



WHAT YOU SHOULD KNOW ABOUT A FEDERAL MIGRATORY BIRD SPECIAL PURPOSE POSSESSION – EDUCATION PERMIT FOR LIVE BIRDS

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: <http://www.fws.gov/permits/ltr/ltr.shtml>.

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.

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 <http://www.nwrawildlife.org/pubs.asp>.

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 or falconry) 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. How many programs must I present each year?

A minimum of 12 programs that are open to the public using each bird should be presented each 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?

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 migratory birds under a Special Purpose Possession – Education (Live) permit?

Migratory birds under a Special Purpose Possession – Education (Live) permit must be non-releasable and may be lawfully acquired from Rehabilitation, Falconry, Raptor Propagation, or other Federal Special Purpose Possession permittees. To acquire additional birds after the Special Purpose Possession – Education (Live) permit has been issued, you must submit a request form, Special Purpose Possession (Education) Permit Acquisition and Transfer Request/3-202-12 (<http://www.fws.gov/forms/3-202-12.pdf>), to your Regional Migratory Bird Permit Office for approval prior to acquiring any live migratory bird. Permittees should also contact their state wildlife agency for information about obtaining additional permits if required.

8. Will anyone inspect my records or migratory 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 wildlife in your care, your books or records. (See 50 CFR 13.47)

9. What procedures are required to transfer the migratory birds authorized by a Special Purpose Possession – Education (Live) permit to a new location?

Any change in address or other circumstances that affect your permit (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)

10. 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.

11. 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 bird that is held, the number of presentations given with each bird and the disposition of each bird.

12. 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)

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

Yes. You will receive an annual report form for your Federal Special Purpose Possession – Education (Live) permit from your Regional Migratory Bird Permit Office. Reports can also be found on our website at: <http://www.fws.gov/forms/3-202-5.pdf>. This report must be completed and submitted to your issuing office by January 31 of each year.

14. How do I renew my permit?

A renewal letter or form and annual report form will be sent to you at least 60 days prior to the expiration of your permit. If you want to renew your permit, you must return the completed renewal 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 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))

(3-200-10c) 2/20/14



Federal Fish and Wildlife Permit Application Form

Type of Activity:

Return to: U.S. Fish and Wildlife Service (USFWS)

Special Purpose - Possession of Live Migratory Birds
for Educational Purposes

- Requesting Renewal or Amendment of Permit #

Complete Sections A or B, and C, D, and E of this application. U.S. address may be required in Section C, see instructions for details.
See attached instruction pages for information on how to make your application complete and help avoid unnecessary delays.

Section A: Complete if applying as an individual. Fields include: 1.a. Last name, 1.b. First name, 1.c. Middle name or initial, 1.d. Suffix, 2. Date of birth, 3. Social Security No., 4. Occupation, 5. Affiliation, 6.a. Telephone number, 6.b. Alternate telephone number, 6.c. Fax number, 6.d. E-mail address.

Section B: Complete if applying on behalf of a business, corporation, public agency, Tribe, or institution. Fields include: 1.a. Name of business, 1.b. Doing business as (dba), 2. Tax identification no., 3. Description of business, 4.a. Principal officer Last name, 4.b. Principal officer First name, 4.c. Principal officer Middle name/ initial, 4.d. Suffix, 5. Principal officer title, 6. Primary contact name, 7.a. Business telephone number, 7.b. Alternate telephone number, 7.c. Business fax number, 7.d. Business e-mail address.

Section C: All applicants complete address information. Fields include: 1.a. Physical address, 1.b. City, 1.c. State, 1.d. Zip code/Postal code, 1.e. County/Province, 1.f. Country, 2.a. Mailing Address, 2.b. City, 2.c. State, 2.d. Zip code/Postal code, 2.e. County/Province, 2.f. Country.

Section D: All applicants MUST complete. 1. Attach check or money order payable to the U.S. FISH AND WILDLIFE SERVICE in the amount of \$ 75.00 nonrefundable processing fee. 2. Do you currently have or have you ever had any Federal Fish and Wildlife permits? 3. Certification: I hereby certify that I have read and am familiar with the regulations contained in Title 50, Part 13 of the Code of Federal Regulations...

