



WHAT YOU SHOULD KNOW ABOUT A FEDERAL NATIVE AMERICAN EAGLE AVIARY PERMIT (EAGLE AVIARY)

A Native American Eagle Aviary (i.e. Eagle Aviary) permit will authorize tribal entities engaged in religious activities to possess lawfully acquired Bald Eagles and/or Golden Eagles for Indian religious use. Tribal entities must be recognized and eligible to receive services from the U.S. Bureau of Indian Affairs listed under 25USC479a-1. You should review 50 CFR parts 10, 13 and 22.22 of the Code of Federal Regulations (CFR) with your application. You must meet all requirements of 50 CFR 22.22 to qualify for this permit. **You are responsible for reviewing and understanding these regulations before you request and accept a permit.** The regulations can be found on our website at: <http://www.fws.gov/permits/ltr/ltr.shtml>.

1. What is a Federal Eagle Aviary and a Federal Eagle Aviary permit?

A federally permitted Eagle Aviary is a facility housing live non-releasable bald eagles and/or golden eagles that is operated for the benefit of members of federally recognized tribes. The Federal Eagle Aviary permit is intended to authorize possession of bald eagles and/or golden eagles for tribal activities involving religious purposes.

2. What is the intent of a Federal Eagle Aviary Permit?

The intent of a Federal Eagle Aviary permit to possess live non-releasable bald eagles and/or golden eagles is to provide an additional source of eagle feathers through molting and/or to provide live eagles for Indian religious purposes. Human contact with live eagles should be minimal with this type of eagle permit.

3. What experience must I have to qualify as the Caretaker responsible for maintaining eagles held under a Federal Eagle Aviary permit?

The Caretaker must be at least 18 years of age. We recommend 300 hours of experience gained over the course of at least 2 years in handling, treatment and long-term care of eagles. This experience should include: training, capturing, restraining, handling and transporting eagles; the care, feeding and medical management of eagles, as well as daily husbandry activities. A portion of the experience may be fulfilled by participation in migratory bird/raptor handling seminars and courses.

The Caretaker must also have a written recommendation from another Federal permittee with eagle handling experience.

4. What are the caging requirements for eagles authorized by a Federal Eagle Aviary permit?

All eagles authorized by a Federal Eagle Aviary permit must be maintained under humane and healthful conditions as required in 50 CFR 13.41. Facilities must be adequate for each eagle you plan to possess. In evaluating whether caging dimensions are adequate, the Service will use as a guideline the standards established by The Raptor Center, University of Minnesota's 2007 publication "Raptors in Captivity: Guidelines for Care and Management". These guidelines recommend a minimum enclosure of 12' L x 10' W x 9'H for a non-flighted eagle and a minimum enclosure of 40'L x 10'W x 9'H for a flighted eagle.

The size of each eagle aviary will be evaluated and approved by the Service prior to issuance of this permit. The number of eagles authorized for possession will be based on the dimensions and adequacy of the aviary facility. The issuing office shall determine the estimated carrying capacity of the facility based on the Length and Width of entire aviary/facility and the eagle(s) physical status. Applicants should also contact their state wildlife agency for information about any additional State requirements for eagles.

5. Does the Eagle Aviary permit authorize the public exhibition of eagles?

No. You are not authorized to use eagles possessed under the Federal Eagle Aviary permit for non-tribal or offsite public exhibition purposes.

6. Who is allowed to handle or touch live eagles authorized by a Federal Eagle Aviary permit?

Eagle handling is limited to religious and medical management purposes only. This restriction is intended for the safety of the handler and the eagle. However, tribal members may hold any eagle(s) authorized by a Federal Eagle Aviary permit that is used in a traditional religious ceremony.

7. What is the permitted disposition of molted eagle feathers and/or eagle carcasses or parts should an eagle authorized by this permit die in captivity?

Carcasses, parts and feathers of eagles can be distributed at the discretion of the permittee only to members of Bureau of Indian Affairs (BIA) federally recognized tribal entities.

