



United States Department of the Interior

FISH AND WILDLIFE SERVICE
WASHINGTON, D.C. 20240



ADDRESS ONLY THE DIRECTOR,
FISH AND WILDLIFE SERVICE

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Director Policy Statement

LAW ENFORCEMENT MEMORANDUM

Subject: Policy for Uniform Administration of Migratory Bird Permits

The purpose of this memorandum is to establish the uniform administration of permit activities for the Division of Law Enforcement authorized under 50 CFR Parts 13 and 21.

PERMIT FEES:

1. Fees will not be charged for migratory bird rehabilitators.
2. Fees will not be charged for permits for Native American religious or ceremonial use.
3. When a joint Federal/State falconry permit is issued, the Federal permit cannot exceed the duration of the State permit, but no Federal permit may extend beyond 3 years, in any case. If the State renewal requirements are of shorter interval, a new Federal permit will be required at the same time as the State permit and a fee will be charged for each renewal.

FALCONRY PERMITS:

1. An individual who properly maintains a falconry bird in accordance with Federal standards for a normal duration of time to train and hunt the bird (i.e. capture in fall, hunt for the season, and release in the spring) for two years will be deemed to have fulfilled the requirements for an Apprentice and will be considered eligible for General status. The permittee need not maintain a bird for an entire 730 days.
2. A separate permit is not needed for a licensed falconer or raptor propagator to utilize a bird held under a valid permit for conservation education purposes.

3. A Federal falconry permit is valid for its duration throughout the U.S.. If a falconer takes his bird to another state for temporary purposes such as hunting or a meet, he only needs an additional State permit if his Federal permit is current. If the activity takes place in a joint Federal/State permitting state, the Federal half is automatically valid once the State permit is issued. However, if the movement to another state is permanent, a new Federal permit will be required.
4. When a falconer or raptor propagator leaves his bird in the temporary custody of another in accordance with 21.29(j)(4) or 21.30(d)(8), a separate Form 3-186A is not needed. The permittee must provide the person having custody of the bird with a copy of the permittee's 3-186A that was completed when the bird was acquired and a signed, dated statement from the permittee authorizing the temporary possession. Since this activity is not considered an acquisition or transfer, a new 3-186A is not needed, but the holder must be able to show (by possessing the copy and statement) for whom he is keeping the bird.

All band issuance will be from the Forensics Laboratory to Regions and **then** the Regions will distribute the bands to the States or propagators. ARD/LE offices will maintain records of the band distribution and submit these records to the Lab on a semi-annual basis. All contacts to the Lab will come through the Regions. At no time will the Regions direct permittees to contact the Lab. The Lab will be responsible for maintaining a supply of bands to meet Regional needs, the expeditious issuance of these bands to the ARD/LE offices, and the maintenance of a national data base of band distribution.

IMPORTATION:

Live migratory birds (including waterfowl) imported into the United States must be in full compliance with the marking requirements of Part 21 (where applicable) before the birds may be legally imported.