



◊ North Carolina Wildlife Resources Commission ◊

Falconer Applicant:

We would like to thank you for your interest in becoming a falconer. You will find the following enclosed:

- ❖ Do You Really Want To Be A Falconer
- ❖ Falconry License Application
- ❖ Falconry Permit Application
- ❖ Apprentice Falconry License Procedures
- ❖ Fact Sheet
- ❖ Recommended Reading
- ❖ Federal Regulations

If you have any questions or concerns please contact us at (919) 707-0050.

Thank you,

Tammy Minchew
Permits Coordinator

DO YOU REALLY WANT TO BE A FALCONER?

From time to time we receive letters of inquiry about falconry. Many persons want to know if there are any regulations against keeping a hawk, where to obtain birds for use in falconry, and details on how to become a falconer. These persons often have recently read an article on falconry in a newspaper, popular magazine, or library book. Some may actually have seen a trained bird in flight, perhaps on television or in a movie. Few know any falconers, however, and almost none have any idea of the time, effort, money, and facilities the sport of falconry demands.

Responsible falconers and falconry organizations usually try to discourage newcomers to the sport, particularly when their interest is kindled by public media. Newspaper and magazine articles on falconry are frequently inaccurate, and tend to stress sensational aspects of the sport. Success in taking game may be grossly exaggerated, for example, and little emphasis may be given to the fact that the falconer's chief reward is the beauty of the flight itself, whether successful or not. Flight demonstrations themselves may make falconry look easy, but they cannot possibly give any idea of the long hours and hard work the trained bird represents.

Of all sports in America, falconry is the only one that uses a trained wild creature. The falcons, hawks, eagles, and owls are essential elements of our wildlife. The competent falconer recognizes this and takes care to follow sound conservation principles in the pursuit of the sport. Because of this, proper falconry activities represent no threat to raptorial species. The casual and uninformed novice, however, by attempting to satisfy a passing fancy, may do more harm to one or more birds and cast discredit upon falconry itself.

Therefore, before most falconers will aid anyone newly attracted to falconry, they require proof of serious, dedicated interest in the sport. Falconers think that anything less is not acceptable, and birds that fall into hands of those who are not deeply motivated should be restored to the wild without delay.

Serious dedication is normally demonstrated by reading anything and everything available on raptors and falconry, by a sincere interest in all aspects of wildlife and the outdoors, and by a persistent effort to learn the fundamentals of the sport all before attempting to obtain a bird. Most successful falconers began in this manner, and today's newcomer must expect a similar period of apprenticeship. Only dedicated apprenticeship will lead to a reasonable expectation that a bird may be safely entrusted to one's care. If unwilling to do this, one should not try to become a falconer.

If one is convinced that his or her interest in falconry is more than superficial, and is willing to undertake the necessary study before getting a bird, one must then be prepared to fulfill additional minimum requirements.

One must have sufficient time and patience to devote to training and flying a bird. A trained raptor requires a minimum of one hour of care every day, 365 days a year. A bird in training requires substantially more time. Raptors cannot be hung up and forgotten, like a hunting rifle, when not in use. If this time is not available, if school studies or employment interfere, it is far better never to begin.

One must have funds to obtain food and basic falconry equipment, pay for travel, and have time and skill to construct necessary equipment and facilities. A hawk in captivity will eat a large quantity of meat each week. When natural food cannot be obtained, the cost of other food at current prices can be substantial. In addition, leather, metal, lumber, and tools necessary to work with these materials may be expensive. These are needed for shelters, perches, weatherings, blocks, leashes, jesses, and hoods. Other items that must be purchased or fabricated are swivels, glove, and bells. Most falconers also spend a considerable amount of money on books.

Raleigh, North Carolina

FALCONRY LICENSE APPLICATION

INSTRUCTIONS: Complete and return this Falconry License Application with the required license fee of \$10.00 to North Carolina Wildlife Resources Commission, Division of Wildlife Management, 1722 Mail Service Center, Raleigh, North Carolina 27699-1722. The applicant must have been issued a current Falconry Permit by this or another state having a federally approved falconry program before this application can be considered.

