

1  
2  
3 **U.S. CODE OF FEDERAL REGULATIONS**  
4 Title 50 § 21.29 - Falconry Standards and Falconry Permitting

5 **(a) Background -** (1) *The legal basis for regulating falconry.* The Migratory Bird Treaty  
6 Act prohibits any person from taking, possessing, purchasing, bartering, selling, or  
7 offering to purchase, barter, or sell, among other things, raptors (birds of prey) listed in §  
8 10.13 of this subchapter unless the activities are allowed by Federal permit issued  
9 under this part and part 13 of this chapter, or as permitted by regulations in this part.

10 (i) This section covers all Falconiformes (vultures, kites, eagles, hawks, caracaras,  
11 and falcons) and all Strigiformes (owls) listed in § 10.13 of this subchapter  
12 (“native” raptors), and applies to any person who possesses one or more wild-  
13 caught, captive-bred, or hybrid raptors protected under the MBTA to use in  
14 falconry.

15 (ii) The Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d,54. 250)  
16 provides for the taking of golden eagles from the wild to use in falconry. It  
17 specifies that the only golden eagles that may be taken from the wild for falconry  
18 are those that would be taken because of depredations on livestock or wildlife (16  
19 U.S.C. 668a).

20 **(2) “Possession” and short-term handling of a falconry raptor.** We do not  
21 consider short-term handling, such as letting any other person hold or practice flying  
22 a raptor you possess under your permit, to be possession for the purposes of this  
23 section if you are present and the person is under your supervision.

24 **(3) Regulatory year for governing falconry.** For determining possession and take  
25 of raptors for falconry, a year is any 12-month period for take defined by the State,  
26 tribe, or territory.

27 **(b) Federal approval of State, tribal, and territorial falconry programs -** (1) *General.*

28 (i) A State (including the District of Columbia), tribe, or territory under the jurisdiction of  
29 the United States that wishes to allow falconry must establish laws and regulations  
30 (hereafter referred to as laws) that meet the standards established in this section. To  
31 allow the practice of falconry on tribal lands by tribal members or residents, a tribe may  
32 either certify that it has adopted Service-approved State laws if those laws are fully  
33 enforceable on tribal lands, or issue its own laws and request our approval.

34 (ii) State, tribal, or territorial laws may be more restrictive than these Federal  
35 standards but may not be less restrictive. For instance, a State, tribe, or territory  
36 may choose not to allow possession of some species of raptors otherwise allowed  
37 in this section. State, tribal, and territorial laws must be consistent with the terms

1 contained in any convention between the United States and any foreign country  
2 for the protection of raptors and the Migratory Bird Treaty Act.

3 **(2) Reporting.** (i) The State, tribe, or territory must work with us to ensure that the  
4 electronic 3-186A reporting system (<http://permits.fws.gov/186A>) for reporting take,  
5 transfers, and loss of falconry birds is fully operational for residents of that  
6 jurisdiction.

7 (ii) If you are required to submit a report or other information under this section,  
8 you must either enter the required information in the electronic database at  
9 <http://permits.fws.gov/186A>, or at <http://www.wildlife.ca.gov/FalconryReporting> if  
10 you are a resident of California, or submit a paper form 3-186A to your State,  
11 tribal, or territorial agency that governs falconry.

12 **(3) Federal approval and terms.** If we concur that the regulations and the  
13 examination meet the requirements of this section, we will publish a rule in the  
14 Federal Register adding the State, tribe, or territory to the list of those approved for  
15 allowing the practice of falconry. We will terminate Federal falconry permitting in any  
16 State certified under these regulations on January 1st of the calendar year following  
17 publication of the rule.

18 **(4) Review of a State, tribal, or territorial falconry program.** We may review the  
19 administration of an approved State's, tribe's, or territory's falconry program if  
20 complaints from the public or law enforcement investigations indicate the need for a  
21 review or for revisions to the State's, tribe's, or territory's laws, or falconry  
22 examination. The review may involve, but is not limited to:

23 (i) Inspecting falconers' facilities to ensure that the facilities standards in this  
24 section are met;

25 (ii) Processing time of applications;

26 (iii) Reviewing approved applications for completeness;

27 (iv) Determining that permits issued are appropriate for the experience of the  
28 applicants;

29 (v) Determining the adequacy of the State's, tribe's, or territory's recordkeeping for  
30 the needs of State, tribal, or territorial and Federal law enforcement;

31 (vi) Reviewing laws to determine if they meet the requirements of this section; and

32 (vii) Reviewing a revised falconry examination to determine if it meets the  
33 requirements of this section.

34 **(5) Suspension of a State's, tribe's, or territory's certification.** (i) We may  
35 propose to suspend, and may suspend, the approval of a State, tribal, or territorial  
36 falconry program in accordance with the procedures in paragraph (b)(5)(ii) of this

1 section if we determine that the State, tribe, or territory has deficiencies in one or  
2 more items in paragraph (b)(4) of this section.

3 (ii) When we propose to suspend approval of a State, tribal, or territorial falconry  
4 program, we will first provide written notice to the State, tribe, or territory. Any  
5 such notice will include the basis for our determination that suspension is  
6 warranted. We will identify the actions that would, if implemented by the State,  
7 tribe, or territory, allow us to cancel the proposed suspension of approval.

8 (iii) The State, tribe, or territory will have 2 years from the date of our notification to  
9 correct the deficiencies. The State, tribe, or territory must respond in writing within  
10 that time to the proposed suspension, specifying the reasons why the certification  
11 should not be suspended. We will give due consideration to any objections and  
12 evidence raised by the State, tribe, or territory.

13 (iv) If we continue to believe that suspension is warranted, we will provide written  
14 notice of suspension, including the rationale for suspension, and respond to any  
15 objections to the suspension.

16 (A) The suspension of approval of the State's, tribe's, or territory's falconry  
17 program will be effective 180 days from the date of the Service's final  
18 notification of suspension.

19 (B) The State, tribe, or territory must then inform all falconry applicants and  
20 permittees of the impending cancellation of permitting.

21 (v) We will honor all falconry permits in that jurisdiction for 2 years from the date of  
22 our final notification of suspension of certification. At the end of the 2 years, you  
23 must transfer all raptors (including captive-bred raptors) held under permits from  
24 the State, tribal, or territorial falconry program to other falconry permittees in other  
25 States or territories, or to Federal raptor propagation or education permittees,  
26 institutions exempt from the Federal permit requirements, or permanently released  
27 to the wild (if it is allowed by the State, tribe, or territory and by this section), or  
28 euthanized. However, you may not permanently release hybrid raptors to the wild.

29 **(6) Appeal of a decision to suspend State, tribal, or territorial certification.** The  
30 State, tribe, or territory may appeal a decision to suspend certification to the Director  
31 within 180 days of the date of the Director's decision. The Director will then respond  
32 to the State, tribe, or territory within 180 days of receipt of the appeal. The State,  
33 tribe, or territory certification will remain effective until the Director makes a final  
34 decision on the appeal.

35 **(7) Recertification of compliance with this section if a State's, tribe's, or**  
36 **territory's falconry permitting authority has been suspended.** If a State, tribe, or  
37 territory has had its falconry permitting authority suspended but has corrected its  
38 problems, it must submit a request for approval of its permitting activities. We will

1 then either recertify the program, or report in writing why we do not believe that  
2 earlier permitting problems have been rectified.

3 **(8) Authority to suspend or revoke a falconry permit issued by a State, tribe, or**  
4 **territory.** Suspension or revocation of a falconry permit is the responsibility of the  
5 State, tribe, or territory. However, compliance with all provisions of these regulations  
6 remains under the purview of the Fish and Wildlife Service.

7 **(9) Standards in effect in your place of residence.** If you live in any State except  
8 Hawaii, you may practice falconry as permitted in these regulations if you have a  
9 falconry permit from your State, tribe, or territory.

10 **(c) Practicing falconry - (1) Permits and inspections to practice falconry.** You must  
11 have a valid falconry permit from the State, tribe, or territory in which you reside (or the  
12 tribe on whose land you wish to practice falconry if you reside on tribal land or are a  
13 tribal member), to take, possess, or transport raptors for falconry, or to hunt with them.  
14 Depending on the game you hunt as a falconer and where you hunt, you also may need  
15 a Federal Migratory Bird Hunting and Conservation Stamp (a "Duck Stamp"), and State,  
16 tribal, or territorial hunting permits or stamps to hunt with a raptor.

