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[EXTERNAL] OMB Control Number 1018-Falconry

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To: Info_Coll@fws.gov

I am in full support of **streamlining information collection** on take of wild raptors for falconry for individuals, States and FWS. I see it as useful information gathering solely for the purpose of monitoring of harvest numbers for sustainable management. Given past abuses of FWS Law Enforcement Division, I am NOT in favor of this information being used for law enforcement purposes. If a falconer has a falconry license and the raptor is reported into the appropriate database, law enforcement authority ends at that point. After all, take of wildlife is a right – contrary to what the wildlife management community may believe – steeped in wildlife law dating back to the Codes of Justinian right through the 21st century wherever free societies have prevailed. In contrast, the wildlife management community's opinion is steeped in authoritarian monarchical systems of government where wildlife belonged to the monarch and it was the monarch's prerogative to dispense the "privilege" of wild take to individuals as he saw fit. However, he could also withdraw that "privilege" if it suited his purposes whether justified or not. A **right**, on the other hand, can only be modified or removed when an individual violates fundamental tenets of a free community.

Therefore, the authority of FWS to gather raptor harvest information ends once a WILD raptor has been legally taken and reported. After all, it is considered "dead" for wildlife population management purposes, just like legally harvested waterfowl. If falconers wish to transfer a wild taken raptor to other properly licensed individuals, this is beyond the scope of MBTA authority, especially since falconry harvest has ZERO impact on wild populations as report by Millsap and Allen, *Final Environmental Assessment: Take of Raptors From the Wild Under the Falconry Regulations and the Raptor Propagation Regulations*, USFWS, Div. of Migratory Bird Management, June 2007. In addition, the progeny of domestic bred raptors – whether pure species/subspecies or hybrids – is beyond the scope of the MBTA especially since the 2004 MBTA Revision excluded non-naturally occurring birds. The revision to the Act states:

(2) Native to the United States defined**(B) Treatment of introduced species**

For purposes of paragraph (1), a migratory bird species that occurs in the United States or its territories solely as a result of intentional or unintentional human-assisted introduction shall not be considered native to the United States or its territories....

In this case, wild taken, domestic bred waterfowl provide the precedent we must follow when applying rules to raptors. Consistency and fairness must be observed when regulating activities such as this.

Thank you,

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