NAME: _____ **DATE:** _____

ADDRESS: _____

TELEPHONE: (_____) _____ **COUNTY:** _____

FALCONRY PERMIT NUMBER: _____ **STATE OF ISSUE:** _____

CLASS OF FALCONRY PERMIT: _____

DATE OF BIRTH: _____ **COLOR OF EYES:** _____ **HEIGHT:** _____

WEIGHT _____ **RACE:** _____

DRIVER'S LICENSE NUMBER: _____ **STATE OF ISSUE:** _____

SPECIES AND NUMBER OF FALCONS IN POSSESSION:

Signature

VERIFIED: _____ **LICENSE NUMBER:** _____

DATE: _____ **DATE:** _____

FALCONRY PERMIT APPLICATION

INSTRUCTIONS: Complete and return this form with the required examination fee (\$10.00) to North Carolina Wildlife Resources Commission, Division of Wildlife Management, 1722 Mail Service Center, Raleigh, NC 27699-1722. You will be contacted concerning a time and place for your written examination and inspection of your holding facilities.

Name _____ Date _____
Address _____ Phone (____) _____
Age _____

Permit Class Requested: (Circle One)

Apprentice **Sponsor** _____ **Permit No.** _____
Address _____ **Phone** (____) _____

General (Requires two years experience at apprentice level)

Master (Requires five years experience at general level)

Experience: Apprentice with two years experience (without sponsor) and General and Master class applicants must produce satisfactory evidence of the requisite experience or its equivalent.

Facilities and Equipment: Are your facilities and equipment ready for inspection and certification? _____

If not, indicate date when they will be ready: _____

Location of facilities: _____

List below each raptor you have in your possession on the date of this application:

<u>Species</u> <u>Obtained</u>	<u>Age</u>	<u>Sex</u>	<u>Date of Acquisition</u>	<u>How or From Whom</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Signature of Sponsor
(If Applicable)

Signature of Applicant

OFFICE USE ONLY

Facilities Approved _____ Inspected by _____

Examination Score _____ Title _____

Permit Issued _____

Date *Number*

Additional Comments: _____

Apprentice Falconry License Procedures

Check box and enter date when completed

- _____ After completing your facilities, contact your sponsor to inspect your facilities.
- _____ Once your sponsor has approved your facilities, contact the North Carolina Wildlife Resources Commission (NCWRC) biologist mentioned in the letter to schedule the official facilities inspection.

**Note:* After approving your facilities, the biologist will send the completed inspection form to the NCWRC for preparation of your Apprentice Falconry Permit.

- _____ Once you have received verbal approval of your facilities by the NCWRC Inspecting Biologist, prepare a check or money order in the amount of **\$100.00** payable to the U.S. Fish & Wildlife Service, and mail it directly to: **US Fish & Wildlife Service, Permits Section, P.O. Box 49208, Atlanta, GA 30359**. Please write the following on the memo line of your check: "Initial Falconry Permit." Complete the enclosed letter and send it along with your payment of \$100.00 for your federal falconry permit to the USFWS.

**Note:* Upon receipt of the inspection report, the NCWRC will prepare your Apprentice Falconry Permit and send it to the USFWS for approval.

- _____ Once you have received verbal approval of your facilities by the NCWRC Inspecting Biologist, please prepare a check or money order, for your NC Falconry License, in the amount of **\$10.00** payable to the NC Wildlife Resources Commission, and send it directly to: **NC Wildlife Resources Commission, Division of Wildlife Management, 1722 Mail Service Center, Raleigh, NC 27699-1722**.

**Note:* The NCWRC must hold your Falconry License until your approved Falconry Permit has been returned from the USFWS in Atlanta.

Once your approved Falconry Permit has been received from Atlanta, the NCWRC will issue your new Apprentice Falconry License.

FACT SHEET
 FEDERAL/STATE QUALIFYING EXAMINATION FOR A FALCONRY PERMIT

Purpose

The examination is designed to determine the applicant’s knowledge of raptor identification, natural history, care in captivity, falconry techniques, and applicable laws and regulations.

Legal Requirement

Persons desiring to obtain a Federal/State falconry permit are required to answer correctly at least 80 percent of the questions on a supervised examination. A higher passing score may be established by the State wildlife agency. States may use either an examination provided by the Fish and Wildlife Service or a State examination approved by the Service.

