

Hearing Slated For Nonnative Species Ban

On April 23, 2009, a hearing is scheduled on H.R. 669, a ban on nonnative species.

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This legislation could ban ownership of many birds like the sun conure (shown), cockatiels and budgies.

A Congressional subcommittee has scheduled a hearing for legislation that could effectively ban ownership of thousands of nonnative species in the United States, including most birds, reptiles, fish and several mammals (hamsters, gerbils, guinea pigs and ferrets) commonly kept as pets.

The legislation currently exempts dogs, cats, horses, goldfish (*Carassius auratus auratus*) and a variety of farm animals, all of which are also not native to the United States.

The House Committee on Natural Resources Subcommittee on Insular Affairs, Oceans and Wildlife has scheduled a hearing on House Resolution 669 for April 23, 2009.

Essentially, the legislation would require the U.S. Fish & Wildlife Service to create lists of approved and non-approved species of nonnative wildlife (species not naturally found in the United States) based on risk assessments of the species' potential likelihood to "cause economic or environmental harm or harm to another animal species' health or human health."

Currently, species are banned under the Lacey Act only when they're determined to be an actual threat.

Proponents of the bill include animal rights organizations and some environmental groups.

Opponents have raised concerns that the legislation is too simplistic and too rigid to deal with a complex issue such as invasive species. It could also have a significant financial impact on several industries, including the pet industry.

One concern is that the legislation would seek risk assessments of all nonnative species, including the thousands that have already been in the pet trade in the United States for decades or more. It would require proving a nonnative species could not pose a threat of establishing a wild population anywhere in the United States, according to opponents. For example, the legislation would ban a species that could be a threat in Hawaiian waters, but not likely in Kansas or Arizona throughout the United States.

Also, the opponents say the Fish and Wildlife Service does not have the resources to conduct risk assessments under the legislation's timetables (37 months from the bill's enactment to assess all non-native species compared to an average of four years to find a species harmful under the current Lacey Act).

The Fish & Wildlife Service also could determine it has insufficient scientific and commercial information to determine a species is either approved or unapproved, effectively banning trade and ownership of that species.

That is because the legislation prohibits import into or export from the United States, and interstate transportation of, any species not specifically listed on the approved list.

It also bans the possession or trade, breeding and release into the wild of such species. Pet owners who owned their pets prior to the risk assessment's beginning would be allowed to keep their pets, under the proposed legislation.

Species that might be harmful but are already "so widespread in the United States that it is clear to the Secretary that any import prohibitions or restrictions would have no practical utility" would also be included on the approved list.