

**The Humane Society of the United States • National Wildlife Federation
• International Fund for Animal Welfare • The Wildlife Society
• Natural Resources Defense Council • Center for Biological Diversity
• The Nature Conservancy • National Parks Conservation Association
• American Society for the Prevention of Cruelty to Animals
• Ecological Society of America • National Environmental Coalition on Invasive Species**

March 7, 2013

President Barack Obama
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Secretary Ken Salazar
United States Department of the Interior
Office of the Secretary
1849 C Street NW, Room 6156
Washington, DC 20240

Dear President Obama,

The below signed organizations request that the Administration issue a final regulation listing the reticulated python, the DeSchauensee's anaconda, the green anaconda, the Beni anaconda and the boa constrictor as injurious under the Lacey Act.

On March 12, 2010, the Fish and Wildlife Service (FWS) issued a proposed rule to list nine large constrictor snakes as injurious under the Lacey Act.¹ Despite the fact that scientists with the USGS concluded that all nine species presented a “high” or “medium” risk of becoming invasive², on January 23, 2012, FWS issued a final rule stating that only four of those nine species would be listed as injurious under the Lacey Act: Burmese pythons, yellow anacondas, and northern and southern African pythons.³ At that time, FWS stated that the remaining five species of snakes were still being considered for listing. Of the five that were not included in the final rule, three are currently found in the U.S. pet trade — boa constrictors, reticulated pythons, and to a lesser extent, green anacondas.

Science shows that the issuance of a final rule listing the five remaining snake species as injurious is essential to adequately protect the interests of wildlife as well as human safety. Please consider the following:

¹ 75 Fed. Reg. 11,808 (Mar. 12, 2010).

² R.N. Reed & G.H. Rodda, *Giant constrictors: biological and management profiles and an establishment risk assessment for nine large species of pythons, anacondas, and the boa constrictor*: U.S. Geological Survey Open-File Report 2009–1202 (2009) (USGS).

³ 77 Fed. Reg. 3,330 (January 23, 2012).

- USGS concluded that the overall risk was either high or medium for these five species because they all share a large number of traits that promote invasiveness or impede population control.⁴
- A recent study suggested that rates of establishment for reptiles are significantly higher than once thought. While in the past it was commonly assumed that only approximately 10 percent of introduced species establish themselves, this study showed that the danger of establishment for reptiles is actually above 40 percent.⁵
- Boa constrictors have established more introduced populations in the United States than any other boa or python species.⁶ They are already established in parts of Florida and Puerto Rico and there are also threats to other areas, including Hawaii, where loose boa constrictors are being found with greater frequency.
- Research has shown that large constrictor snakes have been linked with significant declines in vertebrate populations. Recent studies have suggested that not only are large constrictor snakes a threat to rare endemic species, including the threatened and endangered species which they are known to consume⁷, but also that their impact can be substantial. For instance, one study suggests that after a decade of colonization, pythons in the Everglades may be linked with significant declines - as much as 99 percent of the area's small and medium sized mammals.⁸
- There have been more than 445 dangerous incidents⁹ involving large constrictor snakes held in captivity that include attacks, intentional releases, and escapes from poorly secured cages in 45 states and the District of Columbia. Among them are 12 people who have died from large constrictor snake-related incidents in the United States since 1990—17 since 1978. Four babies sleeping in their cribs, as well as three other children have been squeezed to death by large constrictor snakes. Children have also been attacked while playing in their yards.

Moreover, a recent economic report¹⁰ conducted by a third party economics firm shows that the listing of the five snake species would not have a drastic effect on small businesses that deal in the sale of reptiles. In fact, these large constrictors snakes make up only a very small part of the sales of a much larger industry and their listing would result in consumers simply reallocating their money toward other items such as non-listed snakes – causing little or no net change in economic activity. There are literally hundreds of less risky snake and reptile species available to pet purchasers that are not impacted by this listing.

⁴ USGS, *supra* note 2.

⁵ Rodrigo B. Ferreira et.al., *Global assessment of establishment success for amphibian and reptile invaders*, 39(7) *Wildlife Research* 637, 640 (2012).

⁶ USGS, *supra* note 2 at 158.

⁷ See Michael E. Dorcas, et al., *Severe mammal declines coincide with proliferation of invasive Burmese pythons in Everglades National Park*, 109(7) *PNAS* 2418, 2418 (2012); Ray W. Snow et.al., *Birds Consumed by the Invasive Burmese Python in Everglades National Park, Florida, USA*, 123(1) *The Wilson Journal of Ornithology* 126, 128 (2011).

⁸ Dorcas, *supra* note 7 at 2418.

⁹ See Attachment A.

¹⁰ See Attachment B.

It has been more than five years since the agency started considering the listing of these five snakes and the necessity for the rule has not diminished. As these species present imminent threats to wildlife and human safety, we urge the Administration to take action and immediately list the reticulated python, the DeSchauensee's anaconda, the green anaconda, the Beni anaconda and the boa constrictor as injurious under the Lacey Act.

Sincerely,



Wayne Pacelle
President and CEO
The Humane Society of the United States



John Kostyack
Vice President, Wildlife Conservation
National Wildlife Federation



Tracy Coppola
Campaigns Officer
International Fund for Animal Welfare



Winifred B. Kessler
President- Elect
The Wildlife Society



Sylvia M. Fallon, Ph.D.
Director, Wildlife Conservation Project
Natural Resources Defense Council



Collette L. Adkins Giese
Amphibian and Reptile Staff Attorney
Center for Biological Diversity



Robert Bendick
Director of U.S. Government Relations
The Nature Conservancy



Chad W. Lord
Director, Water Program
National Parks Conservation Association



Nancy Perry
Senior Vice President, Government Relations
American Society for the Prevention of Cruelty to Animals



Scott Collins
President
Ecological Society of America

And, the National Environmental Coalition on Invasive Species