Once an applicant has passed the examination, no future examination is required by Federal regulation for permit renewal or for changes in permit class or State of residence. State wildlife agencies may require additional examinations.

Administering Agency

State wildlife agency personnel or their representatives will administer the examination.

Content – FWS Series 010 Examination

The examination consists of 100 multiple-choice questions, each with four possible answers. The questions are distributed into three general categories: raptor identification/biology – 25 percent; maintenance of raptors in captivity – 50 percent; and falconry practices/regulations – 25 percent.

A more detailed distribution of questions on this examination is provided by subject. Many of the questions fall into more than one category; e.g., a definition of “eyass” would need to be known to answer a question concerning the handling of eyasses.

Subject	Number of Questions
Literature Review/Definitions.....	4
Raptor Biology	
Species/Sex/Age Identification.....	4
Ecology (Habitat/Food/Behavior/Distribution).....	10
Breeding Biology.....	5
Falconry	
Equipment and Facilities.....	12
Taking and Initial Handling of Raptors.....	8
General Health Factors/Food/Water.....	20
Injuries/Disease/Parasites.....	15
Training/Hunting Practices.....	12
Ethics.....	4
Regulations.....	5
Other.....	1

Persons intending to take the examination should review the raptor literature and applicable regulations. The questions emphasize the practical aspects and obligations of being a falconer. A knowledge of scientific names and obscure publications is not required. The statistical probability of scoring 80 percent or more by chance alone is less than one in a million. If an applicant must guess the correct answer to 50 of the 100 questions, the probability of achieving a passing score is less than 5 in 1000.

Failure to Pass

A person who fails the examination may apply to retake this or a similar examination. The schedule for reexamination will be determined by the State wildlife agency.

RECOMMENDED READING ON FALCONRY AND RAPTORS

Arizona Falconers Association. A MANUAL FOR THE APPRENTICE FALCONER. 1990. \$10.00. 37 Pages. Very basic information for the beginner.

Beebe, Frank and Harold Webster. NORTH AMERICAN FALCONRY AND HUNTING HAWKS. Privately published. 1989. \$50.00 386 pages covering all aspects. The chapter entitled "Two Buteos" by Greg Thomas covering all aspects of trapping, training, and housing Red-tails and is especially useful for the apprentice.

Beebe, Frank. A FALCONRY MANUAL. Hancock House. 1992 \$16.95. 197 Pages. Good basic information for the beginner.

Bent, Arthur C. LIFE HISTORIES OF N.A. BIRDS OF PREY. 1938 - 2 volumes - 409 & 482 Pages comprehensive biological treatise about \$20.00 each for paperback.

Bodio, Steve A RAGE FOR FALCONS. Pruett. 1992 135 Pages. Light reading but highly recommended to acquaint the newcomer to the sport with much useful detail.

Brown, Leslie and Dean Amadon. EAGLES, HAWKS, AND FALCONS OF THE WORLD. 1989. Weelfleet. \$55.00. 945 Pages. Very comprehensive with great artwork.

Ford, Emma. FALCONRY ART AND PRACTICE. Sterling Publishing Co.

Glasier, Philip. FALCONRY AND HAWKING. 1989. \$50.00. 350 Pages. Very Comprehensive and well written modern book by a British master falconer.

Jameson, E.W. and Hans Peeters. AN INTRODUCTION TO HAWKING. 1977. Private Publ., 46 pages. Very basic, but very well written.

Kimsey, Brian and J. Hodge. FALCONRY EQUIPMENT. Hodge publications. \$23.00. 186 pages. All about equipment and how to make it with excellent insight into the physical needs of the birds and how the equipment applies to such.

New York State. FALCONRY EXAMINATION MANUAL. 1989. \$12.50, 89 pages. A comprehensive set of questions to prepare the beginner for the exam with answers and reasons for the answers.

Oakes, William. THE FALCONERS APPRENTICE. 1993. \$10.00. 110 pages. Great introduction to training the red-tail hawk.

SOURCES OF BOOKS

Some are available on interlibrary loan. Some can be obtained through your local book store.

William R. Hecht Bookseller (Bob)

Box 67

Scottsdale, AZ 85252

602-948-2536

Specializing in falconry books, new and rare (out of print - used).