Signature (in blue ink) of applicant/person responsible for permit (No photocopied or stamped signatures) Date of signature (mm/dd/yyyy)

Please continue to next page

**SECTION E. SPECIAL PURPOSE POSSESSION OF LIVE MIGRATORY BIRDS
FOR EDUCATIONAL PURPOSES
(Migratory Bird Treaty Act, 50 CFR 21.27)**

Note: A Federal Special Purpose Possession - Education permit for Live Birds is required to possess and transport nonreleasable migratory birds for the sole purpose of providing public education about the biology, ecology, and conservation needs of migratory birds. Possession for personal use is prohibited. A minimum of 12 educational programs per year is required. You must be at least 18 years old to apply. A special purpose possession permit may be valid for up to 3 years. Please read "What You Should Know About a Migratory Bird Special Purpose Possession Education Permit for Live Birds" and the pertinent regulations before you sign and submit your application.

Please provide the following information numbered according to the questions below on a separate sheet of paper. You should be as specific as possible in your responses. Incomplete applications will be returned, delayed or abandoned.

1. List the species of migratory bird(s) you propose to use for your education programs.
2.
 - (a) Describe in detail your experience, including duration, in handling and caring for each species you propose to use.
 - (b) Provide the name, address, and telephone number of the facility or facilities where your experience was obtained.
3.
 - (a) Describe the educational message will you deliver and to what type of audience.
 - (b) Provide an outline of your program, including as much detail as possible, and any brochures or other materials prepared for distribution.
 - (c) Explain why live birds are necessary for your program, including how they will be used and displayed during the presentation to meet this need.
4.
 - (a) Describe your permanent facilities for holding the birds.
 - (b) Attach photographs and diagrams of your enclosures. Diagrams must include dimensions (length, width, and height) and a description of interior and exterior construction materials, such as flooring and netting materials. Indicate the species or type of species that will be housed in each.
5. Describe your enclosures for transport of the birds, including dimensions (length, width, and height) and the type of species that will be transported in each.
6. Describe the diet you will administer for each species and indicate your food source.
7. Attach letters from schools or other organizations that have expressed interest in scheduling your educational programs.
8. You must locate a bird(s) for your permit before a permit will be issued. Attach a Migratory Bird and Eagle Acquisition/Transfer Request Form 3-202-12 with the following information:
 - (a) the name, address, and Federal permit number of the source of the bird(s), and
 - (b) a letter from a licensed veterinarian describing the injury, condition or illness that makes each bird nonreleasable.

You may not take possession of a bird prior to issuance of your permit. The Form 3-202-12 can be found at <http://www.fws.gov/forms/3-202-12.pdf>.

9. Anyone who will be assisting you with the permitted activities or acting as your agent must either have their own Federal migratory bird permit for the activity or be identified by you, in writing, as a subpermittee under your permit. They may also require a State permit. Subpermittees must be at least 18 years old. As the primary permittee, you will be responsible for ensuring that your subpermittees are properly trained and adhere to the terms of your permit. Provide the name of anyone besides yourself who will be conducting activities under your permit. For anyone handling or caring for live birds, briefly describe what they will be doing and their qualifications.

10. You must retain records relating to the activities conducted under your permit for at least 5 years after the date of expiration of your permit. Is the physical address you provided in Section C on page 1 of this application the address where your records will be kept? If not, provide the physical address.
11. **Any permit issued as a result of this application is not valid unless you also have any required State or Tribal permits or approvals associated with the activity.** Have you obtained all required State or tribal permits or approvals to conduct this activity?

If you have obtained all required approvals, answer "Yes" and **attach a copy of the approval(s)**.
If you have applied for any required approvals, answer "Have applied" and **send copy when issued**.
If no State or Tribal permits or approvals are required, answer "None required."

