IN THE UNITED STATES DEPARTMENT OF AGRICULTURE

STANDARDS FOR BIRDS
PUBLIC LISTENING SESSION

Remote Event
Suite 206
Heritage Reporting
Corporation
1220 L Street, N.W.
Washington, D.C.

Wednesday,
October 7, 2020

The parties met remotely, pursuant to the notice, at 2:02 p.m.

SPEAKERS: (Via Webinar)

DR. ROSEMARY SIFFORD, Associate Deputy Administrator for Animal Care
MR. SCOTT MOORE, USDA
MS. JEANNETTE BERANGER, The Livestock Conservancy
MS. ANITA YEATTES, The Falconry Experience
DR. JENNIFER BALLARD, Arkansas Game and Fish Commission
MS. VERA CHAPLES, Mystic Jungle Educational Facility Inc.
MS. MONICA BLACKWELL, Toledo Zoo
MS. JESSICA MCATEE, National Aviary
MS. BRENTA KING, Arizona-Sonora Desert Museum
MS. LAURA ARMAND, Riverbanks Zoo
MS. MONICA ENGBRETSON, Avian Welfare Coalition
MS. BETH BICKNESE, San Diego Zoo
MR. LARRY DICKERSON, North American Falconers Association
MS. RACHEL ROGERS, Miami-Dade Zoological Park and Gardens
MS. CANDYCE PAPARO, Long Island Aquarium
MS. APRHYL MILLER, Legislative Rights for Parrots
MS. COLLEEN LYNCH, Riverbanks Zoo
MS. DENISE KELLY, Avian Welfare Coalition
APPEARANCES: (Cont’d.)

MS. KENLEY MONEY, Arkansas Hawking Association
MS. LISA KEITH, David Traylor Zoo of Emporia
MR. JOE KRATHWOHL, Birds n Beasts Inc.
MR. NICHOLAS JACINTO, Nature Nick's Animal Adventures
DR. PATRICIA LATAS, Wild Parrot Coalition
MR. ANTHONY PILNY, AAV
MS. GINNY HEPTIG, Treasure Coast Exotic Bird Club
MR. LORRELA DESBOROUGH, American Federation of Aviculture, Avicultural Society of America, Organization of Professional Aviculturists
MS. DEBRA SCHWEIKARDT, Arizona Bird Store
OPERATOR: Welcome and thank you for joining today’s Animal Welfare Act’s Standards for Birds Public Listening Session. Before we begin, please ensure you’ve opened the chat panel by using the associated icon located at the bottom of your screen. If you require technical assistance, please send a chat to the event producer.

All audio lines have been muted. When it is your turn to speak, your line will be unmuted. You’ll hear a notification when your line is unmuted, at which point please state your name and comment. As a reminder, this conference is being recorded and transcribed.

With that, I’ll turn the call over to Dr. Rosemary Sifford, Associate Deputy Administrator for Animal Care. Please go ahead.

DR. SIFFORD: Good afternoon, everyone, and welcome to the Animal Welfare Act Standards for Birds Virtual Public Meeting. We really appreciate the opportunity to talk with you all this afternoon, and we’re really looking forward to hearing your comments.

I’m coordinating these sessions, along with some colleagues from APHIS, and so you will hear from a couple of us as we get started this afternoon. I’m going to start with just a brief history of the effort to develop Standards for Birds to date within Animal Care, and then
we’ll talk a little bit about some of the topics that we have put forward as some that we are most interested in gathering input on today. Then I’ll turn it over to one of my colleagues to talk a little bit about the logistics for how the meeting will flow this afternoon.

And then, after that, we’ll be able to begin receiving your comments. We do want to try to leave as much time as possible for that very important part of the meeting this afternoon, and so we’ll try to keep these opening comments brief.

So, to start with a brief history for where we have been with Proposed Standards for Birds, in 2002, in the Farm Security and Rural Investment Act, which is also known as the Farm Bill, provisions were included that amended the definition of animal in the Animal Welfare Act by specifically excluding birds bred for use in research. The definition of animal contained in the regulations at that time excluded all birds, not just those bred for use in research. So this change required APHIS to update the definition of animal in our regulations supporting the Animal Welfare Act to include birds other than those bred for use in research and to explore how we should update our standards to include birds.

In a final rule that was published in June of 2004 in the Federal Register, APHIS amended the definition
of animal in the regulations to be consistent with the
definition of animal in the AWA by narrowing the scope of
the exclusion for birds to only those birds bred for use in
research.

At that same time, June of 2004, APHIS published
an Advance Notice of Proposed Rulemaking in the Federal
Register. In this notice, APHIS notified the public that
the Agency intended to extend enforcement of the Animal
Welfare Act to birds not bred for use in research that were
sold as pets at the wholesale level or transported in
commerce or used for exhibition, research, teaching,
testing, or experimentation purposes.

In order to determine what regulations and
standards are appropriate for those birds, APHIS solicited
comments from the public. At that time, APHIS received
over 7,000 comments. After considering the comments
received in the Advance Notice of Proposed Rulemaking,
APHIS began to work to prepare a proposed rule to establish
a new Subpart G in 9 C.F.R. Part 3 that would contain
standards for the humane handling, care, treatment, and
transportation of birds covered by the Animal Welfare Act
regulations. However, that rule was not published.

Beginning in 2013, various animal interest groups
filed lawsuits against USDA for failure to take action. On
January 10, 2020, the Court of Appeals for the D.C. Circuit
ruled that USDA is required to issue standards governing
the humane treatment of birds. The case was remanded back
to a lower court, and on May 26, 2020, the Court adopted a
schedule for USDA to promulgate regulations under the
Animal Welfare Act that apply to birds. That schedule
includes that by August 24, 2020, USDA was to publish a
Notice of Virtual Listening Sessions; by February 24, 2022,
USDA is to publish a proposed rule; and by February 24,
2023, USDA is to publish a final rule.

As you know, we published the Notice for the
Virtual Listening Sessions and you’re now participating in
those sessions. And, again, we really appreciate your
participation this afternoon.

After all the listening sessions are complete, we
will post the transcripts on the Animal Care website, it’ll
be on the same page where you found the registration
information for this session, and then we will take the
information from all these listening sessions and use all
the comments that we receive to help us develop the
language for a new proposed rule that we will be publishing
in accordance with the schedule from the Court. And then,
of course, as a part of that publishing of that proposed
rule, we do intend to include a preamble that will give
feedback on the comments that we receive during this time.

In addition to the comments that we’re taking
through these virtual listening sessions, we do have open
the opportunity for written comments, and we’ll talk a
little bit more about how you can provide those comments in
just a minute.

