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Ornithological  
Council



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ABOUT BIRDS

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Neotropical Ornithological Society

North American Crane Working Group

Pacific Seabird Group

Raptor Research Foundation

Waterbird Society

Wilson Ornithological Society

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24 January 2023

The Honorable Deb Haaland  
Secretary of the Interior  
1849 C St., N.W.  
Washington, D.C. 20240  
Via email to: Debra.Haaland@doi.gov

Dear Secretary Haaland,

The Ornithological Council is a consortium of scientific societies of ornithologists; these societies span the Western Hemisphere and the research conducted by their members spans the globe. Their cumulative expertise comprises the knowledge that is fundamental and essential to science-based bird conservation and management.

We are writing today to thank you for reversing the Department of the Interior's moratorium on the use of unmanned aircraft systems (or drones). We look forward to working with the Department and the U.S. Fish and Wildlife Service as you move forward with the regulatory process required to permit the use of drones to research, study, and manage wildlife.

Drones are a valuable tool for wildlife management and research. Many members of our ornithological societies use drones to study birds and much of that research serves as a foundation of wildlife management and species conservation. Drones (aka "small unmanned aerial systems" or "small unmanned aerial vehicles") allow access to places that are otherwise difficult or impossible to reach and can gather valuable information while reducing disturbance to wildlife. The use of drones also promotes researcher safety by eliminating the need for survey by piloted aircraft and reducing the need for activities such as cliff-climbing, tree-climbing, and wading through swamps.

Several years ago, the Ornithological Council became aware that there was substantial uncertainty among the federal and state agencies about the applicability of the

Airborne Hunting Act (AHA) to the use of drones as it relates to wildlife research. Most researchers were — and still are — unaware that there is at least a possibility that there is a restriction or that permits may be needed.

In 2017, the Ornithological Council asked the Office of the Solicitor to advise the U.S. Fish and Wildlife Service, other federal agencies, and the state agencies that the use of drones for wildlife research is not subject to the Airborne Hunting Act. We also asked that if the Solicitor determined that the use of drones to study wildlife is subject to the AHA, then the Solicitor should address the need for federal permits because there are few, if any, state laws pertaining to drone use for wildlife research and monitoring.

In 2018, we filed a petition for rule-making, asking the U.S. Fish and Wildlife Service to issue permits for the use of drones to study wildlife. That petition proposed the changes necessary for the USFWS to issue permits under the AHA, since, if the Solicitor determines that the use of drones for wildlife research is covered by the AHA, permits would be needed. Now that the Department's moratorium has been reversed, we encourage you to move forward with the regulatory changes needed to provide wildlife researchers the certainty needed to use drones in their work.

Drones are valuable tools for wildlife managers and researchers that often reduce real physical risks to biologists and other personnel both within the Department of the Interior and throughout the United States. We thank you for your efforts to remove barriers to drone use by ending the Department's moratorium on drone use. We look forward to working with the Department of the Interior and the U.S. Fish and Wildlife Service as you move forward with the regulatory process.

Sincerely,



Laura M. Bies  
Executive Director

cc: Martha Williams, Principal Deputy Director, U.S. Fish and Wildlife Service,  
martha\_williams@fws.gov