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September 13, 2011

Hon. Elijah E. Cummings, Ranking Member

Committee on Oversight and Government Reform

U.S. House of Representatives, Washington, DC

Re: September 14, 2011 Hearing - "How a Broken Process Leads to Flawed Regulations"

Dear Representative Cummings:

I am a consultant working with the National Environmental Coalition on Invasive Species (NECIS) ([www.necis.net](http://www.necis.net)). Our coalition is committed to preventing further harm from invasive, non-native, plants and animals. We learned at the last minute that the Majority has asked a witness, Mr. Barker, to testify at the above-referenced hearing tomorrow against a long-standing proposal by the U.S. Fish and Wildlife Service to list 9 species of large constrictor snakes (boas, pythons, anacondas) as prohibited “injurious species” under the Lacey Act. The organizations I work with all strongly support that proposed Lacey Act regulation. Any attempt by the witness to characterize the proposal as flawed is both incorrect and driven by selfish profit motives without regard to the environmental damage and numerous human deaths these species have already caused. I have attached the public comments the NECIS groups filed with the Service along with a supporting letter from 16 expert scientists, who strongly bolster the scientific reliability of the Service’s work. **I request that they please be introduced into the hearing record**. Here are some questions that might be appropriate to ask Mr. Barker at the hearing tomorrow:

**(a) The regulatory process for these snakes started in 2006 with a petition from the South Florida Water Management District. It has involved a massive 300-page, scientific study by world-recognized U.S.G.S reptile experts and a major economic impact study, as well as a lengthy public comment period on the proposed regulation, strong support from the scientific community, and months of review by the Office of Management and Budget that included several personal meetings with stakeholders such as yourself opposed to this rule. How can you say this lengthy and costly process over 5 years is not enough? Your real objection is not the process, but your conclusion that it might cut into your profits, isn’t it?**

**(b) The proposed snakes listing rule would prohibit imports of only 9 species and for several of these there is no commerce in them now. Isn’t it true that there are literally hundreds and hundreds of safer alternative species of snakes and other reptiles that you could breed and sell profitably besides these few dangerous constrictor snakes, which invade U.S. habitats and have killed people?**

**(c) If the Federal government cannot regulate huge constrictor snakes – boas, pythons, anacondas - which have already invaded in two places in Florida, could readily invade in other States, and have killed more than a dozen people in recent decades, what can it regulate?**

Sincerely,

/s/ Peter T. Jenkins, Executive Director

Attachments