

FLIGHT CLUB FOUNDATION

501 c(3) nonprofit organization helping parrots and people alike as a licensed humane society for parrots.

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EIN #35-2462010



Dear Representative Hudson and House Legislative Members,

We are writing with concern regarding the great state of Oregon's upcoming hearing on House Bill 3214.

We discussed our concerns with Representative Hudson directly in hopes it would not move to a hearing. We were assured this would not affect our organization. We partially agree as we are nonprofit with the emphasis of education in our parrot outreach programs we do perform in the state of Washington. The problem we see is precedence of verbiage in the bill and know the future outcome is dubious leading to wrongful interpretation and eventual animal suffering.

Our concerns are addressed as follows:

1. The terms in the title of the bill. "Prohibits person from using specified types of animals in a traveling animal act."
This sentence sets a precedent against traveling animal acts, despite exceptions, and assigns punitive action as if the act of traveling with an animal is animal cruelty itself. For nearly all animals that are trained to travel, including when Ringling Brothers traveled, the active humane officers hired independently and reporting to agencies said the animals were not abused, harmed, etc. (Please see link to the following article <https://www.thedailybeast.com/the-aspca-pays-price-for-bad-faith-ringling-brothers-elephant-suit>). Declaring an animal to travel is abuse is wrongful at best and that is what this bill suggests. If, indeed this was to stop bears from riding bikes, then circus ban would be more appropriate than the current generic vernacular in the title.
2. Precedent setting is dangerous and is not limited to the precedent set in the original plan or scope that is under consideration.
We are going to use the cetaceans in human care example of this dangerousness and how far the agenda of the agencies who are approaching you, the legislators, are using. This is clear in intent by the bill verbiage perpetuated not through animal care professionals so much as a multi-billion dollar animal rights agenda to remove animals from human care. The cetacean issue began with performance and ended with Canada removing the ability to house them in human care which lead to animal suffering like Kiska, the orca. <https://www.npr.org/2023/03/11/1162863883/kiska-the-loneliest-whale-in-the-world-dies-at-canada-amusement-park>
HERE IS THE HISTORY OF MARINE MAMMALS ENDING IN CANADA—precedence is harmful:
 - HISTORY: https://en.wikipedia.org/wiki/Ending_the_Captivity_of_Whales_and_Dolphins_Act
 - NEWS REPORT: <https://www.cbc.ca/news/politics/tasker-whale-dolphin-captivity-canada-senate-bill-1.4876136>
 - NEWS REPORT: [https://www.npr.org/2019/06/11/731570415/canada-bans-keeping-whales-and-dolphins-in-captivity#:~:text=Canada's%20Parliament%20has%20passed%20legislation,Canadian%20dollars%20\(about%20%24150%2C000\).](https://www.npr.org/2019/06/11/731570415/canada-bans-keeping-whales-and-dolphins-in-captivity#:~:text=Canada's%20Parliament%20has%20passed%20legislation,Canadian%20dollars%20(about%20%24150%2C000).)
3. The Bill refuses to acknowledge other industry professions, certifications, collaborations, licenses that clearly indicate any animal training must follow LIMA practices. Instead it seems to imply 1970's malpractice and abuse remains common and problematic. These abuses of denying food or hitting animals is illegal in the state of Oregon. Instead, as an Oregonian legislator, the bill clearly indicates emotive reasoning vs. current action in the industry to deny several aspects of animal care. To help, we recommend to please either use our diverse expertise coming from all fields of the industry from pets to zoos to sanctuaries or begin your own library of understanding with a book



like this: [https://books.google.com/books?](https://books.google.com/books?hl=en&lr=&id=HNgoDwAAQBAJ&oi=fnd&pg=PR5&dq=Marine+Mammal+Assessment+in+Welfare+United+States&ots=SF93gccEHK&sig=g3e65-WM8wr03cQdahvju-lhcb8#v=onepage&q=Marine%20Mammal%20Assessment%20in%20Welfare%20%20United%20States&f=false)

[hl=en&lr=&id=HNgoDwAAQBAJ&oi=fnd&pg=PR5&dq=Marine+Mammal+Assessment+in+Welfare+United+States&ots=SF93gccEHK&sig=g3e65-WM8wr03cQdahvju-lhcb8#v=onepage&q=Marine%20Mammal%20Assessment%20in%20Welfare%20%20United%20States&f=false](https://books.google.com/books?hl=en&lr=&id=HNgoDwAAQBAJ&oi=fnd&pg=PR5&dq=Marine+Mammal+Assessment+in+Welfare+United+States&ots=SF93gccEHK&sig=g3e65-WM8wr03cQdahvju-lhcb8#v=onepage&q=Marine%20Mammal%20Assessment%20in%20Welfare%20%20United%20States&f=false)

4. HB3214 acknowledges traveling animal acts are not abusive. We agree, they are not. The reason for conclusion is there are exemptions for GFAS or AZA. No one should be able to travel with an animal if traveling with an animal is declared as a form of abuse by society. Otherwise, this bill suggests discrimination against private industry despite professional credentialing which will be pursued in courts of law.