8. Is the veterinarian for eagles authorized by a Federal Eagle Aviary permit required to have avian experience?

Yes. The designated veterinarian for any eagle(s) held under a Federal Eagle Aviary permit is required to have avian experience, preferably with large raptors and/or eagles. Eagle Aviary permittees are financially responsible for any veterinary fees incurred in the management of eagles authorized under a Federal Eagle Aviary permit.

9. Is there a processing fee for a Federal Eagle Aviary permit application or for the Federal Eagle Aviary permit renewal?

No. There are no fees for the Federal Eagle Aviary permit application or renewal.

10. Can I use eagles for commercial purposes?

No. Eagles possessed under a Federal Eagle Aviary permit may not be used in any manner which implies personal use by anyone, or representation, promotion or endorsement of any products, merchandise, goods, services or any business, company, corporation or other organizations except your own religious activities.

11. How can I acquire eagles authorized by a Federal Eagle Aviary permit?

Bald eagles and/or golden eagles obtained under a Federal Eagle Aviary permit must be non-releasable and may be lawfully acquired from Rehabilitation, Eagle Exhibition, Eagle Falconry or other Federal Eagle Aviary permittees. To acquire additional eagles after the Eagle Aviary permit has been issued, you must submit a request form, Special Purpose Possession (Education) Permit Acquisition and Transfer Request/3-202-12, to your Regional Migratory Bird Permit Office for approval prior to acquiring any eagle. Permittees should also contact their State wildlife agency for information about obtaining additional permits if required.

Federal Eagle Aviary permittees are financially responsible for any transportation and handling costs associated with acquiring eagles.

12. What procedures are required to transfer my 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 eagles 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)

13. Will I be required to keep records of my activities with eagles authorized by this permit?

Yes. You must maintain accurate records on a calendar-year basis. Your records should reflect the acquisition, veterinary care, and disposition of each eagle that is held under a Federal Eagle Aviary Permit.

14. Will anyone inspect my records or eagles held under a Federal Eagle Aviary permit?

By accepting a Federal Eagle Aviary permit, you authorize an agent of the Service to enter your premises at any reasonable hour to inspect the eagle(s) in your care, your books or records. (50 CFR 13.47)

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

Yes. You will receive an annual report form for your Federal Eagle Aviary permit from your Regional Migratory Bird Permit Office. Reports can also be found on our website at: <http://www.fws.gov/forms/3-202-14.pdf>. This report must be completed and submitted to your issuing office by January 31 of each year.



Department of the Interior
U.S. Fish and Wildlife Service

Expires 11/30/2010
OMB No. 1018-0022

Federal Fish and Wildlife Permit Application Form

Return to: U.S. Fish and Wildlife Service
Migratory Bird Regional Permit Office

Type of Activity:
Native American Eagle Aviary

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. Social Security No.	4. Occupation	5. Affiliation/ Doing business as (see instructions)
6.a. Telephone number	6.b. Alternate telephone number	6.c. Fax number	6.d. E-mail address

B. Complete if applying on behalf of a business, corporation, public agency or institution			
1.a. Name of business, agency, 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	
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 [Note: There is no processing fee for this permit]. Federal, tribal, State, and local government agencies, and those acting on behalf of such agencies, are exempt from the processing fee – attach documentation of fee exempt status as outlined in instructions. (50 CFR 13.11(d))
2.	Do you currently have or have you ever had any Federal Fish and Wildlife permits? Yes If yes, list the number of the most current permit you have held or that you are applying to renew/re-issue: _____ No
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.
<hr/> Signature (in blue ink) of applicant/person responsible for permit (No photocopied or stamped signatures) Date of signature (mm/dd/yyyy)	

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**E. NATIVE AMERICAN EAGLE AVIARY
(Bald and Golden Eagle Protection Act; 50 CFR 22.22)**

Note: A Federal Native American Eagle Aviary permit is required to possess non-releasable live eagles for Indian religious use. You must be a federally-recognized tribal entity under the Federally Recognized Tribal List Act of 1994, 25 U.S.C. 479a-1, 108 Stat. 4791 (1994) to apply (complete section B on page 1). The aviary facility must be under the control of the tribal governing body. The eagle caretaker must be at least 18 years old. Your signature on the application affirms that you are requesting eagle(s) for religious purposes.

