United States Department of the Interior
FISH AND WILDLIFE SERVICE
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Falls Church, VA 22041

MBPM-13
Date: October 23, 2026

MIGRATORY BIRD PERMIT MEMORANDUM

SUBJECT: Pilot Exhibition Permit for USDA-Licensed Educators

PURPOSE: This memorandum provides guidance to U.S. Fish and Wildlife Service personnel on implementing the Pilot Exhibition Permit procedures to streamline permitting for USDA-licensed educators.

BACKGROUND: The U.S. Fish and Wildlife Service (Service) administers regulations and permits for the possession of migratory birds, including bald eagles and golden eagles, for exhibition purposes. Exhibition of migratory birds under the Migratory Bird Treaty Act (MBTA) is authorized under the special purpose permit regulations (50 CFR 21.95). Exhibition of bald eagles and golden eagles under the Bald and Golden Eagle Protection Act (Eagle Act) is authorized under eagle scientific and exhibition permits (50 CFR 22.50). Service regulations provide for consolidated permits (50 CFR 13.11(d)(2)); however, the Service has not previously consolidated migratory bird exhibition and eagle exhibition authorizations into one permit.

Recent changes to U.S. Department of Agriculture (USDA), Animal and Plant Health Inspection Service regulations expanded Animal Welfare Act licensing to include exhibition of migratory birds, including bald eagles and golden eagles. As a result, many educators must now also hold a USDA Animal Care Class C exhibitor license covering non-pet birds. These overlapping federal authorization requirements present an opportunity to improve efficiency and consistency in the Service's exhibition permitting process by issuing one permit for all required authorizations.

Therefore, the Service is establishing the Pilot Exhibition Permit (Pilot) for USDA-Licensed Educators to improve efficiency and consistency in exhibition permitting. The intent of the pilot is to streamline permitting for USDA-licensed educators by: (1) authorizing for exhibition purposes the possession of migratory birds, and when requested and eligible, bald eagles and golden eagles, generally rather than identifying individual birds on the face of the permit; (2) allowing transfer of birds by Pilot permit holders without prior Service approval; and (3) when appropriate, consolidating migratory bird and eagle exhibition authorizations into a single permit.

The goal is to test approaches intended to increase permitting efficiency and consistency while maintaining Service oversight and preserving all applicable statutory, regulatory, and permit requirements. The Pilot will be evaluated to determine whether it achieves these efficiencies for the Service and eligible educators while better aligning Service permitting and USDA licensing with their respective mandates.

POLICY: The Service will begin implementing the Pilot Exhibition Permit for USDA-Licensed Educators. The Pilot will apply to permits issued for permit years 2027 through 2031. Before December 31, 2031, the Service will formalize, modify, or discontinue the approach based on implementation experience and applicable legal or regulatory developments.

Application: There is no change to the application procedures. To apply, the applicant must submit a completed Migratory Bird and Eagle Exhibition application Form 3-200-10c to the Migratory Bird Permit Office (MBPO). To be eligible for the Pilot, applicants must indicate in Section E that they have a USDA License and attach a copy of their current USDA License.

Applications will be reviewed according to Service procedures for exhibition permits. This includes requiring applicants requesting bald eagle or golden eagle exhibition authorization to meet all applicable eagle exhibition permit eligibility criteria and requirements, including a) meeting the definition of public in 50 CFR 10.12 b) being a museum, scientific society, or zoological park, and c) being open to the general public.

Qualifying entities in possession of live migratory birds authorized under 21.12(b)(1) may choose to apply for a Pilot permit or continue operating under 21.12(b)(1) until the Service finalizes a rulemaking regarding the exhibition of live migratory birds and eagles for educational purposes. Entities must choose one election: either obtain a Pilot permit and operate fully under its terms or remain under the 21.12(b)(1) exemption.

Permit: A single Pilot permit may authorize migratory bird exhibition and eagle exhibition. The Pilot permit will use the template conditions for migratory bird exhibition and, when authorized, eagle exhibition, modified with the following pilot-specific conditions.

Pilot Conditions:

USDA License: Pilot permit holders must maintain a current USDA Exhibitor license authorizing possession of migratory birds for the duration of the Pilot exhibition permit. If the USDA license lapses or is otherwise no longer valid, the permittee must notify the MBPO in writing within 10 calendar days. The MBPO may amend the Pilot permit to a non-pilot exhibition permit.

Authorized Birds: Pilot permit conditions will authorize possession of lawfully acquired migratory birds covered under the USDA license for exhibition purposes but will not list the individual birds authorized. Bald eagles or golden eagles are not authorized unless explicitly stated in the authorization section.

Authorized Enclosures: Pilot permit conditions will not specify authorized enclosures. Permittees will be required to house birds in appropriate enclosures that meet the appropriate standards:

1) Arent, L. (2018). *Raptors in Captivity: Guidelines for Care and Management*. Hancock House Publishers (hancockhouse.com)
2) Buhl, G., Schlieps, J., & Smith, L. (Eds.). (2018). *Wildlife In Education: A Guide for the*

Care and Use of Program Animals (2nd ed.). National Wildlife Rehabilitators Association (national-wildlife-rehabilitators-association.myshopify.com)

3) Association of Zoos and Aquariums. (n.d.) *Animal Care Manuals (Birds).* (https://www.aza.org/animal-care-manuals)
4) International Association of Avian Trainers and Educators. (2019). *Position Statement: Housing*. (iaate.org)
5) Applicable USDA, Tribal, State, or Territory standards for exhibition birds.

Transfers Between Pilot Permittees: Pilot permit holders may transfer birds to or receive birds from other Pilot permit holders without prior authorization from the Service. Each party must retain transfer records containing the information required in Form 3-202-12; records are not submitted to the Service unless requested. The annual report (Form 3-202-5) must be submitted to the Service and include all birds held, acquired, transferred, or disposed of during the reporting year.

Transfers To/From Non-Pilot Permit Holders: Pilot permit holders may transfer birds to, or receive birds from, non-pilot permit holders authorized to transfer birds to exhibition (such as rehabilitation, migratory bird exhibition, eagle exhibition, or raptor propagation permits). The Pilot permit holder must retain transfer records containing the information required in Form 3-202-12; records are not submitted to the Service unless requested. The annual report (Form 3-202-5) must be submitted to the Service and include all birds held, acquired, transferred, or disposed of during the reporting year. The non-pilot permit holder must submit the appropriate Form 3-202-12 or 3-186A for transfers, and obtain approval prior to transfer when Form 3-202-12 applies.

Eagles: If authorized to possess bald eagles or golden eagles, Pilot permit holders may acquire or transfer bald eagles and golden eagles under the transfer provisions above, provided all eagle-specific restrictions are met.

Compliance Audits: The Service may audit Pilot permits at any time, including inspecting birds in possession and records of acquisitions, transfers, and dispositions. If an audit identifies noncompliance with applicable permit conditions or regulations, the Service may amend the permit to a non-Pilot exhibition permit, suspend or revoke the permit, or pursue other appropriate enforcement action.

/s/ Errett Patterson, Acting for Jerome Ford,
10/23/2026

Acting for Jerome Ford
Assistant Director – Migratory Bird Program