AFA Goes to Washington...Again

by Laurella Desborough, Martinez, CA

D uring the late eighties, World Wildlife Fund, one of the world's largest conservation organizations, worked to bring together the various groups involved with exotic birds to do something about the international trade in wild birds. Along with several humane and animal rights organizations, the pet industry, the avian veterinarians and aviculture worked to forge legislation which would protect foreign wild birds from over harvesting. For several years meetings and discussions were held. Finally, when the groups reached a consensus, the animal rights contingent left the group and started pushing for stricter laws. Thus, we now have the Wild Bird Conservation Act (WBCA) of 1992 signed into law by President Bush on October 23, 1992.

Regulations Under WBCA

Under this law, The U S Fish and Wildlife Service (USFWS) is required to promulgate regulations which will govern the importation of all but a few exotic birds into the U.S. and, potentially, domestic breeding and keeping of exotic birds. Most aviculturists in the U.S. believed that the WBCA would not have an effect on them or their birds because they did not realize that the law gave the Department of the Interior potential control or oversight on all exotic birds in the U.S. As the regulations were published, people who thought they could import color mutation captive bred and raised birds from Europe were surprised to find that they could not. As each set of regulations was published, the avicultural public began to see that the laws could and would affect them and they began to write the USFWS about the regulations. These letters appeared to have no effect on the regulations being written.

USFWS Meeting, April 1995

The USFWS called a meeting to hear from aviculturists about voluntary marking and inspection of breeding facilities in the U.S. Approximately 115 people attended the hearing and spoke about banding, how it is and
has been done for years and how it
does not require government interven­
tion. They spoke of the Model
Aviculture Program, a voluntary
inspection and certification program,
indicating that the government need
not be involved in these private sector
avicultural activities. This meeting pro­
vided an opportunity for the avicultur­
al groups to join forces and work
together. A unity of interest and pur­
pose was recognized
by all avicultural
organizations present and strong
bonds were estabilished.

Letters to Congress
After the April meeting, aviculturists
began writing to their congressmen
and to the Subcommittee on Fisheries,
Wildlife and Oceans, the committee
with oversight on the WBCA. As these
letters piled up and phone calls and
visits to congressmen and women con­tinued, Committee Chairman Saxton
decided to call for a hearing on the
WBCA. The hearing was set for

WBCA Hearing Preparation
The American Federation of Aviculture
(AFA) began work preparing for the
hearing. The AFA recognized that avi­
culturists have many different interests
and activities involved in exotic birds.
There are pet owners, exhibition
breeders, small hobby breeders, and
large commercial breeders all of whose
interests must be protected. Meetings
were held to exchange ideas with
associated organizations such as the
Association of Avian Veterinarians,
specialty groups, the zoos, and the pet
industry. Basic concerns about the law
and regulations were identified. A spe­
cial AFA WBCA committee was estab­
ilished to prepare written testimony
which would be submitted to the
Subcommittee and become part of the
permanent Congressional Record
on the WBCA. A List of the basic concerns was
prepared and sent out to bird
clubs, bird societies and bird business­
es so that they all could endorse a
focused avicultural position. All of the
endorsing organizations will now also
be listed in the Congressional Record

Nine Points For Congress
[Editor's Note: AFA General Counsel, Gary Lilienthal, presented oral
testimony to Chairman Saxton at the WBCA hearing in Washington D.C.
Included in his testimony were the following nine points which succinct­ly state much of what the AFA feels must be done to bring the WBCA into
compliance with the original intent of Congress.]

1 – Authorized funds must be appropriated and used for sus­
tained-use studies in range countries to promote sustainable trade
where appropriate.

2 – The actual scope of the smuggling problem and enforcement
activities of the U.S. Fish and Wildlife Service deterring legitimate avicul­
ture should be investigated.

3 – Section 105 should be amended to specify that the WBCA’s cov­
erage of exotic birds listed on Appendix III of CITES will relate only to
birds found in the countries of listing, as was intended by the WBCA and
CITES.

4 – The permit process under the regulations in Section 112(2) relat­
ing to the importation of personal pet birds should be simplified.

5 – Section 112(4) should be amended to eliminate the regulatory
requirement of tracking and reporting of U.S. captive bred offspring of
imported birds.