17 (i) Some State, tribal, territorial, or local governments may require you to have  
18 additional permits or licenses to practice falconry or to take a raptor from the wild.

19 (ii) You must comply with all regulations governing migratory bird permitting.

20 (iii) If you reside for more than 120 consecutive days in a State or territory or on  
21 tribal lands other than the location of your primary residence, your falconry  
22 facilities in the second location must meet the standards in paragraph (d) of this  
23 section and of the corresponding State, tribal, or territorial lands, and your facilities  
24 must be listed on your falconry permit.

25 **(2) Classes of permit to practice falconry.** We recognize Apprentice, General, and  
26 Master Falconer levels. Each State, tribe, or territory may have any number of permit  
27 levels, but the standards for them must be at least as restrictive as these Federal  
28 standards. Your State, tribe, or territory may have more restrictive laws or regulations  
29 governing falconry.

30 (i) Requirements and possession options for an Apprentice Falconer.

31 (A) You must be at least 12 years of age.

32 (B) If you are under 18 years of age, a parent or legal guardian must sign your  
33 application and is legally responsible for your activities.

34 (C) You must have a letter from a Master Falconer or a General Falconer with a  
35 valid State, tribal, or territorial falconry permit who is at least 18 years old and  
36 has at least 2 years experience at the General Falconer level, stating that he or  
37 she will assist you, as necessary, in:

- 1 (1) Learning about the husbandry and training of raptors held for falconry;
- 2 (2) Learning and about relevant wildlife laws and regulations, and
- 3 (3) Deciding what species of raptor is appropriate for you to possess while
- 4 an Apprentice.

5 (D) Regardless of the number of State, tribal, or territorial falconry permits you  
6 have, you may possess no more than one raptor for use in falconry.

7 (E) You may take raptors less than 1 year old, except nestlings, from the wild  
8 during any period or periods specified by the State, tribe, or territory. You may  
9 take any raptor species from the wild except a federally listed threatened or  
10 endangered species or the following species: Bald eagle (*Haliaeetus*  
11 *leucocephalus*), white-tailed eagle (*Haliaeetus albicilla*), Steller's sea-eagle  
12 (*Haliaeetus pelagicus*), golden eagle (*Aquila chrysaetos*), American swallow-  
13 tailed kite (*Elanoides forficatus*), Swainson's hawk (*Buteo swainsoni*), peregrine  
14 falcon (*Falco peregrinus*), flammulated owl (*Otus flammeolus*), elf owl  
15 (*Micrathene whitneyi*), and short-eared owl (*Asio flammeus*).

16 (F) You may possess a raptor of any Falconiform or Strigiform species,  
17 including wild, captive-bred, or hybrid individuals, except a federally listed  
18 threatened or endangered species, a bald eagle (*Haliaeetus leucocephalus*), a  
19 white-tailed eagle (*Haliaeetus albicilla*), a Steller's sea-eagle (*Haliaeetus*  
20 *pelagicus*), or a golden eagle (*Aquila chrysaetos*).

21 (G) You do not need to capture a wild raptor yourself; it can be transferred to  
22 you by another falconry permittee.

23 (H) You may not possess a raptor taken from the wild as a nestling.

24 (I) You may not possess a bird that is imprinted on humans.

25 (J) Your raptor facilities must pass inspection by your State, tribe, or territory  
26 before you may be granted a permit.

27 (ii) Requirements and possession options for a General Falconer.

28 (A) You must be at least 16 years of age.

29 (B) If you are 16 or 17 years of age, a parent or legal guardian must sign your  
30 application and must be legally responsible for your activities.

31 (C) You must submit a document from a General Falconer or Master Falconer  
32 (preferably your sponsor) to your State, tribal, or territorial wildlife agency  
33 stating that you have practiced falconry with raptor(s) at the Apprentice  
34 Falconer level or equivalent for at least 2 years, including maintaining, training,  
35 flying, and hunting the raptor(s) for least 4 months in each year. That practice  
36 may include capture and release of falconry raptors.

1 (D) You may not substitute any falconry school program or education to shorten  
2 the period of 2 years at the Apprentice level.

3 (E) You may take and possess any species of Falconiform or Strigiform except  
4 a golden eagle, a bald eagle, a white-tailed eagle, or a Steller's sea-eagle. You  
5 may use captive-bred individuals and hybrids of the species you are allowed to  
6 possess.

7 (F) Regardless of the number of State, tribal, or territorial falconry permits you  
8 have, you may possess no more than 3 raptors.

9 (iii) Requirements and possession options for a Master Falconer.

10 (A) You must have practiced falconry with your own raptor(s) at the General  
11 Falconer level for at least 5 years.

12 (B) You may take and possess any species of Falconiform or Strigiform except  
13 a bald eagle. However, you may take and possess a golden eagle, a white-  
14 tailed eagle, or a Steller's sea eagle only if you meet the qualifications set forth  
15 under paragraph (c)(2)(iv).

16 (C) You may possess any captive-bred individuals or hybrids of species your  
17 State, tribe, or territory allows you to possess for use in falconry.

18 (D) Regardless of the number of State, tribal, or territorial falconry permits you  
19 have, you may possess no more than 5 wild raptors, including golden eagles.

20 (E) You may possess any number of captive-bred raptors. However, you must  
21 train them in the pursuit of wild game and use them in hunting.

22 (iv) If you meet the requirements in paragraph (c) of this section for falconry you  
23 may possess up to 3 eagles of the following species: golden eagle, white-tailed  
24 eagle, or Steller's sea eagle.

25 (A) Your State, tribal, or territorial agency that regulates falconry must  
26 document the following before approving your request to possess an eagle to  
27 use in falconry:

28 (1) Your experience in handling large raptors, including information about the  
29 species you have handled and the type and duration of the activity in which  
30 you gained the experience.

31 (2) At least two letters of reference from people with experience handling  
32 and/or flying large raptors such as eagles, ferruginous hawks, goshawks  
33 (*Accipiter gentilis*), or great horned owls (*Bubo virginianus*). Each must  
34 contain a concise history of the author's experience with large raptors, which  
35 can include, but is not limited to, handling of raptors held by zoos,  
36 rehabilitating large raptors, or scientific studies involving large raptors. Each

1 letter must also assess your ability to care for eagles and fly them in  
2 falconry.

3 (B) A golden eagle, white-tailed eagle, or Steller's sea-eagle you hold will count  
4 as one of the raptors you are allowed to possess for use in falconry.

5 **(3) Taking a test to qualify for a falconry permit.** Before you are issued an  
6 Apprentice permit you must correctly answer at least 80 percent of the questions on  
7 an examination administered by the State, tribe, or territory under which you wish to  
8 obtain a falconry permit. The examination must cover care and handling of falconry  
9 raptors, Federal, State or territorial, and tribal (if applicable) laws and regulations  
10 relevant to falconry, and other appropriate subject matter. Contact your State, tribal,  
11 or territorial agency that regulates falconry for information about permits and taking  
12 the test.

13 **(4) Reinstatement of a lapsed falconry permit if your State, tribe, or territory**  
14 **allows it.** (i) If your permit has lapsed for fewer than 5 years, it may be reinstated at  
15 the level you held previously if you have proof of your certification at that level.

16 (ii) If your permit has lapsed for 5 years or longer, you must correctly answer at  
17 least 80 percent of the questions on an examination administered by the State,  
18 tribe, or territory in which you wish to obtain a falconry permit. If you pass the  
19 exam, your permit may be reinstated at the level you previously held. Your  
20 facilities must pass State, tribal, or territorial inspection before you may possess a  
21 falconry bird.

22 **(5) Permit to practice falconry at an appropriate level if you have experience in**  
23 **falconry but are a new resident in the United States.** You may qualify for the  
24 falconry permit appropriate for your experience. To demonstrate your knowledge of  
25 U.S. falconry laws and regulations, you must correctly answer at least 80 percent of  
26 the questions on the supervised examination for falconers administered by the State,  
27 tribe, or territory under which you wish to obtain a falconry permit. If you pass the  
28 test, the State, tribe, or territory will decide for which level of falconry permit you are  
29 qualified, consistent with the class requirements in paragraph (c)(2) of this section.  
30 To do so, the State, tribe, or territory should base its decision on your documentation  
31 of your experience. Your falconry facilities must meet the standards in paragraph  
32 (d)(1) of this section before you may keep a raptor to use in falconry.

