



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington, D.C. 20240

In Reply Refer To:
FWS/AMB/023409

Memorandum

To: DIRECTOR

From: Assistant Director, Migratory Birds

Subject: Annual Migratory Bird Hunting Regulations

The Department of the Interior, through the U.S. Fish and Wildlife Service, is responsible for overseeing the development of annual hunting regulations for migratory game birds in the United States. This responsibility is clearly mandated under the Migratory Bird Treaty Act (1918) and supported by a number of other important international agreements. Since the implementation of this Act, the Federal Government has been successful every year in developing the biological, legal, and administrative framework for migratory game bird regulations, within which each State is able to select its own hunting seasons. Promulgation of annual hunting regulations by the Service relies on a well-defined process that involves input and review by technical experts and the public. This process uses technical information of the previous year's harvest, status of populations and habitat conditions collected by the Service and its partners. The decisions that are made constitute a "highly influential scientific assessment" under the definitions in the Information Quality Act, as a result of the economic impact associated with hunting migratory game birds in the United States. At key steps in the overall process, there are opportunities for valuable review and input by Flyway technical committees, Flyway Councils (State agencies), consultants, and the general public. However, time is extremely limited between the period when data are collected and analyzed and when decisions must be made regarding the hunting seasons. Whatever time is available during this period is directed to additional review of technical information and proposed regulations by the Flyways and the public. There is no opportunity for an additional formal peer review of the results of data assessment without significantly increasing the risk of delaying the onset of hunting seasons throughout the United States. Failure to implement annual hunting seasons as scheduled will likely draw the unfavorable concern of those at the highest levels because of the economic importance and political sensitivities of migratory game bird hunting at the State, national, and international levels.

Given the above, we request a waiver of the requirements under the Information Quality Act for this assessment.

Waiver Approved

12/13/2005

Waiver Denied