Sanctuaries are often exempted from many laws or regulations from USDA to USFWS to this bill. The recent bird USDA requirements finally mandated bird sanctuaries at least have USDA requirements. They asked to be exempted from being inspected from Animal Welfare Act agents. Why? Frankly, we are tired of only seeing two institutions vs. the multitude of professional organizations that do hold standards and tests and accreditations to ensure LIMA is practiced in the care of animals. There is no such thing as perfection at any of them. I could, as an inspector, definitely point out problems in all of them and problems of wild animals just the same—predation, starvation, etc is plain cruel and highly coercive. Animal rights uses false narrative that human care is more coercive than nature.

Continuing our example, sanctuaries are not a solution for cetaceans as red tides and more have known to kill and harm cetacean welfare (please remember NAMU in Seattle as an example as he only lived a year due to bacteria in the water killing him). Keiko lost his funding and ability to receive the correct care for his needs. See the book “Killing Keiko” by Mark Simmons <http://awesomeocean.com/top-stories/killing-keiko-the-truth-will-set-you-free/> and <https://www.nhbs.com/killing-keiko-book> that documented how his welfare was not met, it was ignored. We will also attach our copy of the research done by our president investigating long term management of marine mammals to show if welfare is met and how unsuccessful reintroductions have been and still are to this date. Animal rights insist his reintroduction was successful, it was not, we studied it. Earth Island Institute insists it was: <https://savedolphins.eii.org/news/truth-about-killing-keiko-seaworld-doesnt-know-freeing-orca> (animal rights).

In the state of Washington alone, a sanctuary killed over 400 parrots by slowly starving them to death. Another sanctuary in Long Island lost 80 birds in a fire that could have been avoided due to lack of electrical upgrades to the property. Instead, they paid out tons to the animal rights agenda and remained un-inspected yet are on GFAS.

The lack of immersion, expense or experience in current welfare with most of these animal rights institutions is a very big problem. They spend no money on animals in care at all and support none. Their money is spent solely on telling animal welfare givers what to do with no experience doing it or old experiences that have since changed.

5. This bill is setting a precedence in denying an animal performing.

The dictionary definition of performance: “2. the action or process of carrying out or accomplishing an action, task or function” (Oxford)

Animals require a purpose and require problem solving to gain their purpose. Performance gives them this purpose or function. They are not coerced into performing with whips, chains, or lack of food to force them to perform or starve. That is felony animal cruelty by law already in the state of Oregon. Anyone in the animal industry who attends any training conference clearly indicate that animals need to perform in order to remove boredom, stereotypy, fear. Please see the list of papers at the recent conference of over 800 industry leaders and trainers. See the Animal Behavior Management Alliance and International Marine Animal Trainers Association combined conference lineup: https://www.imata.org/conference_sites/atlanta2023/schedule-of-events.html.



6. HB 3124 attacks the ability for private entities to continue their job filling the gap GFAS and AZA cannot do or are unwilling to do. Is traveling long distance with an animal felony animal cruelty?

Clearly the act of animal travel over 12 hours is not cruel as AZA institutions capture wild animals for SSP plans which take weeks of travel and little to no training of the animal. A plan that is required to save species. GFAS organizations move animals across the country taking days. Traveling animals over 12 hours is not felony animal cruelty nor should it be as we already stated in point 4.

7. This bill attacks the ability for low income students to receive equal opportunity for enriched educational experiences with animals. By limiting who can attend classrooms with animals. It forces only GFAS or AZA institutions can go to classrooms. Most already do not. Oregon will be eliminating our ability to go to classrooms. We see over 3,000 students in Oregon alone and that is only one institution doing this very needed work to inspire very low income communities that cannot travel to institutions to see "exotic" animals.
8. This bill attempts to seek a delineation between "entertainment" and "education" when it comes to live animals. The truth is that any live animal in front of any person at any location for any reason is both entertaining and educational at the same time by the nature of simply being a live animal. This is problematic.
9. HB 3214 weaponizes the term "natural" to stop animals in human care at all. Most animals we work with are suitable for human care or need human care for their survival and also how we can learn to care for them in the field. Without human care, many animal species do not have a chance. An Elephant Sanctuary in Tennessee is not Africa. A penned off lagoon with a dolphin cannot escape a red tide. So, forcing degrees of naturalness denies many forms of enrichment and problem solving animals in human care require that we must present after hours which is not fair to the welfare of the animal at all. They do not live out there, they live with us.
10. HB 3124 is another nail that prevents conservation from private industry from happening like this program: <https://www.spixs-macaw.org>. They are a breeder of rare, endangered parrots that are not institutional.
11. Currently, HB 3124 does not include parrots. We are grateful. We also know it will not stay that way once this bill passes. Not with the insurmountable pressure out there by animal rights groups. Their goals of ending human care are serious and should not to be given any leeway to their agenda.

The animal caretaker's ability to be heard before bills like this have become a serious threat and problem to the animal care industry. Many smaller bodies work hard to pass agendas and legislation with no stakeholders input from organizations that do not have any animals in their care. We understand why they do not. They are too expensive. So, we are stuck without a strong lobby and without a strong voice to help prevent passage of laws or regulations that will actually harm animals in care in the long run.

The unfortunate truth is that HB 3124 is exactly that. A bill that will harm animals in the long run as more enforcement will be needed to even discover if the program we are offering is educational enough or not. HB 3124 is the next step denying everyone equal opportunity to contribute to helping create the next advocate to save animals. Vote NO.

This matter requires this length of insight. Please consider us for insight in the future. Graciously,

Debbie Goodrich,
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