I do want to give a brief reminder that the
Animal Welfare Act does not apply to livestock, so poultry
production operations are excluded from this undertaking.
We recently added to the website, again, in the same
location where you found the information for these working
sessions on the Animal Care News and Information page, the
current definition for livestock and for exhibition to help
clarify some of the areas that, you know, we do not intend
to cover in these standards because they are already a part
of exclusions from those definitions. So you should be
able to look there for more detail on that, but just to
provide that clarification up front today, that would
exclude production poultry operations and those folks who
are exhibiting poultry in breeding shows, such as 4-H shows
and things of that nature.

So now let me quickly move into the topics that
we’re particularly interested in hearing about today and
review those. We’ve listed these topics in our Federal
Register notice. They are also posted on our website.
Your comments on these topics will help us as we work to
draft the proposed rule.
So, first, recognizing the wide variety of bird species, are there performance-based standards we could establish that would be appropriate across a wide variety of species? Can we use classes of birds to set performance-based standards appropriate for the class? If so, what might these classes look like?

The second big topic is human interference. We are aware that birds can be very sensitive to human interference during certain critical biological stages. How do bird breeders avoid interfering with nesting and breeding or other biological activities of birds? How can we use these best management practices to ensure our housing, feeding, or inspection requirements do not interfere with these biological activities?

And, finally, we would like your input on questions around whether there should be exemptions or exclusions similar to those that we use for mammals and, if so, how might those exemptions be structured. The specific questions that we framed around this are, should we revise or add exemptions for certain dealers, exhibitors, operators of auction sales, carriers, or intermediate handlers of birds not bred for use in research? If so, what should those exemptions look like? And we’d really like to have any supporting data that’s available around those thoughts. Are there thresholds beyond which an
entity should not be required to be licensed? For example, we are aware that there are many entities who breed small numbers of birds. If we should exempt those entities, what criteria should we use to determine which ones should be exempt? And, finally, are there certain species which should be exempt?

Before we go into the opportunity for you to share your thoughts, I will turn the call over to Mr. Scott Moore to go over the logistics of how we’re going to operate this afternoon. Thank you.

MR. MOORE: Thank you, Dr. Sifford.

As mentioned, this is one of three publicized virtual listening sessions. From all those who indicated in the registration process that they wish to speak, we have used a random number generator to choose the first 55 speakers and the speaking order today. Time permitting, we will open the lines to hear from additional speakers.

If you’re not selected to speak today, you may still have your comments heard in one of two ways. You can submit written comments to regulations.gov through October 29. That URL will be shown throughout the webinar feed of today’s meeting. Or you may register as a prospective speaker at the remaining public listening session on October 15. Written and spoken comments will be given equal weight.
We are not accepting comments today through the webinar chat feature. For those who make comments today, here are our ground rules. The event coordinator will announce the name and organization affiliation of the next speaker and unmute that speaker’s phone line. Each speaker will be limited to four minutes. We will play a chime, as heard here, when the speaker has 30 seconds remaining. If you don’t need the full time, just let us know when you have finished, and we will use that extra time to hear from additional speakers.

Please be aware that after four minutes, we will play the chime again and we will close the line. If you don’t get to read your full statement, you may submit the full text through regulations.gov. At the conclusion of each statement, we will announce the next speaker and continue the process.

We have a full agenda of speakers today, so if you are a prospective speaker, we ask you to be ready to speak so that we can hear from as many people as possible. A visual list of upcoming speakers will be shown on the webinar feed. This session is being recorded and transcribed so that we can accurately capture your comments. Transcripts will be posted on the APHIS Animal Care News and Information website at www.aphis.usda.gov.

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Service thanks you for being here today. We look forward to hearing your comments. And now I’ll hand it off to the event producer. Teigen, if you can please announce our first speaker.

OPERATOR: Absolutely. The first person on the list is Jeannette Beranger from The Livestock Conservancy. Jeannette, your line is unmuted.

MS. BERANGER: Hi. Thank you for allowing me to chime in. My organization represents a lot of small farmers, hobby farmers, primarily interested in conserving rare breeds. And, you know, there was quite a bit of concern as far as, you know, some of the verbiage was unclear in the proposed legislation, in particular, you know, not interfering with nesting habits, and, you know, it seems to play, you know, into all birds, and we’re just not quite sure how these new regulations would be pertinent to backyard poultry, and I was wondering if you might be able to chime in on that.

OPERATOR: All right. Thank you, Jeannette, for your remarks. Now I’ll go to the next person on the list, Anita Yeattes. Anita’s calling from The Falconry Experience. Anita, your line is unmuted.

MS. YEATTES: Okay. I’m Anita from The Falconry Experience. And, you know, I agree that we all are here because we’re all very concerned about the welfare of
animals that we care for, and providing a healthy environment for our animals, of course, is paramount. We should all strive to provide the best care for our animals and our practices are always in the best interests of our birds.

As a professional falconer, we strive for the best practices in care and do a lot of self-patrolling. Our state and national clubs also serve as avenues for best practices. Our profession is constantly evolving as we’re trying to do what is best for our animals. Obviously, the inspections are a concern to all of us that breed birds. Most falconers have breeding birds in chambers that restrict the amount of interference from the caretakers. We observe them through cameras and small peepholes to not interfere with them except in emergencies.

The breeding efforts of falconers has led to successful release of many endangered birds, including the Peregrine Falcon. As professional falconers, we already adhere to federal, as well as state, regulations that dictate the care and the welfare of our birds and our practices. These regulations are very clear on how we house and care for our birds, and we understand the need for these regulations but don’t want to overtax USDA with extra work.

We would also like to avoid regulations between
two federal agencies that might contradict each other. We ask that we be exempt from USDA regulation since we already have federal oversight on our animal welfare. Thanks a lot for this opportunity.

OPERATOR: Thank you, Anita. We’ll go to the next person on the list. The next person on the list is Jennifer Ballard from Arkansas Game and Fish Commission. Jennifer, your line is unmuted.

MS. BALLARD: Hi. This is Dr. Ballard from the Arkansas Game and Fish Commission, and I was hoping to hear more about the display of birds of prey at nature centers and things like that. That’s our primary concern, what permitting and inspection requirements will be required for the use of birds in displays and educational purposes of that kind. That’s all I needed today. Thank you.

OPERATOR: Thank you, Jennifer. We’ll go to the next person on the list. Next person on the list is Vera Chaples. Vera is calling from the Mystic Jungle Educational Facility, Inc. Vera, your line is unmuted.

MS. CHAPLES: Hi, guys. Thank you for this opportunity to talk. We offer lifetime homes for animals, of course, that are in need of secondary homes, and a lot of times, these animals do not come to us in the best of conditions.

Now, with that being said, we’re also oversaw by
Fish and Game, part of Fish and Game. And as that one person said, oftentimes, we have state and federal agencies that are at odds with each other as to the care or what they think is the care.