12. Disqualification factor. A conviction, or entry of a plea of guilty or nolo contendere, for a felony violation of the Lacey Act, the Migratory Bird Treaty Act, or the Bald and Golden Eagle Protection Act disqualifies any such person from receiving or exercising the privileges of a permit, unless such disqualification has been expressly waived by the Service Director in response to a written petition. (50 CFR 13.21(c))

Have you or any of the owners of the business, if applying as a business, been convicted, or entered a plea of guilty or nolo contendere, forfeited collateral, or are currently under charges for any violations of the laws mentioned above?
Answer "Yes" or "No." If you answered "Yes," provide: a) the individual's name, b) date of charge, c) charge(s), d) location of incident, e) court, and f) action taken for each violation. |

PERMIT APPLICATION FORM INSTRUCTIONS

The following instructions pertain to an application for a U.S. Fish and Wildlife Service or CITES permit. The General Permit Procedures in 50 CFR 13 address the permitting process. For simplicity, all licenses, permits, registrations, and certificates are referred to as a permit.

GENERAL INSTRUCTIONS:

- Complete all blocks/lines/questions in Sections A or B, C, D, and E.
- **An incomplete application may cause delays in processing or may be returned to the applicant. Be sure you are filling in the appropriate application form for the proposed activity.**
- Print clearly or type in the information. Illegible applications may cause delays.
- Sign the application in [blue](#) ink. Faxes or copies of the original signature will not be accepted.
- Mail the original application to the address at the top of page one of the application or if applicable on the attached address list.
- **Keep a copy of your completed application.**
- **Please plan ahead. Allow at least 60 days for your application to be processed. Some applications may take longer than 90 days to process. (50 CFR 13.11)**
- Applications are processed in the order they are received.
- Additional forms and instructions are available from <http://permits.fws.gov/>.

COMPLETE EITHER SECTION A OR SECTION B:

Section A. Complete if applying as an individual:

- Enter the complete name of the responsible individual who will be the permittee if a permit is issued. Enter personal information that identifies the applicant. ***Fax and e-mail are not required if not available.***
- If you are applying on behalf of a client, the personal information must pertain to the client, and a document evidencing power of attorney must be included with the application.
- **Affiliation/ Doing business as (dba):** business, agency, organizational, or institutional affiliation *directly* related to the activity requested in the application (e.g., a taxidermist is an individual whose business can *directly* relate to the requested activity). The Division of Management Authority (DMA) will **not** accept *doing business as* affiliations for individuals.

Section B. Complete if applying as a business, corporation, public agency, Tribe, or institution:

- Enter the complete name of the business, agency, Tribe, or institution that will be the permittee if a permit is issued. Give a brief description of the type of business the applicant is engaged in. Provide contact phone number(s) of the business.
- **Principal Officer** is the person in charge of the listed business, corporation, public agency, Tribe, or institution. The principal officer is the person responsible for the application and any permitted activities. Often the principal officer is a Director or President. **Primary Contact** is the person at the business, corporation, public agency, Tribe, or institution who will be available to answer questions about the application or permitted activities. Often this is the preparer of the application.

ALL APPLICANTS COMPLETE SECTION C:

- For all applications submitted to the Division of Management Authority (DMA) a physical U.S. address is **required**. Province and Country blocks are provided for those USFWS programs which use foreign addresses and are not required by DMA.
- **Mailing address** is address where communications from USFWS should be mailed if different than applicant's physical address.

ALL APPLICANTS COMPLETE SECTION D:

Section D.1 Application processing fee:

- An application processing fee is required at the time of application; unless exempted under 50 CFR 13.11(d)(3). The application processing fee is assessed to partially cover the cost of processing a request. **The fee does not guarantee the issuance of a permit. Fees will not be refunded for applications that are approved, abandoned, or denied.** We may return fees for withdrawn applications prior to any significant processing occurring.
- **Documentation of fee exempt status is not required for Federal, Tribal, State, or local government agencies; but must be supplied by those applicants acting on behalf of such agencies.** Those applicants acting on behalf of such agencies must submit a letter on agency letterhead and signed by the head of the unit of government for which the applicant is acting on behalf, confirming that the applicant will be carrying out the permitted activity for the agency.

Section D.2 Federal Fish and Wildlife permits:

- List the number(s) of your most current FWS or CITES permit or the number of the most recent permit if none are currently valid. If applying for re-issuance of a CITES permit, the original permit must be returned with this application.

