

The National Environmental Coalition on Invasive Species

American Lands Alliance, Center for International Environmental Law, Defenders of Wildlife,
Environmental Defense, Environmental Law Institute, Great Lakes United,
International Center for Technology Assessment, National Wildlife Federation,
National Wildlife Refuge Association, The Nature Conservancy, Union of Concerned Scientists

Testimony Presented by

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to the

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Subcommittee on National Parks, Recreation and Public Lands

on

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Mr. Chairmen and members of the Committee, the National Environmental Coalition on Invasive Species appreciates the opportunity to address you today. It is on behalf of the eleven conservation organizations that constitute this coalition that I am testifying.

Together, our member organizations have nearly six million individual members and supporters. One member of our coalition has protected millions of acres in private preserves and works with over 1,900 corporate sponsors. Several members have affiliates in at least 46 states. One coalition member is made up of more than 150 community groups as well as groups of conservationists, hunters and anglers, and labor unions. Our other members have long provided the scientific, economic, and legal analyses and the responsible advocacy that are at the heart of what we recommend today. Many of us have been tackling issues of invasive species for more than a decade. Thus, we speak from considerable experience.

The threat of invasive species is common ground for all of us here today. Whether we are concerned about conservation, about maintaining healthy rangelands; about sustainable agriculture, fisheries, and forestry, or about trade, invasive species are a threat to our past and future accomplishments. We all want equitable, practical, and cost-effective solutions to this environmental problem.

You asked that we specifically address four topics today:

- 1. The scope of the problem – Both the scope and magnitude of this problem are staggering and it is likely to get worse as international trade and trade increase;**
- 2. Efforts to control or eradicate unwelcome invaders – Groups have had notable successes but their successes have applied to single species, usually in limited areas, and against long odds and high costs.**
- 3. Whether existing statutory authority is sufficient to limit problems – No, it is not, especially when we consider here gaps not only in congressional law-making and oversight but also in federal agencies’ mandates, implementation, and funding.**
- 4. Our recommendations to solve the problem.**

While our coalition has no magic bullets that can completely redress the invasive species problem, we do offer guidance, recommendations, and support for some of the proposals before this Congress, along with constructive suggestions for improving them. We believe these are good ideas that will make a difference.

First and foremost, we recommend that federal agencies’ statutory commitments, their policies, and practices be made more stringent in order to better prevent further introductions of invasive species. Also, we recommend exploring and quickly implementing new methods to adequately fund the efforts that are so urgently needed. We urge that invasive species issues be more thoroughly addressed in arenas dealing with international trade – a root cause of invasive species problems.

1. The Scope of the Problem

Picture the South without dogwoods, Vermont without maple trees, the Chesapeake Bay without oysters, or the Great Lakes without lake trout. Non-native and harmful species are increasingly recognized as a severe threat to our nation’s economy, natural resources, and health. Most non-native organisms in the United States are either beneficial or not harmful. A fraction, though, cause damage and, at their worst, the environmental and economic costs are staggering.

Invasive species disrupt the function of ecosystems by altering fire cycles, the flow of water and nutrients, or the kinds of organisms occupying whole areas. As such alterations multiply, what were once unique regional characteristics are beginning to blur. Decades of conservation achievements are being undermined. And the health of resource-based industries is being jeopardized. For example:

- Invasive species are the number one cause of biodiversity loss in the Great Lakes and are expected to be the leading cause of extinctions in North American freshwater ecosystems this century.
- In fact, invasive species represent a primary threat to approximately 50% of the US' threatened and endangered species.
- Insects and disease pathogens introduced with trade from Europe and Asia have damaged 70% of the 165 million acres of forest in the Northeast and Midwest and threaten both commercial and non-commercial species.
- More than one-third of the grasslands and shrublands of the Intermountain West have been invaded by non-native plants.
- Nearly eight million acres of habitat distributed among half the 540 National Wildlife Refuges across the country are infested by at least 675 different invasive species.
- More than 200 of the 375 National Park Service units have flagged invasive species as a significant management concern that raises the costs of operation and contributes to their backlog of maintenance projects.