Also, USDA guidelines are kind of gray sometimes and it’s up to the interpretation of the inspector. I’m a little concerned with this because a lot of our birds come in, they’re missing feathers, their beaks, you know, are deformed, and, you know, it puts undue tax paperwork on my vet to have to write out exemption statements on every single bird that we get in here. So I’m concerned a little bit about how this is going to reach over into that area.

Thank you.

OPERATOR: Thank you, Vera. We’re going to go to the next person on the list, Monica Blackwell from The Toledo Zoo. Monica, your line is now unmuted.

MS. BLACKWELL: Hi, thank you. I will be waiving my speaking time.

(Pause.)

DR. SIFFORD: Tiegen, are you still there?

OPERATOR: Yep, sorry. Walter Jamestown is not there on the list. So we’ll go to the next person, Dominick Dorsa. Dominick from The San Francisco Zoo. Please dial #2 so I can identify and unmute your line, Dominick Dorsa, San Francisco Zoo.
OPERATOR: All right. Then we’ll go to the next person on the list, Anna Buckardt Thomas from the Iowa DNR. Anna, please dial #2 if you are dialed in. Anna Buckardt Thomas, please dial #2 so I can identify and unmute your line.

(No response.)

OPERATOR: All right. We’ll go to the next person on the list, Bjorn Netland. Bjorn Netland, please dial #2 if you are dialed in so I can identify and unmute your line. Bjorn Netland, please dial #2 so I can identify and unmute your line.

(No response.)

OPERATOR: All right. We’ll go to the next person on the list, Jessica McAtee of National Aviary. Jessica, please dial #2 so I can identify and unmute your line. There you are. Thank you, Jessica. Your line is unmuted.

MS. MCATEE: Hello. Thank you for allowing me to speak. The main things I wanted to say was just I definitely feel like we are going to need standards for a variety of different types of species. You know, the needs of a parrot are not going to be the same as, you know, something like a raptor.

You know, and I do have a little bit of concern
over, you know, the language around avoidance of human interference just because there are some endangered species that may not be here today if there wasn’t some level of human interference. Thank you.

OPERATOR: Thank you, Jessica. Now I’ll go to the next person on the list. Next person on the list is Garrie Landry from Acadiana Aviaries. Garrie Landry, if you could dial #2 on your telephone keypad so I can identify and unmute your line. Garrie Landry, please dial #2 so I can identify and unmute your line.

(No response.)

OPERATOR: All right. We’ll go to the next person on the list, Brenda King from the Arizona-Sonora Desert Museum. Brenda King, your line is unmuted.

MS. KING: So some of our questions were standardizing caging requirements and, as everyone else has said, looking at mixed species aviaries and standardizing state requirements. Sometimes we have parrots, sometimes we have hummingbirds, these sorts of things altogether. And where are the guidelines coming from? Are there ornithologists that are working with USDA to help out on this?

Also, reporting escapes, like if you have a free flight program and you know exactly where your bird is, but it’s not coming back quickly. Will all birds need to be
permanently marked, either with bands or microchips, and will all inspectors be VMOs? Thank you.

OPERATOR: Thank you, Brenda. We’ll go to the next person on the list. Next person on the list is Tammy Hartnett of Hartnett Aviaries. Tammy, if you could dial #2 on your telephone keypad so I can identify and unmute your line, that would be great. Tammy Hartnett, please dial #2 on your telephone keypad.

(No response.)

OPERATOR: All right. Then we’ll go to the next caller on the list. Next caller on the list is Nick Vlasek from Pioneer Lofts. Nick Vlasek, could you dial #2 on your telephone keypad so your line can be identified and unmuted.

(No response.)

OPERATOR: All right. Then we’ll go to the next caller on the list. Next caller on the list is Katelyn Dylewsky (phonetic) from the Animal Welfare Institute. Katelyn, could you dial #2 on your telephone keypad so your line can be identified and unmuted. Katelyn Dylewsky, please dial #2 on your telephone keypad.

(No response.)

OPERATOR: All right. Then we’ll go to the next caller on the list. Next caller on the list is Mike Hlavaty from Kalmbach Feeds. Mike, if you could dial #2 on
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your telephone keypad so I can identify and unmute your line.

(No response.)

OPERATOR: All right. Then we’ll go to the next person on the list, Mark Herbold of Outback Birds. Mark Herbold, could you dial #2 on your telephone keypad so I can identify and unmute your line.

(No response.)

OPERATOR: All right. Then we’ll go to the next caller on the list. Next caller on the list is Logan Jimenez from Save the Cockatoos, Legislative Rights for Parrots. Logan Jimenez, could you dial #2 on your telephone keypad so I can identify and unmute your line.

(No response.)

OPERATOR: All right. Then we’ll go to the next person on the list, John Sevlagat of Zoological Association of America. John Sevlagat, could you please dial #2 on your telephone keypad so your line can be identified and unmuted.

(No response.)

OPERATOR: All right. Then we’ll go to the next caller on the list. Next caller on the list is Maria Sullivan from Papayago Rescue House, Inc. Maria Sullivan, could you please dial #2 on your telephone keypad so your line can be identified and unmuted. Maria Sullivan of
Papayago Rescue House, Inc., please dial #2 on your telephone keypad.

(No response.)

OPERATOR: All right. Then we’ll go to the next person on the list then, that would be Laura Armand from Riverbanks Zoo. Laura Armand, could you please dial #2 — ah, Laura, Riverbanks Zoo, there you are.

MS. ARMAND: I waive my time.

OPERATOR: Thank you, Laura. Then we’ll go the next person on the list. Next person on the list is Emily Grace from the Iowa Poultry Association. Emily Grace, could you dial #2 on your telephone keypad so I can identify and unmute your line. Again, Emily Grace of the Iowa Poultry Association, please dial #2 on your telephone keypad.

(No response.)

OPERATOR: All right. Then we’ll go to the next person on the list. Next person on the list is Monica Engebretson of Avian Welfare Coalition. Okay, Monica, your line is unmuted.

MS. ENGEBRETSTON: Hello, thank you. This is Monica Engebretson from the Avian Welfare Coalition, which was a party to the lawsuit that brought forth this process. To get right into the questions that you’re asking for answers to about regulations and performance—
based standards, I think it definitely makes sense to have some general across-the-board standards but then possibly breaking groups of birds down into different groups, because, obviously, there are -- there’s a great difference in morphology and diet and social structure with the groups of birds.

So, four categories could be terrestrial birds, this would be birds that typically occupy large home ranges in the native habitats and spend a lot of time foraging for food, perform things like dust bathing behavior and those sorts of things.

Aquatic and semiaquatic birds could be grouped together. These are ones, obviously, that spend a lot of time in the water, resting on land, wading, or swimming and submerging themselves in water.

And birds of prey probably would have their own group. Obviously, they spend much of their time, of course, perching and flying, with the exception of Burrowing Owls.

