



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington, D.C. 20240

MBPM-6

Date:

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MIGRATORY BIRD PERMIT MEMORANDUM

SUBJECT: Disposition of live nonreleasable bald eagles and golden eagles possessed under the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act.

PURPOSE: This memorandum serves as guidance to U.S. Fish and Wildlife Service (Service) personnel for placement of live nonreleasable bald eagles and golden eagles with Native American eagle aviaries (aviaries) in accordance with the Service's trust responsibility to Native Americans.

POLICY: For purposes of this memorandum, "aviary" means a tribal facility that has been issued a Federal Eagle Aviary Permit to possess live eagles for religious purposes under the Bald and Golden Eagle Protection Act.

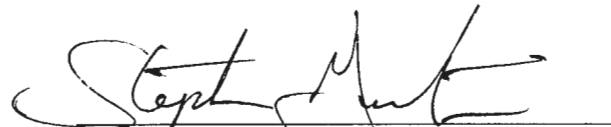
The Service issues Federal Eagle Aviary Permits for religious purposes to Native American Tribes recognized by the Bureau of Indian Affairs. The Service also issues Rehabilitation Permits to qualified entities authorizing the possession of sick, injured, or otherwise nonreleasable bald eagles or golden eagles and Eagle Exhibition Permits and Eagle Scientific Permits to museums, zoological parks, and scientific societies for educational or scientific purposes. An eagle that has undergone care with a federally permitted rehabilitator and that cannot be released to the wild will be made available to tribal eagle aviaries before other qualified facilities. A live nonreleasable eagle possessed under an Eagle Exhibition Permit that is no longer suitable for educational purposes may be made available to aviaries when appropriate, depending on the training and temperament of the bird.

Service personnel will follow the guidelines below when placing live nonreleasable bald eagles or golden eagles.

1. Native American eagle aviaries will provide a request for live nonreleasable eagles to their Regional Migratory Bird Permit Office (MBPO). The request should include the number and species of eagles sought, and additional information such as sex and age, if applicable. The Service will also need information sufficient to verify that the aviary has suitable facilities to house the requested bird(s).
2. When a MBPO has received notification that a live nonreleasable eagle is available for placement, that office will determine if there are any pending requests for that species from aviaries by contacting the Regions where aviaries are located. To assist the Service and/or the requesting aviary in determining if an eagle is suitable for placement, the

MBPO placing the eagle will obtain specific information from the rehabilitator, or educator, regarding the age, sex, type of injury, and temperament of the eagle. If an eagle is approved for placement at an aviary, the aviary and the permitted source will work together in arranging the logistics for the transfer to the aviary. The Service will not pay for any costs associated with the transfer.

3. As of the date of this Memorandum, permitted Native American aviaries occur only in the Southwest Region (Region 2), but aviaries may be permitted in other Regions in the future. In the event of multiple requests from different aviaries the permit offices will establish a rotational system for placing eagles at the aviaries.
4. The MBPO and the corresponding Service Native American Liaison will determine the appropriate means of corresponding with Tribes within their Region.



Deputy Director