



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington, D.C. 20240



In Reply Refer To:
FWS/AIA/DMA/Knutson-Hollister

OCT 10 2009

Dr. Theresa Munidita S. Lim
Director
Department of Environment and Natural Resources
Protected Areas and Wildlife Bureau
Quezon Avenue
Diliman
Quezon City
PHILIPPINES

Dear Dr. Lim,

The CITES Secretariat forwarded your letter of July 15, 2009, containing comments regarding the proposed registration of Mr. David Knutson and Hollister Longwings (Robert B. Hollister, breeder) as commercial captive-breeding operations of *Falco peregrinus* (in the case of David Knutson) and *F. peregrinus*, *F. rusticolus* and *F. rusticolus* x *F. peregrinus* (in the case of Hollister Longwings) [CITES Notification No. 2009/016, dated April 17, 2009]. I hope that the following explanations address the two concerns identified in your letter and that you will rescind your objections.

Your letter to the CITES Secretariat identified two concerns that lead you to object to these registrations, one of which was the same basis for objecting to a previous proposed registration submitted by the United States.

Issue 1:

“a) We found that some of the forms (e.g., Form 3-186A) provided by Mr. Knutson and Mr. [Hollister] have no initials and dates received by the USFWS on the space provided under “USFWS Use Only.”

Response 1:

This concern was raised during your previous objection to the registration of Pacific Northwest Falcons, a commercial breeding operation that was the subject of CITES Notification No. 2008/063. The following response is the same one made at that time and that was accepted by the Animals Committee when they reviewed the previous proposed registration.



The United States has many laws and regulations that monitor or regulate specific activities for wildlife species that are of particular conservation concern. Migratory birds, including raptors, are regulated under the Migratory Bird Treaty Act and its subsequent regulations (50 CFR Parts 10, 20, 21, and 22). Under 50 CFR 21, anyone who sells, donates, or otherwise transfers a raptor must report that activity to the USFWS by submitting a Form 3-186A, "Migratory Bird Acquisition and Disposition Report." In addition to providing a copy of this report to the USFWS, copies are maintained by both parties of the transaction (i.e., the breeder and purchaser), and copies are provided to the State wildlife agency(s) that regulates raptor propagation or falconry within the state(s) in which the buyer and seller reside. Form 3-186A is a reporting requirement; it is not a permit, and there is no requirement for the USFWS to authorize a transfer prior to the transfer occurring. Since copies of the report go to individuals or government agencies besides the USFWS, the USFWS would not have the ability to stamp all copies of the Form 3-186A, nor is it a requirement that any copies of the form be stamped or otherwise validated by a USFWS official, including the copy maintained by the USFWS. In addition, the USFWS did not require institutions requesting registration as a commercial breeding operation to obtain stamped copies for inclusion with their registration application. In the case of these registrations, some Forms 3-186A were obtained by the applicants directly from the USFWS, where the document may or may not have been stamped, but the bulk of the forms provided were obtained either from the applicants' own files or from other parties involved in the transfer of a particular bird. Therefore, Form 3-186A may not be stamped by the USFWS and does not require a stamp or other "validation" in order to be a valid document.

It should be further noted that the submission of the Form 3-168A documents in this registration package, as well as any other registration package for raptors submitted by the USFWS to the CITES Secretariat, are not called for under Resolution Conf. 12.10 (Rev. CoP14). The documents were provided to more clearly demonstrate that all of the birds identified were legally acquired by the breeder in accordance with U.S. laws and regulations. Since the USFWS maintains an active and robust management program for captive-held raptors, it would have been sufficient for the USFWS to include a statement that all of the birds were legally obtained based on internal USFWS documentation and controls.

Issue 2:

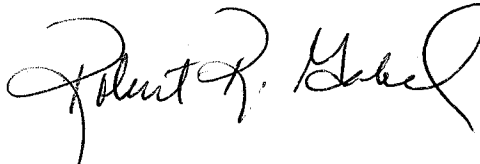
"b) We need further clarification on the statements indicated below under the registration of Mr. [Hollister], such as: b.1 Under item 4, he stated that "all parental stock was bred in captivity in the United States of America between 1997 and 2007"; b.2 Under item 9, "all offspring produced in the last 20 years had been F2 or greater..."

Response 2:

The **current** breeding stock held by Mr. Hollister were all bred in captivity between 1997 and 2007. However, Mr. Hollister established his breeding operation in 1987 and has been producing birds since the facility was established. According to Mr. Hollister's breeding records, he has been producing F2 birds for the last 20 years from breeding stock, at least until the late 1990s, that are not currently part of his breeding stock. The statement provided in item 9 was to document Mr. Hollister's ability to breed the species, but not to state that the current breeding stock has been producing F2 birds for the last 20 years.

We hope that these responses satisfy your concerns regarding these two breeding operations.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert R. Gabel". The signature is fluid and cursive, with a large initial 'R' and 'G'.

Robert R. Gabel, Chief
Division of Management Authority

cc: CITES Secretariat