And then arboreal and perching birds could possibly be grouped together with some of their needs being the same. They spend much of their time perching and flying and foraging for food. They also tend to be highly social and have shown to have high stereotypic behavior and poor welfare when denied their natural abilities. They
also have high levels of intelligence in certain classes that would require additional enrichment.

Getting to the next part about avoiding interference with breeding and nesting and biological activities, I think there are definitely ways that these can be mitigated. Birds who are experiencing good welfare are often really able to adjust to new stimuli and temporary changes in their routine. If they are not, they can be desensitized over time to things that might be fearful to them. If, you know, perhaps the outfit that inspectors are using is disruptive, they could slowly be acclimatized to that.

Breeding and nest building and care of young is a strong biological urge in the wild. Birds are not prone to destroying and abandoning their nests with minor disturbances. In fact, researchers often climb nests, weigh chicks, and put them back in the nest without the risk of birds abandoning the nest. So, if there are birds that are having significant reactions to disruption or inspections, it might be a red flag about poor welfare and needing to change the situation there to improve their living condition.

The next part about exemptions for certain dealers, I would say there should be no exclusions. All birds who qualify under the law should be protected by the
regulations. There isn’t any real scientific or ethical justification for excluding certain species from welfare protection or excluding certain entities from meeting the most basic welfare standards which would be provided by the Animal Welfare Act.

There’s been some suggestion that because there’s multiple oversight in some areas that certain states, you know, have oversight of certain activities, then they should be exempt. The same thing exists in states for other types of exhibitors of exotic animals. California, for example, has some standards and oversight of exotic animal exhibitors, and these exhibitors are still covered under the Animal Welfare Act, and it shouldn’t be different for birds.

Whether or not there should be thresholds, I would just say thresholds should make sure that they’re on parity with other areas of the Animal Welfare Act and not to be so low as to compromise the intent of the law. Thank you very much.

OPERATOR: Thank you, Monica. Next caller on our list is Samuel Wilson. Samuel Wilson, could you dial #2 on your telephone keypad so your line can be identified and unmuted. Samuel Wilson, please dial #2 on your telephone keypad.

(No response.)
OPERATOR: All right. We’ll go to the next person on the list. Next person on the list is Beth Bicknese from San Diego Zoo. Beth, your line is unmuted.

MS. BICKNESE: Hi, this is Beth Bicknese speaking. I’m speaking as a personal citizen and a 30-year veterinarian that’s worked with birds as pets and in the zoo setting for 28 years. I’m going to say similar things to what some other comments have been.

And that’s for number one, are there appropriate standards? You know, clearly, with all the different birds, that’s going to be a challenge, but I do agree, if we set them up by categories, such as terrestrial, aquatic, and perching, that there may be ways we can figure that out. And I think there may be general categories that need to be checked off. For example, food, how is that presented and is it appropriate for the species. Two would be water, and, again, some animals, say raptors, they often get their water from their food items, so they may not need a bowl, but that water should be in the category. Find out if they saw a general category of appropriate cover or refugia or perching such that an animal that’s terrestrial maybe doesn’t need perching up high, but it needs appropriate substructure around and items to hide behind, either artificial or biological, like a bush.

Another category would be appropriate nesting
opportunities, if the animal is in a reproductive period of life, and, again, that’s very variable depending on the species from cavity nesters in the ground even to ones up high.

And then the last one would be just a general comment about the ability to do normal locomotion. For example, again, can they walk on the ground if they’re terrestrial, are they able to spread their wings and fly or at least go between perches if they are more of a perching type species. And there may need to be some criteria for that where they may not have it to be determined 24 hours a day, such as raptors, sometimes they’re in smaller areas, but an animal similar to how dogs are treated now, it seems like birds should have the ability to do normal locomotion on some kind of frequency basis.

For number two, as far as how to avoid interference, there’s different ways to do that. Cameras are a good way to do that. Maybe if the people don’t have the ability to have cameras normally in their breeding areas, maybe there would be some handheld camera that the inspector could loan to a caregiver and the caregiver could walk through the aviary for them or the area and that would be less likely to deter the bird versus new people.

Also, if they work on desensitizing to different people in the area that sometimes they will tolerate it.
Also, if things are planned ahead, such as having hides or blinds for the inspector to be behind, that would be helpful.

Lastly, if it’s a very sensitive species, potentially, they could time inspections for the time of year when they wouldn’t be in the critical breeding period.

And lastly, for are there thresholds for licensing, I am wondering about the family fragility for the finches, might be one to look at for that, because that’s a common breeding type -- thank you.

OPERATOR: Thank you, Beth. All right, we’re going to go to the next caller on the list. Next caller on the list is Lynn Andrews from L.A. Exotic Birds. Lynn Andrews from L.A. Exotic Birds, if you could please dial #2 so your line can be identified and unmuted. Lynn Andrews, please dial #2 so your line can be identified and unmuted.

(No response.)

OPERATOR: All right. Then we’ll go to the next person on the list, Kimberly Robertson from Safari West. Kimberly Robertson from Safari West, could you please dial #2 on your telephone keypad so your line can be identified and unmuted.

(No response.)

OPERATOR: Okay. We’ll go to the next person on the list. Next person on the list is Ines Dulle from the
Bird Breeders Association. Ines, if you could please dial #2 on your telephone keypad so your line can be identified and unmuted. Ines Dulle from the Bird Breeders Association, please dial #2 on your telephone keypad.

(No response.)

OPERATOR: All right. We’ll go to the next person on the list. Brenda King is a repeat, so we’ll go to Larry Dickerson of the North American Falconers Association. Larry Dickerson, your line is being unmuted as we speak.

MR. DICKERSON: Ladies and gentlemen, I don’t envy any of you having to sit through these sessions, let alone deal with the complexity of birds and species that must be regulated. I appreciate your time, and I’ll be as brief as possible.

I wish to address only birds classed as migratory and that are included by regulation as part of the Migratory Bird Treaty Act of 1918, and, specifically, I wish to address birds of prey, also known as raptors. These birds and the possession of these birds, along with the husbandry required, is already, by law, highly regulated by the U.S. Fish and Wildlife Service, which has been delegated the legal authority to promulgate migratory bird regulations.

We respectfully submit the AWA, nor the recent
order of the federal court, does not grant regulatory authority over migratory birds through the USDA and thereby to APHIS.

A listing of migratory birds or if you prefer wild birds, captive raised migratory birds, such as raptors, can all be found in 50 C.F.R. 1013, and this list was updated this year.

Wild migratory birds may not be sold. However, captive raised migratory birds may be sold only to licensed or otherwise permitted persons. The propagation of these birds can only legally be conducted under permit authorization and only after all regulatory requirements have been met under 50 C.F.R. 2130.