33 **(6) Banding or tagging raptors used in falconry.** (i) If you take a goshawk, Harris's  
34 hawk (*Parabuteo unicinctus*), peregrine falcon (*Falco peregrinus*), or gyrfalcon (*Falco*  
35 *rusticolus*) from the wild or acquire one from another falconer or a rehabilitator, and if  
36 the raptor is not already banded, you must band it with a permanent, nonreusable,  
37 numbered U.S. Fish and Wildlife Service leg band that your State, tribal, or territorial  
38 agency will supply. If you wish, you may purchase and implant an ISO (International  
39 Organization for Standardization)-compliant (134.2 kHz) microchip in addition to the

1 band. You must report the band number when you report your acquisition of the bird.  
2 Contact your State, tribal, or territorial agency for information on obtaining and  
3 disposing of bands. Within 10 days from the day on which you take the raptor from  
4 the wild, you must report take of the bird by submitting the required information  
5 (including the band number) using one of the methods listed in paragraph (b)(2)(ii) of  
6 this section. You may request an appropriate band from your State, tribal, or  
7 territorial agency in advance of any effort to capture a raptor. Your State, tribe, or  
8 territory may require that you band other species taken from the wild.

9 (ii) A raptor bred in captivity must be banded with a seamless metal band (see §  
10 21.30). If you must remove a seamless band or if it is lost, within 10 days from the  
11 day you remove or note the loss of the band, you must report it and request a  
12 replacement U.S. Fish and Wildlife Service nonreusable band from your State,  
13 tribe, or territory. You must submit the required information using one of the  
14 methods listed in paragraph (b)(2)(ii) of this section. You must replace a seamless  
15 band that is removed or lost. You may implant an ISO-compliant (134.2 kHz)  
16 microchip in a falconry raptor in addition to the seamless band.

17 (iii) If the band must be removed or is lost from a raptor in your possession, you  
18 must report the loss of the band within 5 days, and you must then do at least one  
19 of the following:

20 (A) Request a U.S. Fish and Wildlife Service nonreusable band from your  
21 State, tribal, or territorial agency that regulates falconry. You must submit the  
22 required information within 10 days of rebanding the raptor using one of the  
23 methods listed in paragraph (b)(2)(ii) of this section.

24 (B) Purchase and implant an ISO-compliant (134.2 kHz) microchip in the bird  
25 and report the microchip information using one of the methods listed in  
26 paragraph (b)(2)(ii) of this section.

27 (iv) You must not alter, deface, or counterfeit a band. You may remove the rear  
28 tab on a band on a raptor you take from the wild, and you may smooth any  
29 imperfect surface if you do not affect the integrity of the band or the numbering on  
30 it.

31 (v) If you document health or injury problems for a raptor you possess that are  
32 caused by the band, the State, tribe, or territory may provide an exemption to the  
33 requirement for that raptor. In that case, you must keep a copy of the exemption  
34 paperwork with you when transporting or flying the raptor. If your bird is a wild  
35 goshawk, Harris's hawk, peregrine falcon, or gyrfalcon, you must replace the band  
36 with an ISO-compliant microchip that we will supply to your State, tribe, or  
37 territory. We will not provide a microchip for a wild goshawk, Harris's hawk,  
38 peregrine falcon, or gyrfalcon unless you have demonstrated that a band causes  
39 an injury or a health problem for the bird.



1 (vi) You may not band a raptor removed from the wild with a seamless numbered  
2 band.

3 **(7) Carrying your permit(s) when conducting falconry activities.** You must have  
4 your permit(s) or legible copies of them in your immediate possession if you are not  
5 at the location of your falconry facilities and you are trapping, transporting, working  
6 with, or flying your falconry raptor(s).

7 **(8) Transporting a falconry raptor or raptors to other States or territories.** If you  
8 have a valid falconry permit, you may possess and transport for falconry purposes a  
9 lawfully possessed raptor through other States or territories. However, any State,  
10 tribe, or territory may further regulate such transport.

11 **(d) Facilities and care requirements - (1) Facilities you must have and maintain.** You  
12 must keep all raptors you hold under your falconry permit in humane and healthful  
13 conditions.

14 (i) Whether they are indoors (a “mews”) or outdoors (a “weathering area”), your  
15 raptor facilities must protect raptors in them from the environment, predators, and  
16 domestic animals. You are responsible for the maintenance and security  
17 (protection from predators) of raptors you possess under your permit.

18 (ii) You must have raptor housing facilities approved by your State, tribe, or  
19 territory before you may obtain a bird to use in falconry. Your State, tribe, or  
20 territory may require that you have both indoor and outdoor facilities. A  
21 representative of your agency that regulates falconry, or its designee, must certify  
22 that your facilities and equipment meet the following standards:

23 (A) For housing raptors indoors or outdoors, the facility must protect raptors  
24 from predators and domestic animals.

25 (1) The facility must have a suitable perch for each raptor, at least one  
26 opening for sunlight, and must provide a healthy environment for raptors  
27 inside.

28 (2) You may house untethered raptors together if they are compatible with  
29 each other.

30 (3) Each raptor must have an area large enough to allow it to fly if it is  
31 untethered or, if tethered, to fully extend its wings or bate (attempt to fly  
32 while tethered) without damaging its feathers or contacting other raptors.

33 (4) Each falconry bird must have access to a pan of clean water unless  
34 weather conditions, the perch type used, or some other factor makes access  
35 to a water pan unsafe for the raptor.

36 (B) An indoor facility must be large enough to allow easy access for the care  
37 and feeding of raptors kept there.

1 (1) If raptors you house in this indoor facility are not tethered, all walls that  
2 are not solid must be protected on the inside. Suitable materials may include  
3 vertical bars spaced narrower than the width of the body of the smallest  
4 raptor you house in the enclosure. However, heavy-duty netting or other  
5 such materials may be used to cover the walls or roof of the enclosure.

6 (2) Acceptable indoor facilities include shelf perch enclosures where raptors  
7 are tethered side by side. Other innovative housing systems are acceptable  
8 if they provide the enclosed raptors with protection and allow them to  
9 maintain healthy feathers.

10 (3) An eyas raptor may be kept in any suitable container or enclosure until it  
11 is capable of flight.

12 (C) You may keep a falconry raptor or raptors inside your place of residence if  
13 you provide a suitable perch or perches. If you house your raptor(s) inside your  
14 home, you do not need to modify windows or other openings of the structure.  
15 Raptors kept in your home must be tethered when they are not being moved  
16 into or out of the location in which they are kept.

17 (D) An outdoor facility must be totally enclosed, and may be made of heavy-  
18 gauge wire, heavy-duty plastic mesh, slats, pipe, wood, or other suitable  
19 material.

20 (1) The facility must be covered and have at least a covered perch to protect  
21 a raptor held in it from predators and weather.

22 (2) The facility must be large enough to insure that the birds cannot strike  
23 the enclosure when flying from the perch.

24 (3) New types of housing facilities and/or husbandry practices may be used  
25 if they satisfy the requirements above and are approved by the State, tribal,  
26 or territorial authority regulating falconry.

27 (iii) You may keep falconry raptors outside in the open if they are under watch,  
28 such as by you or a family member at any location or, for example, by a  
29 designated individual in a weathering yard at a falconry meet.

30 (iv) You must inform your State, tribal, or territorial agency within 5 business days  
31 if you change the location of your facilities.

32 **(2) Falconry facilities on property you do not own** - (i) Your falconry facilities may  
33 be on property owned by another person where you reside, or at a different location.  
34 Regardless of location, the facilities must meet the standards in paragraph (d)(1) of  
35 this section and those of the State, tribe, or territory from which you have a falconry  
36 permit.

1 (ii) You must submit to your State, tribal, or territorial agency that regulates  
2 falconry a signed and dated statement showing that you agree that the falconry  
3 facilities and raptors may be inspected without advance notice by State, tribal (if  
4 applicable), or territorial authorities at any reasonable time of day, but you must be  
5 present. If your facilities are not on property that you own, you must submit a  
6 signed and dated statement showing that the property owner agrees that the  
7 falconry facilities and raptors may be inspected by State, tribal (if applicable), or  
8 territorial authorities at any reasonable time of day in the presence of the property  
9 owner; except that the authorities may not enter the facilities or disturb the raptors  
10 unless you are present.

