



**THE NATIONAL PET ASSOCIATION
ADAM WYSOCKI, PRESIDENT & CEO**

TESTIMONY

S. 373, A bill to amend title 18, United States Code, to include constrictor snakes of the species Python genera as an injurious animal

**Senate Committee on Environment & Public Works
Subcommittee on Water & Wildlife
Legislative Hearing**

December 3, 2009

Chairman Cardin, Ranking Member Crapo, and members of the Subcommittee, my name is Adam Wysocki and I am the President of the National Pet Association. Thank you for the opportunity to present testimony on S. 373, a bill to amend title 18, United States Code, to include constrictor snakes of the species Python genera as an injurious animal.

The National Pet Association (NatPET) is the United State's first non-profit national pet protection organization that not only focuses all of it's efforts and resources on protecting pets, but assisting and supporting pet owners as well. NatPET represents owners of all of the different types of pets currently being kept in over 71 million American households.

On behalf of the members of the National Pet Association, I would like to respectfully submit our opposition to S. 373. Our opposition does not intend to downplay the real problems that invasive species pose for our nation's ecosystems. There is little doubt that the establishment of Burmese pythons in the Everglades poses a serious risk to the balance of the park's ecosystems. However, as my testimony will show, S. 373 as written is overly broad and will do nothing to solve Florida's Burmese python problem.

The evolution of pets in America

The United States has a history rooted in pets. It is recorded that in 1620 the Mayflower landed on the shores of the new world with two dogs on board, an English Mastiff and an English Springer Spaniel. Over a century later, a group of rural farmers named Washington, Jefferson, Adams, Madison, and Franklin forged a future of Independence and Democracy for America while owning pets such as dogs, horses, and exotics such as parrots, squirrels, and mocking birds.

In time, rural farms evolved into urban neighborhoods and cities that sprung up rapidly across the country. As the farm houses of our forefathers morphed into smaller, single family homes, townhouses, condominiums, and apartments, the nature of the pets that Americans kept evolved as well. Pets that require the open space of farm land were not an option for two income, suburban families whom have small yards and work long hours away from home. Large dogs, horses, mules, and chickens were replaced with smaller, more manageable pets like ferrets, parrots, and reptiles. Exotic animals have become a wonderful option for millions of Americans.

When it comes to exotic pets none are more misunderstood and discriminated against than snakes, especially very large species of snakes. Many people that either have a fear of snakes or do not have direct experience with snakes often ask why someone would want to keep a large snake as a pet. The answer is probably no different than the one you would get asking a dog owner why they would choose to keep a 240lb English Mastiff instead of a 18lb Jack Russell Terrier. For some that answer would probably have something to do with the impressive size, or the uniqueness of owning such a large animal as a pet, for most that answer is freedom.

Unlike many countries around the world, America's pet owners are free to consider keeping many different types of animals as pets. It's a freedom that is cherished by pet owners who work hard, take care of their families, and keep their pets responsibly.

The Everglades National Park

Much of the advocacy for a python specific amendment to the Lacy act is justified by the wild populations of Burmese pythons in the Everglades and the speculation over the damage that the snakes will do to south Florida's ecosystems. For this reason it is important to understand the events that led to the current state of the Everglades.

In 1947 Marjory Stoneman Douglar wrote, "What had been a river of grass and sweet water that had given meaning and life and uniqueness to this enormous geography through centuries in which man had no place here was made, in one chaotic gesture of greed and ignorance and folly, a river of fire" in her now famous book "The Everglades: River of Grass". The beginnings of the ecological disaster that Ms. Douglar describes can be traced back to 1882 when man first began to divert and drain the waters of the Everglades for agricultural or residential use. In 1905 Florida Governor Napoleon Bonaparte Broward ordered the creation of "The Empire of the Everglades" through a massive drainage program that fueled the ecological disaster in the Everglades on an unprecedented scale. The water drainage and diversion, the canals, the levies,

and the dams led to severe wildfires and drought. Unregulated hunting of alligators, birds, frogs, and fish on a massive scale in the 1930's and 1940's furthered the devastation. By the 1960's entire populations of native birds had disappeared completely from the Everglades, almost 20 years before the first wild sighting of a non-native constrictor snake in Florida.