Permits are issued by the U.S. Fish and Wildlife Service already. Requirements for facilities, provision for inspections, banding, paperwork requirements, those are just examples of everything that’s provided for in this code.

Now, regarding to what you refer as exhibition, we call education. This is also governed by regulations of the U.S. Fish and Wildlife Service and promulgated under the authority of the MBTA again. These regulations, as well as requirements for husbandry of these birds, is found in 50 C.F.R. 2127.

The application process alone is horrific. It’s
stringent, including the referenced requirements for housing; those are found in 50 C.F.R. 1341. They have to be submitted; the facilities have to be inspected. U.S. Fish and Wildlife Service often delegates inspection responsibilities to the states, who, in turn, provide inspection reports back to the U.S. Fish and Wildlife Service.

We respectfully submit that, while we feel that neither the AWA nor the courts grant regulatory authority over migratory birds to the USDA, if the USDA feels in some way either compelled or is ordered to regulate all birds, wild or otherwise, we strongly suggest coordination with U.S. Fish and Wildlife Service, which you folks do routinely, and adopting by reference those regulations already in existence regarding migratory birds. This will alleviate a great deal of work for already overworked staff and alleviate the considerable concern for those already being regulated by U.S. Fish and Wildlife Service.

At this time, to address the specific questions that you’ve had during these scoping meetings, as far as standards for migratory birds, these already exist, and they are covered in regulations. Classes, in my opinion, you could simply designate migratory bird and nonmigratory bird, and all the birds that are covered under migratory are obviously governed by the MBTA.
And, in conclusion, when the USDA and APHIS are drafting regulations to meet the requirements of the AWA regarding birds, the North American Falconers Association would like to offer our services as a source of information about birds of prey. They help for falconry, used in education, used in rehab. You may find our experiences and our technical assistance invaluable, and we would offer our services to you. Thank you for allowing me to speak.

OPERATOR: You’re welcome, and thank you for your comments, Mr. Dickerson. Now we’re going to go to the next person on the list. Next person on the list is Ryan Olufs from Misty Morning Ranch. Ryan, please dial #2 on your telephone keypad so your line can be identified and unmuted. Ryan Olufs from Misty Morning Ranch, please dial #2 on your telephone keypad to have your line identified and unmuted.

(No response.)

OPERATOR: All right. We’ll go to the next person on the list then, Kelly Randolph from Union Park Animal Hospital. Kelly Randolph, could you please dial #2 on your telephone keypad to have your line identified and unmuted. Kelly Randolph from Union Park Animal Hospital, please dial #2 to have your line identified and unmuted.

(No response.)

OPERATOR: Next person on the list is Rachel
Rogers from Miami-Dade Zoological Park and Gardens/d/b/a Zoo Miami. Rachel, your line is unmuted.

MS. ROGERS: Thank you, and I apologize for the background music of one of my neighbors. My main concern is the education of some of the private sector breeders that we deal with. So we’re not the bad guys forcing them to comply with something that they don’t understand. I think that the bird community has been exempt from this type of a regulation for some time and they need a catch-up period.

So I think these listening sessions are great, but I’d also like to see tech notes or materials for education. Thank you.

OPERATOR: Thank you, Ms. Rogers. Now we’ll go to the next person on our list. Next person on our list is Candyce Paparo from Long Island Aquarium. Candyce Paparo, can you please -- there you are. Candyce, your line is unmuted.

MS. PAPARO: I waive my time.

OPERATOR: Thank you, Candyce. I’ll go to the next person on our list. Next person on the list is Apryl Miller. Apryl Miller is calling from Legislative Rights for Parrots. Apryl Miller, your line is unmuted.

MS. MILLER: Can you hear me okay?

OPERATOR: Yes, we can.
MS. MILLER: Okay. So we work as a group across the country when it deals with legislation, and a couple of the things over the listening sessions that we are concerned about deals with licensures and deals with the idea of let it fall back to the states. While certain things like raptors or birds of prey have state legislation, not every state has legislation.

I deal with animal control officers all over the country, and many of them are very much depending on this law to give them the ability to do things to protect birds in the community. There, in many states, are not laws protecting birds against cruelty and neglect in the same manner there are for other animals, such as dogs, cats, horses. So they’re very dependent on this law, and so the idea of throw it back to the states doesn’t work for every state because not every state has caught up to having laws that protect specifically many of your exotic species, including parrots.

Also, there’s an ongoing trend of what’s known as flipping. There’s not regulations on rescues and rehabs and standards for them to meet. You’ll have individuals who represent themselves that they rescue who will take in birds from people in need to rehome and flip the bird at the highest price possible with no concern to the welfare, needs, or the further outcome of the bird.
So there needs to be these standards in place. I agree with the subclasses that have been stated today as a good start. We need standards for those subclasses. We need rescues and sanctuaries to be covered, and double governing shouldn’t matter. What should matter is there’s at least something in place.

When I have animal control officers saying to me literally, I cannot save these birds because there is nothing in the ground, there’s nothing making them domestic or not domestic, they’re just floating in the ether, that’s not good. We’re failing.

And when it comes to licensure, I agree, the bird community has not been oversighted for a very long time, and Legislative Rights for Parrots thinks that’s a major failing. There needs to be licensure, no matter if you’re a small backyard breeder or you’re a large corporate breeder. Both have failings of overbreeding, not testing for diseases, sending out birds who are ill. There needs to be licensure, no matter your size, if you are breeding birds.

So those are our big concerns, licensure and standards for all that allow those people in states that do not have regulations to have something to use. Meanwhile, we have parrots getting willy-nillyed and judges saying it’s just an animal, it’s just a bird, it’s no big deal.
That’s what we get to hear every day in multiple states across this country, and I don’t want to hear those words anymore, it’s just a bird. I want to hear it has the same rights as every other animal in the AWA. Thank you.

OPERATOR: Thank you, Apryl. Now we’re going to go to the next person on our list. Next person on our list is Carlita Rosenberg. Carlita Rosenberg, please dial #2 on your telephone keypad so your line can be identified and unmuted. Carlita Rosenberg, please dial #2 on your telephone keypad.

(No response.)

OPERATOR: All right. Then we’ll go to the next person on our list. We’ll go to Colleen Lynch from The Riverbanks Zoo. Colleen Lynch, your line is unmuted.

MS. LYNCH: I will pass on speaking. Thank you.

OPERATOR: You’re welcome. We’ll go to the next person on our list. Next person on our list is Richard Britain, IFCA, AMA and BRC and PA National Pigeon Association. Richard Britain, please dial #2 on your telephone keypad so your line can be identified and unmuted. Richard Britain, please dial #2 on your telephone keypad so your line can be identified and unmuted.

(No response.)

