



To: Department of Government Efficiency

From: American Falconry Conservancy
falconryconservancy.org

Re: DOGE's government efficiency initiative as it relates to natural resource management under the authority of the Department of the Interior.

Natural resources are a national security concern. They are vital to the nation's very existence and defense. Therefore, they must be managed with sustainable use principles underscoring the power vested in government agencies to achieve this end. This requires the balancing of public interests versus private rights, which is frequently challenging given the perceived conflicting interests that may be asserted. Public interests can easily be manipulated to infringe upon private rights, but private rights are not unconditional as chaos would reign if they were.

While we believe the Federal government's management of our natural resources is a necessity, in general it is currently highly inefficient and, in many cases, its management strategies and tactics are unconstitutional. This creates a multitude of barriers to citizens' *right to access*, which harms economic activities and robs a sector of the nation of prosperity. However, since our organization represents the users of wildlife, we will focus our analyses for change to this sector of natural resources. Nevertheless, the principles we espouse apply with equal force to natural resource access and overall use.

We, [American Falconry Conservancy](#) (AFC), are dedicated to falconers' right to access and use of raptors in the art and sport of falconry. Falconry can be defined as the taking of wild quarry in its natural state and habitat by means of a trained raptor. The United Nations Educational Scientific and Cultural Organization (UNESCO) added falconry to its list of [Intangible Cultural Heritages of Humanity](#) in 2010. To better understand the culture of falconry, *see* the [Introduction to the Culture of Falconry](#).

To begin, we take the position that Federal wildlife statutes are grounded in an unconstitutional understanding of American law.

Wildlife agencies assert that access and use of wildlife is a privilege in contrast to a right. However, the U.S. is a nation of rights, not privileges.

Given this "privileges" mistaken cultural belief, wildlife statutes, such as the [Migratory Bird Treaty Act](#) (MBTA), have been written to assert that wildlife cannot be pursued or harvested without permission of government authorities. However, access and use of natural resources, which include wildlife, is a **right** of the first order since man cannot exist without them.

Wildlife statutes such as the [Bald and Golden Eagle Protection Act](#), violate the Eighth Amendment's protections from excessive fines and punishments (*see* the Act's provision for a violation). U.S. Fish & Wildlife Service (FWS) uses wildlife statutes and international treaties (such as the [Wild Bird Conservation Act](#) (WBCA) and the [Endangered Species Act](#) (ESA)) to inhibit or outright prohibit commercial use of wildlife, even though such commerce can be and has been used for highly beneficial



wildlife conservation management purposes, e.g. breeding endangered species in captivity by private citizens for release projects in appropriate habitat. Under the ESA, the [International Affairs](#) program of FWS carries out the provisions of [The Convention on International Trade in Endangered Species of Wild Fauna and Flora](#) (CITES) through its Division of Management Authority. The Management Authority uses a multitude of tactics to block trade of captive bred wildlife, which only increases pressure on the illicit activities of foreign players in their smuggling of wildlife, and in addition, impoverishes domestic breeders which shrinks captive breeding populations.

Treaties, statutes, and regulations are written with good intentions in mind—originally. However, once codified, they are distorted for animal rights activists’ nefarious purposes through their moles in key positions within wildlife agencies. That is, the regulations are twisted to serve those who believe mankind should look but not touch animals.

The denial of citizens’ rights is baked into the culture of wildlife management. It is at the core of every aspect of wildlife agencies’ purpose and their ill treatment of citizens who access and use wildlife. A perfect example is the assertion that wildlife law enforcement officers are not restrained by the [Fourth Amendment](#). They assert that they can stop and search users and can search private property with no justification and with no warrant—which is a clear violation of the Fourth. Local and State law enforcement officials do not have this power even when the most egregious crimes are at stake.

We can go into far greater detail of constitutional abuses, but the purpose of this email is to introduce DOGE to the inefficiencies of the Department of the Interior, and avenues that need serious attention that would also help DOGE in its mandate to achieve greater efficiencies within the two year mark it has assigned itself. If DOGE sees this as a worthwhile cause to achieve this end, it is recommended that you review the book [Wildlife Law, Regulation and Falconry](#) (Murrin and Webster, [Western Sporting](#), 2013). The book was written as a case study of natural resource mismanagement through the abuse of government power.

I am at your disposal to answer questions and to work with your personnel to assist you in these efforts.

Thank you,
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