

ALERT: Lacey Act Amendments

TAKE ACTION!

What it does:

1. It reverses USARK's landmark federal lawsuit victory. If passed, any species listed as injurious can no longer be transported across state lines, nor imported into the U.S.
2. Gives FWS a new emergency designation. FWS would gain the authority to easily list a species as injurious without due process, public input, or fair notice. Species could be banned from interstate movement and importation overnight without rational justification or scientific support while a 3-year review is conducted.
3. Creates a "white list" of species that can be imported. This means that any animal (reptile, amphibian, fish, bird, mammal, invertebrate) not on the white list is banned from importation. This white list has yet to be written. FWS would initially ban importation of all species not recently imported in greater than "minimal quantities." This will be defined later, so we do not know the threshold or what data will be used.

Plain talk:

"Injurious" under the Lacey Act is similar to "invasive." *If these changes become law*, the U.S. Fish and Wildlife Service (FWS) would have the authority to list a species as injurious immediately if it could *possibly* survive and breed anywhere in the U.S. and *possibly* cause any type of problem. The *potential* for spreading disease is another criteria for listing.

The United States has a large diversity of climates. A defective "climate match" approach based on average temperature has been used to assess whether a species could become invasive anywhere in the U.S. How many species could be deemed *potentially* invasive in places like southern Florida, Texas, Hawaii, Guam, California, or Arizona? Any such species could be listed as injurious.

This could affect any species! Fish, mammals, birds, reptiles, amphibians, and invertebrates will be in jeopardy. This even applies to native species, as we witnessed with the salamander listings.

About the current bills:

The America COMPETES Act (HR4521) passed in the House with Lacey Act amendments attached (found in Section 71102). It will now be merged with the Senate version which is the U.S. Innovation and Competition Act (S1260). S1260 does NOT contain any similar section. Our goals are to stop the Lacey Act amendments from being added to the merged bill, educate Congress about their damaging impact, and proactively prevent inclusion of such measures in the future.

What can you do?

1. Call your members of Congress.
2. Email your members of Congress.
3. Fax and mail letters to your members of Congress.
4. SHARE our alert and encourage others to take action!



Fights For Your Rights

Action alert with directions and messaging at:

www.usark.org/2022lacey