OPERATOR: All right. We’ll go to the next person on the list. Next person on the list is Mark Wilson.
from Florida Teaching Zoo. Mark Wilson, please dial #2 on your telephone keypad to be identified and unmuted. Mark Wilson from Florida Teaching Zoo, dial #2 on your telephone keypad.

(No response.)

OPERATOR: All right. We’ll go to the next person on the list. Next person on the list is Denise Kelly from the Avian Welfare Coalition. Denise Kelly, your line is unmuted.

MS. KELLY: I’m going to pass and submit written comments. Thank you.

OPERATOR: Thank you, Denise. We’ll go to the next person on our list then. Next person on our list is Mathew Stokes. Mathew Stokes for Rights for All Animals Big and Small. Mathew Stokes, please dial #2 on your telephone keypad so your line can be identified and unmuted. Mathew Stokes, please dial #2 so your line can be identified and unmuted.

(No response.)

OPERATOR: All right. We’ll go to the next person on our list, Kenley Money from the Arkansas Hawking Association. Kenly, your line is unmuted.

MS. MONEY: Yes, can you hear me?

OPERATOR: Yes, we can.

MS. MONEY: Okay. I think I raised my hand as
well. Thank you for allowing me to speak. I want to reiterate and support everything that Larry Dickinson from NAFA, the National Association of Falconers -- North American Falconers Association, my apologies. I want to support everything that he said, and that will be what I need to say here.

OPERATOR: Thank you, Ms. Money. Now we’ll go to the next person our list. Next person on our list is going to be Lisa Keith. Lisa Keith from the David Taylor Zoo of Emporia. Lisa Keith, your line is unmuted. Lisa Keith, your line is unmuted.

(No response.)

OPERATOR: All right. Looks like Lisa Keith might be busy right now. We’ll go to the next person our list. Next person on the list is Barry Wisebram from Sun Pet. All right. I’m not seeing Barry. Please dial #2 on your telephone keypad so your line can be identified and unmuted. Barry Wisebram, please dial #2 on your telephone keypad.

(No response.)

OPERATOR: All right. Then we’ll go to the next person our list, Joe Krathwohl of Birds N Beasts, Inc. Joe, your line is unmuted.

MR. KRATHWOHL: Yes, hello?

OPERATOR: Hello.
MR. KRATHWOHL: Test? Oh, okay, great.

OPERATOR: We can hear you.

MR. KRATHWOHL: Yes, I just wanted to add -- I wanted to add some comments that relate to some of the other comments I’ve been hearing.

One person made a comment about how birds should be broken up into groups and be regulated that way, and the only example of a terrestrial bird they had was a Burrowing Owl. However, an African Ostrich is a terrestrial bird. An American Roadrunner is a terrestrial bird. There’s no way to regulate these two birds similarly. In fact, with almost 10,000 species of birds, the USDA themselves are going to be overwhelmed trying to come up with 4- or 5,000 groups. The new handbook is going to be so thick it will be absolutely burdensome for the inspectors. So it’s definitely going to have to be cut down to size so that it will work for the department, as well as for private ownership.

We don’t want to discourage private ownership, even though some people take shots at private owners because of a few bad apples that have gotten away with things, especially living room-based rescues that turn into hoarder situations. However, the private sector is also a fantastic bank of genetic information for many of these species. And, as was mentioned before, private ownership
is what led to the saving of the Peregrine Falcon.

Now, when it comes time for inspectors to show up, it would be way too burdensome to expect private owners to wear some sort of USDA uniform on a daily basis to prepare for a random once- or twice-a-year inspection.

I had a permit for my lions and tigers for many years. I’ve been through many inspections, and I know that if our pair of condors are on an egg, those birds will only be inspected from the main walkway where workers can go. There’s no way anyone’s going to get any closer, and those types of situations are going to end up leading to lawsuits, because sometimes, you know what? This is what we inspect, and that’s as far as I, as the owner, can go. That’s as far as the inspector can go.

In some cases, with some valuable species, sure, there are cameras installed in nest boxes and such. And inspectors need to be able to accept that in lieu of actual visual contact with chicks in nests. A good example would be our pair of Great Indian Hornbills. They mud the female into the nest box, and you can’t see inside there.

Now, if the camera’s working and the inspector accepts that he can peak inside, awesome. But, if it comes down to where the parties to the lawsuit are demanding that every bird be covered, every bird be inspected, that’s going to end up in many lawsuits and future lawsuits trying
to reign in the craziness of these new regulations.

Other than that, I also reiterate that birds that are already regulated by other federal agencies should be exempt from these because they are already stringent.

Thank you.

OPERATOR: Thank you. We’ll go to the next person the list. Next person on the list is Nicholas Jacinto from Nature Nick’s Animal Adventures. Nicholas Jacinto, your line is unmuted.

MR. JACINTO: Hello, can you hear me? Hello?

OPERATOR: Yes, we can.

MR. JACINTO: Oh, okay, just checking. So, currently, I’m going to be speaking on the behalf of someone who does wildlife shows and is a current holder of a USDA license of mammals and birds, reptiles.

My main concern that I see with starting to regulate birds is that, for example, being a current USDA license holder is that a lot of the materials, the structures that mammals are held in, for example, can’t be wood or need to be treated or have to be made of metal.

I personally know many falconers and bird of prey people, for example, that their standard building material is wood or exposed wood, and I know many of the USDA regulations, there’s a need for a physiological access to light, and I’ve heard many of the raptor people today and
falconers expressing that they’re a little concerned about these USDA regulations. For example, raptors need to be in a dark chamber where they can’t be exposed to light.

So my main concern is just that the training with these new regulations that will be put forth in the next year or so will aim to address those issues, in my mind, for these inspectors, that they’re not going to just extrapolate what’s currently in the blue book for mammals and try to apply that to birds because birds are different.

So that’s really my main concern with this, if we’re going to be putting these regulations towards raptors and other birds that might be housed in structures like that. And that’s it, that’s all I had to say.

OPERATOR: Okay. Thank you for your remarks. Thank you so much. We’ll go to the next person on the list then. Next person on the list is Melissa Cardenas from SeaWorld San Antonio. Melissa, could you please dial #2 on your telephone keypad so your line can be identified and unmuted. Melissa Cardenas, please dial #2 on your telephone keypad to have your line identified and unmuted. (No response.)

OPERATOR: All right. We’ll go to the next person on the list. Next person on the list is Peter Stavrianoudakis from the American Falconry Conservancy. Peter, could you please dial #2 on your telephone keypad so
your line can be identified and unmuted.

(No response.)

OPERATOR: All right. We’ll go to the next person on the list, Paul Napier of Cape May Raptor Banding Project. Paul Napier, your line is unmuted.

(No response.)

OPERATOR: Paul Napier, please check to see if your phone is muted. Paul Napier, your line is unmuted. Please check to see if your phone is muted.

(No response.)

