



FREQUENTLY ASKED QUESTIONS ABOUT A FEDERAL MIGRATORY BIRD SPECIAL PURPOSE – POSSESSION OF LIVE and/or DEAD and SALVAGE MIGRATORY BIRDS FOR EDUCATIONAL PURPOSES

LIVE:

A Federal Migratory Bird Special Purpose Possession - Education (Live) permit will authorize you to possess live migratory birds for educational purposes. You should review Title 50 parts 10, 13 and 21.27 of the Code of Federal Regulations (CFR) with your application. You are responsible for reviewing and understanding these regulations before you request and accept a permit. These regulations can be found on our website at:

<https://www.fws.gov/birds/policies-and-regulations.php>

1. What experience must I have to qualify for a Migratory Bird Special Purpose Possession – Education permit for live birds?

You must be at least 18 years of age and have a minimum of 240 hours of experience working with migratory bird education and husbandry, gained over the course of at least 1 year. Your experience must include: handling, caring for (including medical management), training, and exhibiting the species, or similar species, you intend to acquire and use in educational programs. In addition, if you intend to glove-train migratory birds for educational programs, your experience should include at least 20 programs using glove-trained migratory birds over the course of at least 1 year. Up to 40 hours of your experience may be fulfilled by participation in migratory bird/raptor handling seminars and courses.

2. What are the caging requirements for live birds?

All migratory birds authorized by a Federal Special Purpose Possession – Education (Live) permit must be maintained under humane and healthful conditions as required in 50 CFR 13.41. Facilities must be adequate for each species you plan to possess. In evaluating whether caging dimensions are adequate for raptors, the Service will use as a guideline the standards established by the Raptor Center, University of Minnesota's "Raptors in Captivity: Guidelines for Care and Management". In evaluating whether caging dimensions are adequate for other migratory bird species, the Service will use as a guideline the standards established by the National Wildlife Rehabilitators Association's "Wildlife in Education: A Guide for the Care and Use of Program Animals". These publications are available from the National Wildlife Rehabilitators Association at <https://www.nrawildlife.org/>.

Applicants should also contact their State wildlife agency for information about any additional caging requirements for migratory birds.

3. Is the Migratory Bird Special Purpose Possession Permit to be used for a specific type of education?

Yes. The intent of this permit is wildlife conservation education. Conservation, biology, and/or ecology must be a primary component of all educational programs conducted using migratory birds. Other topics such as history of falconry and cultural significance of birds may also be included in the program.

4. Can I use migratory birds for commercial purposes?

No. Migratory birds possessed or transported for educational purposes may not be displayed in any manner that implies personal use. You may not use migratory birds to promote or endorse any product, merchandise, goods, services, business or organization except your own educational activities. Educational programs are not considered commercial activities.

5. What is the educational program requirement for each bird authorized under this permit?

A minimum of 12 gloved programs that are open to the public must be presented each year. If birds are only on static display for educational purposes, birds must be on public exhibit for a minimum of 400 hours per year. The authority to possess migratory birds will be subject to re-evaluation if this requirement is not met.

6. Is the public allowed to handle or touch live birds?

No. All live birds must be kept under control at all times and may not come in contact with members of an audience.

7. How can I acquire live birds for my Special Purpose Possession – Education (Live) permit?

You must obtain approval prior to obtaining migratory birds. To acquire or transfer birds, you must follow instructions on page 2 of the Migratory Bird and Eagle Acquisition and Transfer Request Form (Form 3-202-12) (<http://www.fws.gov/forms/3-202-12.pdf>). Migratory birds used for educational purposes must be non-releasable and lawfully acquired from another federal permittee. Permittees should also contact their state wildlife agency for information about required state authorizations.

8. Can I move birds authorized under this permit to a new location?

Yes. Any change in physical location or other circumstances that affect your permit conditions (e.g. change in principal officer, caretaker or physical location as listed on the permit) must be reported to your Regional Migratory Bird Office in writing within 10 days so your permit can be amended. In addition, if your physical address will change, you must obtain prior approval for your facilities for housing migratory birds at the new location by providing pictures and diagrams, including the L x W x H dimensions and a description of materials used for construction. (50 CFR 13.23)

9. Do I need a State permit to possess migratory birds?

Your Federal permit is not valid unless you also are in compliance with State requirements. This means that if your State requires a permit to possess migratory birds for educational or exhibit purposes, you must hold a valid State permit in order for your Federal permit to be valid. It is your responsibility to make sure you comply with State permit requirements.

10. Will I be required to keep records of my activities?

Yes. You must maintain accurate annual records of your permitted activities. Your records should reflect each bird that is held, the number of presentations given with each bird and the disposition of each bird. Such records shall be legibly written or reproducible in English and shall be maintained for five years from the date of expiration of the permit. (50 CFR 13.46)

11. Will anyone inspect my records or birds held for educational purposes?

By accepting a Federal Special Purpose Possession permit, you authorize an agent of the Service to enter your premises at any reasonable hour to inspect the migratory birds in your care, your books or records. (50 CFR 13.47)

12. Will I be required to submit an annual report of activities?

Yes. Report forms can be found on our website at: <http://www.fws.gov/forms/3-202-5.pdf> or you can request one from your Regional Migratory Bird Permit Office. This report must be completed and submitted to your issuing office by January 31 of each year.