11 **(3) Equipment you must have and maintain.** You must have jesses or the  
12 materials and equipment to make them, leash and swivel, bath container, and  
13 appropriate scales or balances for weighing raptor(s) you possess.

14 **(4) Facilities you must have for a raptor when you are transporting it, using it**  
15 **for hunting, or are away from your home with it.** You must be sure that the bird  
16 has a suitable perch and is protected from extreme temperatures, wind, and  
17 excessive disturbance. A “giant hood” or similar container is acceptable for  
18 transporting or housing a raptor when you are away from the permanent facility  
19 where it is housed.

20 **(5) Temporarily housing a raptor outside of your permanent facilities when you**  
21 **are not transporting it or using it for hunting.** You may house a raptor in  
22 temporary facilities for no more than 120 consecutive calendar days if the bird has a  
23 suitable perch and is protected from predators, domestic animals, extreme  
24 temperatures, wind, and excessive disturbance.

25 **(6) Care of falconry raptors by another falconry permittee.** Another falconry  
26 permittee may care for a raptor or raptors for you at your facilities or at that person's  
27 facilities for up to 120 consecutive calendar days. The other person must have a  
28 signed and dated statement from you authorizing the temporary possession, plus a  
29 copy of FWS form 3-186A that shows that you are the possessor of each of the  
30 raptors. The statement must include information about the time period for which he or  
31 she will keep the raptor(s), and about what he or she is allowed to do with it or them.

32 (i) Your raptor(s) will remain on your falconry permit, and will not be counted  
33 against the possession limit of the person caring for your raptors.

34 (ii) If the person caring for your raptor(s) holds the appropriate level falconry  
35 permit, he or she may fly your raptor(s) in whatever way you authorize, including  
36 hunting.

1 (iii) This care of your raptors may be extended indefinitely in extenuating  
2 circumstances, such as illness, military service, or for a family emergency. The  
3 State, tribe, or territory may consider such instances on a case-by-case basis.

4 **(7) Care of falconry raptors by someone who does not have a falconry permit.**  
5 Another person may care for falconry birds you possess at your facilities for up to 45  
6 consecutive calendar days.

7 (i) The raptor(s) will remain on your falconry permit.

8 (ii) The raptors must remain in your facilities.

9 (iii) This care may be extended indefinitely in extenuating circumstances, such as  
10 illness, military service, or for a family emergency.

11 (iv) The person(s) caring for your raptors may not fly them for any reason.

12 **(8) Residence part of the year in another jurisdiction.** (i) The State, tribe, or  
13 territory in which you live part-time may require that you obtain its falconry permit.  
14 You must contact the State, tribal, or territorial agency that regulates falconry to  
15 determine whether you need a permit.

16 (ii) If you live for more than 120 consecutive days in a State or territory or on tribal  
17 lands other than where you maintain your primary residence, your falconry  
18 facilities in the second State must meet the standards in this section.

19 (9) *Inspections.* Falconry equipment and records may be inspected in the presence  
20 of the permittee during business hours on any day of the week by State, tribal, or  
21 territorial officials.

22 **(e) Taking, possessing, and transporting raptors for falconry - (1) Raptor species**  
23 *you may take from the wild to use for falconry.* (i) You may not intentionally capture a  
24 raptor species that your classification as a falconer does not allow you to possess for  
25 falconry. If you capture a bird you are not allowed to possess, you must release it  
26 immediately.

27 (ii) On some tribal lands and in some States there may be State, tribal, or Federal  
28 restrictions on the take or use of these species, and you may need a tribal or State  
29 permit or permits to capture a bird.

30 (iii) State, tribal, or territorial regulations on take may be more restrictive than  
31 those in this section.

32 (iv) Take of any species must be in compliance with these regulations.

33 (v) If you are a Master Falconer and your State, tribe, or territory allows you to  
34 possess golden eagles, in any year you may take up to two golden eagles from  
35 the wild and only in a livestock depredation area during the time the depredation  
36 area and associated depredation permit or depredation control order are in effect.

1 A livestock depredation area is declared by USDA Wildlife Services and permitted  
2 under § 22.23, or upon the request of a State governor and authorized by the  
3 Service Director pursuant to §§ 22.31 and 22.32.

4 **(2) How and when you may take raptors from the wild to use in falconry.** You  
5 may take no more than two raptors from the wild each year to use in falconry.

6 (i) If you transfer a bird you take from the wild to another permittee in the same  
7 year in which you capture it, the bird will count as one of the raptors you are  
8 allowed to take from the wild that year; it will not count as a capture by the  
9 recipient, though it will always be considered a wild bird.

10 (ii) If you are a General or Master Falconer, you may remove nestlings from a nest  
11 or aerie in accordance with tribal (if applicable), State, territorial, and Federal  
12 restrictions.

13 (iii) You may not take raptors at any time or in any manner that violates any law of  
14 the State, tribe, or territory on whose land you are trapping.

15 (iv) If you are responsible for reporting take of a raptor from the wild, use one of  
16 the methods listed in paragraph (b)(2)(ii) of this section. You must do this at your  
17 first opportunity to do so, but no later than 10 days after the capture of the bird.

18 (v) If you are present at the capture site, even if another person captures the bird  
19 for you, you are considered the person who removes the bird from the wild. You  
20 are responsible for filing a 3-186A form reporting take of the bird from the wild.  
21 This would occur, for example, if another person climbs a tree or rappells down a  
22 cliff and takes a nestling for you and gives it to you at the tree or cliff.

23 (vi) If you are not at the immediate location where the bird is taken from the wild,  
24 the person who removes the bird from the wild must be a General or Master  
25 Falconer, and must report take of the bird. If that person then transfers the bird to  
26 you, you must both file 3-186A forms reporting the transaction at your first  
27 opportunity to do so, but no later than 10 days after the transfer. The bird will  
28 count as one of the two raptors the person who took it from the wild is allowed to  
29 capture in any year. The bird will not count as a bird you took from the wild. The  
30 person who takes the bird from the wild must report the take even if he or she  
31 promptly transfers the bird to you.

32 (vii) If you have a long-term or permanent physical impairment that prevents you  
33 from attending the capture of a species you can use for falconry, a General or  
34 Master Falconer may capture a bird for you. You are then responsible for filing a  
35 3-186A form reporting take of the bird from the wild, and the bird will count against  
36 the take of wild raptors that you are allowed in any year.

37 (viii) You must promptly release any bird you capture unintentionally.

1 **(3) Other restrictions on taking raptors from the wild for falconry.** (i) If you are a  
2 General or Master Falconer, you may take only raptors less than 1 year of age from  
3 the wild during any period or periods specified by the State, tribe, or territory.  
4 However, you may take an American kestrel or great horned owl of any age from the  
5 wild during any period or periods specified by the State, tribe, or territory.

6 (ii) If you are a Master Falconer authorized to possess golden eagles for use in  
7 falconry, you may capture a golden eagle in a livestock or wildlife depredation  
8 area during the time the depredation area and associated depredation permit or  
9 depredation control order are in effect.

10 (A) You may capture an immature or subadult golden eagle.

11 (B) You may take a nestling from its nest in a livestock depredation area if a  
12 biologist representing the agency responsible for declaring the depredation  
13 area has determined that the adult eagle is preying on livestock or wildlif

14 (C) You may take a nesting adult golden eagle only if a biologist representing  
15 the agency responsible for declaring the depredation area has determined that  
16 the adult eagle is preying on livestock or wildlife and that any nestling of the  
17 adult will be taken by a falconer authorized to possess it or by the biologist and  
18 transferred to an individual authorized to possess it.

19 (D) You must determine the locations of the livestock or wildlife depredation  
20 areas declared by USDA Wildlife Services, or published in the Federal Register  
21 by the Service in response to a State governor's request. We will not notify you  
22 about them.