Please provide the following information using the space provided and a separate sheet of paper:

1. (a) Provide the name and qualifications of the eagle caretaker. Describe in detail the individual's experience and training, including the source and duration, with eagles in the areas listed below. List the species, type of experience, and approximate number of hours or years of experience in each of the following areas:
 - i) handling, capturing, and restraining eagles;
 - ii) transporting eagles;
 - iii) providing daily care and feeding of eagles; and
 - iv) types of medical treatments provided and management of injuries.

(b) Attach a letter of reference from an individual familiar with the caretaker's eagle experience.

2. Provide the name, address, telephone number and email address of the veterinarian you will be using when the eagles require medical care and a description of the veterinarian's experience with avian species, including raptors.
3. Provide a letter from a federally permitted rehabilitator with eagle experience stating his or her willingness to provide you with assistance in the event of an injury to any eagle(s) authorized by this permit.

4. (a) Provide the source(s) of the eagle(s) you plan to acquire:
___ Rehabilitators ___ Another aviary ___ Other (describe): _____
(b) If you have already located an eagle that you plan to acquire, provide the following information about the source and the eagle:

Name: _____ Permit number: MB _____

Address: _____

Telephone number: (_____) _____ E-mail: _____

Description of the injury or illness that renders the eagle non-releasable. _____

Attach a veterinarian's statement confirming that the bird is non-releasable and why.

5. Describe the permanent facilities where the eagle will be housed. Attach photographs and diagrams of your enclosures and the area surrounding the site. Diagrams must include dimensions (length, width, and height) and a description of interior and exterior construction materials, such as flooring and netting materials.
6. Describe the diet you will administer for the eagles and your food source.
7. 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? ___ Yes ___ No If "no", provide the physical address.

PERMIT APPLICATION FORM INSTRUCTIONS

The following instructions pertain to the standard permit form 3-200 that must be completed as 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 will be referred to as a permit.

GENERAL INSTRUCTIONS:

- Complete all blocks/lines/questions in Sections A or B, and C and D. Complete all of Section 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, or institution:

- Enter the complete name of the business, agency 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, 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, 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 CFR13.11(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.

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.shtml>.)
 - 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. Response is not required unless a currently valid Office of Management and Budget (OMB) control number is displayed on form.
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 General Accounting 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 Native American Eagle Aviary permit application is 4 hours and 1 hour 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 2.13(c)(4), 43 CFR 2.15(d)(1)(i)].



U.S. Fish & Wildlife Service

Migratory Bird Regional Permit Offices

FWS REGION	AREA OF RESPONSIBILITY	MAILING ADDRESS	CONTACT INFORMATION
Region 1	California, Hawaii, Idaho, Nevada, Oregon, Washington	911 N.E. 11th Avenue Portland, OR 97232-4181	Tel. (503) 872-2715 Fax (503) 231-2019 Email permitsR1MB@fws.gov
Region 2	Arizona, New Mexico, Oklahoma, Texas	P.O. Box 709 Albuquerque, NM 87103	Tel. (505) 248-7882 Fax (505) 248-7885 Email permitsR2MB@fws.gov
Region 3	Iowa, Illinois, Indiana, Minnesota, Missouri, Michigan, Ohio, Wisconsin	One Federal Drive Fort Snelling, MN 55111	Tel. (612) 713-5436 Fax (612) 713-5393 Email permitsR3MB@fws.gov
Region 4	Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Virgin Islands, Puerto Rico	P.O. Box 49208 Atlanta, GA 30359	Tel. (404) 679-7070 Fax (404) 679-4180 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	P.O. Box 779 Hadley, MA 01035-0779	Tel. (413) 253-8643 Fax (413) 253-8424 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 Fax (303) 236-8017 Email permitsR6MB@fws.gov
Region 7	Alaska	1011 E. Tudor Road (MS-201) Anchorage, AK 99503	Tel. (907) 786-3693 Fax (907) 786-3641 Email permitsR7MB@fws.gov