Economic Damage

We have no complete accounting of invasive species' economic costs across the nation, although estimates of overall annual losses of many tens of billions of dollars have been put forth. Some well-documented numbers indicate the magnitude of the economic damage:

- Between the late 1980s when the zebra mussel arrived in the Great Lakes and 1994, documented cumulative losses to about 50% of the Great Lakes' water users were **\$60.2 million**.
- In the early 1990s when leafy spurge infested several million acres in the upper Great Plains, it caused an estimated economic loss of **\$130 million per year**; heavy infestations have reduced the value of some ranch land by 90%.

- During the 2001-2002 fiscal year, more than **\$22 million** in federal, state, and local funds were spent to manage mostly aquatic plants on more than 53,000 acres in Florida alone.
- In 2001, **\$10.7 million** in federal and state funds were spent to slow the spread of European gypsy moths across a band of 56 million acres in nine southeastern and midwestern states.
- Tamarisk – a weed of riparian areas – is estimated to have extracted water worth an estimated **\$39-\$121 million per year** if the water had been used instead for irrigation in 12 western and Great Plains states.
- Mediterranean and Mexican fruit fly outbreaks cost **\$37 million in 2002** and are expected to cost **\$63 million in 2003**. If these flies become established, losses to crop damage and export markets could exceed **\$821 million per year**.

As the world's largest economy, the introduction of invasive species into the United States through trade is of primary concern. For example, the vast majority of goods and people arriving in North America arrive by way of the United States. Additionally, in 2000, one in every two marine vessels in the world's active fleet visited the United States, and the United States had 14 of the world's 30 busiest airports by cargo volume. Only two percent of incoming shipments are inspected, however, and other, more effective strategies for protection have not been put in place. The result is a significant gap in our frontline defense against preventing both terrestrial and aquatic introductions.

Our concerns transcend regions and ecosystems. There are clear risks to the nation's waters, forests, farmlands, rangelands, wetlands, natural areas, and public and private property values. While much research and management has focused on agricultural systems in the past, we now have enough experience in non-agricultural areas to know what sorts of policies are needed in these areas – ones that also contribute to the nation's economy and quality of life.

2. Efforts to Control or Eradicate Unwelcome Invaders

With thousands of invasive species in the United States, curtailing their continued spread throughout the country is an important aim. There are exciting examples of groups successfully doing just that.

Eradicating populations of invasive species has the advantage of providing a long-term solution. In the past, eradication was often perceived to be nearly impossible. But recent efforts suggest that, for a surprisingly large group of species and under the right conditions, eradication holds promise. For example, eradication of mammals, especially on islands and especially those that are plant-eaters, often works. Eradication of widespread terrestrial plants is more difficult but not impossible with persistence and – often – with sizeable budgets and a great deal of volunteer help, too. Eradication of aquatic invaders is likely the most difficult to achieve, but may be possible in cases where new species are detected early and quickly treated.

These are among recent and anticipated successes of eradication campaigns:

- **The Nature Conservancy staff reclaimed the Coachella Valley Preserve in California from tamarisk.** The trees were planted as a windbreak but spread, out-competed native plants, and used enough water to dry up some desert pools. Tamarisk was removed from tens of acres of wetlands. Today the vegetation has returned to its native composition and a spring flows that had been dry for years – a very visible success in a high-value locale.
- **The National Park Service continues to protect the most pristine rain forest remaining in Hawaii.** In the late 1970s, an invasion of feral pigs threatened a particularly valuable area of Haleakala National Park. The University of Hawaii and the National Park Service cooperated to study the pigs' impacts along with options for their control. In the mid-1980's staff constructed fences and snared the pigs inside until the entire population was removed – in about four years. Now, snares catch the few pigs that enter the park via occasional holes in the still-maintained fences.
- **Officials expect to eradicate the Asian longhorned beetle from Chicago this year.** This insect was detected in Chicago in 1998. Since then, concerted efforts by federal, state, and city officials have almost succeeded in eradicating the beetle from five outbreak areas. Experts expect to find the last active beetles this year. These efforts involved the destruction of more than 1,400 trees and a cost of tens of millions of dollars. Unfortunately, efforts to eradicate the more widespread infestations in New York and New Jersey have not had the same success and a previously unknown outbreak was discovered in Jersey City last year. Failure to complete eradication of this insect could result in damage exceeding \$600 billion.
- **Federal, state, and local partners are preparing to eradicate nutria from Maryland's Eastern shore.** The nutria, an invasive rodent from South America, is destroying thousands of acres of wetlands from Maryland to Louisiana by feeding on the roots of wetland plants. A team of partners, including the U.S. Fish and Wildlife Service, U.S. Geological Survey, Maryland Department of Natural Resources, University of Maryland, and local governments, groups, and landowners, is working together to control and eradicate this animal on the Eastern Shore of Maryland. Researchers are studying the behavior, population dynamics, and impacts of nutria; creating models of the system; and then evaluating strategies to effectively eliminate this species and to help the vegetation recover. Once the best eradication strategy is determined, partner groups will implement it.

