Who Protects Wildlife?

Trace how government responsibilities changed as wildlife trade crossed borders.

USG.P.2.1.C "Analyze the impact of constitutions, laws, treaties, and international agreements, by comparing how various governmental powers and responsibilities have changed over time."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Circle each named constitutional provision, law, or treaty. Then underline one sentence in each paragraph that shows what a government could do at that point in time.

From State Lines to National Borders

1. Picture a crate of wild birds being loaded onto a train in 1901. A state could prohibit hunting certain birds, but a buyer might try to sell birds taken illegally across a state line. The Constitution gives Congress authority to regulate commerce among the states. Under the 1900 Lacey Act, federal law made it illegal to ship wildlife across state lines when the animals had been taken in violation of state law. Federal officials could act against that shipment, even if the sale took place outside the state where the birds were caught. State hunting rules still supplied the underlying violation.

2. Decades later, the problem was not just moving animals captured illegally under state rules. Some species were at risk even where a state allowed collection. The Endangered Species Act of 1973 gave the federal government a more direct job: it could list species as endangered or threatened and set protections under federal law. For endangered animals, the law generally forbids killing or capturing them without authorization. It also requires federal agencies to ensure that actions they authorize, fund, or carry out do not jeopardize listed species. Unlike the Lacey Act's original approach, these duties do not depend on a state first banning a hunt.

3. Wildlife sales can cross national borders as well as state lines. The Convention on International Trade in Endangered Species of Wild Fauna and Flora, known as CITES, entered into force in 1975. The United States joined other countries in using a permit system for international trade in species covered by the agreement. Each country remains responsible for enforcing the rules within its own borders. CITES did not replace state wildlife rules or the Endangered Species Act. Instead, it added a shared responsibility: countries coordinate rules for trade between them, while U.S. officials use federal authority to regulate imports and exports.

2 ANSWER WITH EVIDENCE

Use the passage

1. Before the Lacey Act, a state could prohibit hunting certain birds. How did the Constitution and the Lacey Act together expand who could act when illegally taken birds crossed a state line?

2. How did the Endangered Species Act change the federal role from the role described under the original Lacey Act?

3. Compare the government responsibilities described under the Endangered Species Act and CITES. What different kinds of activity does each address?

4. What responsibility did CITES add, and which responsibilities described earlier remained in place?

3 YOUR TURN

Your own words

Imagine a turtle species is at risk from collection in one state and sales across state and national borders. Write four sentences proposing a state response, a federal response, and an international response; explain how your federal response differs from the original Lacey Act's federal role.

ANSWER KEY

Who Protects Wildlife?

HIGH SCHOOL · USG.P.2.1.C

PART 1 · READ AND MARK

Circle each named constitutional provision, law, or treaty. Then underline one sentence in each paragraph that shows what a government could do at that point in time. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	Before the Lacey Act, a state could prohibit hunting certain birds. How did the Constitution and the Lacey Act together expand who could act when illegally taken birds crossed a state line?	**The Constitution gives Congress authority over commerce among the states. The Lacey Act used federal law to let federal officials act against interstate shipments of wildlife taken in violation of state law.**
2	How did the Endangered Species Act change the federal role from the role described under the original Lacey Act?	**The original Lacey Act depended on a violation of state law. The Endangered Species Act established federal protections for listed species that do not depend on a state first banning collection.**
3	Compare the government responsibilities described under the Endangered Species Act and CITES. What different kinds of activity does each address?	**The Endangered Species Act establishes federal protections for listed species and duties for federal agencies. CITES coordinates countries' rules for international trade in covered species through permits.**
4	What responsibility did CITES add, and which responsibilities described earlier remained in place?	**CITES added coordination among countries on international wildlife trade. States still enforce their wildlife rules, and the federal government still carries out its responsibilities under the Endangered Species Act.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

The state could ban collecting the turtle and investigate illegal collection within its borders. If the turtle qualifies for protection, federal officials could list it under the Endangered Species Act and enforce the law's protections. Countries could agree to list the turtle under CITES, adding permit rules for international trade. Unlike the federal role under the original Lacey Act, this federal protection would not depend on a state ban.

Accept other specific proposals that assign domestic action to state or federal government and international trade coordination to countries. The comparison must explain that the proposed federal protection would not rely on a prior violation of state law.