Nicholson's Books and Prints (Don & Natalie)

6935 Shorecrest Dr.

Anaheim, CA 92807

714-281-8497

Specializing in new and rare books on falconry and raptors.

Strombergs Chicks and Game Birds Unlimited

Box 400

Pine River, MN 56474

218-587-2222

Limited book on falconry, but will take credit cards.

FALCONRY ORGANIZATIONS

North American Falconers Association

Southeastern Director, Floyd Presley

Rt.3, Box 443

Frostburg, MD 21532

Corresponding Secretary, John Hegan

820 Jay Pl.

Berthoud, CO 80513

NAFA is the national club with members in the US, Canada, Mexico and around the world. They look after the political spectrum and disseminate information to the membership via three newsletters (40+ pages) and an annual journal and national field meet.

North Carolina Falconers Guild

Neil Young, Sec/Tres.

3118 Campbell Rd.

Raleigh, NC 27606

The state club. Annual newsletter. 3 field meets and 2 social events yearly.

Federal Regulations

AUTHORITY: 18 U.S.C. 42; 16 U.S.C. 703-712; 16 U.S.C. 668a-d; 19 U.S.C. 1202, 16 U.S.C. 1531-1543; 16 U.S.C. 1361-1384, 1401-1407; 16 U.S.C. 742a-742j-1; 16 U.S.C. 3371-3378.

SUBPART A--INTRODUCTION

10.1 Purpose of regulations.

The regulations of this Subchapter B are promulgated to implement the following statutes enforced by the U.S. Fish and Wildlife Service which regulate the taking, possession, transportation, sale, purchase, barter, exportation, and importation of wildlife:

Lacey Act, 18 U.S.C. 42.

Lacey Act Amendments of 1981, 16 U.S.C. 3371-3378.

Migratory Bird Treaty Act, 16 U.S.C. 703-712.

Bald and Golden Eagle Protection Act, 16 U.S.C. 668a-668d.

Endangered Species Act of 1973, 16 U.S.C. 1531-1543.

Tariff Classification Act of 1962, 19 U.S.C. 1202, [Schedule 1, Part 15D, Headnote 2(d), T.S.U.S].

Fish and Wildlife Act of 1956, 16 U.S.C. 742a-742j-1.

Marine Mammal Protection Act of 1972, 16 U.S.C. 1361-1384, 1401-1407.

SOURCE: [38 FR 22015, Aug. 15, 1973, as amended at 53 FR 6649, Mar. 2, 1988]

10.2 Scope of regulations.

The various parts of this subchapter B are interrelated, and particular note should be taken that the parts must be construed with reference to each other. SOURCE: 38 FR 22015, Aug. 15, 1973.

10.3 Other applicable laws.

No statute or regulation of any State shall be construed to relieve a person from the restrictions, conditions, and requirements contained in this subchapter B. In addition, nothing in this subchapter B, nor any permit issued under this subchapter B, shall be construed to relieve a person from any other requirements imposed by a statute or regulation of any State or of the United States, including any applicable health, quarantine, agricultural, or customs laws or regulations, or other Service enforced statutes or regulations. SOURCE: 38 FR 22015, Aug. 15, 1973.

10.4 When regulations apply.

The regulations of this subchapter B shall apply to all matters arising after the effective date of such regulations, with the following exceptions:

(a) Civil penalty proceedings. Except as otherwise provided in 11.25, the civil penalty assessment procedures contained in this subchapter B shall apply only to any proceeding instituted by notice of violation dated subsequent to the effective date of these regulations, regardless of when the act or omission which is the basis of a civil penalty proceeding occurred.

(b) Permits. The regulations in this subchapter B shall apply to any permit application received after the effective date of the appropriate regulations in this subchapter B and, insofar as appropriate, to any permit which is renewed after such effective date.

SOURCE: [38 FR 22015, Aug. 15, 1973, as amended at 39 FR 1159, Jan. 4, 1974]

SUBPART B--DEFINITIONS

10.11 Scope of definitions.

In addition and subject to definitions contained in applicable statutes and subsequent parts or sections of this subchapter B, words or their variants shall have the meanings ascribed in this subpart. Throughout this subchapter B words in the singular form shall include the plural, words in the plural form shall include the singular, and words in the masculine form shall include the feminine. SOURCE: 38 FR 22015, Aug. 15, 1973.