When conditions do not permit eradication, a number of jurisdictions have adopted a practice called “maintenance control,” an approach pioneered in Florida. The focus is on keeping invasive species' populations at levels low enough for their harm to be tolerable.

There are also notable successes with this approach:

- **Ongoing efforts have reduced populations of sea lampreys by 90% in most areas of the Great Lakes.** Sea lampreys reached the Great Lakes after shipping canals were built from the Atlantic in the early twentieth century. They are parasitic aquatic vertebrates that attach to and prey on a wide variety of large fish – and contributed significantly to the collapse of the Great Lakes fisheries. For example, the US and Canadian harvest of lake trout went from about 15 million pounds in Lakes Huron and Superior annually to about 300,000 pounds per year in the 1960s due to lamprey-induced mortality. Now US and Canadian officials, along with state experts and other partners, use a combination of methods to keep sea lamprey populations low. These include population assessments, treatment with chemical lampricides, physical barriers, traps, and the release of sterile males, a form of biological control.
- **The National Park Service’s Exotic Plant Management Teams are cutting weed problems in all parts of the nation.** They have successfully eradicated local populations of weeds or reduced them to manageable levels for 21 plants in 19 national parks, monuments, or other federal properties.
- **Test treatments of spartina grass have been successful at Willapa National Wildlife Refuge in southwestern Washington,** the largest estuary in the northwest United States region outside Puget Sound. Spartina is treated from amphibious tractors equipped with a Global Positioning System (GPS) to guide infrared precision spray booms. This effort has resulted in immediate benefits for migratory shorebirds.

These examples represent significant successes at controlling or eradicating highly damaging invasive species. We know that there are others. The time is ripe to share and replicate these successes, many times over. Also, we can draw from these examples key lessons for making US policy more effective. We’ve learned that certain, single species can have devastating effects. We know that effective management often requires a long-term commitment, with stable funding. Relaxing efforts for even one year can allow organisms to rebound and set back efforts substantially. Public and private groups make such long-term commitments because the damage of some invasive species is so high and the benefits of their control are so sizeable.

We must note, however, that the resources we put into managing invasive species do not approach being adequate. At present, technology allows only localized eradications of widespread invaders. Meanwhile, the floodgates remain open to more invaders. Given these challenges, we believe it is time for us, as a nation, to reexamine our fundamental approach to invasive species. While these eradication and control efforts are laudable, ultimately prevention of introductions is the most effective measure to protect our natural and other resources. The Committee is wise to ask whether the legal authority exists on which to base more effective policy.

3. Whether Existing Statutory Authority Is Sufficient

For US policy and programs to successfully address the large-scale threats posed by harmful, non-native species, there must be authority to effectively carry out several major types of activities:

- **Prevention** – to keep the most damaging invasive species from reaching the United States and becoming established here.
- **Early Detection and Rapid Response** – to monitor and detect new, potentially damaging species quickly and to respond to them rapidly while eradication is still possible.
- **Control and Management** – to coordinate ongoing efforts with local, state, regional, federal, and international authorities to minimize impacts of existing invasions and prevent their spread.
- **Public Outreach and Education** – to educate the public about the seriousness of the threat and inform individual actions that can limit the introduction or spread of harmful, non-native species.
- **Research and Monitoring** – to invest in effective and environmentally sound control technologies and other tools, and in the biologists and biological research needed to ensure long-term success.

