

**TESTIMONY OF
LUIS SANTIAGO, SPECIAL AGENT-IN-CHARGE, SOUTHEAST REGION,
U.S. FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR
BEFORE THE COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
SUBCOMMITTEE ON GOVERNMENT OPERATIONS REGARDING OPERATION
SOMETHING BRUIN, AN ONGOING LAW ENFORCEMENT ACTION IN WESTERN
NORTH CAROLINA AND NORTH GEORGIA**

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Good morning Chairman Meadows and Members of the Subcommittee. I am Luis Santiago, Special Agent-in-Charge for the Southeast Region of the U.S. Fish and Wildlife Service (Service) within the Department of the Interior. As Special Agent-in-Charge, I provide leadership and oversight for the Service's law enforcement work across 10 southeastern states, Puerto Rico, and the U.S. Virgin Islands.

I appreciate the opportunity to discuss the Service's involvement in Operation Something Bruin, an ongoing joint federal and state law enforcement investigation conducted in North Carolina and Georgia. The Service's role in this investigation focused on the unlawful take and commercialization of American black bears, a species protected under Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

The Service's Role in Addressing Wildlife Trafficking

The Service serves as the primary Federal agency responsible for enforcing U.S. laws and treaties that address domestic and international wildlife trafficking and protect native and foreign species from unsustainable trade. Working with a modest budget and a workforce of about 200 special agents spread across the country, the Service has disrupted trafficking in contraband wildlife "commodities" that range from elephant ivory and rhino horn to sturgeon caviar and sea turtle skin and shell.

In the Service's Southeast Region, 31 special agents enforce wildlife protection laws in 10 states and the Caribbean. Nationally, the Service's special agents work on some 10,000 investigations each year involving complex, high-impact wildlife crimes. These wildlife crimes generally involve unlawful commercialization of wildlife, or illegal poaching of imperiled species. Service special agents utilize both overt and covert investigative techniques to detect and document crimes involving the unlawful exploitation of protected native and foreign species in interstate commerce. These efforts to stop wildlife trafficking often pit them against transnational organized networks and criminals conducting high-profit, black market trade valued in the billions of dollars.

Law Enforcement to Target and Stop Illicit Take and Trade of Black Bear

The American black bear is a popular big game species hunted in the southern Appalachian Mountains of Georgia, North Carolina, Tennessee and South Carolina. Although the black bear populations in the Southern Appalachians appear stable or slightly increasing, much of its historic range is now decreasing due to habitat loss.

With the rapid decline in Asian bear populations primarily due to demand for bear parts trade, other bear species such as American black bear are targeted to address the demand for bear parts. The continuing illegal take of black bears to meet the increasing demand of a commercial bear part trade may eventually have a negative impact on the American black bear population. As such, American black bears are afforded protection under Appendix II of CITES. CITES, an international agreement among 180 member nations, including the United States, is designed to control and regulate global trade in certain wild animals and plants that are or may become threatened with extinction due to international trade. The illegal sale of black bear parts such as claws, paws, meat and gall bladders on the black market is well documented. Typically, poachers sell bear parts to local buyers, who in return sell them to buyers in Asian-American markets located in urban areas. Bear parts also are exported in foreign commerce to other countries.

The trafficking of bear gall bladder is big business and part of an enormous market around the illegal trafficking of wildlife. Bear gall bladder is illegally sold for non-traditional medicinal purposes. The price for an illegal bear gall bladder typically starts between \$50 and \$200, and depending on the market can end up being sold several times over at prices exceeding \$1,000 per organ.

Bear hunters usually hunt in groups using multiple dogs to locate, chase, and bay bears on private and public lands. In the Southern Appalachians, individuals who illegally hunt bears typically form tight knit groups that reject newcomers. Also, they do not share detailed information with individuals outside of their poaching groups for security reasons as well as competitive ones.

Poachers and unethical commercial hunting guides often illegally maintain bait stations, using chocolate waste product or another sugary substance, throughout the year to lure and attract black bears for an easy kill during the hunting season. The hunter also watches the baited areas to detect signs that bears have been there. This makes it much easier to track bears, and ultimately kill them illegally. In this investigation, one way we saw people bait black bears illegally was by using chocolate waste from manufacturers, which is commonly sold for hog feed and other uses. In North Carolina, it is illegal to put out processed, unnatural food as bait. It's illegal and unethical, and the people who do it are poachers – not hunters.

