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## “SERVING THE HUNTER WHO TRAVELS”

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*“Hunting provides the principal incentive and revenue for conservation. Hence it is a force for conservation.”*

### Special To The Hunting Report World Conservation Force Bulletin

by John J. Jackson, III

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#### The Truth About Senator John Kerry

**S**enator John Kerry is not a member of the Congressional Sportsmen’s Caucus ([www.sportsmenslink.org](http://www.sportsmenslink.org)). Worst, he was the anti’s champion and led the opposition against polar bear trophy imports when we amended the Marine Mammal Protection Act. More recently, The Humane Society of the United States (HSUS) scored him as one of their “heroes of the 107<sup>th</sup> Congress” for co-sponsoring bills and even initiating letters to prohibit interstate commerce of captive exotic animals for hunting, the bear viscera bill, new record funding of the Animal Welfare Act and more.

During the last CITES meeting, COP 12, he even circulated a letter to fellow senators that was sent to the US CITES delegation to oppose the one-time ivory trade proposals that were nevertheless approved by the Conference of the Parties. The proposals he opposed were one-time sales of stockpiled ivory from countries with abundant elephant, even though the revenue was to be used exclusively for elephant conservation. Read on for the details.

I was Chairman of the SCI committee that led the reform of the Marine Mammal Protection Act in 1994. That reform authorized the importation of polar bear trophies for the first time in two and one-half decades. The initial closure of trophy imports was only sup-



posed to be a moratorium. I founded the “Polar Bear Initiative” in SCI, recruited J. Y. Jones to direct it and nursed it from start to finish. Much of the history of that success is set forth in J. Y. Jones’ book, *Impossible To Fail* (Hillsboro Press, 1999).

J. Y. Jones, a dear friend and Con-

servation Force supporter, sent out a reminder the other day that Senator Kerry was the single most outspoken and vehement opponent to the importation of polar bear. In his book, J. Y. Jones describes Senator Kerry of Massachusetts as being “hell bent on extracting the polar bear provision” in the Senate. Our own records document that he was the single most strident opponent and that he was the voice of the anti hunters.

We won the polar bear trophy import amendment in the House and lost it in the Senate because of Senator Kerry. Then we barely salvaged it in Conference Committee. Kerry was not a small player. He killed us in the Senate; then, he got on the Conference Committee, too. My own senior Senator from Louisiana, Senator Bennett Johnston (Democrat), also got on the conference at my coaxing. Senator Johnston kept me advised daily of the wrangling within the Conference Committee. The senior Johnston was able to reinsert the bear import language but not without Kerry adding

new conditions that continue to prevent most polar bear trophy imports today and trouble us continuously. Kerry’s additions were so onerous that the leading anti organizations touted it as their victory, and some of the leadership within the US Fish & Wildlife Service thought the bill that passed had been made ineffectual. It took a couple of years to work through Kerry’s language obstacles before any polar bears were actually imported. It is the underlying obstacle to Conservation Force’s more recent petition that has been pending for several years to permit import of Gulf of Boothia polar bear trophies.

The *Congressional Record* of March 24, 1994 records this for all time:

*Marine Mammal Protection Act  
Amendments of 1994. . . .*

House Version: SEC. 4. Moratorium and Exceptions. . . .

(1). . . permits may be issued by the Secretary . . . for importation of polar bear parts (other than internal organs) taken in sport hunts in Canada. . . .

Senate:

Mr. Ford. Mr. President. I move that the Senate concur in the Amendment of the House with a further amendment, which I now send to the desk on behalf of Senator Kerry. . . .

Senator Kerry then spoke the following words:

“Mr. President, . . . Today, the Senate is considering the Marine Mammal Protection Act Amendments of 1994. Before us is a bill which concurs with the House Amendment to S. 1636 with an amendment. Our bill is nearly identical to the House-passed version . . . with exception of the provision on the importation of polar bear trophies into the United States. . . . **Unfortunately**, the House included a provision not found in Senate bill, and **which I oppose, to allow the importation of polar bear trophies from Canada**. While **I would have preferred this language to have been stricken from the bill**, that was not an option and I will explain later in my statement. However, I was successful in adding language which I worked out with my colleagues to this package to monitor the effects

on the Canada polar bear stock and to guarantee the immediate cessation of imports should there be an adverse impact on the sustainability of the Canadian polar bear stock. . . .

“Overall this is a strong environmental package. **I have only one significant problem with it. I am personally opposed to the House provision that was incorporated at the insistence of Congressman Jack Fields which allows the Secretary of Interior to grant permits to individuals to import polar bear trophies** from Canada into the United States.

“With the likelihood of the Senate adjourning for recess within the next 24 hours, the time constraints are very tight for Congress to act on this matter before the current law expires on April 1. To me, it is unthinkable that we would extend the existing MMPA (Marine Mammal Protection Act) regime for another fove years – a proposal from the House that less conservation-minded Members would happily support. This is the worst-case scenario, for it would mean the killing of tens of thousands of additional marine mammals without the new, tighter regime contained in this package.

