerations, and misleading the American people as to the position of his Administration on the trophy hunting of endangered species.

In order to clarify the policies of this Administration, we request answers to the following questions no later than March 30, 2018:

- What steps is USFWS taking to implement the President's public opposition to trophy hunting of these iconic species?
- Enhancement findings have historically provided a level of transparency for the public to understand USFWS' existing positions on the import of these species from a given country. With the removal of 17 existing enhancement findings, what steps is USFWS taking under the new case-by-case system to ensure that the public remains informed in a timely manner about whether a permit application is being rejected or denied? Will this include the opportunity for robust meaningful public comment for each individual permit application?
- Did USFWS or the Department of the Interior give any consideration, either through internal discussion or through input from any other federal agency or entity, to the Secretary of State's official visit to Africa when determining the timing or substance of this new policy?
- President Trump proposed to cut funding for the USFWS Office of Law Enforcement and International Affairs Program. Together, these divisions play a critical role in combating wildlife trafficking, implementing and enforcing domestic laws and international treaties, supporting conservation activities all over the world, and processing permit applications to import sport-hunted trophies from ESA listed species. Given that the case-by-case approach is likely to require a more extensive and involved review process for each application, do you believe that these cuts will be a hindrance to the mission of USFWS and its ability to adequately and accurately evaluate these permit applications?
- Members of the President's family are avid trophy hunters, and have reportedly taken part in elephant hunts in nations impacted by this decision. Did USFWS receive inputs on this decision from any outside interest groups, individuals, or family members of the President?

We urge you to act without delay to take responsible steps to proactively ban trophy hunting in all areas where it has not been proven to have a positive conservation impact or where its impact cannot be verified, and to ensure that the public remains informed of all USFWS permitting decisions pertaining to the import of sport-hunted elephant, lion, and bontebok trophies from impacted nations. We appreciate your attention to this important issue.

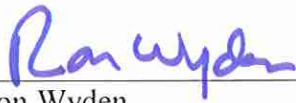
Sincerely,



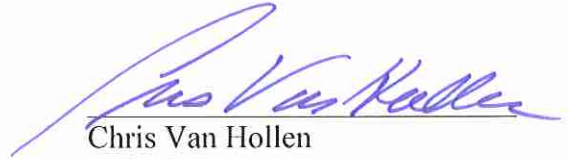
Robert Menendez
United States Senate



Cory A. Booker
United States Senate



Ron Wyden
United States Senate



Chris Van Hollen
United States Senate



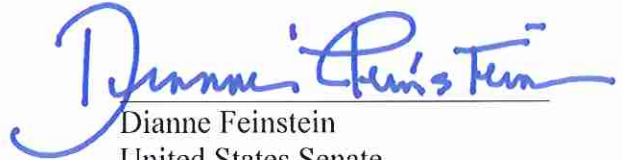
Elizabeth Warren
United States Senate



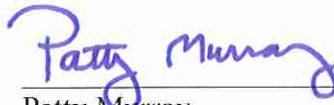
Margaret Wood Hassan
United States Senate



Sheldon Whitehouse
United States Senate



Dianne Feinstein
United States Senate



Patty Murray
United States Senate



Jack Reed
United States Senate



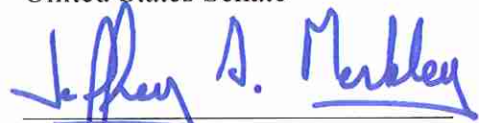
Richard Blumenthal
United States Senate



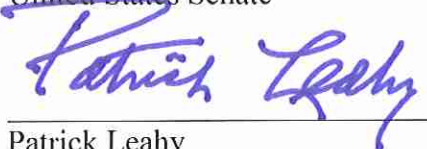
Jeanne Shaheen
United States Senate



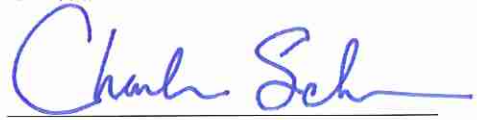
Bernard Sanders
United States Senate



Jeffrey A. Merkley
United States Senate



Patrick Leahy
United States Senate



Charles E. Schumer
United States Senate