23 (E) Before you begin any trapping activities, you must inform our regional Law  
24 Enforcement office of your capture plans. You must notify the office in person,  
25 in writing, or via facsimile or email at least 3 business days before you start  
26 trapping. You may send an email with your trapping plans to  
27 *lawenforcement@fws.gov*, or you may deliver your trapping plans in person or  
28 by mail to the Law Enforcement office in your region at the applicable street  
29 address provided at [50 CFR 2.2](#). Telephone and fax numbers are as follows:

| Region | Law enforcement office telephone number | Law enforcement office fax number |
|--------|---|-----------------------------------|
| 1      | 503-231-6125                            | 503-231-2193                      |
| 2      | 505-248-7889                            | 505-248-7899                      |
| 3      | 612-713-5320                            | 612-713-5283                      |
| 4      | 404-679-7057                            | 404-679-7065                      |
| 5      | 413-253-8274                            | 413-253-8459                      |
| 6      | 303-236-7540                            | 303-236-7901                      |
| 7      | 907-786-3311                            | 907-786-3313                      |
| 8      | 916-414-6660                            | 916-414-6715                      |

1 (F) You also must meet all requirements of the State or territory in which you  
2 plan to trap, or the tribe on whose lands you plan to trap.

3 (G) You must have permission from the landowner to capture an eagle; or if  
4 you wish to capture one on public land, the responsible agency must allow it.

5 (iii) You may recapture a falconry bird you have lost at any time. We do not  
6 consider recapture of a wild bird to be taking a bird from the wild.

7 (iv) You may recapture a raptor wearing falconry equipment or a captive-bred bird  
8 at any time - even if you are not allowed to possess the species. The bird will not  
9 count against your possession limit, nor will its take from the wild count against  
10 your limit. You must report your recapture of the bird to your State, tribal, or  
11 territorial agency that regulates falconry no more than 5 working days after the  
12 recapture. You must return a recaptured falconry bird to the person who lost it, if  
13 that person may legally possess it. Disposition of a bird whose legal possession  
14 cannot be determined will be at the discretion of the State, tribe, or territory.

15 (v) You may take any raptor that you are authorized to possess from the wild if the  
16 bird is banded with a Federal Bird Banding Laboratory aluminum band except that  
17 you may not take a banded peregrine falcon from the wild.

18 (A) If a raptor (including a peregrine falcon) you capture is marked with a  
19 seamless metal band, a transmitter, or any other item identifying it as a falconry  
20 bird, you must report your capture of the bird to your State, tribal, or territorial  
21 agency that regulates falconry no more than 5 working days after the capture.  
22 You must return a recaptured falconry bird to the person who lost it. If that  
23 person cannot possess the bird or does not wish to possess it, you may keep it.  
24 Otherwise, disposition of a bird whose legal possession cannot be determined  
25 will be at the discretion of the State, tribe, or territory. While you keep a bird for  
26 return to the person who lost it, the bird will not count against your possession  
27 limit or your limit on take of raptors from the wild if you have reported  
28 possessing the bird to your State, tribal, or territorial falconry permit office.

29 (B) If you capture a peregrine falcon that has a research band (such as a  
30 colored band with alphanumeric codes) or a research marking attached to it,  
31 you must immediately release the bird, except that if the falcon has a  
32 transmitter attached to it, you are authorized to possess the bird up to 30 days  
33 if you wish to contact the researcher to determine if he or she wishes to replace  
34 the transmitter or its batteries. If the researcher wishes to do so, or to have the  
35 transmitter removed, the researcher or his or her designee can make the  
36 change or allow you to do so before you release the bird. If the researcher does  
37 not wish to keep the transmitter on the falcon, you may keep the bird if you  
38 captured it in circumstances in which capture of wild peregrines is allowed.

1 (C) If a raptor you capture has any other band, research marking, or transmitter  
2 attached to it, you must promptly report the band numbers and all other  
3 relevant information to the Federal Bird Banding Laboratory at 1-800-327-2263.

4 (1) You may contact the researcher and determine if he or she wishes to  
5 replace a transmitter attached to a bird you capture. If so, you are authorized  
6 to possess the bird up to 30 days until the researcher or his or her designee  
7 does so, or until you can replace it yourself. Disposition of the bird will be at  
8 the discretion of the researcher and your State, tribal, or territorial agency  
9 that regulates falconry.

10 (2) If you possess such a bird temporarily, it will not count against your  
11 possession limit for falconry raptors.

12 (vi) You must leave at least one young from any nest or aerie from which you take  
13 a nestling.

14 (vii) If you are an Apprentice Falconer, you may not take a nestling from the wild.

15 (viii) If you are a Master Falconer with a permit to do so, you may take, transport,  
16 or possess up to three eagles, including golden eagles, white-tailed eagles, or  
17 Steller's sea-eagles, subject to the requirements in paragraph (c)(2)(iv) of this  
18 section and § 22.24 of this part. A golden eagle, white-tailed eagle, or Steller's  
19 sea-eagle you possess counts as a bird to be included under your possession  
20 limit.

21 (ix) If you are a General or Master Falconer, you may take no more than one bird  
22 of a threatened species from the wild each year if the regulations in part 17 of this  
23 subchapter allow it and if you obtain a Federal endangered species permit to do  
24 so before you take the bird. You also may need a State, tribal, or territorial  
25 endangered species permit to take a listed species.

26 **(4) Take of a species or subspecies that was recently removed from the Federal**  
27 **List of Endangered and Threatened Wildlife to use in falconry.** We must first  
28 publish a management plan for the species. If take is allowed in the management  
29 plan, you may do so in accordance with the provisions for take in the plan.

30 **(5) Raptors injured due to falconer trapping efforts.** You have two options for  
31 dealing with a bird injured by your trapping efforts. In either case, you are responsible  
32 for the costs of care and rehabilitation of the bird.

33 (i) You may put the bird on your falconry permit. You must report take of the bird  
34 using one of the methods listed in paragraph (b)(2)(ii) of this section at your first  
35 opportunity to do so, but no more than 10 days after capture of the bird. You must  
36 then have the bird treated by a veterinarian or a permitted wildlife rehabilitator.  
37 The bird will count against your possession limit.



1 (ii) You may give the bird directly to a veterinarian, or a permitted wildlife  
2 rehabilitator, or an appropriate wildlife agency employee. If you do so, it will not  
3 count against your allowed take or the number of raptors you may possess.

4 **(6) Acquisition, transfer, loss, or rebanding of a raptor.** (i) If you acquire a raptor;  
5 transfer, reband, or microchip a raptor; if a raptor you possess is stolen; if you lose a  
6 raptor to the wild and you do not recover it within 30 days; or if a bird you possess for  
7 falconry dies; you must report the change within 10 days using one of the methods  
8 listed in paragraph (b)(2)(ii) of this section.

9 (ii) If a raptor you possess is stolen, you must report the theft to your State, tribal,  
10 or territorial agency that regulates falconry and to your Fish and Wildlife Service  
11 Regional Law Enforcement office (see paragraph (e)(3)(ii)(E) of this section) within  
12 10 days of the theft of the bird.

13 (iii) You must keep copies of all electronic database submissions documenting  
14 take, transfer, loss, rebanding or microchipping of each falconry raptor until 5  
15 years after you have transferred or lost the bird, or it has died.

16 **(7) Acquiring a bird for falconry from a permitted rehabilitator.** You may acquire  
17 a raptor of any age of a species that you are permitted to possess directly from a  
18 rehabilitator. Transfer to you is at the discretion of the rehabilitator.

19 (i) If you acquire a bird from a rehabilitator, within 10 days of the transaction you  
20 must report it using one of the methods listed in paragraph (b)(2)(ii) of this section.

21 (ii) If you acquire a bird from a rehabilitator, it will count as one of the raptors you  
22 are allowed to take from the wild that year.

23 **(8) Flying a hybrid raptor in falconry.** When flown free, a hybrid raptor must have  
24 attached at least two functioning radio transmitters to help you to locate the bird.

25 **(9) Releasing a falconry bird to the wild.** You must follow all applicable State or  
26 territorial and Federal laws and regulations before releasing a falconry bird to the  
27 wild.

28 (i) If the raptor you wish to release is not native to the State or territory, or is a  
29 hybrid of any kind, you may not permanently release the bird to the wild. You may  
30 transfer it to another falconry permittee.

31 (ii) If the species you wish to release is native to the State or territory and is  
32 captive-bred, you may not release the bird to the wild unless you have permission  
33 from the State, tribe, or territory to release the bird. If you are permitted to do so,  
34 you must hack the bird (allow it to adjust) to the wild at an appropriate time of year  
35 and an appropriate location. You must remove its falconry band (if it has one) and  
36 report release of the bird by submitting the required information using one of the  
37 methods listed in paragraph (b)(2)(ii) of this section.

