

## **Advocacy Comments on FWS Proposal to List Nine Species of Constrictor Snakes as Injurious Wildlife**

On May 10, 2010, the Office of Advocacy (Advocacy) filed comments with the U.S. Fish and Wildlife Service (FWS) regarding its proposal to list nine species of constrictor snakes as “injurious wildlife” under the Lacey Act. A copy of Advocacy’s comments may be viewed at [www.sba.gov/advo/laws/comments](http://www.sba.gov/advo/laws/comments).

- On March 12, 2010 FWS published a proposed rule that would list nine species of constrictor snakes as injurious species under the Lacey Act. Among the nine species proposed for listing are four species of pythons, four species of anacondas, and the boa constrictor. If the rule is finalized, importation and interstate transport of these nine species will be prohibited, unless authorized by permit for scientific, medical, educational, or zoological purposes.
- Advocacy expressed concerns that the Initial Regulatory Flexibility Act Analysis (IRFA) prepared by FWS does not adequately capture the economic impacts of the proposed rule on small businesses. Advocacy also commented that the IRFA does not adequately discuss significant alternatives to the proposed rule, as required by the Regulatory Flexibility Act.
- On April 21, 2010 Advocacy hosted a small business roundtable attended by members of the small business communities potentially affected by the proposed rule. Participants included constrictor snake breeders, reptile supply manufacturers, specialized reptile shipping companies, zoological organizations, academics, and trade associations. All participants expressed concerns that the proposed rule, if finalized, will have devastating consequences on their businesses that have not been adequately considered by FWS in its decisionmaking.
- Advocacy recommended that FWS prepare a supplemental IRFA providing greater analysis of the impacts of the rule on small business as well as further examination of significant alternatives to the proposed rulemaking before proceeding with the rule.

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