13. How do I renew my permit?

If you wish to renew your permit, you must submit a renewal application to your Regional Migratory Bird Permit Office at least 30 days prior to the expiration of your permit and include a copy of your current State permit, if one is required. If we receive your renewal request at least 30 days prior to the expiration of your permit, your permit will remain valid beyond the expiration date for the activity authorized on your expired permit until a decision on your renewal is made. If we receive your renewal request fewer than 30 days prior to expiration of your permit and we are unable to process your request before the expiration date, your permit will expire and you will no longer be covered for your activity. If you allow your permit to expire before requesting renewal, you may be required to submit a new application. (See 50 CFR 13.22 and 13.11(c))

DEAD and SALVAGE:

A Federal Migratory Bird Special Purpose Possession - Education (Dead) permit will authorize you to possess migratory birds parts, nests and nonviable eggs for educational purposes. You should review Title 50 Parts 10, 13 and 21.27 of the Code of Federal Regulations (CFR) with your application. **You are responsible for reviewing and understanding these regulations before you request and accept a permit.** These regulations can be found on our website at: <https://www.fws.gov/birds/policies-and-regulations/permits/need-a-permit.php>

1. What experience must I have to qualify for a Migratory Bird Special Purpose Possession – Education permit for dead migratory bird specimens?

You must be at least 18 years of age and have experience in providing education programs.

2. Is the Migratory Bird Special Purpose Possession – Education (Dead) Permit to be used for a specific type of education?

Yes. The intent of this permit is wildlife conservation education. Conservation, biology, and/or ecology must be a primary component of all educational programs conducted using migratory birds. Other topics such as history of falconry and cultural significance of birds may also be included in the program.

3. Can I use migratory birds for commercial purposes?

No. Migratory birds possessed or transported for educational purposes may not be displayed in any manner which implies personal use. You may not use migratory birds to promote or endorse any product, merchandise, goods, services, business or organization except your own educational activities. Educational programs are not considered commercial activities.

4. What is the educational program requirement for specimens authorized under this permit?

A minimum of 12 programs that are open to the public must be presented each year. If specimens are only on static display for educational purposes, birds must be on public exhibit for a minimum of 400 hours per year. The authority to possess migratory birds will be subject to re-evaluation if this requirement is not met.

5. How can I acquire or dispose of migratory bird specimens under a Migratory Bird Special Purpose Possession – Education (Dead) permit?

Dead migratory bird(s), parts, nests or nonviable eggs may be acquired from persons authorized by permit or regulation to possess and transfer such items. You may request salvage authority if you wish to acquire specimens from the wild. Salvaged specimens are intended for use under your education permit. Any specimen not used within a calendar year as described in Number 4 above must be destroyed, donated, or transferred to persons authorized by permit or the regulations to possess migratory birds.

6. Can I move birds authorized under this permit to a new location?

Yes. Any change in physical location or other circumstances that affect your permit conditions (e.g. change in principal officer or physical location as listed on the permit) must be reported to your Regional Migratory Bird Office in writing within 10 days so your permit can be amended. (50 CFR 13.23)

7. Do I need a State permit to possess migratory bird specimens?

Your Federal permit is not valid unless you also are in compliance with State requirements. This means that if your State requires a permit to possess migratory bird specimens for educational or exhibit purposes or to salvage migratory birds, you must hold a valid State permit in order for your Federal permit to be valid. It is your responsibility to make sure you comply with State permit requirements.

8. Will I be required to keep records of my activities?

Yes. You must maintain accurate records of operations on a calendar-year basis. Your records should reflect each specimen that is held, the number of presentations given with each and the disposition, if applicable. Such records shall be legibly written or reproducible in English and shall be maintained for five years from the date of expiration of the permit. (50 CFR 13.46)

9. Will anyone inspect my records or bird specimens held for educational purposes?

By accepting a Federal Migratory Bird Special Purpose Possession – Education (Dead) permit, you authorize an agent of the U.S. Fish and Wildlife Service to enter your premises at any reasonable hour to inspect any bird specimens in your possession, your books or records. (50 CFR 13.47)

10. Will I be required to submit an annual report of activities?

Yes. Report forms can be found on our website at: <http://www.fws.gov/forms/3-202-5.pdf> or you can request one from your Regional Migratory Bird Permit Office. This report must be completed and submitted to your issuing office by January 31 of each year.

11. How do I renew my permit?

If you wish to renew your permit, you must submit a renewal application to your Regional Migratory Bird Permit Office at least 30 days prior to the expiration of your permit and include a copy of your current State permit, if one is required. If we receive your renewal request at least 30 days prior to the expiration of your permit, your permit will remain valid beyond the expiration date for the activity authorized on your expired permit until a decision on your renewal is made. If we receive your renewal request fewer than 30 days prior to expiration of your permit and we are unable to process your request before the expiration date, your permit will expire and you will no longer be covered for your activity. If you allow your permit to expire before requesting renewal, you may be required to submit a new application. (See 50 CFR 13.22 and 13.11(c))