10.12 Definitions.

Aircraft means any contrivance used for flight in the air.

Amphibians means a member of the class, Amphibia, including, but not limited to, frogs, toads, and salamanders; including any part, product, egg, or offspring thereof, or the dead body or parts thereof (excluding fossils), whether or not included in a manufactured product or in a processed food product.

Animal means an organism of the animal kingdom, as distinguished from the plant kingdom; including any part, product, egg, or offspring thereof, or the dead body or parts thereof (excluding fossils), whether or not included in a manufactured product or in a processed food product.

Birds means a member of the class, Aves; including any part, product, egg, or offspring thereof, or the dead body or parts thereof (excluding fossils), whether or not included in a manufactured product or in a processed food product.

Country of exportation means the last country from which the animal was exported before importation into the United States.

Country of origin means the country where the animal was taken from the wild, or the country of natal origin of the animal.

Crustacean means a member of the class, Crustacea, including but not limited to, crayfish, lobsters, shrimps, crabs, barnacles, and some terrestrial forms; including any part, product, egg, or offspring thereof, or the dead body or parts thereof (excluding fossils), whether or not included in a manufactured product or in a processed food product.

Director means the Director of the United States Fish and Wildlife Service, Department of the Interior, or his authorized representative.

Endangered wildlife means any wildlife listed in 17.11 or 17.12 of this subchapter.

Fish means a member of any of the following classes:

- (1) Cyclostomata, including, but not limited to, hagfishes and lampreys;
- (2) Elasmobranchii, including but not limited to, sharks, skates, and rays; and
- (3) Pisces, including but not limited to trout, perch, bass, minnows, and catfish; including any part, product, egg, or offspring thereof, or the dead body or parts thereof (excluding fossils), whether or not included in a manufactured product or in a processed food product.

Fish or wildlife means any wild animal, whether alive or dead, including without limitation any wild mammal, bird, reptile, amphibian, fish, mollusk, crustacean, arthropod, coelenterate, or other invertebrate, whether or not bred, hatched, or born in captivity, and including any part, product, egg, or offspring thereof.

Foreign commerce includes, among other things, any transaction (1) between persons within one foreign country, or (2) between persons in two or more foreign countries, or (3) between a person

within the United States and a person in one or more foreign countries, or (4) between persons within the United States, where the fish or wildlife in question are moving in any country or countries outside the United States.

Fossil means the remains of an animal of past geological ages which has been preserved in the earth's crust through mineralization of the object.

Import means to land on, bring into, or introduce into, or attempt to land on, bring into, or introduce into any place subject to the jurisdiction of the United States, whether or not such landing, bringing, or introduction constitutes an importation within the meaning of the tariff laws of the United States.

Injurious Wildlife means any wildlife for which a permit is required under subpart B of part 16 of this subchapter before being imported into or shipped between the continental United States, the District of Columbia, Hawaii, the Commonwealth of Puerto Rico, or any possession of the United States.

Mammal means a member of the class, Mammalia; including any part, product, egg, or offspring, or the dead body or parts thereof (excluding fossils), whether or not included in a manufactured product or in a processed food product.

Migratory bird means any bird, whatever its origin and whether or not raised in captivity, which belongs to a species listed in [10.13](#), or which is a mutation or a hybrid of any such species, including any part, nest, or egg of any such bird, or any product, whether or not manufactured, which consists, or is composed in whole or part, of any such bird or any part, nest, or egg thereof.

Migratory game birds: See 20.11 of this subchapter.

Mollusk means a member of the phylum, Mollusca, including but not limited to, snails, mussels, clams, oysters, scallops, abalone, squid, and octopuses; including any part, product, egg, or offspring thereof, or the dead body or parts thereof (excluding fossils), whether or not included in a manufactured product or in a processed food product.

Permit means any document designated as a "permit," "license," "certificate," or any other document issued by the Service to authorize, limit, or describe activity and signed by an authorized official of the Service.

Person means any individual, firm, corporation, association, partnership, club, or private body, any one or all, as the context requires.