Section D.3 CERTIFICATION:

- **The individual identified in Section A, the principal officer named in Section B, or person with a valid power of attorney (documentation must be included in the application) must sign and date the application in blue ink.** This signature binds the applicant to the statement of certification. This means that you certify that you have read and understand the regulations that apply to the permit. You also certify that everything included in the application is true to the best of your knowledge. Be sure to read the statement and re-read the application and your answers before signing.

ALL APPLICANTS COMPLETE SECTION E.

Please continue to next page

APPLICATION FOR A FEDERAL FISH AND WILDLIFE PERMIT
Paperwork Reduction Act, Privacy Act, and Freedom of Information Act – Notices

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501, *et seq.*) and the Privacy Act of 1974 (5 U.S.C. 552a), please be advised:

1. The gathering of information on fish and wildlife is authorized by:
(Authorizing statutes can be found at: <http://www.gpoaccess.gov/cfr/index.html> and <http://www.fws.gov/permits/ltr/ltr.html>.)
 - a. Bald and Golden Eagle Protection Act (16 U.S.C. 668), 50 CFR 22;
 - b. Endangered Species Act of 1973 (16 U.S.C. 1531-1544), 50CFR 17;
 - c. Migratory Bird Treaty Act (16 U.S.C. 703-712), 50 CFR 21;
 - d. Marine Mammal Protection Act of 1972 (16 U.S.C. 1361, *et. seq.*), 50 CFR 18;
 - e. Wild Bird Conservation Act (16 U.S.C. 4901-4916), 50 CFR 15;
 - f. Lacey Act: Injurious Wildlife (18 U.S.C. 42), 50 CFR 16;
 - g. Convention on International Trade in Endangered Species of Wild Fauna and Flora (TIAS 8249), <http://www.cites.org/>, 50 CFR 23;
 - h. General Provisions, 50 CFR 10;
 - i. General Permit Procedures, 50 CFR 13; and
 - j. Wildlife Provisions (Import/export/transport), 50 CFR 14.
2. Information requested in this form is purely voluntary. However, submission of requested information is required in order to process applications for permits authorized under the above laws. Failure to provide all requested information may be sufficient cause for the U.S. Fish and Wildlife Service to deny the request. We may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid OMB control number.
3. Certain applications for permits authorized under the Endangered Species Act of 1973 (16 U.S.C. 1539) and the Marine Mammal Protection Act of 1972 (16 U.S.C. 1374) will be published in the **Federal Register** as required by the two laws.
4. Disclosures outside the Department of the Interior may be made without the consent of an individual under the routine uses listed below, if the disclosure is compatible with the purposes for which the record was collected. (Ref. 68 FR 52611, September 4, 2003)
 - a. Routine disclosure to subject matter experts, and Federal, Tribal, State, local, and foreign agencies, for the purpose of obtaining advice relevant to making a decision on an application for a permit or when necessary to accomplish a FWS function related to this system of records.
 - b. Routine disclosure to the public as a result of publishing **Federal Register** notices announcing the receipt of permit applications for public comment or notice of the decision on a permit application.
 - c. Routine disclosure to Federal, Tribal, State, local, or foreign wildlife and plant agencies for the exchange of information on permits granted or denied to assure compliance with all applicable permitting requirements.
 - d. Routine disclosure to Captive-bred Wildlife registrants under the Endangered Species Act for the exchange of authorized species, and to share information on the captive breeding of these species.
 - e. Routine disclosure to Federal, Tribal, State, and local authorities who need to know who is permitted to receive and rehabilitate sick, orphaned, and injured birds under the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act; federally permitted rehabilitators; individuals seeking a permitted rehabilitator with whom to place a bird in need of care; and licensed veterinarians who receive, treat, or diagnose sick, orphaned, and injured birds.
 - f. Routine disclosure to the Department of Justice, or a court, adjudicative, or other administrative body or to a party in litigation before a court or adjudicative or administrative body, under certain circumstances.
 - g. Routine disclosure to the appropriate Federal, Tribal, State, local, or foreign governmental agency responsible for investigating, prosecuting, enforcing, or implementing statutes, rules, or licenses, when we become aware of a violation or potential violation of such statutes, rules, or licenses, or when we need to monitor activities associated with a permit or regulated use.
 - h. Routine disclosure to a congressional office in response to an inquiry to the office by the individual to whom the record pertains.
 - i. Routine disclosure to the Government Accountability Office or Congress when the information is required for the evaluation of the permit programs.
 - j. Routine disclosure to provide addresses obtained from the Internal Revenue Service to debt collection agencies for purposes of locating a debtor to collect or compromise a Federal claim against the debtor or to consumer reporting agencies to prepare a commercial credit report for use by the FWS.
5. For individuals, personal information such as home address and telephone number, financial data, and personal identifiers (social security number, birth date, etc.) will be removed prior to any release of the application.
6. The public reporting burden on the applicant for information collection varies depending on the activity for which a permit is requested. The relevant burden for a Special Purpose – Possession of Live Migratory Birds for Educational Purposes permit application is 4 hours and 30 minutes for recordkeeping. This burden estimate includes time for reviewing instructions, gathering and maintaining data and completing and reviewing the form. You may direct comments regarding the burden estimate or any other aspect of the form to the Service Information Clearance Officer, U.S. Fish and Wildlife Service, Mail Stop 222, Arlington Square, U.S. Department of the Interior, 1849 C Street, NW, Washington D.C. 20240.