A number of authors have examined whether adequate authority exists and they have come to the same conclusion: **current authority is not sufficient to solve the problems we face**. Existing policies and programs typically include some combination of these elements but there are many gaps – gaps that result from a number of sources. Agency mandates may be confusing or incomplete. Federal agencies may fail to fully implement existing statutory authority. Legislatively authorized levels of funding may not match actual appropriations. Or there may be areas where federal efforts fall between the cracks of congressional jurisdiction.

As a result, current US policy is a jigsaw puzzle with many holes. Most of the missing pieces were identified more than a decade ago, yet little has been done to put them in place. These are among the most serious gaps:

- **Federal agencies have no clear legislative mandate to fully protect the nation’s resources from the worst risks of international trade.**

Agencies lack a clear legislative mandate to use their existing authority to implement a level of protection as close to zero risk of further harmful invasions as is feasible. Too often agencies (and especially USDA’s Animal and Plant Health Inspection Service, or APHIS) act as if they are mandated to promote unfettered free trade rather than to limit international trade so as to

prevent further harmful invasions. This may appear profitable in the short-run but, in the long-term, the environmental and economic costs will be high.

- **Specific gaps in statutory authority remain.**

Where federal law does exist, there are often major exceptions in authority. For example, the Lacey Act is our nation's chief means of restricting imports of invasive animals. However, it restricts only a limited set of species or species groups and the process by which new species are added is slow and cumbersome. Nor does any agency have authority for invasive organisms, like the coqui frogs in Hawai'i, that arrived with plants but are not themselves plant pests.

In fact, many clearly harmful actions that people would probably agree should not be allowable – like dumping water hyacinth into public waters – are. And not all of the people either inside or outside of government agencies agree on what current law allows their agencies to do. Federal agencies report that they are often requested to undertake tasks that may not be authorized under current law, like taking emergency action. Occasionally, they will fill such gaps on an informal, *ad hoc*, basis because of pressing local needs. But that can leave agencies on shaky legal ground.

- **Federal agencies with existing authority sometimes fail to exercise it in important ways, creating a gap in implementation.**

Major problems in implementation are common, e.g., the brevity of current “dirty lists” under the Lacey Act and the Plant Protection Act of 2000 and the time it takes to add organisms to these lists. One especially important such gap occurs in the way APHIS is implementing the Plant Protection Act. This law clarified that APHIS has responsibility to protect wetlands, grasslands, rangelands, and other natural systems from pests, including insects, diseases, and weeds. With a few exceptions (e.g., the Asian longhorned beetle), APHIS has continued to emphasize agricultural systems. We fear this gap in implementation will increase now that APHIS' port inspection duties have been transferred to the Department of Homeland Security, further distancing inspectors from concerns regarding pests of natural systems.

- **The lack of adequate funding can itself create gaps where agencies might otherwise be willing to be innovative and entrepreneurial in applying their authority.**

More proactive agencies often move forward on the basis of general direction from Congress if their funding is generous enough to encourage innovation. Such is not the case regarding invasive species. For example, appropriations have never reached the levels authorized by the National Aquatic Nuisance Prevention and Control Act of 1990 or its 1996 amendments, even for the popular cost-sharing grants to states where demand far exceeds funds available.

- **There is at least one key gap in jurisdiction among the congressional committees responsible for oversight of invasive species issues.**

If APHIS should undertake the protection of natural resources, as the 2000 law requires, it is not clear that the House and Senate Agriculture Committees would be the most appropriate groups to conduct oversight. No other committee has that jurisdiction now, however, and we would support the Resources Committee seeking joint jurisdiction in this specific area.

