

AFA Goes to Washington...Again

by Laurella Desborough, Martinez, CA

Photos by Jean Hessler



At the Orange County Bird Breeders bird fair, Marty Muschinske (hat) collects commercial signatures in support of AFA's written testimony presented to Congress at the WBCA hearing in Washington D.C. Dale Thompson (center) looks on while Ed Singh of Aardvark Imports prepares to sign.



Marty Muschinske, AFA State Coordinator - Southern California, San Diego area, collects commercial signatures endorsing AFA's testimony on the WBCA. (L to R), Marty Muschinske, Alan Lipsig, owner of Basically Birds - Los Angeles, Dale R. Thompson, and John Larson, Lipsig's associate at the store and the booth at the fair.

D Background

During 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 intervention. 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 provided an opportunity for the avicultural groups to join forces and work together. A unity of interest and purpose was recognized by all avicultural organizations present and strong bonds were established.

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 September 28, 1995.

WBCA Hearing Preparation

The American Federation of Aviculture (AFA) began work preparing for the hearing. The AFA recognized that aviculturists 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 special AFA WBCA committee was established 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 businesses so that they all could endorse a focused avicultural position. All of the endorsing organizations will now also be listed in the Congressional Record



Members of the AFA contingent wait outside the Hearing Room prior to the hearing. (L to R) Robert J. Berry, Executive Director, Laurella Desborough, President, Gary P. Lilienthal, General Counsel, and Janet Lilienthal, Legislative Vice President. This crew, with help from several others, put in an extraordinary amount of time and work on behalf of the AFA and all aviculturists.

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 sustained-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 aviculture should be investigated.
- 3 – Section 105 should be amended to specify that the WBCA's coverage 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) relating 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 Psittacine Breeders Model Aviculture Program	Aviculture Society of America National Colorbred Association International Lorinae Society International Aviculturists Society	Florida Federation of Avian Societies (>50 Clubs) International Parrotlet Society Waxbill and Parrot Finch Society	National Finch and Softbill Society Society of Parrot Breeders and Exhibitors American Cockatiel Society
New Mexico Bird Club, Inc. Suncoast Avian Society Aviary and Cage Bird Society of Southern Florida Chester County Pennsylvania Bird Breeders Maine State Cage Bird Society Ventura County Bird Club Finch 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 Enthusiasts 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	Kenosha Exotic Bird Club Alaska Bird Club South Mississippi Cage Bird Society Central New York Cage Bird Club Bayou Bird Club Arizona Avian Breeders Association Gulf Coast Bird Club Greater Rochester Hookbill Association Kentuckiana Cage Bird Club Rocket City Cage Bird Club Central Kentucky Cage Bird Society Gainesville Bird Fanciers Bird Lovers of the Bluegrass, Inc. West Valley Bird Society Kentuckiana Bird Society of Aviculture Connecticut Association for Aviculture Tampa Bay Bird Club Sunshine State Cage Bird Society The Society for Conservation in Aviculture-England Contra Costa Avian Society Sussex County Exotic Bird Club Central Florida Bird Breeders Inc. Central Jersey Bird Club Northeastern Avicultural Society Alamo Exhibition Bird Club Contra Coast Aviculture Society	Philadelphia Avicultural Society Central Jersey Bird Club Central California Avian Society Real Macaw Parrot Club Delaware Valley Bird Club Oklahoma Cage Bird Society York Area Pet Bird Club Town and Country Feathered Friends Cleburne Bird Society Rocky Mountain Society Alamo Exhibition Bird Club, Inc. Cream City Feathered Friends West Florida Avian Society Bird Education and Kaffee Klatch Society Missouri Cage Bird Association San Diego Bird Breeders Gateway Parrot Club Raleigh Durham Caged Bird Society Tennessee Valley Exotic Bird Club Tropical Bird Fanciers North West Ohio Exotic Bird Club Central Oklahoma Bird Club Feathered Friends Society Madison Area Cage Bird Association of Wisconsin Saginaw Valley Bird Club Arizona Aviculture Society Exotic Cage Bird Society of New England	L'Oisellerie 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, Inc. 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 Gate Avian Society Capitol City Bird Society Sacramento Texas Bird Breeders Fanciers Association Camden Mississippi Bird Club Redwood Empire Cage Bird Club Northeastern Pennsylvania Cage Bird Club Central Pennsylvania Cage Bird Club Federation of Pennsylvania Aviculturists Finger Lakes Cage Bird Association

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 foreign breeding facilities 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, and the Ornithological Council stated that the WBCA should be amended to include all bird families. (Pheasants, waterfowl, ratites and curassows 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 Falconers, 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.