Understanding the full history of the ecological problems that have plagued south Florida's ecosystems for over a century when discussing S. 373 is critical, because many of the proponents of this resolution applaud it as a solution to southern Florida's ecological problems. Those advocating in favor of S. 373 claim that the constrictor snakes in the Everglades pose a threat to the environment and as a result qualify their listing as an injurious species. The reality is that the impact of these animals in Florida's southern most ecosystems is still unknown. There are many theories that seek to put blame on the unknown number of pythons in the Everglades, but weighed against the damage done to native wildlife by man, the 1.25 million alligators, other native invasive species such as coyotes, and invasive plants it may never be possible to accurately assess the impact of Florida's Burmese pythons.

A Lack of Sound Science

The US Fish & Wildlife Service defines injurious wildlife in this way: "Injurious wildlife are mammals, birds, amphibians, reptiles, fish, crustaceans, mollusks and their offspring or gametes that are injurious to the interests of human beings, agriculture, horticulture, forestry, wildlife or wildlife resources of the United States." At this time, the sole evidentiary basis that proponents of S. 373 are using to advocate its passage is a document recently released by USGS as an "Open-Report", titled Giant Constrictors: Biological and Management Profiles and an Establishment Risk Assessment for Nine Large Species of Pythons, Anacondas, and the Boa Constrictor.

While the USGS document as a whole is certainly an ambitious attempt at gathering all of the known published information on the nine largest species of constrictor snakes, it is fraught with errors, unknowns, and uncertainty. As recently of the 24th of November 2009, a group of 11 internationally respected herpetologists, biologists, zoologists, exotic species veterinarians, and invasive species specialists sent a letter to the House Subcommittee currently considering H.R. 2811 calling the USGS document "unscientific". The group of scientists cites the lack of peer-review of the USGS document, the "pervasive bias" throughout the report, as well as the use of non peer-reviewed reference material that include hobbyist sources, popular magazines, media sources, and unsubstantiated internet web sites.

The gross overestimates of potential habitats for the snakes in question are likely the result of the USGS documents failure to utilize all available science

and consider all possible factors when drawing its conclusions. There is already one published counter study that uses the popular and respected ecological niche models for predicting the geographic range of a species. The ecological niche model used takes into account 19 different climatological variables in contrast to the two factors used in the USGS document.

Even without an intimate knowledge of herpetology, climatology, or the science of invasive species, a cursory review of the USGS document by a layman reveals its many flaws. There are numerous times the authors specifically state that no data exists to support their conclusions. The document is filled with numerous broad and overreaching statements about the “uncertainty” behind many of the assumptions they make in order to support their conclusions. The authors go so far as to let themselves off the hook for any possible erroneous assumptions on page 3 where they boldly state: “Risk assessment, by its very nature, entails uncertainty”.

The USGS document is in agreement with the rest of the scientific community is when it comes to the risks US citizens face when it comes to constrictor snakes. The authors of the document state: “We do not anticipate *P. molurus* becoming a significant source of human mortality in the United States”, “all known human fatalities are associated with pet manipulation, not unprovoked attacks”, “We are unaware of any well-documented attacks by free-ranging yellow anacondas on humans”, “there are no well-documented fatal attacks by green anacondas”, “most giant constrictors’ impact on human health will be in the realm of feared attacks rather than actual unprovoked events”, “the number of actual attacks is likely to be small”. Their statements echo the sentiment of most experts including Officer Linda Friar of the Everglades National Park (ENP) who in a recent interview on behalf of the ENP about Burmese pythons in the Everglades stated: “I don’t think they’re a big threat”.

Given the extremely large documented numbers of constrictor snakes kept in American households over the past three decades, there have been extremely few accidents. This demonstrates the responsible way in which almost the entire majority of python owners in the United States keep their animals.

With a true threat to human health in serious doubt and no sound scientific evidence to validate the belief that constrictors have the ability to survive outside of south Florida, the statement on page 68 of the USGS document, that declares “Burmese pythons are unlikely to have a dramatic impact on forestry, agriculture, or horticulture”, the only question remaining is whether these animals pose a threat to wildlife. While plenty of theories exist about the potential damage to wildlife that could be done by feral populations of pythons, there is little to no scientific evidence to support those theories. At this point, there isn’t an accurate count of the number of pythons living in the south Florida. While a small number of individuals have been quoted in the media declaring that there are 180,000

Burmese pythons living in the Everglades, the Everglades National Park Service biologists and the Humane Society of the United States have publicly put the number of actual pythons at closer to 10,000. Without an accurate assessment of the true number of pythons in the Everglades, a realistic and accurate impact on wildlife will remain unknown.

An Ineffective Solution

We respectfully submit that S. 373 will not solve the problems it is intended to.