Plant means any member of the plant kingdom, including seeds, roots and other parts thereof.

Possession means the detention and control, or the manual or ideal custody of anything which may be the subject of property, for one's use and enjoyment, either as owner or as the proprietor of a qualified right in it, and either held personally or by another who exercises it in one's place and name. Possession includes the act or state of possessing and that condition of facts under which one can exercise his power over a corporeal thing at his pleasure to the exclusion of all other persons. Possession includes constructive possession which means not actual but assumed to exist, where one claims to hold by virtue of some title, without having actual custody.

Public as used in referring to museums, zoological parks, and scientific or educational institutions, refers to such as are open to the general public and are either established maintained, and operated as a governmental service or are privately endowed and organized but not operated for profit.

Reptile means a member of the class, Reptilia, including but not limited to, turtles, snakes, lizards, crocodiles, and alligators; including any part, product, egg, or offspring thereof, or the dead body or parts thereof, whether or not included in a manufactured product or in a processed food product.

Secretary means the Secretary of the Interior or his authorized representative.

Service means the United States Fish and Wildlife Service, Department of the Interior.

Shellfish means an aquatic invertebrate animal having a shell, including, but not limited to, (a) an oyster, clam, or other mollusk; and (b) a lobster or other crustacean; or any part, product, egg, or offspring thereof, or the dead body or parts thereof (excluding fossils), whether or not included in a manufactured product or in a processed food product.

State means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Virgin Islands, and Guam.

Take means to pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to pursue, hunt, shoot, wound, kill, trap, capture, or collect. (With reference to marine mammals, see Part 18 of this subchapter.)

Transportation means to ship, convey, carry or transport by any means whatever, and deliver or receive for such shipment, conveyance, carriage, or transportation.

United States means the several States of the United States of America, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Virgin Islands, and Guam.

Whoever means the same as person.

Wildlife means the same as fish or wildlife.

SOURCE: [38 FR 22015, Aug. 15, 1973, as amended at 42 FR 32377, June 24, 1977; 42 FR 59358, Nov. 16, 1977; 45 FR 56673, Aug. 25, 1980; 50 FR 52889, Dec. 26, 1985]

10.13 List of Migratory Birds.

The following is a list of all species of migratory birds protected by the Migratory Bird Treaty Act (16 U.S.C. 703-711) and subject to the regulations on migratory birds contained in this subchapter B of title 50 CFR. The species listed are those protected by the Convention for the Protection of Migratory Birds, August 16, 1916, United States-Great Britain (on behalf of Canada), 39 Stat. 1702, T.S. No. 628; the Convention for the Protection of Migratory Birds and Game Mammals, February 7, 1936, United States-Mexico, 50 Stat. 1311, T.S. No. 912; the Convention for the Protection of Migratory Birds and Birds in Danger of Extinction, and Their Environment, March 4, 1972, United States-Japan, 25 U.S.T. 3329, T.I.A.S. No. 7990; and the Convention for the Conservation of Migratory Birds and Their Environment, United States-U.S.S.R., November 26, 1976, 92 Stat. 3110, T.I.A.S. 9073, 16 U.S.C. 703, 712. The species are listed two ways. In the first part of the List species are arranged alphabetically by English (common) name groups, with the scientific name following the English (common) name. All species of ducks are listed together under the heading 'Ducks'. In the second part of the List, species are listed by scientific name arranged in taxonomic order. Taxonomy and nomenclature follows the American Ornithologists' Union's Check-list of North American Birds (6th Edition, 1983).

Title 50: Wildlife and Fisheries

§ 21.28 Falconry permits.

(a) *Permit requirements.* A falconry permit is required before any person may take, possess, transport, sell, purchase, barter, offer to sell, purchase, or barter raptors for falconry purposes.

(b) *Application procedures.* (1) An applicant who wishes to practice falconry in a State listed in §21.29(k) of this part and which has been designated as a participant in a cooperative Federal/State permit application program may submit an application for a falconry permit to the appropriate agency of that State. Each such application must incorporate a completed official form approved by the Service and must include in addition to the general information required by part 13 of this subchapter all of the following:

(i) The number of raptors the applicant possesses at the time the application is submitted, including the species, age (if known), sex (if known), date of acquisition, and source of each;

(ii) A check or money order made payable to "U.S. Fish and Wildlife Service" in the amount of the application fee listed in §13.11(d) of this subchapter.

