



UNITED STATES ASSOCIATION OF REPTILE KEEPERS  
P.O. BOX 279 · GRANDY, NC 27939-0279  
(252) 207-1041

**US Association of Reptile Keepers Testimony  
before  
US House Committee on Natural Resources,  
Subcommittee on Fisheries, Wildlife, Oceans and Insular Affairs  
November 29, 2012**

Good Morning. My name is Andrew Wyatt and I am the CEO and president of the United States Association of Reptile Keepers (USARK), a membership organization representing breeders, hobbyists, collectors, and scientists who work with or in the reptile industry. Many of our members are small businesses or sole proprietors.

The modern reptile industry has grown, evolved, and has been established as a legitimate cottage industry that pumps well over one billion dollars per year into the US economy. "Herpetoculture" refers to the ownership and breeding of captive reptiles and amphibians and it has grown into a \$1.4 billion industry in this country. It evolved from the import and trade of inexpensive pet store animals into a sophisticated, non-traditional agricultural pursuit, a pursuit that has continued to thrive, to provide jobs and to stimulate the US economy even in the face of the recent economic downturn. Our members provide high quality, captive bred reptiles to zoos, aquariums, research facilities, educators, TV & film, and the pet industry. Some specimens sell for tens of thousands of dollars.

It has been repeatedly stated that H.R. 511 is about stopping the importation of these animals. It is not. These animals have been here for decades and they are thriving in well-established, genetically diverse, private captive breeding programs. A small percentage of these animals are imported to the US. Our issue is not with importation. It is with interstate transport, and the negative impact on thousands of well-established small businesses engaged in herpetoculture. Importation of these animals could stop tomorrow without any significant adverse consequence to the herpetoculture industry. On the other hand, the ability to conduct the trade of these incredibly valuable animals across state lines would be prohibited costing jobs and destroying livelihoods. This is the real "job killer" that Oversight and Investigations committee Chairman Issa referred to during his hearing on the federal rule as an example of an overzealous bureaucratic response to a problem that is at most local in nature and at worst, the result of politically motivated or biased science.

H.R. 511, or prior versions of it, have been debated for about five years now. The Obama Administration enacted a partial rule last January that was initiated in early 2008 by US

Andrew Wyatt  
United States Association of Reptile Keepers  
November 27, 2012  
Page 2 of 4

Fish & Wildlife Service (FWS). The US Geological Survey (USGS) “science”, the unsound foundation upon which this bill is based, is widely seen as weak and controversial within the scientific community. FWS did no cost benefit analysis. The Congressional Budget Office report on H.R. 511 never made mention of the economic impact to small business owners working in herpetoculture, despite the fact that Georgetown Economic Services (GES) did a comprehensive report on “The Modern US Reptile Industry” in 2011. According to GES, listing these nine constricting snakes on the ‘Injurious Wildlife’ list of the Lacey act would cost small businesses as much as \$104 million in the first year and as much as \$1.2 billion over 10 years. This action has been opposed by the US Chamber of Commerce, The Small Business Administration (SBA) Office of the Advocate, Association of Zoos & Aquariums (AZA), Pet Industry Joint Advisory Council (PIJAC) and the United States Association of Reptile Keepers (USARK).

The argument by the Administration and FWS that invasive Burmese pythons are experiencing a continued population increase and are poised to expand their range across the southern third of the US, is not supported by evidence. A single (USGS) report based on fatally flawed presumptions, and that has been castigated within the scientific community, suggests python populations could expand from the southern tip of Florida, north to the Chesapeake Bay, and west to the Ohio Valley, and San Francisco Bay.

FWS alleges that feral pythons are eating endangered species and small mammal populations, while endangering our pets and children as they crawl northward. The actual scientific data indicate the opposite. There has been a dramatic reduction in the numbers of Everglades pythons, and no demonstrable connection with any decline in mammal populations. Everglades National Park spokeswoman Linda Friar said park biologists have “no hard science” demonstrating there has been a dramatic reduction in mammal populations.

The population of pythons peaked in summer 2009. This was followed quickly by a population crash in the winters of 2009 and 2010. The decline in python numbers since the summer 2009 peak have been significant. The Florida Fish & Wildlife Commission believes 30-50 percent of the remaining wild Burmese python population died in January and February 2010.

A growing body of scientific evidence contradicts USGS climate range predictions for feral Burmese pythons in the US. Scientists from around the world have criticized the USGS work. Barker & Barker gave the most pointed criticism stating, “...the scholarship

behind it is poor, and constitutes either careless disregard or purposeful exaggerations...”

