



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington, D.C. 20240

ADDRESS ONLY THE DIRECTOR
FISH AND WILDLIFE SERVICE

In Reply Refer To:
FWS/LE DCN 060771

AUG 18 2015

The Honorable Steny H. Hoyer
U.S. House of Representatives
401 Post Office Road, Suite 202
Waldorf, Maryland 20602

Dear Mr. Hoyer:

Thank you for your letter of July 14, 2015, regarding your constituent, Mr. Anthony Hutcherson, and his concern that the U.S. Fish and Wildlife Service (Service) is erroneously categorizing the Bengal cat, a cross between the Asian leopard cat (*Prionailurus bengalensis*) and domestic cat (*Felis domesticus*), a cross between the Asian leopard cat (*Prionailurus bengalensis*) and domestic cat (*Felis domesticus*) a cross between the Asian leopard cat (*Prionailurus bengalensis*) and domestic cat (*Felis domesticus*) wildlife and the Service's jurisdiction and regulations over Bengal cat hybrids. The Asian leopard cat is protected under the Endangered Species Act (ESA) and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

The Service has correctly categorized Bengal cats as wildlife. The ESA gives the Service broad authority over "wildlife," which is defined as "...any member of the animal kingdom, including without limitation any mammal...". The ESA provides jurisdiction to the Secretaries of the Interior and Commerce. By regulation, the Service has not exempted hybrid crosses between wildlife and domesticated animals from the Service's import/export requirements. The Bengal cat, as well as the other types of exotic cat hybrids in trade such as the Savannah, Bristol, Safari, and Chausie, is not considered a domesticated cat because all of these hybrids are crossed with other protected cat species and, by breeding, are morphologically indistinguishable from specimens removed from the wild. It is responsibility of the Service to reduce the risk of wildlife trafficking for protected species, which has been demonstrated with the smuggling of the wild breeding stock as pets.

In addition to the ESA, the issue of how hybrids are treated has also been addressed by CITES. The Parties to the Convention have adopted a resolution specifically addressing animal hybrids (Resolution 10.17 Rev. CoP14) which states, "hybrid animals that have in their recent lineage (previous four generations) one or more specimens of species included in Appendix I or II shall be subject to the provisions of the Convention just as if they were full species, even if the hybrid concerned is not specifically included in the Appendices," and that Parties to the Convention "take into account any potential detriment to the survival of the listed species." It is possible, therefore, that any particular Bengal cat specimen could be exempt from obtaining a CITES document when moving into or out of the United States. However, since these cats are