(iii) An original, signed certification concerning the validity of the information provided in the application in the form set forth in §13.12(a)(5).

(iv) Any additional information requested by the State to which the application is submitted.

(2) Upon receipt of a joint application by a State listed in §21.29(k) as a participant in a cooperative Federal/State permit application program, the State will process the application for a State falconry permit in accordance with its own procedures. A copy of the application, the check or money order for Federal permit fees, and the original, signed certification required by paragraph (b)(1)(iii) of this section will be forwarded to the issuing office of the Service designated by §13.11(b) of this subchapter. If the State decides to issue a falconry permit based upon the application, a copy of the permit will also be forwarded to the appropriate issuing office of the Service.

(3) An applicant who wishes to practice falconry in a State listed in §21.29(k) of this subchapter, but which does not participate in a cooperative Federal/State permit application program must submit a written application for a falconry permit to the issuing office designated by §13.11(b) of this subchapter. Each application must contain the general information and certification required by §13.12(a) of this subchapter plus a copy of a valid State falconry permit issued to the applicant by a State listed in §21.19(k) of this subchapter.

(c) *Issuance criteria.* Upon receiving an application completed in accordance with paragraph (b) of this section that meets all requirements of this part, the Director will issue a permit. In addition to meeting the general criteria in §13.21(b), the applicant must have a valid State falconry permit issued by a State listed in §21.29(k) of this subchapter.

(d) *Permit conditions.* In addition to the general conditions set forth in part 13 of this subchapter, every permit issued under this section shall be subject to the following special conditions:

(1) A permittee may not take, transport, or possess a golden eagle (*Aquila chrysaetos*) unless authorized in writing under §22.24 of this subchapter.

(2) A permit issued under this section is not valid unless the permittee has a valid State falconry permit issued by a State listed in §21.29(k) of this subchapter.

(3) A permittee may not take, possess, transport, sell, purchase, barter, or transfer any raptor for falconry purposes except under authority of a Federal falconry permit issued under this section and in compliance with the Federal falconry standards set forth in §21.29 of this subchapter.

(4) No permittee may take, purchase, receive, or otherwise acquire, sell, barter, transfer, or otherwise dispose of any raptor unless such permittee submits a form 3–186A (Migratory Bird Acquisition/Disposition Report), completed in accordance with the instructions on the form, to the issuing office within five (5) calendar days of any such transaction.

(5) No raptor may be possessed under authority of a falconry permit unless the permittee has a properly completed form 3–186A (Migratory Bird Acquisition/Disposition Report) for each bird possessed, except as provided in paragraph (d)(4) of this section.

(6) A raptor possessed under authority of a falconry permit may be temporarily held by a person other than the permittee for maintenance and care for a period not to exceed thirty (30) days. The raptor must be accompanied at all times by a properly completed form 3–186A (Migratory Bird Acquisition/Disposition Report) designating the person caring for the raptor as the possessor of record and by a signed, dated statement from the permittee authorizing the temporary possession.

(7) A permittee may not take, possess, or transport any peregrine falcon (*Falco peregrinus*), gyrfalcon (*Falco rusticolus*), or Harris hawk (*Parabuteo unicinctus*) unless such bird is banded either by a seamless numbered band provided by the Service or by a permanent, non-reusable band provided by the Service.

(i) Any peregrine falcon (*Falco peregrinus*), gyrfalcon (*Falco rusticolus*), or Harris hawk (*Parabuteo unicinctus*) taken from the wild must be reported to the issuing office within five (5) days of taking and must be banded with a permanent, non-reusable band provided by the Service. No raptor removed from the wild may be banded with a seamless numbered band.

(ii) The loss or removal of any band must be reported to the issuing office within five (5) working days of the loss. The lost band must be replaced by a permanent, non-reusable band supplied by the Service. A form 3–186A (Migratory Bird Acquisition/Disposition Report) must be filed in accordance with paragraph (d)(4) of this section reporting the loss of the band and rebanding.

(8) A permittee may not sell, purchase, barter, or offer to sell, purchase or barter any raptor unless the raptor is marked on the metatarsus by a seamless, numbered band supplied by the Service.