“Therefore, I am in the frustrating position of making a choice between several **unpleasant alternatives** to save what otherwise is a very strong environmental bill. The first choice is to accept the polar bear provision as is. Another is to fight to eliminate the provision in the Senate. This is an option that I believe would allow us to win the battle but not the war, for Congressman Jack Fields has indicated that he will oppose any bill that does not contain the polar bear provision, and given the time constraint under which we are working, the House must pass the MMPA by unanimous consent and thus one Member could prohibit its passage. Finally, I could work to strengthen the protection to polar bear populations contained in the House language. It is this last course which I believe is the only feasible, responsible course under the circumstances.

“While the MMPA currently prohibits the importation of any marine mammal product, the House incorpo-

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rated language that would authorize the Interior Department to issue permits for the import into the United States of polar bear trophies, but not the internal organs of bears, killed in sport hunts in Canada. In addition, the House provision authorized the import permit to be granted only if the bear were killed under a legal hunting permit issued by the Canadian Government; the House provision also provides that the Canadian bear hunting program be based on scientifically sound quotas to ensure a sustainable population that is consistent with the 1973 international agreement on the conservation of polar bears. Also, the import must be consistent with the convention on international trade in endangered species. Finally, the House provision requires the Interior Department to charge a fee for issuing such import permits with the proceeds to be used for polar bear conservation programs being conducted in Alaska and Russia.

“I insisted that we tighten the House provision by requiring that Secretary of Interior Bruce Babbitt conduct a 2-year scientific review assessing the effect of United States import permits on the health of the Canadian polar bear herd. If the scientific review, which includes public comment, determines that the stock has been adversely impacted in any way, the Secretary can put an immediate stop to the permit process.

“With this additional polar bear protection language, I believe that the benefits of the overall MMPA package vastly outweigh the potential problems associated with the polar bear provision. If we fail to take action now, we sentence thousands of marine mammals to death and injury that could be avoided by our new regime. . . .” (Emphasis added).

Senator Kerry was followed in speech by Senator Stevens from Alaska who credited Kerry with making “a change to require the Secretary to conduct a scientific review within two years of the enactment of a provision in the bill that would allow United States sport hunters to import polar bear parts in hunts in Canada. If the Secretary determines, based on the scientific review, that issuance of permits to import polar bear hides or other parts is adversely impacting polar bears in Canada, the Secretary shall not issue permits after September 30, 1996, but may review this determination on an annual basis.”



It was a very close call that I will never forget. Nor will I ever forget the “personal” feelings of Senator Kerry against the trophy imports or the interests he represents that tout him on their web sites. He has been their water boy for a very long time. He is dangerous, but perhaps no more so than those who are now carelessly representing him as a sportsman in the hunting sense of the word.

HSUS is a leading anti-hunting advocacy organization. Kerry frequently appears in their literature and on their web site. The HSUS and The Fund for Animals jointly produce *The Humane Scorecard* as a snapshot of their “work in progress” within Con-

gress. Their *Scorecard, The 107<sup>th</sup> Congress: A Work in Progress* represents Kerry as one of their “heroes”. You can access it at [www.hsus.org](http://www.hsus.org) and [www.fund.org](http://www.fund.org) or get copies from HSUS at 202-955-3666. It credits Senator John Kerry for circulating a letter for them to other senators to increase the funding for a record-breaking increase in Animal Welfare Act enforcement. He did not just vote for it; he campaigned it for them. He also “marshaled attention” to the alleged misuse of polar bears in a circus for the protectionist by issuing a letter and soliciting other Senators to sign it. He carried the message for the protectionists again when he “introduced” Senate Resolution 267 along with other notorious Senators such as Joseph Lieberman and George Miller “to reaffirm the US commitment to oppose any commercial whaling. . . .”

He voted for or sponsored eight of the nine animal issue bills scored by the HSUS and The Fund for Animals. In the *Scorecard*, he is rated with a star and a plus sign meaning that he was a “[p]rime sponsor of pro-animal legislation” and “spoke on behalf of pro-animal legislation during floor debate.” On close inspection, he is even more active than that. He took a “pro-animal position” through co-sponsoring, letter signing and/or voting for their (1) Cockfighting, (2) Puppy Mills, (3) Downed Animals, /Bear Parts, and Animal Welfare Enforcement bills and much more.

A review of the HSUS/Fund for Animals *Scorecards* for the 106<sup>th</sup> and 108<sup>th</sup> Congresses shows that Kerry scored 100 percent in both Congresses for voting and letter-writing on their issues. For example, he voted in favor of eliminating all recreational and commercial trapping on National Wildlife refuges in the 106<sup>th</sup> Congress.

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### ● CITES COP 13 Proposals ●

(Editor Note: A number of important hunting-related proposals are going to be made at the next CITES Conference of The Parties (COP 13) in Bangkok, Thailand, this October. Here is a quick overview of the most important proposals..)