- **Federal agencies often have competing missions when it comes to invasive species.**

It is not unusual to find certain agencies promoting the same species that others are attempting to eradicate or control. So far, no means have been developed to resolve such differences. The interagency National Invasive Species Council (NISC) should be in a position to do this and its staff has begun developing a process for competing agencies to discuss such conflicts. However, NISC has no statutory authority for this task and therefore limited ability to change agency practices. The Council on Environmental Quality (CEQ) has responsibility for addressing inter-agency conflicts but it has not become involved in this issue. However, CEQ and NISC are cooperating to provide agencies with guidance on applications of the National Environmental Policy Act.

The sorts of gaps described here in federal law, policy, and practice are often paralleled in states. Increasingly, though, state officials are becoming impatient with lax federal policy or with long delays in making improvements. For example, a number of states are moving forward with their own standards for managing the ballast water of ships, in the absence of strong federal measures, and establishing their own coordinating councils to streamline state action. We expect that such efforts will increase as the cumulative numbers of invasive species in the country continues to rise and their economic, environmental, and health costs are more accurately tallied.

4. Recommendations to Solve the Problem

Our intent is to strengthen federal agency mandates, as well as their policies and practices. Our long-term goal is to implement a level of protection that is as close to a zero risk of further harmful introductions as is feasible. We propose to reach this long-term goal with a flexible toolkit of economic and other methods. Until we set such a goal, we cannot know if our work is succeeding. And failure is too costly – for a problem that multiplies with delay.

Our top priority: preventing the introduction of additional damaging species.

Nowhere it is truer that an ounce of prevention is worth a pound of cure.

While the Committee on Resources is responsible for minimizing invasive species' damage on lands and waters under federal jurisdiction, this effort will fail unless backed up by more effective programs to prevent the entry and establishment of new invaders. The current US approach of creating a short list of harmful species to regulate often limits the import of species

only after extensive private investments have been made in it, after injurious species have already escaped into the wild, or after eradication is no longer possible.

Therefore, we recommend that all species intentionally imported into the United States be effectively evaluated for invasiveness prior to import. Those known to be invasive or those highly likely to harm native biodiversity and ecosystems and other important resources should be kept out. Key legislation being proposed does not include rigorous screening and agencies are moving too slowly. We consider careful and thorough pre-import screening essential.

We envision that many clearly safe species would be exempt from this process. Large groups of obviously useful species, like cattle, crop varieties, and clearly non-invasive organisms could be quickly given a green light for continued entry. We believe that such a program can be based on science and not impose unnecessary trade barriers or protectionism. In fact, such approaches work elsewhere, such as for plants in western Australia, and they have been successfully tested in Hawaii.

The Committee on Resources has jurisdiction over two statutes that could be used in such a screening system – the Lacey Act and the proposed National Aquatic Invasive Species Act. APHIS has chief responsibility for controlling entry of plants, weeds, plant pests like insects and diseases, and diseases of livestock and poultry; oversight falls to the Agriculture Committee. Any comprehensive screening effort would also involve agencies which this Committee oversees, e.g., the Fish and Wildlife Service.

The federal government must also do a more thorough job of preventing inadvertent introductions through major pathways such as those that occur in the ballast water of ships or attached to ships; those that arrive with solid wood packaging, logs or lumber; those that come with living plants or as parasites on imported animals; and the fish and mollusk diseases that are carried with aquaculture imports. For the past decade, much effort has focused on limiting introductions in ballast water. But unfortunately, the rate at which new aquatic invasive species are colonizing the Great Lakes has not declined despite implementation of Canadian ballast water exchange guidelines in 1989, followed by mandatory US requirements set in 1993 for ships entering the Great Lakes. This suggests we need to redouble our efforts, quickly develop and implement ballast water discharge standards to protect all national waters, and perhaps consider alternate means of moving goods into the Great Lakes region. We support these steps. We also support phasing out the use of wood as a packing material and ensuring that logs, lumber, and chips imported from everywhere except Canada be treated to eliminate invasive species.