6 – Regulations under Section 107 which promote captive breeding of
exotic birds and ensure the free importation of captive bred birds into
the United States must be promptly adopted based on the six point
approval process proposed by the AFA in its written testimony.

7 – Section 106(b)(1) must be amended to provide that if a species is
regularly bred in captivity and wild caught members of that species are
not in legal trade, it shall be placed on the Captive Bred Species List as
intended by Congress. Current Regulations improperly disqualify species
regularly bred in captivity from being on the List if any members of that
species are in illegal trade. This policy hypocritically perpetuates smuggling.

8 – Sections 114(c) and 115 should be eliminated in their entirety as
they are no longer needed.

9 – A new section must be added to provide that, notwithstanding any
law, regulation or policy to the contrary, exotic birds bred from parent
birds in the United States shall be considered legal, regardless of the
legality of their ancestral stock.
AVICULTURAL ORGANIZATIONS JOINING IN AFA'S TESTIMONY

American Lory Society
Pionus Breeders Association
The Commercial Pitisicaine Breeders
Model Aviculture Program
New Mexico Bird Club, Inc.
Suncoast Avian Society
Aviary and Cage Bird Society of Southern Indiana
Chester County Pennsylvania Bird Breeders
Maine State Cage Bird Society
Ventura County Bird Club
Fitch Society of San Diego County
National Capital Bird Club
Acadiana Bird Club, Inc.
Orange County Bird Breeders
South Bay Bird Club
Front Range Avian Society
Santa Barbara Bird Club
Imperial Bird Club
Greater Pittsburgh Cage Bird Club
Rose City Exotic Bird Club
Southern Maryland Cage Bird Club
South Bay Bird Club
Greater Brandon Avian Society
Aviary and Cage Bird Society of South Florida
Reno Area Avian Enthusiast
West Pasco Exotic Bird Club
Delaware Valley Bird Club
Arizona Avicultural Society
Colorado Cage Bird Association
Palmetto Cage Bird Club
Eric Cage Bird Club
Black Hills Cage Bird Club

Aviculture Society of America
National Colorbred Assocation
International Lornice Society
International Aviculturists Society
Pennsylvania Aviculture Society
Florida Federation of Avian Societies (>50 Clubs)
International Parroted Society
Waxbill and Parrot Finch Society
National Finch and Softbill Society
Society of Parrot Breeders and Exhibitors
American Cockatiel Society
L'Oristette de l'Estrie of Quebec
Rhode Island Pet Bird Club
Hookbill Hobbyists of Southern California
B.C. Cage Bird Club
Central Texas Bird Society
Aviculturists of Greater Boston, Inc.
Central Oklahoma Bird Club
Northwest Bird Club
Foothill Bird Fanciers
Arizona Seedcrackers Society
Kansas Aviculture Society
Parrot Breeders Association of Virginia
Treasury Coast Exotic Bird Club
Gold Country Bird Society
Monterey Bay Cage Bird Club
Capital City Cage Bird Club
Austin Golden Finch Society
Capital City Bird Society
Sacramento Expo Bird Fanciers
Texas Bird Breeders Association
American Finch and Softbill Society
AFA Hearing

Aviculturists from across the U.S. traveled to Washington, D.C. to attend the hearing. When the hearing began, approximately two-thirds of those present in the audience were aviculturists identified by large gold AFA badges. Others in attendance included staff members of the USFWS, and several animal rights organizations including Animal Welfare Institute, Environmental Investigation Agency and the Humane Society of the United States.

as supporting this testimony.

WBCA Hearing

The Panels Speak

First Panel. The USFWS panel was seated with Marshal P. Jones, Assistant Director for International Affairs, speaking for the USFWS. His basic recommendation was to reauthorize the WBAC without any amendments. Chairman Saxton asked Mr. Jones many questions, most of them regarding the permit process and the length of time required by USFWS to process a permit and about the funding of the WBAC.

Second Panel. Lawrence Herrigay, Supervising Wildlife Biologist for the New Jersey Department of Environmental Protection, Division of Fish and Game, spoke about the positive effects of the New Jersey law on exotic birds and recommended that a strong national law is needed.

Teresa Telecky, Humane Society of the United States, spoke about the millions of wild birds that have been saved now that the American market has shifted to domestically bred birds. (Note: this shift, of course, happened several years ago before the WBCA was law.) She recommended reauthorization without changes since “the WBCA is a reasonable law”.

