



WHAT YOU SHOULD KNOW ABOUT A FEDERAL MIGRATORY BIRD SPECIAL PURPOSE – POSSESSION OF LIVE MIGRATORY BIRDS FOR EDUCATIONAL PURPOSES

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/permits/need-a-permit.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 <http://www.nrawildlife.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 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))



Federal Fish and Wildlife Permit Application Form

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

**Type of Activity: Special Purpose – Possession of Live Migratory Birds
for Educational Purposes**

- New Application
- 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.

A. Complete if applying as an individual			
1.a. Last name	1.b. First name	1.c. Middle name or initial	1.d. Suffix
2. Date of birth (mm/dd/yyyy)	3. Occupation		4. Affiliation/ Doing business as (see instructions)
5.a. Telephone number	5.b. Alternate telephone number	5.c. Fax number	5.d. E-mail address

B. Complete if applying on behalf of a business, corporation, public agency, Tribe, or institution			
1.a. Name of business, agency, Tribe, or institution		1.b. Doing business as (dba)	
2. Tax identification no.		3. Description of business, agency, or institution	
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

C. All applicants complete address information				
1.a. Physical address (Street address; Apartment #, Suite #, or Room #, no P.O. Boxes)				
1.b. City	1.c. State	1.d. Zip code/Postal code:	1.e. County/Province	1.f. Country
2.a. Mailing Address (include if different than physical address; include name of contact person if applicable)				
2.b. City	2.c. State	2.d. Zip code/Postal code:	2.e. County/Province	2.f. Country

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 . Federal, Tribal, State, and local government agencies, and those acting on behalf of such agencies, are exempt from the processing fee – <i>attach documentation of fee exempt status as outlined in instructions.</i> (50 CFR 13.11(d))	
2. Do you currently have or have you ever had any Federal Fish and Wildlife permits? Yes <input type="checkbox"/> If yes, list the number of the most current permit you have held or that you are applying to renew/re-issue: _____ No <input type="checkbox"/>	
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 and the other applicable parts in subchapter B of Chapter I of Title 50 , and I certify that the information submitted in this application for a permit is complete and accurate to the best of my knowledge and belief. I understand that any false statement herein may subject me to the criminal penalties of 18 U.S.C. 1001.	
Signature of applicant/Principal Officer (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 non-releasable 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. If birds are on display in an exhibit for educational purposes, you must be open to the public for a minimum of 400 hours per year. 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 on a separate sheet of paper numbered according to the questions below. You should be as specific as possible in your responses. Incomplete applications will be returned, delayed or abandoned.

1. (a) List the species of live migratory bird(s) you propose to use for your education programs.
(b) Are you requesting authorization of dead migratory birds as well? If yes, list the specimens, including species and type of specimen (carcass, mount, feathers, nest, egg, etc.) and source.
(c) Are you requesting authorization to salvage dead migratory birds, feathers, parts, nests, and non-viable eggs found in the wild?

Note: These authorizations can be combined into one permit for live, dead, and salvage

2. You must 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 should include at least 20 programs using glove-trained migratory birds if you will conduct these types of programs.
 - (a) For each live bird you propose to use, describe in detail your experience handling and caring for those species.
 - (b) Provide the name, address, and telephone number of the facility or facilities where your experience was obtained.
 - (c) Describe your experience in presenting glove-trained programs.
3. Describe the educational message will you deliver and to what type of audience.
 - (a) Provide an outline of your program, including as much detail as possible, and any brochures or other materials prepared for distribution.
 - (b) 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. Describe your permanent facilities for housing migratory birds.
 - (a) 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. Also provide a description of the interior and exterior construction and housing materials, such as flooring, netting, perching, and watering materials.
 - (b) Provide a list of the birds you will house in each enclosure, including the species, number of birds, and flight status (flighted, non-flighted) of the birds(s)
5. If live birds will be displayed outside of the enclosures you described for Question 4, provide a detailed description of
 - (a) How the birds will be displayed, and
 - (b) Describe your enclosures for transport of the birds, including dimensions (length, width, and height) and the type and number of species that will be transported in each.
6. For each live bird you possess under this permit describe:
 - (a) The diet you will administer for each species and indicate your food source.
 - (b) The types of daily enrichment you will provide for each species.