Our second priority: adding to available funding

Relying upon federal appropriations alone has not provided either adequate or sufficiently flexible funding to address growing problems. Long backlogs of needed but unfunded efforts are typical of federal land management agencies. For example, in 1998, efforts against invasive species cost the National Refuge System \$13 million. Today, the backlog of known invasive species projects on refuges has increased to more than \$150 million, fully 15% of the entire

operations backlog. Likewise, the National Park Service cannot control invasive species on 93 percent of its affected lands.

Rapid response programs to manage newly detected invasive species when their populations are still small must be one of our highest priorities. Yet funds for emergency actions are not available to every agency that needs them, when it needs them. Often these resources are most needed at the end of the summer and early fall – just when federal agencies tighten contracting and accounting practices in preparation for the change in fiscal years. Funding for research is woefully scarce. The identification of potential new invaders, better knowledge of invasive species life cycles, a more thorough understanding of their impact would accelerate our capacity to both prevent and control invaders. Funding for enforcement is also scarce yet we know that stronger enforcement can enhance measures' effectiveness.

Knowing the key role that reliable funding plays, we recommend that efficient, and effective programs have the long-term commitment of resources they need to continue. Examples include the program to control sea lampreys in the Great Lakes, the National Park Service's Exotic Plant Management Teams, federal research on forest health, and federal cost-sharing for states to implement their state-wide aquatic invasive species management plans. We feel that the first responsibility of this committee is curtailing invasive species on federal lands. After that, we support cost-sharing programs with other land and water managers.

Thus NECIS recommends that additional means be explored and implemented by which the amount of government funding available to address all aspects of invasive species issues can be substantially increased or supplemented with other sources for prevention; early detection and rapid response; control and management; research and monitoring; enforcement; and public outreach and education. Appropriations are not enough.

We support the constructive use of economic policy tools, such as incentives, to prevent harmful invasions and to control them when they occur. This could include implementation of a fee-based approach, such as has been used successfully in the past to create the Oil Spill Liability Trust Fund. We suggest that NISC be charged with examining the full range of other possible funding options and report back to the Committee on its findings by January 1, 2004.

Our third priority: making international trade less risky.

Finally, we recommend strengthening mechanisms and regulations to prevent the import and export of invasive species via trade in North America and the broader international community.

There are several ways to accomplish this. First, the United States should make more effective use of multilateral conventions, including the International Plant Protection Convention, the Convention on Biological Diversity, and agreements handled by the International Maritime Organization. Second, the regulations issued by international bodies charged with protecting plant and animal health should be strengthened, particularly with regard to managing the major pathways by which invasive species are moved. Third, the U.S. Trade Representative should be advised to address invasive species' movements, impacts, and standards for their regulation

within the negotiation of bilateral and multilateral free trade agreements. Finally, the United States should not become party to international agreements intended to protect ecosystems from introductions of invasive species if the agreement is not at least as protective as US standards.

5. NECIS Positions on Pending Legislation

In this Congress, there is a wealth of proposed legislation that addresses various issues regarding invasive species. We appreciate the level of interest and importance the topic is now receiving. Also, we congratulate the sponsors who have worked so hard on these bills. **In general, we support the legislation offered by members of this Committee as well as the bills referred to it.**

Here, we highlight just a few of the aspects of various bills that we find particularly helpful and also list a few of our concerns. We are available to suggest ways to strengthen key provisions, to integrate similar aspects of different bills, and to ensure their passage.

- **The Species Protection and Conservation of the Environment Act (SPACE)**
- **H.R.119 The Harmful Invasive Weed Control Act**

We applaud efforts to use federal funding as an incentive to encourage local government agencies, private organizations, and individuals to be more proactive in managing invasive and invading species. The Aldo Leopold Native Heritage Grant Program offered in the SPACE bill is commendable not only in that it provides such incentives, but also in that it provides additional incentives for innovative technologies, early detection, and rapid response. We are particularly supportive of the 100 percent federal funding proposed in SPACE for rapid response. There is broad consensus – among organizations, scientists, and government representatives – that such rapid action is the single most cost-effective way to stop incipient invasions. We further appreciate that, in SPACE, successful projects can be renewed. Sadly, invasive species control rarely ends completely and the accomplishments achieved in these projects will likely need additional, although likely less expensive, follow-up management and monitoring.