UNITED STATES ASSOCIATION OF REPTILE KEEPERS  
P.O. BOX 279 · GRANDY, NC 27939-0279  
(252) 207-1041  
[www.usark.org](http://www.usark.org)

Newly published in *Integrative Zoology*, “Environmental temperatures, physiology and behavior limit the range expansion of invasive Burmese pythons in southeastern USA,” by Jacobson et al., is a collaboration by University of Florida, USDA and real python experts. It calls into question the fundamental premise of the USGS climate work that pythons can migrate out of south Florida and across the southern third of the US. This peer reviewed paper published in September 2012 confirms what other studies have also demonstrated: “...[I]t appears unlikely that the Burmese pythons inhabiting the Everglades will be capable of expanding or becoming established far beyond southern Florida”.

There are at least four other cold weather studies from the University of Florida, USDA Wildlife Services, Savannah River Ecological Lab and Vida Preciosa International that continue to stand in stark contrast to the USGS projections. A report by U.S. Department of Agriculture researchers indicates that Everglades Burmese pythons displayed no instinct to protect themselves from fatally cold weather and most could not survive even the moderately mild conditions of mid-Florida winter.

The majority opinion indicates that, in the wake of the python population collapse, the remnant population of feral Burmese pythons in south Florida cannot survive north of Lake Okeechobee. Sub-tropical low temperatures even in south Florida are lethal to tropical pythons. They are not physiologically able to survive the cold, and cannot survive in more temperate areas of the country. Simply put, when temperatures drop, pythons die.

What remains is a small cabal of scientists drawn to the python question by the promise of federal funding [Giant Constrictor Risk Assessment Partnership (GCRAP)]. A number of NGO's with close ties to the Administration also see an opportunity to further their ideological agenda in providing matching funds. It has become popular and acceptable to make wild exaggerations about the nature of the issue in order to attract attention from the media and politicians. Instead of addressing their problems and making corrections, GCRAP has doubled down and made even more unsupportable statements. The specter of Burmese pythons in the Everglades has played fast and sexy in the media. This, combined with a prevailing cultural fear and bias regarding snakes, has aided in the politicization of the issue. The facts won't support a listing, so making this a political issue is the easiest way forward.

Even if it were conceded that pythons represented a real threat as an invasive species in the US, which they do not, the idea that the Lacey Act could control the spread of animals that have been in the US for about 50 years is ludicrous. The 'Injurious Wildlife' list is supposed to stop these animals at our borders; denying entry and preventing

Andrew Wyatt  
United States Association of Reptile Keepers  
November 27, 2012  
Page 4 of 4

proliferation across state lines. Pythons already exist in captivity in 49 of 50 states. Never before has the government considered adding animals to the 'Injurious' list that are so widely held by the American public. In fact, even the Department of Interior has conceded in private meetings with our industry that the Lacey Act is an "inadequate tool" to address invasive species issues. The Lacey Act has ballooned into a "one size fits all" solution to any issue that falls within the realm of FWS authority over wildlife. The Lacey Act is overly complicated, too far reaching and ineffective. It was originally designed to stop poaching. It has grown into a "one size fits all" solution to wildlife management. It is not the answer to the south Florida python question.

If there are lessons to be learned, they are as follows: 1) Science is a tool to solve complex problems, not a justification for arbitrary and capricious government action to satisfy political or ideological goals; 2) Government's role in private business is to protect free market competition, not to pick winners or losers based on arbitrary staff or popular preference; and 3) The Lacey Act is in dire need of fundamental reform, having become too large, complex and ineffective to be of any real conservation value.

In closing, H.R. 511 is a job killing bill that preempts the rights of states to manage their own citizens and affairs by seeking to ban the importation and interstate transport of nine species of constricting snakes. It is nanny state legislation at its worst that will bankrupt thousands of small businesses and cost our economy upwards of \$100 million per year. When the Obama Administration finalized in part the exact same measure as a new regulation last January, Chairman Darryl Issa highlighted it in an Oversight and Government Reform Committee hearing and called it a "job-killer". The American government's role is not to pick the winners and losers of industry; to the contrary it is the role of government to protect the free market dynamic.

Thank you for this opportunity today.

Andrew Wyatt,  
President and Chief Executive Officer  
United States Association of Reptile Keepers  
252-207-1041  
president@usark.org

UNITED STATES ASSOCIATION OF REPTILE KEEPERS  
P.O. BOX 279 · GRANDY, NC 27939-0279  
(252) 207-1041  
www.usark.org