James Leape, World Wildlife Fund, Stated that the law is a success because the wild bird trade has been reduced from half a million to 100,000 birds coming into the U.S. He said that the USFWS has acted quickly on some regulations but has been slow to issue regulations on international policies and establishing programs for sustainable harvesting. He reminded those present that when wildlife resources bring value to local populations, conservation is achieved. He requested that USFWS move promptly to issue remaining regulations.

Steven Beissinger, Association for Parrot Conservation, and American Ornithologist's Union, the Ornithological Council stated that the WBCA should be amended to include all bird families. (Pheasants, waterfowl, ratites and cassowaries are now exempt.) He also stated that aviculturists in the U.S. do not need further birds from the wild. He suggested that aviculturists “need to organize themselves”.

Third Panel. This panel presented the avicultural perspective. Frank Bond, General Counsel for the North American Falcons, stated that the permit process was so unworkable that it should be overhauled. He said that permits in the U.S. usually take from six to nine months to be processed and never under 120 days, while permits are processed in other countries in 10 to 14 days.

Marshall Meyers, General Counsel of the Pet Industry Joint Advisory Council, stated that the bird industry had increased by 3.8% since the passing of the WBCA, not doubting as suggested by the opposition. He also said that the regulations are full of disincentives, leading to non-participation in the various programs.

Susan Clubb, D.V.M., representing
AVICULTURALISTS AND COMMERCIAL ORGANIZATIONS WHICH HAVE REQUESTED TO BE RECORDED IN SUPPORT OF AFA'S TESTIMONY

Mountain View Aviary
The Feather Fancy
Sybil's Aviary & Supply
The Bird Endowment
A.B.C. Bird Center
Pacific Bird & Supply Co., Inc.
Aviary Farms
W. CA.
Lady Seed Company, Inc.
Fancy Clinic.
C. D.
Magic & Bird Ranch
Fancy
Singleton
(Breeder) 
Marquez Feather
Farm
Coast to Coast
Avian IV
Rub Bird
Vales Aviaries
Precious Cargo
John & Linda's
Aviary
W A W Aviaries
The Feather Fantasy
Out on a Limb
Aviary
Sun Seed Company, Inc.
West Espalanade
Veterinary Clinic
C & D Aviary
T & D Breeding
Central Florida
Exotics, Inc.
Tucker Farms
Birds by Veta Too
The Macaw Project
Gonzalez's Pet Shop
San Juan Aviary
English's Parakeets
Imperial Gardens
Avian Magic
Stuff for Birds
Ruthledge Aviaries
Golden Wing Ranch

RX-2 The Exotic Bird Breeder's Favorite Incubator

- Solid State Temperature Control
- Preferred By Top Breeders Around The World
- Unparalleled Visibility with Impact Resistant Polycarbonate Domes
- Whisper Quiet Fan Motor
- Improved Turner Power
- Unique "Wall of Air" Design On All Four Outside Walls
- Outside Water Bottle
- Thermal Wafer Overtemp Back
- CSA Approved

TX-7 The Favorite Incubator Of Schools, Hobbyists & Breeders

- Preferred and Used by Tens of Thousands of Bird Breeders, Schools and Hobbyists World Wide
- Total Visibility Polycarbonate Dome
- Improved Turner Power Motor
- Solid State Temperature Control
- Unique Humidity Control
- Adjustments Can Be Performed Without Opening The Incubator.
- Highly Reliable Mercury Thermometers
- CSA Approved

AICU Animal Intensive Care Unit

- Hospital Unit for ill or Injured Birds
- Nursery Unit to Hand Raise Young Birds
- Large LED Temperature/Humidity Read Out
- Veterinarian Designed and Tested
- Audio and Visual Alarm
- Provides Safety and Security
- Easy to Clean and Sanitize
- Filtered Air
- Oxygen/Nebulizer Adaptable

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What is Next?
The WBCA hearing is only one step on the way to reauthorizing the WBCA. Chairman Saxton has control over whether the WBCA reauthorization will now move out of the committee with or without recommendations for amendments, or whether it will sit in the committee.

What can you do? Write to your congress person and to congressman Don Young, Educate Congress about the effects of the WBCA on aviculture. The information provided by bird breeders is critical. Congress will not know of your concerns unless you write. 

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