Freedom of Information Act – Notice

For organizations, businesses, or individuals operating as a business (i.e., permittees not covered by the Privacy Act), we request that you identify any information that should be considered privileged and confidential business information to allow the Service to meet its responsibilities under FOIA. Confidential business information must be clearly marked "Business Confidential" at the top of the letter or page and each succeeding page and must be accompanied by a non-confidential summary of the confidential information. The non-confidential summary and remaining documents may be made available to the public under FOIA [43 CFR 2.26 – 2.33].



**U.S. Fish and Wildlife Service Migratory
Bird Regional Permit Offices**



FWS REGION	AREA OF RESPONSIBILITY	MAILING ADDRESS	CONTACT INFORMATION
Region 1	Hawaii, Idaho, Oregon, Washington	911 N.E. 11th Avenue Portland, OR 97232-4181	Tel. (503) 872-2715 Email permitsR1MB@fws.gov
Region 2	Arizona, New Mexico, Oklahoma, Texas	P.O. Box 709 Albuquerque, NM 87103	Tel. (505) 248-7882 Email permitsR2MB@fws.gov
Region 3	Iowa, Illinois, Indiana, Minnesota, Missouri, Michigan, Ohio, Wisconsin	5600 American Blvd. West Suite 990 Bloomington, MN 55437-1458	Tel. (612) 713-5436 Email permitsR3MB@fws.gov
Region 4	Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Virgin Islands, Puerto Rico	1875 Century Blvd., NE Atlanta, GA 30345	Tel. (404) 679-7070 Email permitsR4MB@fws.gov
Region 5	Connecticut, District of Columbia, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Virginia, Vermont, West Virginia	300 Westgate Center Dr. Hadley, MA 01035	Tel. (413) 253-8643 Email permitsR5MB@fws.gov
Region 6	Colorado, Kansas, Montana, North Dakota, Nebraska, South Dakota, Utah, Wyoming	P.O. Box 25486 DFC(60154) Denver, CO 80225-0486	Tel. (303) 236-8171 Email permitsR6MB@fws.gov
Region 7	Alaska	1011 E. Tudor Road (MS-201) Anchorage, AK 99503	Tel. (907) 786-3693 Email permitsR7MB@fws.gov
Region 8	California, Nevada	2800 Cottage Way Room W-2606 Sacramento, CA 95825	Tel. (916) 978-6183 Email permitsR8MB@fws.gov

Repository contact information:

National Eagle Repository
6550 Gateway Road,
Building 128
Commerce City, Colorado 80022
(303) 287-2110
www.fws.gov/eaglerepository

To Report Banded Birds Visit:

<https://www.pwrc.usgs.gov/BBL/bblretrv/>