As for our concerns, finding efficient ways to manage invasive species is a shared goal of all NECIS members. These bills could promote such efficiency, not just through the innovative technology they already encourage, but by promoting projects and products that can serve as models for efficient and effective control. In this regard, we encourage the committee to include language that mandates broad publication of the results of good projects so that they can be replicated elsewhere. Also, it is our hope that appropriations for other important programs not be diverted to fund federal cost-sharing for these grants. Therefore we urge you to enlist the help of your colleagues on the Appropriations Committees to provide sources of additional funds.

- **H.R.1080 The National Aquatic Invasive Species Act of 2003**
- **H.R.1081 The Aquatic Invasive Species Research Act**

These companion bills reauthorize legislation first passed in 1990 and updated in 1996. We support a great many of these bills' provisions. We applaud the broader geographic and taxonomic coverage; new efforts to monitor new invaders are important; provisions for rapid response, identification and management of high risk pathways; and annual updates to the lists of species whose import is limited by the Lacey Act or the Plant Protection Act. The bill takes a very modest step toward pre-import assessment of species' invasiveness. It aims to move the nation away from a primary reliance on ballast water exchange to ballast water treatment and also to develop environmentally sound methods managing aquatic invaders.

As for our concerns, the deadlines for setting and implementing new ballast water management standards are years away. Likewise, the relatively weak provisions for pre-import screening will not apply for several years and then a very large group of organisms in trade are exempted. There is no requirement that the proposed screening process be carefully reviewed by independent and qualified experts. Nor is a mechanism included to ensure that funding is adequate. We would not support federal preemption of state ballast water standards, which is sometimes discussed as a trade-off against setting additional fees.

- **H.R.989 The Great Lakes Ecology Protection Act of 2003**

This bill requires that final standards for treating ballast water to remove nonindigenous organisms be issued on a strict timeline. We support the intent to rapidly implement provisions called for in 1996.

- **H.R.266 The National Invasive Species Council Act**
- **The Species Protection and Conservation of the Environment Act (SPACE)**

The federal response to invasive species needs to be on firmer footing and authorizing the National Invasive Species Council in legislation is an easy and important way to achieve that. Therefore we support the codification of the full Executive Order that established the Council and its Advisory Committee. We believe this will help ensure the timely implementation of the Council's first and subsequent National Management Plans and provide the public with recourse if implementation slows. We believe it is essential to enact that part of Section 2 of the Executive Order which federal agencies have so far done little to address – the sections asking them to identify their own actions which affect the status of invasive species and not authorize, fund, or carry out actions likely to promote or introduce such species in the US or elsewhere. This section also gives agencies authority for the full range of actions needed to make US policy more comprehensive. We consider both areas essential.

As to our concerns, we are not certain that frequently rotating the Council's chair among three federal agencies will be workable. The transition between Presidents delayed the Council's work by more than a year; we fear additional time will be lost with each transition to a new chair, and with any changes to staff that occur at the same time. We recommend placing the Council staff

within the Executive Office of the President, which would provide a permanent “home” for the Council’s work while also elevating the status of the issue.

- **H.R.695. The Tamarisk Research and Control Act of 2003**

In the absence of more comprehensive legislation, species-specific approaches focus on critical threats to the biological diversity, natural resources, and economy of a specific state or region. They also provide for improvements to the science of managing the species. In the future, we hope to see more comprehensive legislation on terrestrial invasive species that includes many of the concepts included in this bill, as well as in the **new Nutria Eradication and Control Act of 2003 (P.L. No. 108-16)**.

6. Conclusion

In summary, NECIS believes that the problems associated with invasive species have very real and practicable solutions. This issue is common ground for the farmer, rancher, and the environmentalist; for the academic and the policy maker; for the importer and the consumer; and for developed and developing countries. Solutions require the participation of all of us.

We look forward to working with the Committee on the tasks before us. Thank you for the opportunity to testify. I am pleased to answer any questions you might have.