OPERATOR: All right. We’ll go to the next person on our list then. Next person on our list is Kate Marden, West Coast Falconry. Kate Marden, please dial #2 on your telephone keypad to have your line identified and unmuted. Kate Marden of West Coast Falconry, please dial #2 on your telephone keypad.

(No response.)

OPERATOR: All right. We’ll go to the next person on our list, Barbara Sachau. Barbara Sachau, please dial #2 on your telephone keypad to have your line identified and unmuted. Barbara Sachau, please dial #2 on your telephone keypad to have your line identified and unmuted.

(No response.)

OPERATOR: All right. We’ll go to the next
person on the list, Jean Pattison of African Clean Aviaries. Jean Pattison, please dial #2 on your telephone keypad to have your line identified and unmuted. (No response.)

OPERATOR: Okay. We’ll go to the next person on the list, Tony Rivers, American Phoenix Breeders Association. Tony Rivers, please dial #2 on your telephone keypad to have your line identified and unmuted. Tony Rivers, please dial #2 on your telephone keypad. (No response.)

OPERATOR: Okay. Then we’ll go to the next person on the list, Clyde Robinson, Avian Empire, Inc. Clyde Robinson, please dial #2 on your telephone keypad to have your line identified and unmuted. Clyde Robinson of Avian Empire, Inc., please dial #2 on your telephone keypad. (No response.)

OPERATOR: All right. At this time, I have run out of people on my list. If you would like to speak at this time, please dial #2 on your telephone keypad. You’ll hear a notification when your line is unmuted, at which point please state your name, the organization you represent, and then offer your comments. Again, dial #2 on your telephone keypad to offer your comments, and remember to state your name and your organization when you’re
unmuted. Caller, your line is unmuted.

Dr. LATAS: Good afternoon, can you hear me?

OPERATOR: Yes, we can.

DR. LATAS: I’m Dr. Patricia Latas, a veterinarian for avians and wildlife. I’ve been an active participant in animal cruelty investigations, from advising and consulting to being on scene with law enforcement, to rendering immediate and long-term care of the victims of abuse and cruelty. I have seen things that no one should witness and that no bird should suffer.

As to question one, assuming that the performance standards include healthy and happy birds for the pet and agricultural trade, almost all avian diseases are the consequence of being in inappropriate human care. Unhealthy birds are always found in cruel and neglectful situations. Unhealthy birds are a source of zoonotic infections to people, other birds, other pets, poultry, and livestock, cause severe economic impact, and damage to the reputations of both excellent and poor providers of pet birds.

Question two, housing and feeding inspection as in regards to biological activities. Yes, this should be respected by inspectors but also should not be an excuse for the licensee to hide the impact on welfare from excessive breeding with multiple nesting cycles aimed only
at increasing production of birds with no regard to strong
 genetic quality and health leading to a normal lifespan.

Question three, there should be no exemptions for
any dealers, exhibitors, auction sales, et cetera, because,
in animal welfare and cruelty investigations, these are
often the most egregious of offenders. Small and
accidental breeders, nefarious actors, and hoarders are
rarely members of organizations which support appropriate
care, breeding, and are self-policing.

Some of the worst conditions which I have
personally observed and for which I have euthanized dozens
of dying birds and for which I have personally rendered
emergency and long-term care have been from small breeders,
transport operations, bird expos, flea markets, auctions,
and roadside sales. Rather than being exempt, these
operations should bear even closer scrutiny and be held
immediately accountable. And related to this topic of
concern are the inspection and licensure of facilities to
which confiscated birds are sent following an animal
cruelty case.

Question four, a caution about local laws. In
many locales, these regulations and laws do not exist, and
nefarious breeders, agents, exhibitors, transport agencies,
vendors, and venues take advantage of the situation to
launder wild caught and poached birds, leading to the
potential disease introduction and the continuing
devastation of wild populations and contributing to the
vast cruelty inherent in trafficking.

Question five, there are no species which should
be exempt. What animal does not deserve decent welfare?
Equating monetary value with welfare is an erroneous,
false, and dangerous assumption. The converse is usually
true. Birds with low monetary value are subjected to the
cruellest of conditions and increase the danger of zoonotic
disease exposure, as we are well aware of in these days of
pandemics.

In conclusion, having been a personal witness to
the depths of cruelty that human beings can inflict upon
our beloved birds, I most respectfully urge that agency
regulations institute the highest standards of avian care
for inspection, licensure, and enforcement of the Animal
Welfare Act. Thank you for allowing me the time to present
my views.

OPERATOR: Thank you for your comments. We’ll go
to the next person in the queue. Caller, your line is
unmuted. Anthony Pilny, your line is --

MR. PILNY: Hello?

OPERATOR: -- unmuted. Yes, we can hear you.

MR. PILNY: Hi, this is Anthony Pilny. I’m a
certified avian veterinarian. I’m also speaking on behalf
of the Association of Avian Veterinarians and also on behalf of a committee, the Avian Welfare Committee, with our prime focus being on the goal of what we’re doing here today, and that’s increasing the welfare of all captive birds, specific to the ones that these regulations apply to.

I would like to echo what you just heard the previous speaker, Pat Latas, say. Those of us in the industry and those of us doing this every day are here because we see the failure and the lack of why this, you know, hasn’t happened before. We want to see birds covered under the Animal Welfare Act, and we want to see more regulations and more control of some of the nightmares that we witness on a daily basis.

We find it really important that these birds get the proper coverage, and to address specific questions and what many others have said already, there should be zero exemptions. There is no ethical, scientific, or moral validity to exempt any captive birds. I understand there are many who have concerns about the regulations through other organizations, through Game and Fish or other organizations. It does not mean there should be any exemptions to what we expect to provide here at the end result of this.

I think it’s important to understand that this is
a very complex issue. We’ve heard many people talk about
the diversity of bird species. I think it’s important to
realize that there are those of us out here who are willing
and able to help, that we can make this doable. We can
make this happen. We have the resources, the knowledge and
experience to allow or to share to help move this forward
and have everybody in agreement that it’s the right thing
to do.

I think, when it comes to captivity and
protection, again, echoing that there should be no
exemptions to any of these restrictions and that all
captive birds must be better regulated. Another speaker
mentioned how we’ve overlooked that because of the
exemptions and the delay in getting birds covered. So
that’s another important aspect.

The performance-based standards can be also
evaluated. I understand that’s a daunting task. We’ve
discussed that in our taskforce. We realize it may be
challenging. We realize that there’s a huge diversity in
the 10,000-plus types of birds kept, but there are ways to
do this and there are systems in place to help the USDA
manage this properly.

The best management practices do have to include
all breeders and all captive birds. You’ve already heard
others mention that well-socialized, well-cared for birds,
should not be overly stressed or upset by human
interaction. Of course, many of us who see bird
sanctuaries in the United States overflowing with dumped
birds, those of us that are seeing pet birds, unwanted pet
birds being surrendered at alarming rates, where birds are
now one of the most surrendered or dumped pets out of
convenience when somebody’s tired of them or doesn’t want
to tolerate certain behaviors.