On November 6th, 2009 the House of Representatives Judiciary Committee, Subcommittee on Crime, Terrorism, and Homeland Security held a hearing on H.R. 2811 (which also seeks to amend title 18, United States Code, to include constrictor snakes of the species Python genera as an injurious animal). At the hearing under questioning from Representative Louie Gohmert, the Deputy Director of the U.S. Fish and Wild Dan Ashe stated that stopping the import and interstate transport of pythons will not solve the problems caused by feral pythons in the Everglades nor would it even reduce the numbers of feral pythons currently established there. As Ranking Member Gohmert observed “the cat is already out of the bag”.

While stopping the legal importation of pythons may be possible, it will most likely spark a new breed of illegal smugglers seeking to profit from bringing prohibited animals into the country. The unregulated and underground trade in these animals will cause many pythons to face inhumane transport conditions and as a result many animals will die in transport. The end result is that pythons will still make it into the United States but there will be no way to track their numbers, account for where they are, or have any idea who has them.

The larger problem with S. 373 is the problem of enforcing an interstate transport ban. With multiple hundreds of thousands of pythons and boas already living in American households it is absolutely impossible to prevent people from putting their snake in a “snake bag”, boxing it up, and placing it in the back seat of their car. With such a large, firmly rooted base of pet pythons having existed in the country for decades, an interstate transport ban would literally become an enforcement nightmare.

Hurting American Pet Owners

An interstate transport ban on animals that are so firmly rooted and established as pets in our countries households places an unreasonable hardship on responsible, pet loving Americans. Since a Lacey Act amendment makes absolutely no provisions for pet owners, people that have owned their pythons for ten or even twenty years will no longer enjoy the freedom of being

able to move to a new state with their pet. Faced with new job opportunities, family emergencies, or personal crisis, pet owners that need to move to a new state will be forced to make a choice between taking their beloved pet with them and committing a felony or leaving their pet behind.

Active duty service men and women who enjoy living in off base housing and keeping pet pythons will be hurt by the passage of S. 373. Our active duty service members are often asked to move between duty stations in other states and if they own a pet python, they will also be forced to leave it behind.

In the case of natural disasters, many evacuation routes take evacuees across state lines. Pet owners would not be able to take their pythons with them as a result of S. 373. Python owners forced to leave their animals behind in a natural disaster area could further compound the problem S. 373 was intended to solve.

An Inhumane Future

By prohibiting interstate transport of pet pythons, S. 373 if passed will be inhumane.

Abandonment and euthanasia are sad, inhumane side effects of the passage of an interstate transport ban on pythons. Owners forced to move to another state will be faced with either having to release their pythons into neighborhoods and nearby woodlands or even worse, kill their pets to alleviate perceived suffering as a result of letting them go.

Even more inhumane is the lack of access to specialized veterinary care that will result as a result of passing S. 373. Often, exotic animals like pythons require highly specialized veterinary care that isn't always available in an owners home state. Owners of exotic pets often transport or even ship their sick pets to veterinarians in a different state for treatment. S. 373 will deny many animals access to the specialized veterinary care they need resulting in their slow and painful deaths due to illness.

Effective Solutions

The National Pet Association is thankful to the Subcommittee members for their interest in addressing the presence of Burmese pythons in the Florida Everglades. NatPET is supportive of effective solutions to problems identified by open, peer-reviewed scientific findings. We believe the most effective and efficient way to deal with invasive issues is through collaborative efforts that bring together Federal, State, and independent organizations. The large, established base of pet pythons and their owners must be taken into consideration when considering national legislation to address this issue.

The National Pet Association is supportive of initiatives that include but may not be limited to: compulsory identification systems, inventory of individual specimens in private collections, Federal limits or restrictions on importation, caging standards, disaster planning requirements, as well as other options offered that do not put unreasonable restrictions on responsible python ownership.

Conclusion

On behalf of the National Pet Association (NatPET), thank you for providing us with the opportunity to share our thoughts and concerns regarding S. 373. Despite our objections to S. 373, we are committed to working with your Subcommittee to address this important environmental issue.

We feel that we have raised a number of valid issues regarding S. 373 and the serious repercussions it will have on the tens of thousands of responsible American python owners.

We believe more effective solutions can be found that yield an overall better result. To that end, we recommend the formation of a working group comprised of committee staff, concerned State and Federal agencies, members of the scientific community, and interested independent organizations. The National Pet Association would be honored to host and facilitate this collaborative effort that can develop sound recommendations for a real solution to address the problem of Burmese pythons in the Florida Everglades.

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