1 (iii) If the species you wish to release is native to the State and was taken from the  
2 wild, you may release the bird only at an appropriate time of year and an  
3 appropriate location. You must remove its falconry band and report release of the  
4 bird by submitting the required information using one of the methods listed in  
5 paragraph (b)(2)(ii) of this section.

6 **(10) Restrictions on transfers of falconry raptors from other falconers.** We do  
7 not restrict the number of wild-caught or captive-bred raptors transferred to you, but  
8 you may not exceed your possession limit.

9 **(f) Additional information on the practice of falconry - (1) Raptors removed from the**  
10 *wild for falconry are always considered “wild” raptors.* No matter how long such a bird is  
11 held in captivity or whether it is transferred to another permittee or permit type, it is  
12 always considered a “wild” bird. However, it is considered to be taken from the wild only  
13 by the person who originally captured it. We do not consider the raptor to be taken from  
14 the wild by any subsequent permittee to whom it is legally transferred.

15 **(2) “Hacking” of falconry raptors.** Hacking (temporary release to the wild) is an  
16 approved method for falconers to condition raptors for falconry. If you are a General  
17 Falconer or a Master Falconer, you may hack a falconry raptor or raptors.

18 (i) You may need permission from your State, tribal, or territorial wildlife agency to  
19 hack a bird you possess for falconry. Check with your State, tribal, or territorial  
20 agency that regulates falconry to determine if hacking is allowed.

21 (ii) Any bird you are hacking counts against your possession limit and must be a  
22 species you are authorized to possess.

23 (iii) Any hybrid you hack must have two attached functioning radio transmitters  
24 during hacking.

25 (iv) You may not hack a falconry bird near a nesting area of a Federally  
26 threatened or endangered bird species or in any other location where the raptor is  
27 likely to harm a Federally listed threatened or endangered animal species that  
28 might be disturbed or taken by your falconry bird. You should contact your State or  
29 territorial wildlife agency before hacking a falconry bird to ensure that this does not  
30 occur. You can contact the State Fish and Wildlife Service office in your State or  
31 territory for information on Federally-listed species.

32 **(3) Use of other falconry training or conditioning techniques.** You may use other  
33 acceptable falconry practices, such as, but not limited to, the use of creance  
34 (tethered) flying, lures, balloons, or kites in training or conditioning falconry raptors.  
35 You also may fly falconry birds at bird species not protected under the Migratory Bird  
36 Treaty Act or at pen-raised animals.

1 **(4) Selling or trading raptors under a falconry permit.** (i) If allowed by your State,  
2 tribe or territory, you may sell, purchase, or barter, or offer to sell, purchase, or barter  
3 captive-bred raptors marked with seamless bands to other permittees who are  
4 authorized to possess them.

5 (ii) You may not purchase, sell, trade, or barter wild raptors. You may only transfer  
6 them.

7 **(5) Transfer of wild-caught raptors captured for falconry to another type of**  
8 **permit.** Under some circumstances you may transfer a raptor to another permit type  
9 if the recipient of the bird (which could be you) possesses the necessary permits for  
10 the other activity.

11 (i) If your State, tribe, or territory allows you to do so, you may transfer a wild-  
12 caught falconry bird to a raptor propagation permit after the bird has been used in  
13 falconry for at least 2 years (1 year for a sharp-shinned hawk, a Cooper's hawk, a  
14 merlin, or an American kestrel). When you transfer the bird, you must provide a  
15 copy of the 3-186A form documenting acquisition of the bird by the propagator to  
16 the Federal migratory bird permit office that administers the propagation permit.

17 (ii) You may transfer a wild-caught bird to another permit type in less than 2 years  
18 (1 year for a sharp-shinned hawk, a Cooper's hawk, a merlin, or an American  
19 kestrel) if the bird has been injured and a veterinarian or permitted wildlife  
20 rehabilitator has determined that the bird can no longer be flown for falconry.

21 (A) Within 10 days of transferring the bird, you must provide a copy of the 3-  
22 186A form documenting acquisition of the bird to the Federal migratory bird  
23 permit office that administers the other permit type.

24 (B) When you transfer the bird, you must provide a copy of the certification from  
25 the veterinarian or rehabilitator that the bird is not useable in falconry to the  
26 Federal migratory bird permits office that administers the other permit type.

27 **(6) Transfer of captive-bred falconry raptors to another type of permit.** You may  
28 transfer captive-bred falconry raptors if the holder of the other permit type is  
29 authorized to possess the bird(s). Within 10 days, you must report the transfer by  
30 submitting the required information using one of the methods listed in paragraph  
31 (b)(2)(ii) of this section.

32 **(7) Use of raptors held under a falconry permit in captive propagation.** You may  
33 use raptors you possess for falconry in captive propagation if you or the person  
34 overseeing the propagation has the necessary permit(s) (see [§ 21.30](#)). You do not  
35 need to transfer a bird from your falconry permit if you use it for fewer than 8 months  
36 in a year in captive propagation, but you must do so if you permanently transfer the  
37 bird for propagation. The bird must then be banded as required in [§ 21.30](#).

1 **(8) Use of falconry raptors in conservation education programs.** If you are a  
2 General or Master Falconer, you may use a bird you possess in conservation  
3 education programs presented in public venues.

4 (i) You do not need a Federal education permit to conduct conservation education  
5 activities using a falconry raptor held under a State, tribal, or territorial falconry  
6 permit.

7 (ii) You may present conservation programs as an Apprentice Falconer if you are  
8 under the supervision of a General or Master Falconer when you do so.

9 (iii) You must use the bird primarily for falconry.

10 (iv) You may charge a fee for presentation of a conservation education program.  
11 The fee may not exceed the amount required to recoup your costs.

12 (v) In conservation education programs, you must provide information about the  
13 biology, ecological roles, and conservation needs of raptors and other migratory  
14 birds, although not all of these topics must be addressed in every presentation.  
15 You may not give presentations that do not address falconry and conservation  
16 education.

17 (vi) You are responsible for all liability associated with conservation education  
18 activities you undertake (see [50 CFR 13.50](#)).

19 **(9) Other educational uses of falconry raptors.** You may allow photography,  
20 filming, or other such uses of falconry raptors to make movies or other sources of  
21 information on the practice of falconry or on the biology, ecological roles, and  
22 conservation needs of raptors and other migratory birds, though you may not be paid  
23 for doing so.

24 (i) You may not use falconry raptors to make movies, commercials, or in other  
25 commercial ventures that are not related to falconry.

26 (ii) You may not use falconry raptors for commercial entertainment; for  
27 advertisements; as a representation of any business, company, corporation, or  
28 other organization; or for promotion or endorsement of any products,  
29 merchandise, goods, services, meetings, or fairs, with the following exceptions:

30 (A) You may use a falconry raptor to promote or endorse a nonprofit falconry  
31 organization or association.

32 (B) You may use a falconry raptor to promote or endorse products or  
33 endeavors related to falconry, including, but not limited to items such as hoods,  
34 telemetry equipment, giant hoods, perches, materials for raptor facilities,  
35 falconry training and education materials, and scientific research and  
36 publication.

1 **(10) *Assisting in rehabilitation of raptors to prepare them for release.*** If your  
2 State, tribe, or territory allows you to do so, and if you are a General or Master  
3 Falconer, you may assist a permitted migratory bird rehabilitator to condition raptors  
4 in preparation for their release to the wild. You may keep a bird you are helping to  
5 rehabilitate in your facilities.

6 (i) The rehabilitator must provide you with a letter or form that identifies the bird  
7 and explains that you are assisting in its rehabilitation.

8 (ii) You do not need to meet the rehabilitator facility standards. You need only  
9 meet the facility standards in this section; your facilities are not subject to  
10 inspection for compliance with the standards in [§ 21.31](#).

11 (iii) You do not have to add any raptor you possess for this purpose to your  
12 falconry permit; it will remain under the permit of the rehabilitator.

13 (iv) You must return any such bird that cannot be permanently released to the wild  
14 to the rehabilitator for placement within the 180-day timeframe in which the  
15 rehabilitator is authorized to possess the bird, unless the issuing office authorizes  
16 you to retain the bird for longer than 180 days.