Again, we see the creation of more and more
sanctuaries. We see animal shelters that traditionally
would take in dogs and cats now having to take in birds
because there’s nowhere for all these birds to go because
of lack of regulation all of these years. We need to
increase the standards. We need to improve the regulation.
We need to have a scientifically sound, morally sound, and
convincing set of standards so that we can continue to
uphold the beliefs that many of us have as veterinarians,
as bird rescuers and people who are --

OPERATOR: Thank you for your comments, Anthony.
We’ll go to the next person in the queue, Ginny Heptig.
Your line is unmuted.

MS. HEPTIG: Good afternoon. This is my second
session of listening in and my second opportunity to have a
quick speak. I noted that the first session concerned a
lot of parrots, where this session is more into the raptors
and predatory birds.

In the beginning, someone had mentioned a mixed aviary and whether banding or microchipping. I would love to see somebody try to microchip the hummingbird they said would be in an aviary or a finch, which is totally impossible since I was told my parrotlet was too small to microchip.

Be that as it may, I feel that the parrot species versus the raptor species versus the water species should be in their own classifications for the outlines of the rules to make that book that somebody said would be a mile high a little shorter. And this way, you don’t have to say, well, this goes for waterfowl, so it does not pertain to parrots. Yes, parrots can go by water, but they are not habitually in the water as a waterfowl. They are asiticine (phonetic) or something to that sort.

I’m enjoying getting everybody’s views on this. I am sorry that some people passed. They should voice their opinion. Everything will be also said later on if they decided to submit. So please don’t be afraid to say your piece now, whether you’re prompted or not.

I am not prepped, but I am trying to be as logical and heartfelt as possible to show that there are people, and I am a parrot pet person that belongs to the Treasure Coast of Goddess Bird Club here in Florida. I’m
also a member of AFA, the American Federation of Aviculture. And we dearly love our companion birds, which are our parrots, and when somebody says, oh, you’ve got a bird when they have a dog or a cat, I say, well, why is your dog or cat different than my bird, besides the number of feet or the feathers. So I thank you at this time. I will give some space to some others. Thank you very much for listening today. And I will be joining again on the 15th.

OPERATOR: Thank you, Ginny. At this time, I’m not showing any other callers in queue. Again, if you’d like to offer any comments at this time, please dial #2 on your telephone keypad. You’ll hear a notification when your line is unmuted, at which point please state your name and organization. Again, if you’d like to offer comments, please dial #2 on your telephone keypad. Looks like we do have another caller in the queue. Caller, your line is unmuted.

MS. DESBOROUGH: Hello, this is Laurella Desborough, and I’m with several bird organizations. I am very interested in avian welfare. I’ve been working with birds for almost 40 years now because I want to see them survive on the planet.

I see comments about inspecting nests and breeding facilities and how the birds are going to be
desensitized and just have the keeper wear the kind of uniform the inspector’s going to wear. Well, these birds are very smart. They look to see what kind of a shoe you’re wearing, if you’re wearing glasses instead of not wearing them, if you have a hat or if you have red, a red shirt. They notice everything.

And, indeed, you can have a very, very tame friendly pair of birds, but, when they have babies, they change. And any change that they see that’s frightening means they’re going to kill the babies or destroy the eggs. And as a person who’s working to make sure these species survive because they are threatened in the wild, they’re being poached and smuggled, I think it’s going to be critical that whatever means a breeding facility has to protect their pairs, that needs to be respected. If cameras work, fine.

But there has to be a way not to have death of the babies or death of the parents in the terms of the cockatoos. A male will kill his mate if he sees strangers when there’s breeding going on. So we have to understand that different species have different requirements, and we need to make sure we are protecting them, because that’s the point of this regulation. And I thank you very much.

OPERATOR: Thank you for your comments. At this time, I’m not showing any other comments. Once again, if
you’d like to make a comment, please dial #2 on your
telephone keypad. Again, please dial #2 on your telephone
keypad at this time if you’d like to make a comment.
You’ll hear a notification when your line is unmuted, at
which point please state your name and organization.
Caller, your line is unmuted.

MS. SCHWEIKARDT: Hi, my name is Deborah
Schweikardt and I belong to a variety of bird clubs. I
would like to try to answer those questions that you have
posed to everyone, but I just can’t really find an
appropriate way of answering them. They’re too vague.
They’re too farfetched. And I don’t think anybody should
be under the regulations that you’re proposing.

I have, however, worked in the bird industry
every day since 1984 and have been regulated by state and
city agencies the entire time. On the contrary to what
some have said, I have personally witnessed amazing
standards at which birds have been kept and bred in the
personal sector, and they didn’t need any government agency
setting these standards for them. I see this just as a way
to regulate these amazing animals out of the hands of the
private sector.

I don’t know how it is that a group of people, an
entity, who don’t even want or feel that people should be
breeding, owning, or even having birds, how is it that they
can sue the government and force them to make regulations
on people who breed, own, and have birds? It’s just a way
to take away the rights of those who love working with,
love breeding, and love having and being around these
magnificent creatures. That’s all for my time, and I will
be submitting a written statement also. Thank you.

OPERATOR: Thank you for your comments. Once
again, if someone would like to make a comment, please dial
#2 on your telephone keypad. Again, dial #2 on your
telephone keypad at this time to make a comment. You’ll
hear a notification when your line is unmuted, at which
point please state your name and organization. I’m not
showing any other comments at this time.

(Pause.)

OPERATOR: All right, I’m not showing any other
comments at this time.

MR. MOORE: Okay. Thank you, ladies and
gentlemen, for your comments. We have one more listening
session scheduled for October 15 from 5 to 8 p.m. And
also, I will remind you that you can also submit your
comments through regulations.gov, and that link, URL, is on
the screen.

OPERATOR: All right. That concludes our
conference. Thank you for joining us today and thank you
for using AT&T Event Services. You may now disconnect.
(Whereupon, at 3:16 p.m., the listening session was concluded.)
Certificate of Reporter, Transcriber, and Proofreader

Caption of Event: AWA Standards for Birds
Docket No.: N/A
Place of Event: Remote - Washington, D.C.
Date of Event: October 7, 2020

We, the undersigned, do hereby certify that the foregoing pages, numbers 1 through 53, inclusive, are the true, accurate and complete transcript prepared from the reporting by John Gillen in attendance at the above-identified event, in accordance with applicable provisions of the current USDA contract, and have verified the accuracy of the transcript by (1) comparing the typewritten transcript against the reporting or recording accomplished at the event and (2) comparing the final proofed typewritten transcript against the reporting or recording accomplished at the event.

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