7. Attach letters from schools or other public organizations that have expressed interest in scheduling your educational programs.
8. Your application must include a Migratory Bird and Eagle Acquisition and Transfer Request form (Form 3-202-12) (<http://www.fws.gov/forms/3-202-12.pdf>) for each bird you wish to acquire. Follow the instructions on page 2 of the form and include all required attachments. You must locate a bird(s) to acquire before a permit will be issued. You may not take possession of a bird prior to approval by your Migratory Bird Permit Office.
9. Subpermittees: Provide the name(s) of anyone besides yourself who will be conducting activities under your permit. As the primary permittee, you are legally responsible for ensuring that your subpermittees, staff, and volunteers are properly trained and adhere to the terms of your permit. Anyone authorized to conduct permitted activities in your absence must be at least 18 years old. Persons under 18 may assist you in conducting programs, but you or one of your designated subpermittees over the age of 18 must be present and maintain direct control of them at all times. For anyone handling or caring for live birds, briefly describe what they will be doing and their qualifications.
10. You must retain records legibly written or reproducible in English 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?

Yes

Have Applied

None required

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?

Yes 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. 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.** 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.

APPLICATION FOR A FEDERAL FISH AND WILDLIFE PERMIT

NOTICES

PRIVACY ACT STATEMENT

Authority: The information requested is authorized by the following: the Bald and Golden Eagle Protection Act (16 U.S.C. 668), 50 CFR 22; the Endangered Species Act (16 U.S.C. 1531-1544), 50 CFR 17; the Migratory Bird Treaty Act (16 U.S.C. 703-712), 50 CFR 21; the Wild Bird Conservation Act (16 U.S.C. 4901-4916), 50 CFR 15; the Lacey Act: Injurious Wildlife (18 U.S.C. 42), 50 CFR 16; Convention on International Trade in Endangered Species of Wild Fauna and Flora (TIAS 8249), 50 CFR 23; General Provisions, 50 CFR 10; General Permit Procedures, 50 CFR 13; and Wildlife Provisions (Import/export/transport), 50 CFR 14.

Purpose: The collection of contact information is to verify the individual has an eligible permit to conduct activities that affect protected species. The information the individual provides helps the FWS monitor and report on protected species and assess the impact of permitted activities on the conservation and management of species and their habitats.

Routine Uses: The collected information may be used to verify an applicant's eligibility for a permit to conduct activities with protected wildlife; to provide the public and the permittees with permit related information; to monitor activities under a permit; to analyze data and produce reports to monitor the use of protected wildlife; to assess the impact of permitted activities on the conservation and management of protected species and their habitats; and to evaluate the effectiveness of the permit programs. More information about routine uses can be found in the System of Records Notice, Permits System, FWS-21.

Disclosure: The information requested in this form is voluntary. However, submission of requested information is required to process applications for permits authorized under the listed authorities. Failure to provide the requested information may be sufficient cause for the U.S. Fish & Wildlife Service to deny the request.

PAPERWORK REDUCTION ACT STATEMENT

In accordance with the Paperwork Reduction Act (44 U.S.C. 3501), the U.S. Fish and Wildlife Service collects information necessary to monitor take and disposition of migratory birds, under the applicable laws governing the requested activity, for which a permit is requested, and to respond to requests made under the Freedom of Information Act and the Privacy Act of 1974. 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. According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. OMB has approved this collection of information and assigned Control No. 1018-0022.

ESTIMATED BURDEN STATEMENT

Public reporting for FWS Form 3-200-10c is 4 hours for the application and 30 minutes for recordkeeping, including time for reviewing instructions, gathering and maintaining data and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of the form to the Service Information Clearance Officer, Fish and Wildlife Service, U.S. Department of the Interior, 5275 Leesburg Pike, MS: BPHC, Falls Church, VA 22041-3803. Please do not send your completed form to this address.

FREEDOM OF INFORMATION ACT STATEMENT

For organizations, businesses, or individuals operating as a business (i.e., permittees not covered by the Privacy Act), we request you identify any information that should be considered privileged and confidential information to allow the Service to meet its responsibilities under the Freedom of Information Act (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 & 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 Drive Hadley, MA 01035-0779	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