Poachers are not the hunter conservationists who have played a leading role in the conservation successes we have seen in our country over the past century and who have contributed more than \$8.4 billion through the hunting and shooting sports industry to help make America the world's premier conservation leader. Indeed, it was at the behest of citizens and ethical hunters in Tennessee and North Carolina that led to this ongoing investigation.

The last significant Service undercover investigation in the Southern Appalachians that focused on the illegal take and commercialization of black bears occurred between 1985 and 1988. Since that time, advancement in technology such as GPS units, game cameras, and cell phones have made conventional law enforcement tactics unsuccessful and allowed most forms of illegal activities to go undetected. In the years prior to this investigation, citizens and hunters in Tennessee and North Carolina repeatedly reported illegal bear hunting to state wildlife officers.

Acting on these reports, the Service, U.S. Forest Service, Georgia Department of Natural Resources, and North Carolina Wildlife Resources Commission initiated a joint investigation into illegal bear hunting and commercialization of bear parts in 2010.

The objective of the undercover investigation was to establish facts to support the apprehension and prosecution of individuals involved in the unlawful take, possession, sale, purchase and transport of American black bears protected under CITES, the Lacey Act, and State wildlife laws. The Service's role in this investigation focused on the unlawful take and commercialization of black bears. The investigation spanned three fall hunting seasons and targeted poachers in North Carolina and Georgia, with some work in adjacent states. Law enforcement officers infiltrated poaching circles to document violations including bear baiting, illegal take of bears and other wildlife, illegal use of dogs, operation of illegal bear enclosures in North Carolina, and guiding hunts on national forest lands without the required permits.

By February 2013, the Operation Something Bruin partners detected dozens of wildlife violations. Five individuals were indicted on Service-led charges of conspiracy to violate the Lacey Act and a violation of the Lacey Act. Prior to trial, the United States Attorney's Office dismissed charges against one individual after he pleaded guilty to a State charge for unlawfully taking a black bear and a second individual for his cooperation and de minimis role. Charges against three defendants went to trial where two were convicted and the third individual was acquitted of conspiracy to violate the Lacey Act.

The Service's partnership with State and Federal conservation agencies in investigations like Operation Something Bruin promotes the sharing of assets and information to investigate the illicit take of wildlife in the most effective way possible. To date, the Service has expended less than \$10,000, excluding salaries, during the four-year investigation. We are hopeful that this small investment in activities to counter the illegal poaching in the Southern Appalachians makes a long-term impact that results in increased protection of the black bear, benefitting current and future generations of hunters and wildlife enthusiasts across the country.

Conclusion

Poaching wildlife to engage in wildlife trade is illegal and unethical. The Service is committed to doing as much as it can with the resources we have to combat illicit take and illegal trade of wildlife and wildlife products. We do this knowing our efforts will protect wildlife like the American black bear for current and future generations of Americans.

Clearly, the citizens and hunters that recognized this unlawful activity was occurring and reported it are conservation champions. It happened a century ago when hunters and industry recognized that commercial hunting activities were decimating some wildlife populations. Not only did they come together to put landmark laws on the books to stop it, they established laws that would over the next eight decades help our nation become a model for wildlife conservation. Today, this enduring tradition continues with American sportsmen and women providing billions of dollars to support wildlife-dependent recreation like hunting. This is why nearly 15 million ethical hunters are among our nation's premier conservationists.

I would like to thank the Subcommittee for its interest in the conservation of the American black bear and other fish, wildlife and plants throughout the Southeast and the world. I appreciate the opportunity to testify here today in Waynesville. I would be pleased to answer any questions that you may have.

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As the Special Agent-in-Charge for the U.S. Fish and Wildlife Service Office of Law Enforcement in the Southeast Region, Luis Santiago has line management authority and exercises responsibility over the Region's law enforcement program, encompassing 10 southeastern states and the Commonwealths of Puerto Rico and the U.S. Virgin Islands. Regional activities in enforcing wildlife laws are conducted through a force of special agents handling criminal and civil investigations, and a force of wildlife inspectors who implement our wildlife inspection program which interdicts illegal wildlife traffic while facilitating the legal wildlife trade.

A 29-year veteran with the Service's Office of Law Enforcement, Agent Santiago has performed various duties, including Wildlife Inspector, Resident Agent-in-Charge and Assistant Special Agent-in-Charge. Agent Santiago has been in his current position as Special Agent in Charge for the Southeast Region since 2011.