17 (v) Upon coordination with the rehabilitator, you must release all releaseable  
18 raptors to the wild or return them to the rehabilitator for release within the 180-day  
19 timeframe in which the rehabilitator is authorized to possess the birds, unless the  
20 issuing office authorizes you to retain and condition a bird for longer than 180  
21 days, or unless the rehabilitator transfers the bird to you to hold under your  
22 falconry permit.

23 **(11) *Using a falconry bird in abatement activities.*** (i) If you are a Master Falconer,  
24 you may conduct abatement activities with a bird or birds you possess for falconry. If  
25 you are a General Falconer, you may conduct abatement activities only as a  
26 subpermittee of the holder of the abatement permit.

27 (ii) You may receive payment for providing abatement services if you have a  
28 Special Purpose Abatement permit.

29 **(12) *Feathers that a falconry bird or birds molts.*** (i) For imping (replacing a  
30 damaged feather with a molted feather), you may possess tail feathers and primary  
31 and secondary wing feathers for each species of raptor you possess or previously  
32 held for as long as you have a valid falconry permit. You may receive feathers for  
33 imping from other permitted falconers, wildlife rehabilitators, or propagators in the  
34 United States, and you may give feathers to them. You may not buy, sell, or barter  
35 such feathers.

1 (ii) You may donate feathers from a falconry bird, except golden eagle feathers, to  
2 any person or institution with a valid permit to have them, or to anyone exempt  
3 from the permit requirement under § 21.12.

4 (iii) Except for primary or secondary flight feathers or retrices from a golden eagle,  
5 you are not required to gather feathers that are molted or otherwise lost by a  
6 falconry bird. You may leave the feathers where they fall, store them for imping, or  
7 destroy them. However, you must collect molted flight feathers and retrices from a  
8 golden eagle. If you choose not to keep them for imping, you must send them to  
9 the National Eagle Repository.

10 (iv) We request that you send all feathers (including body feathers) that you collect  
11 from any falconry golden eagle and that you do not need for imping, to the  
12 National Eagle Repository at the following address: U.S. Fish and Wildlife Service,  
13 National Eagle Repository, Rocky Mountain Arsenal, Building 128, Commerce  
14 City, Colorado 80022. The telephone number at the Repository is 303-287-2110.

15 (v) If your permit expires or is revoked, you must donate the feathers of any  
16 species of falconry raptor except a golden eagle to any person or any institution  
17 exempt from the permit requirement under § 21.12 or authorized by permit to  
18 acquire and possess the feathers. If you do not donate the feathers, you must  
19 burn, bury, or otherwise destroy them.

20 **(13) Disposition of carcasses of falconry birds that die.** (i) You must send the  
21 entire body of a golden eagle you held for falconry, including all feathers, talons, and  
22 other parts, to the National Eagle Repository.

23 (ii) You may donate the body or feathers of any other species of falconry raptor to  
24 any person or institution exempt under § 21.12 or authorized by permit to acquire  
25 and possess such parts or feathers.

26 (iii) If the bird was banded or microchipped prior to its death, you may keep the  
27 body of any falconry raptor except that of a golden eagle. You may keep the body  
28 so that the feathers are available for imping, or you may have the body mounted  
29 by a taxidermist. You may use the mount in giving conservation education  
30 programs. If the bird was banded, you must leave the band on the body. If the bird  
31 has an implanted microchip, you must leave the microchip in place.

32 (iv) If you do not wish to donate the bird body or feathers or keep it yourself, you  
33 must burn, bury, or otherwise destroy it or them within 10 days of the death of the  
34 bird or after final examination by a veterinarian to determine cause of death.  
35 Carcasses of euthanized raptors could pose a risk of secondary poisoning of  
36 eagles and other scavengers. You must take appropriate precautions to avoid  
37 such poisonings.

1 (v) If you do not donate the bird body or feathers or have the body mounted by a  
2 taxidermist, you may possess the flight feathers for as long as you have a valid  
3 falconry permit. However, you may not buy, sell, or barter the feathers. You must  
4 keep the paperwork documenting your acquisition of the bird.

5 **(14) Visitors practicing falconry in the United States.** (i) A visitor to the United  
6 States may qualify for a temporary falconry permit appropriate for his or her  
7 experience.

8 (A) The permit may be valid for any period specified by the State, tribe, or  
9 territory.

10 (B) To demonstrate knowledge of U.S. falconry laws and regulations, the visitor  
11 must correctly answer at least 80 percent of the questions on the supervised  
12 examination for falconers administered by the tribe, State, or territory from  
13 which he or she wishes to obtain a temporary falconry permit. If the visitor  
14 passes the test, the tribe, State, or territory will decide for what level of  
15 temporary permit the person is qualified. The decision should be based on the  
16 individual's documentation of his or her experience.

17 (C) If you hold a temporary falconry permit, you may possess raptors for  
18 falconry if you have approved falconry facilities.

19 (D) A holder of a temporary falconry permit may fly raptors held for falconry by  
20 a permitted falconer.

21 (E) A holder of a temporary falconry permit may not take a bird from the wild to  
22 use in falconry.

23 (ii) For the duration of a permit from a State, tribe, or territory, a visitor may use  
24 any bird for falconry that he or she possess legally in his or her country of  
25 residence for that purpose, provided that import of that species to the United  
26 States is not prohibited, and provided that he or she has met all permitting  
27 requirements of his or her country of residence.

28 (A) A visitor must comply with the provisions in this section, those of the State,  
29 tribe or territory where he or she wishes to conduct falconry, and all States  
30 through which he or she will travel with the bird.

31 (B) The visitor may transport registered raptors. He or she may need one or  
32 more additional permits to bring a raptor into the United States or to return  
33 home with it (see [50 CFR part 14](#) (importation, exportation, and transportation  
34 of wildlife), part 15 (Wild Bird Conservation Act), part 17 (endangered and  
35 threatened species), part 21 (migratory bird import and export permits), and  
36 part 23 (endangered species convention)).

1 (C) Unless the visitor has the necessary permit(s) to bring a raptor into the  
2 United States and leave it here, he or she must take raptors brought into the  
3 country for falconry out of the country when he or she leaves. If a raptor  
4 brought into the United States dies or is lost while in this country, the visitor  
5 must document the loss before leaving the United States by reporting the loss  
6 to the State, tribal, or territorial agency that governs falconry where the bird was  
7 lost.

8 (D) When flown free, any bird brought to this country temporarily must have two  
9 attached radio transmitters that will allow the falconer to locate it.

10 (E) There also may be tribal or State restrictions on nonresidents practicing  
11 falconry or importing a raptor or raptors held for falconry.

12 **(15) Taking falconry raptors to another country to use in falconry activities.** A  
13 permit issued under this section authorizes you to export and then import raptors you  
14 legally possess for falconry to another country to use in falconry without an additional  
15 migratory bird import/export permit issued under [§ 21.21](#).

16 (i) You must meet any requirements in [50 CFR 14](#) subpart B.

17 (ii) You may need one or more additional permits to take a bird from the United  
18 States or to return home with it (see [50 CFR part 15](#) (Wild Bird Conservation Act),  
19 part 17 (endangered and threatened species), and part 23 (endangered species  
20 convention)).

21 (iii) Unless you have the necessary permit(s) to permanently export a raptor from  
22 the United States, you must bring any raptor you take out of the country for  
23 falconry back to the United States when you return. Each raptor must be covered  
24 by a CITES certificate of ownership issued under part 23 of this chapter. You must  
25 have full documentation of the lawful origin of each raptor (a copy of a propagation  
26 report with band number or a 3-186A report), and each must be identifiable with a  
27 seamless band or a permanent, nonreusable, numbered Fish and Wildlife Service  
28 leg band issued by the Service or an implanted microchip for identification.

29 (iv) If the raptor dies or is lost, you are not required to bring it back but must report  
30 the loss immediately upon your return to the United States in the manner required  
31 by the falconry regulations of your State, and any conditions on your CITES  
32 certificate.

33 **(16) Permission to capture, fly, or release a falconry bird at any location.** You do  
34 not need special or written permission for any of these activities on public lands if it is  
35 authorized. However, you must comply with all applicable Federal, State, tribal, or  
36 territorial laws regarding falconry activities, including hunting. Your falconry permit  
37 does not authorize you to capture or release raptors or practice falconry on public



lands if it is prohibited on those lands, or on private property, without permission from the landowner or custodian.