**African Lion:** The most foreboding news is Kenya’s proposal to list all lion in Africa on Appendix 1 of CITES at COP 13. Most trade of African lion parts is in the form of hunting trophies,

most of which are imported into the US by US hunters. 350 per year come into the US. The next highest imports are into France (47) and Mexico (34 or fewer). A copy of this proposal can be

seen on Conservation Force’s web site at [www.conservationforce.org](http://www.conservationforce.org) under *News*.

**Black Rhino:** Both Namibia and South Africa have filed requests to be granted trophy export quotas for their black rhinoceros. Namibia has asked for a trophy quota of five adult males and South Africa has asked for a trophy quota of ten adult males. The requests were filed with the CITES Secretariat within the deadline for proposals to be considered at the 13<sup>th</sup> Conference of the Parties to CITES. This could be a conservation breakthrough, but remember that the Black Rhino is also listed as “endangered” under provisions of the US Endangered Species Act, which may remain an impossible impasse to importation into the US.

**Increase in Leopard Quotas:** Namibia and South Africa have also filed COP 13 requests for larger leopard quotas. If approved, the Namibia quota will increase from 100 to 250. The Republic of South Africa quota will increase from 75 to 150.

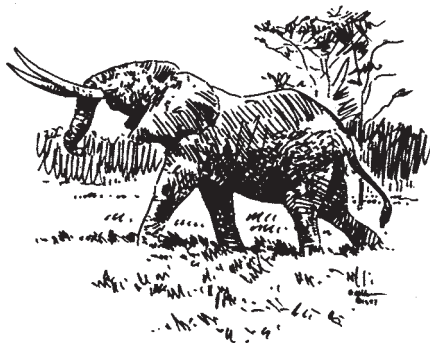
**Saiga Antelope:** The European Community, through Ireland, has submitted a proposal recommending a list of conservation actions to save Saiga. The proposal is unique in that it does not propose the uplisting to Appendix 1. Instead, it submits a list of strategic management recommendations. It also cites the work, workshop and funding provided by “a number of organizations, including Conservation Force, IUCN, WWF International, the large Herbivore Initiative of WF, Houston Safari Club, and the U.S. Fish and Wildlife Service.”

This is a new, non-punitive, trial approach in a very urgent matter if the species is to recover. If successful, it avoids the otherwise inevitable inclusion of the Saiga Antelope in CITES Appendix 1. Looks like we need a well-structured tourist hunting program as soon as possible to create conservation incentives and revenue. I hope someone takes the hint while the window is still open.

**Retrospective Permits:** The European Union, again through Ireland, is also proposing the adoption of language that will better facilitate and clarify the

after-the-fact re-issuance of permits for trade of Appendix II species when an error has occurred. It only would apply to trophies of Appendix II species when the management and enforcement authorities are “satisfied that there is evidence that a genuine error had been made, or that there were exceptionally extenuating circumstances, and that there was no attempt to deceive.”

**Ivory:** Namibia has proposed that it



be permitted to trade 2,000 kilograms of raw ivory per annum, trade worked ivory products for commercial purposes and be permitted to trade elephant leather and hair goods for commercial purposes. The raw ivory is that which accumulates primarily through natural mortalities, and the revenue

from it is to be used exclusively for elephant conservation and community development. Namibia’s elephant population has doubled since 1988. Its elephant population is continuing to increase, as is its range. Namibia complains that “the Conferences of the Parties has on previous occasions adopted increasingly complex requirements for trade in elephant specimens that have all but ensured that such trade does not take place.” This is true.

Still on the subject of ivory, South Africa filed a proposal concerned only with the trade of elephant leather goods. It wishes to correct the provision from the last conference that provides it can trade leather for “non-commercial purposes” to “commercial purposes”. Kenya has a proposal to add additional restrictions and conditions to the one-time sale of stockpiled ivory authorized by Namibia, South Africa and Botswana at the last conference, COP 12, that has not yet taken place. Zimbabwe, Botswana, and the other elephant range states have not made any elephant proposals.

**Nile Crocodile Trophies:** Zambia has finally requested a new trophy quota for its Nile Crocodiles. It has been without a quota for years, and the trophies have not been importable into the United States. This is what Conservation Force has been supporting. Namibia has proposed that its Nile Crocodile population be downlisted from Appendix I to Appendix II to facilitate a small trade in hunting trophies for the first time. This is also something Conservation Force has been supporting.

**White Rhino in Swaziland:** The Kingdom of Swaziland has proposed that its white rhino be downlisted from Appendix I to Appendix II for the purpose of allowing live animal trade and hunting trophies. Basically, it wants to be able to manage its white rhino as South Africa does.

**Bobcat:** The United States has proposed that the bobcat be deleted from Appendix II. Population estimates are as high as 1.5 million in the US alone, and some authorities have said it is the best managed feline population in the world. – *John J. Jackson, III*.

#### Conservation Force Sponsor

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