Marshal 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 doubling 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

as supporting this testimony.

WBCA 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.

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 WBCA 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 WBCA.

Second Panel. Lawrence Herrighty, Supervising Wildlife Biologist for the New Jersey Department of Environmental

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.
Morning Star
Aviary
Parrots of Pine
Island
Pearly Gates
Aviaries
The Grey Place
Wings & Whiskers
Flying "B" Bird
Ranch
T's from 2
Lannom Farms
Blynn Sanford Inc.
Bernies Birds
V.I.P. Aviaries
Ceasar Enterprise
Acree Aviary
Products
Honda Baby
Parrots
Pat's Bird House
O.P.I's
Robert John, D.V.M.
Flo's Fancy Flights
Canary Land Bird
Farm
Sweland's Cage &
Supply
J&W Aviaries
DL Products
Bird City U.S.A.
MG Industries
Bird's Haven, Inc.
Parrot Express Inc.
On Wings, Inc.

Robbies Feed &
Supply Co.
Norshore Bird
Supply Inc.
D's Bird House
Animal Medical
Center, Lake
Charles
Backwoods
Aviaries
Avian Acres
Chris Davis Animal
Behaviorist
R.L. Enterprises
Bess Breeder's
Elain's Originals
Verde Squirts
Aviaries
Casa de Papaguyous
Majestic Manzanita
L&D Sales
Bird Works So. C.A.
The Bud, Bird and
Bunny Farm
Walt's Cockatiels
Mr. Reynoso Bird
Factory
Wings and Fins
D&M Bird Ranch
Smelt Feed & Pet
Supply Inc.
Deedee Grizzard
Luv Them Birds Inc.
African Queen
Aviary
Carolina Cage
Company
International Pet &
Supply Inc.
Zoological Bird
Imports
Brandywine Aviary
Fine Feathered
Friends
Birds by Veta

The Bird Lady
Johnson's Jungle
Red Color Canaries
Feathers Plus
Butler's Breeders
Wee Bird Farm
Cairns Enterprises
The Exotic Bird
House Aviary
John Singleton
(Breeder)
The Feather Tree
Marquez Feather
Farm
Coast to Coast
Avian IV
Beak Boutique
Rubi Birds
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 Esplanade
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

Robert A. Berry
Assoc.
St. Francis Aviaries
Flights of Fancy
Sonj's Tropics
Case de Papagallos
Ortman Inc.
Bowman's Birds of
Paradise
The Pet Ranch
Skyline Garden
Avian Research
Landvater's Land of
Birds
Mar's Animal Farm
Hagen's Avicultural
Research Institute
(HARI) Canada
Dennis Bart
(Breeder)
William R. Horton
(Breeder)
Suzanne V. Tyson
DVM
Joe Freed's Avian
Petiatric Supply
ABCDE Animal Clinic,
Pam Hendrickson,
DVM
Lyon Electric
Company Inc.
Premium Nutritional
Products
Pretty Bird
International, Inc.
Basically Birds
Aardvark Imports


Partial list as of 9/22/95

the Association of Avian Veterinarians also spoke about the lengthy and burdensome permit process to export or import legal birds and that the process must be improved.

Gary Lilienthal, General Counsel for the American Federation of Aviculture spoke for the aviculturists in the U.S., presenting nine points which need to be addressed if the WBCA is going to function to protect birds in the wild and to promote captive breeding in the U.S. (The full written testimony follows this article.)

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.

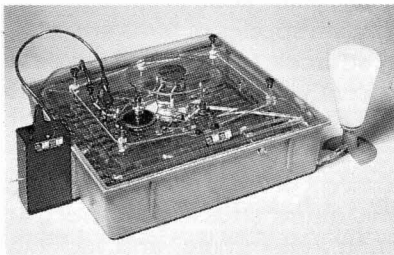
What can *you* do? Write to your congress person and to congressman Don Young. Educate Congress about the effects of the WBCA on aviculture. The information provided by bird breeders is critical. Congress will not know of your concerns unless you *write*. 



FREE CATALOG AVAILABLE CALL OR WRITE:

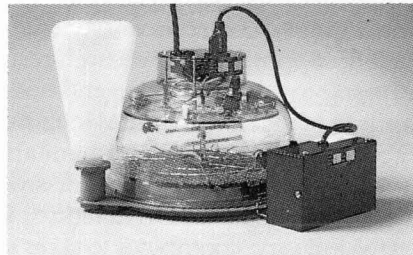
2765 Main Street
Chula Vista, CA 91911

Telephone (619) 585-9900
Fax (619) 420-1426



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