United States Department of the Interior
FISH AND WILDLIFE SERVICE
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MBPM-05-02
Date: October 23, 2026

MIGRATORY BIRD PERMIT MEMORANDUM

SUBJECT: Special Purpose–Abatement Permits

PURPOSE: This memorandum serves as guidance for U.S. Fish and Wildlife Service Migratory Bird Program employees on the issuance of Special Purpose Abatement permits.

BACKGROUND: The U.S. Fish and Wildlife Service (Service) implements the Migratory Bird Treaty Act ("MBTA"; 16 U.S.C. §§ 703-712) and implementing regulations, 50 CFR Part 21. The species protected by the MBTA are on the List of Migratory Birds ("migratory bird"; 50 CFR 10.13).

This policy is about federal Special Purpose Abatement (Abatement) permits issued under 50 CFR 21.95. It is important to note that falconry, abatement, and depredation are distinct activities with their own authorizations.

- *Falconry* is caring for and training raptors for pursuit of wild game and hunting wild game with raptors (50 CFR 21.6).
- *Abatement* is the use of trained raptors to flush, haze, or take wildlife to reduce or abate depredation.
- *Depredation* is damage or loss caused by migratory birds, including agricultural damage, private property damage, threats to human health and safety, and threats to recovery of protected wildlife.

Under a falconry license (50 CFR 21.82(f)(11)), Master falconers may conduct certain abatement activities. An Abatement permit (50 CFR 21.95) is required for activities beyond the scope of a falconry license, including receiving payment for abatement services conducted with a migratory bird. Depredation authorization, such as a Depredation Permit (50 CFR 21.100) or a Depredation Order (50 CFR Subpart D), is required to lethally take migratory birds.

POLICY: The Migratory Bird Program will use the following procedures to administer Abatement permits (50 CFR 21.95). This policy does not apply when the raptor species is not on the List of Migratory Birds (50 CFR 10.13). Abatement permits authorize:

- The acquisition, disposition, and use of captive-bred raptors for abatement purposes;
- The use of raptors to pursue depredating migratory birds (injury or lethal take of migratory birds requires depredation authorization);
- The permit holder to receive payment for abatement services; and
- The permit holder to designate Licensed General or Master falconers to conduct abatement activities as subpermittees.

Application:
To apply, the applicant must submit a completed Special Purpose Abatement application Form 3-200-79 to the Migratory Bird Permit Office, including the appropriate fee (50 CFR 13.11(d)(4), see "Migratory Bird Special Purpose/Miscellaneous").

Abatement permits may be issued to an individual (Form Section A) or organization (Form Section B). Individual applicants must be a licensed Master Falconer. Organizations must designate a *primary caretaker* (Migratory Bird Permitting Handbook (2025), § 2.4) who is a licensed Master Falconer. The application must include a copy of the individual's or primary caretaker's valid Master Falconer license in good standing.

Conditions:
Master Falconer License: The individual permittee or, for an organization, the primary caretaker must maintain a valid Master Falconer license in good standing for the duration of the Abatement permit. If the license expires during the permit term, a copy of the renewed license must be uploaded to the permit record within 10 calendar days.

Primary Caretaker: A primary caretaker must be named when an Abatement permit is issued to an organization. Any change to the primary caretaker must be reported to the Migratory Bird Permit Office in writing within 10 calendar days, including a copy of the new primary caretaker's valid Master Falconer license.

Subpermittees: Licensed General or Master falconers in good standing may conduct abatement activities as subpermittees, including flying raptors for abatement purposes. Apprentice falconers or individuals without a falconry license may care for but not fly raptors for abatement purposes. When conducting abatement activities, subpermittees must have with them a copy of the Abatement permit, an up-to-date inventory of authorized raptors, and, if applicable, a valid state falconry license.

Species Restrictions: Any raptor species on the List of Migratory Birds that may be used for falconry can be authorized for Abatement except golden eagles. The use of bald eagles and golden eagles for Abatement is prohibited by the Bald and Golden Eagle Protection Act. An Abatement permit is not required if the raptor species is not on the List of Migratory Birds (50 CFR 10.13). Hybrids, as defined in 50 CFR 21.6, require federal authorization if one or both species are migratory birds.

Eligible Raptors: Raptors must be captive-bred, as defined in 50 CFR 21.6, and banded with a Service-approved band. Hybrid raptors must be flown with two radio transmitters to facilitate tracking and recovery if lost. Use of wild-caught raptors is not authorized under Abatement permits. Raptors may be simultaneously authorized for Abatement and on a state falconry license or on other federal permits (such as raptor propagation or exhibition).

Facilities: Raptors must be maintained under humane and healthful conditions consistent with 50 CFR 13.41 as further defined in 50 CFR 21.6. The Service uses the federal falconry standards (50 CFR 21.82), *Raptors in Captivity: Guidelines for Care and Management* (Arent, L., 2018), and other applicable governmental and non-governmental falconry standards and guidelines to evaluate care, including housing, equipment, and handling.

Raptor Reporting: A Form 3-186A, Migratory Bird Acquisition and Disposition, is required to add or remove raptors from an Abatement permit. Permittees must maintain an up-to-date (within 10 calendar days) inventory of all raptors authorized under their Abatement permit, including copies of all complete 3-186a Forms. An annual report of all Abatement raptors, acquisitions, and dispositions for the previous calendar year is due January 31.

Take Reporting: Injury or lethal take of migratory birds by Abatement raptors not authorized under a Depredation permit or Order must be reported to the Migratory Bird Permit Office as part of the annual report. Such take should be avoided to the extent practicable and repeated, unauthorized injury or lethal take may result in suspension, revocation, or denial of federal permits.

Other Requirements: Permit holders are responsible for knowing and complying with applicable federal, state, tribal, and local requirements and for obtaining appropriate landowner permission before conducting abatement activities.

Related Depredation Requirements:
An Abatement permit authorizes the use of Abatement raptors to pursue migratory birds. An Abatement permit does not authorize injury or lethal take of migratory birds; separate authorization is required under a federal Depredation permit or applicable Depredation Order.

Using the presence of a raptor to scare migratory birds generally does not require separate federal authorization to harass or haze. Additional authorization may be required to harass or haze bald eagles, golden eagles, or species on the List of Endangered and Threatened Wildlife (50 CFR 17.11).

If a Depredation permit is required, the entity experiencing the damage, commonly the property owner or land manager, must obtain the permit (Application Form 3-200-13). If Abatement raptors will be used for lethal take under a Depredation permit, the Abatement permit holder must be designated as a Depredation subpermittee before conducting the authorized lethal take. When a Depredation Order applies, its conditions must be followed. Lethal take authorized under a Depredation Permit or Depredation Order must be reported in accordance with the applicable permit or order. MBTA authorization is not required for lethal take of bird species that are not migratory birds.

Revisions:
02 – Updated regulatory authorities; clarified applicant eligibility, raptor eligibility, and reporting requirements.

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

Acting for Jerome Ford
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