

Statement of Senator Ron Wyden
Introduction of the Combat Illegal Logging Act of 2007
August 1, 2007

M. President.

About a year ago, a group of hardwood plywood manufacturers came to me with a problem – Chinese hardwood plywood imports were threatening their businesses. They raised a whole host of issues – from tariff misclassification to subsidies to fraudulent labeling to illegal logging. These unfair and illegal practices were lowering the costs of the Chinese hardwood plywood imports, giving them an unfair advantage over U.S. hardwood plywood and putting American companies in jeopardy of going out of business and the folks that they employ out of work.

Since that time, I have been working to level the playing field for Oregon hardwood plywood manufacturers and protect the jobs of the workers that they employ. I have met with the Department of Commerce, the Office of the United States Trade Representative, Customs and Border Patrol, and the International Trade Commission and urged them to investigate these issues and where appropriate, act to address them. And they have, raising these troubling practices in diplomatic negotiations, opening investigations, and even filing a case before the World Trade Organization targeting Chinese subsidies that benefit the hardwood plywood industry, among others.

M. President, today, with the support of industry, labor, and the environmental community, I am proud to introduce the Combat Illegal Logging Act of 2007 to halt the trade in illegal timber and timber products. This Act will help to level the playing field, not just for Oregon hardwood plywood manufacturers affected by Chinese imports, but for all American manufacturers across the country struggling to compete against imported, low-priced wood and wood products harvested from illegal sources.

Equally important, the Act helps address an illegal logging crisis. From the Amazon to the Congo Basin, from Sulawesi to Siberia, illegal logging is destroying ecosystems. It is gutting local economies. It is annihilating ways of life. And because of the speed and violence with which illegal logging is occurring, failing to curb its effects now may result in irreversible damage.

The bill that I am introducing today can help curb illegal logging and thwart its devastating consequences.

The Lacey Act currently regulates trade in fish, wildlife, and a limited subset of plants by making it unlawful to “import, export, transport, sell, receive, acquire, or purchase” any that are taken, possessed, transported or sold in violation of any State law or, with respect to fish and wildlife only, any foreign law. The Combat Illegal Logging Act of 2007 would expand the Lacey Act so that violations of foreign law that apply to plants and plant products fall within its protections. It would also specify the types of foreign law violations that trigger Lacey Act liability -- laws intended to prevent theft or ensure the

legal right to harvest the plants. Finally, the Act would create a declaration requirement to facilitate the Lacey Act's enforcement for timber without placing an undue burden upon law-abiding businesses.

The declaration requirements provide basic transparency for wood shipments. The declaration will have critical value for combating illegal logging by (1) encouraging importers to ask basic questions regarding the origin of their timber and timber products; (2) providing information at the point of import that will allow authorities with limited resources to do efficient, targeted inspections and enforcement; and (3) helping enforcement agents to immediately identify "low-hanging fruit," such as timber expressly prohibited to be exported.

The Act will definitely change the way that folks who are importing illegally-harvested timber and wood products do business – this is its intended purpose. But for the many companies who already play by the rules, the Act's requirements should result in minimal changes to the way they operate. Moreover, when the Act's impact from a competitiveness standpoint is factored in, the effect is a net positive for these companies. This Act changes the incentives to reward due diligence – a sound long-term business strategy from any perspective.

This bill is the culmination of hundreds of hours of work by stakeholders that many might view as strange bedfellows. The principal negotiators of the compromise – the American Forest & Paper Association, the Hardwood Federation, and the Environmental Investigation Agency – deserve a tremendous amount of credit for sticking with this and finding a solution that everyone could support. I applaud them for their hard work, the maturity with which they approached the issue, and the respect that they showed each other throughout the process. Their conduct is model for how things should work in Washington.

I would also like to applaud the work of several of my colleagues in the House – Congressman Blumenauer, Congressman Wexler, and Congressman Weller, who introduced their own illegal logging bill, the Legal Timber Protection Act, earlier this year. I understand that their bill may be taken up by the House Natural Resources Committee this fall and I am hopeful that they will substitute the broadly supported text of the Combat Illegal Logging Act for their bill, paving the way for the enactment of this important piece of legislation.

M. President, I would like to thank Senator Alexander, Senator Kerry, Senator Snowe, and Senator Feingold for agreeing to be original cosponsors of the bill. I would also like to thank the following organizations – in addition to the American Forest & Paper Association, the Hardwood Federation, and the Environmental Investigation Agency – for endorsing the bill:

Center for International Environmental Law
Conservation International
Defenders of Wildlife

Dogwood Alliance
ForestEthics
Friends of the Earth
Global Witness
Greenpeace
International Brotherhood of Teamsters
National Hardwood Lumber Association
Natural Resources Defense Council
Rainforest Action Network
Rainforest Alliance
Sierra Club
Society of American Foresters
Sustainable Furniture Council
The Nature Conservancy
Tropical Forest Trust
United Steelworkers
Wildlife Conservation Society
World Wildlife Fund

M. President, I ask that a copy of the bill be printed immediately following my statement and I yield the floor.