



The Honorable Neomi Rao
Administrator of the Office of Information and Regulatory Affairs
725 17th Street, NW
Washington, DC 20503

01 April 2018

Subject: Reduction of Federal Raptor Related Regulations

Dear Administrator Rao:

The American Falconry Conservancy (AFC) is thrilled with the progress President Trump's Administration is making toward repealing burdensome and unnecessary regulation asserted against American citizens. We hope to be beneficiaries of this endeavor.

On June 19, 2017 AFC sent a letter to Secretary of the Interior Ryan Zinke, requesting the repeal of all U.S. Fish & Wildlife Service (FWS) regulations related to the personal use of raptors (birds of prey), such as for falconry, falconry-based pest abatement, raptor propagation, and raptor education. We hope this request has been submitted to the Department of the Interior Regulatory Reform Task Force. I've enclosed a copy of that letter for your review. We haven't yet received a response to that request. We hope that with your experience in the review and assessment of policy and regulations, and President Trump's commitment to reducing unfair regulatory burdens, your office might be able to assist us.

Some of the more unnecessary or even egregious FWS regulatory provisions explained in that letter include:

- 1) Conducting of unannounced, warrantless administrative searches (called inspections).
- 2) The required filing of a Migratory Bird Acquisition and Disposition Report (Form 3-186A).
- 3) The inclusion of hybrid raptors under FWS control, even though the Migratory Bird Treaty Reform Act (MBTRA) of 2004 excludes hybrid raptors.
- 4) Continued management of the peregrine falcon as if it were a species of concern, even though the peregrine was fully recovered and federally delisted by the 1990s.
- 5) Capricious and overly restrictive interpretations of provisions provided by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).
- 6) The unnecessary inclusion of raptors into the Wild Bird Conservation Act (WBCA).
- 7) Redundant and unreasonable interpretations of the Bald and Golden Eagle Protection Act. In addition, States should be given the authority to administer the take of Golden Eagles for falconry purposes just as they do with all other raptor species taken for falconry in the U.S. FWS currently refuses to allow this.

Please give our request serious consideration because FWS oversight lacks authority to wholly govern raptor use by citizens; it is also redundant, because the individual States have their own regulations over raptor use. Of course wild take of raptors would still require FWS oversight, given their obligation to monitor migratory bird populations as the Migratory Bird Treaty Act mandates.

We thank you for considering our request and look forward to hearing from you. If you require further assistance, please don't hesitate to contact us.

Sincerely,
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