**(17) Practicing falconry in the vicinity of a Federally listed threatened or endangered animal species.** In practicing falconry you must ensure that your activities do not cause the take of Federally listed threatened or endangered wildlife. “Take” under the Endangered Species Act means “to harass, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct” (Endangered Species Act § 3(18)). Within this definition, “harass” means any act that may injure wildlife by disrupting normal behavior, including breeding, feeding, or sheltering, and harm” means an act that actually kills or injures wildlife (50 CFR 17.3). To obtain information about threatened or endangered species that may occur in your State or on tribal lands where you wish to practice falconry, contact your State, tribal, or territorial agency that regulates falconry. You can contact your State Fish and Wildlife Service office for information on Federally-listed species.

**(18) Trapping a bird for use in falconry in areas used by the northern aplomado falcon.** Capture of a northern aplomado falcon (*Falco femoralis septentrionalis*) is not authorized because it is a violation of the Endangered Species Act. To avoid trapping northern aplomado falcons, you must comply with the following conditions when trapping a bird for use in falconry in the following counties.

| If you trap in   | You may trap a bird for falconry in the following counties if you comply with the conditions below.  |
|------------------|--|
| (i) Arizona,     | Cochise, Graham, Pima, Pinal, or Santa Cruz.   |
| (ii) New Mexico, | Doa Ana, Eddy, Grant, Hidalgo, Lea, Luna, Otero, Sierra, or Socorro.   |
| (iii) Texas,     | Aransas, Brewster, Brooks, Calhoun, Cameron, Culberson, Duval, Ector, El Paso, Hidalgo, Hudspeth, Jackson, Jeff Davis, Kenedy, Kinney, Kleberg, Matagorda, Maverick, Midland, Nueces, Pecos, Presidio, Reeves, Refugio, San Patricio, Starr, Terrell, Val Verde, Victoria, Webb, Willacy, or Zapata. |

(iv) If you are an Apprentice Falconer, you must be accompanied by a General or Master Falconer when trapping in one of these counties.

(v) You may not begin trapping if you observe a northern aplomado falcon in the vicinity of your intended trapping effort.

(vi) You must suspend trapping if a northern aplomado falcon arrives in the vicinity of your trapping effort.

**(19) Prey item killed by a falconry bird without your intent, including an animal taken outside of a regular hunting season.** (i) You may allow your falconry bird to feed on the animal, but you may not take the animal into your possession.

1 (ii) You must report take of any federally listed threatened or endangered species to our  
2 Ecological Services Field Office for the location in which the take occurred.

3 **(20) Take of bird species for which a depredation order is in place.** With a falconry  
4 bird, you may take any species listed in parts 21.43, 44, 45, or 46 of this subchapter at  
5 any time in accordance with the conditions of the applicable depredation order, as long  
6 as you are not paid for doing so.

7 **(21) Transfer of falconry raptors if a permittee dies.** A surviving spouse, executor,  
8 administrator, or other legal representative of a deceased falconry permittee may  
9 transfer any bird held by the permittee to another authorized permittee within 90 days of  
10 the death of the falconry permittee. After 90 days, disposition of a bird held under the  
11 permit is at the discretion of the authority that issued it.

12 **(g) Applying for a falconry permit.** If you apply for a falconry permit, you must include  
13 the following information plus any other information required by your State, tribe, or  
14 territory.

15 (1) The completed application form from your State, tribal, or territorial agency that  
16 regulates falconry permits.

17 (2) Proof that you have passed the falconry test administered by the State, tribe, or  
18 territory where you maintain your legal residence, or proof that you have previously held  
19 a falconry permit at the level you seek.

20 (3) For an Apprentice permit, you must provide the following:

21 (i) A letter from a General or Master Falconer stating that he or she has agreed to assist  
22 you in learning about the husbandry and training of raptors held for falconry and about  
23 relevant wildlife laws and regulations, and in deciding what species of raptor is  
24 appropriate for you to possess while an Apprentice.

25 (ii) An original, signed certification that you are particularly familiar with [§ 10.13](#) of this  
26 subchapter, the list of migratory bird species to which the Migratory Bird Treaty Act  
27 applies; part 13 of this subchapter, general permit regulations; part 21 of this  
28 subchapter, migratory bird permits; and part 22 of this subchapter, eagle permits. The  
29 certification can be incorporated into tribal and State application forms, and must be  
30 worded as follows:

31 *I certify that I have read and am familiar with the regulations in title 50, part 13, of the*  
32 *Code of Federal Regulations and the other applicable parts in subchapter B of chapter I*  
33 *of title 50, and that the information I have submitted is complete and accurate to the*  
34 *best of my knowledge and belief. I understand that any false statement herein may*  
35 *subject me to the criminal penalties of [18 U.S.C. 1001](#).*

36 (4) For an Apprentice or General Falconry permit, a parent or legal guardian must co-  
37 sign your application if you are under 18.

1 **(5) For a General Falconer permit:**

2 (i) Information documenting your experience maintaining falconry raptors, including a  
3 summary of what species you held as an Apprentice Falconer and how long you  
4 possessed each bird, and

5 (ii) A letter from a General Falconer or Master Falconer (preferably your sponsor)  
6 attesting that you have practiced falconry with raptor(s) at the Apprentice Falconer level  
7 for at least 2 years, including maintaining, training, flying, and hunting the raptor(s) for at  
8 least 4 months in each year.

9 (6) For a Master Falconer permit, you must attest that you have practiced falconry at the  
10 General Falconer level for at least 5 years.

11 **(h) Updating a falconry permit after a move.** If you move to a new State or outside  
12 the jurisdiction of your tribe or territory and take falconry birds with you, within 30 days  
13 you must inform both your former State, tribe, or territory and the permitting authority for  
14 your new place of residence of your address change. To obtain a new falconry permit,  
15 you must follow the permit application procedures of the authority under which you wish  
16 to acquire a new permit. You may keep falconry birds you hold while you apply for a  
17 new falconry permit. However, the State, tribe, or territory into which you move may  
18 place restrictions on your possession of falconry birds until you meet the residency  
19 requirements there.

20 **(i) Restoration of revoked permits.** Upon request of the person whose permit has  
21 been revoked, the State, tribe, or territory may restore the person's falconry permit at  
22 the end of the revocation period.

23 **(j) Information collection requirements.** The information collection required for  
24 falconry applications and for falconry bird disposition on FWS Form 3-186A is approved  
25 by the Office of Management and Budget under control number 1018-0022. The  
26 information is necessary to determine take of raptors from the wild for falconry.

27 **(k) Database required of States, tribes, and territories.** Each State, tribe, or territory  
28 that permits falconry must maintain information in a database. The information will  
29 enable enforcement of this section.

30 (1) The State, tribal, or territorial database must be compatible with the database that  
31 we maintain. The State, tribal, or territorial database must contain the following  
32 information:

33 (i) The current address of each person with a falconry permit.

34 (ii) The classification of each person with a falconry permit - Apprentice Falconer,  
35 General Falconer, or Master Falconer.

36 (iii) The address of the falconry facilities of each person with a falconry permit.

- 1 (iv) The Federal falconry identifier number assigned via the 3-186A system to each  
2 person with a falconry permit.
- 3 (v) Whether each permittee is authorized to possess eagles.
- 4 (vi) Information on the status of each person's permit: whether it is active, suspended, or  
5 revoked.
- 6 (2) Information on each permit granted, including changes in status from Apprentice  
7 Falconer to General Falconer or General Falconer to Master Falconer, and moves of  
8 falconers or their facilities must be entered into the State's, tribe's, or territory's  
9 database within 30 days of the granting of the permit or a falconer's change in status.  
10 New additions to the State, tribal, or territorial database must be forwarded to us  
11 monthly.

12 [73 FR 59465, Oct. 8, 2008, as amended at 74 FR 64640, Dec. 8, 2009; 75 FR 931, Jan. 7, 2010; 75 FR  
13 3395, Jan. 21, 2010; 75 FR 81141, Dec. 27, 2010; 76 FR 71912, Nov. 21, 2011; 77 FR 66408, Nov. 5,  
14 2012; 78 FR 35152, June 12, 2013; 78 FR 72832, Dec. 4, 2013; 80 FR 38015, July 2, 2015]

15