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Steven Osofsky: New Migratory Bird Treaty Act interpretation reverses decades of policy

🐾 Monday, April 16, 2018 - 2:58pm

The Migratory Bird Treaty Act, designed to protect birds from harm resulting from human activity, will no longer apply to oil spills or other catastrophic events that inadvertently harm wildlife, according to a new interpretation of the act from the U.S. Department of the Interior.

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Steven Osofsky

Jay Hyman Professor of Wildlife Health and Health Policy

Steven Osofsky is the Jay Hyman Professor of Wildlife Health and Health Policy at the Cornell University College of Veterinary Medicine and directs the [Wildlife Health Cornell](#) Center of Excellence – which takes an interdisciplinary approach to the health challenges wild animals face around the world. He says the new interpretation of the act means “another federal norm is scrambled like an egg.”

Osofsky says:

“The U.S. Department of the Interior, whose stated mission is focused on protecting and managing the nation’s natural resources, continues to betray that mission as well as the American public. Now we have the U.S. Department of the Interior (DOI) officially making the killing of migratory birds through individual or corporate negligence or even malfeasance ‘no problem.’

“With the DOI deciding that ‘the take [killing] of birds resulting from an activity is not prohibited by the Migratory Bird Treaty Act, when the underlying purpose of that activity is not to take birds,’ another federal norm is scrambled like an egg, reversing decades of precautionary policy while rewarding, for example, the energy sector, comprised of those companies (anyone remember BP and Deepwater Horizon?) most likely to have been subjected to penalties under normal enforcement of the Migratory Bird Treaty Act, which turned 100 this year.”

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