(9) A permittee may not propagate raptors without prior acquisition of a valid raptor propagation permit issued under section 21.30 of this subchapter.

(e) *Term of permit.* A falconry permit issued or renewed under this part expires on the date designated on the face of the permit unless amended or revoked, but the term of the permit shall not exceed three (3) years from the date of issuance or renewal.

§ 21.29 Federal falconry standards.

(a) *Before you can practice falconry in any State.* You cannot take, possess, transport, sell, purchase, barter, or offer to sell, purchase, or barter any raptor for falconry purposes, in any State unless the State allows the practice of falconry, and the State has submitted copies of its laws and regulations governing the practice of falconry to us (Director), and we have determined that they meet or exceed the Federal falconry standards established in this section. If you are a Federal falconry permittee, you can possess and transport for falconry purposes a lawfully possessed raptor through States that do not allow falconry or meet Federal falconry standards so long as the raptors remain in transit in interstate commerce. The States that are in compliance with Federal falconry standards are listed in paragraph (k) of this section.

(b) *More restrictive State laws.* Nothing in this section shall be construed to prevent a State from making and enforcing laws or regulations not inconsistent with the standards contained in any convention between the United States and any foreign country for the protection of raptors or with the Migratory Bird Treaty Act, and which shall give further protection to raptors.

(c) *What is the process for Federal approval of a State program?* Any State that wishes to allow the practice of falconry must submit to the Director of the Service a copy of the laws and regulations that govern the practice of falconry in the State. If we determine that they meet or exceed the Federal standards, which are established by this section, we will publish a notice in the Federal Register adding the State to the list of approved States in paragraph (k) of this section. Any State that was listed in paragraph (k) prior to September 14, 1989, is considered to be in compliance with our standards.

(d) *Permit.* State laws or regulations shall provide that a valid State falconry permit from either that State or another State meeting Federal falconry standards and listed in paragraph (k) of this section is required before any person may take, possess, or transport a raptor for falconry purposes or practice falconry in that State.

(e) *Classes of permits.* States may have any number of classes of falconry permits provided the standards are not less restrictive than the following:

(1) *Apprentice (or equivalent) class.* (i) Permittee shall be at least 14 years old;

(ii) A sponsor who is a holder of a General or Master Falconry Permit or equivalent class is required for the first two years in which an apprentice permit is held, regardless of the age of the permittee. A sponsor may not have more than three apprentices at any one time;

(iii) Permittee shall not possess more than one raptor and may not obtain more than one raptor for replacement during any 12-month period; and

(iv) Permittee shall possess only the following raptors which must be taken from the wild: an American kestrel (*Falco sparverius*), a red-tailed hawk (*Buteo jamaicensis*), a red-shouldered hawk (*Buteo lineatus*), or, in Alaska only, a goshawk (*Accipiter gentilis*).

(2) *General (or equivalent) class.* (i) A permittee shall be at least 18 years old;

(ii) A permittee shall have at least two years experience in the practice of falconry at the apprentice level or its equivalent;

(iii) A permittee may not possess more than two raptors and may not obtain more than two raptors for replacement birds during any 12-month period; and

(iv) A permittee may not take, transport, or possess any golden eagle or any species listed as threatened or endangered in part 17 of this subchapter.

(3) *Master (or equivalent) class.* (i) An applicant shall have at least five years experience in the practice of falconry at the general class level or its equivalent.

(ii) A permittee may not possess more than three raptors and may not obtain more than two raptors taken from the wild for replacement birds during any 12-month period;

(iii) A permittee may not take any species listed as endangered in part 17 of this chapter, but may transport or possess such species in accordance with part 17 of this chapter.

(iv) A permittee may not take, transport, or possess any golden eagle for falconry purposes unless authorized in writing under §22.24 of this subchapter;

(v) A permittee may not take, in any twelve (12) month period, as part of the three-bird limitation, more than one raptor listed as threatened in part 17 of this chapter, and then only in accordance with part 17 of this chapter.

(f) *Examination.* State laws or regulations shall provide that before any State falconry permit is issued the applicant shall be required to answer correctly at least 80 percent of the questions on a supervised examination provided or approved by the Service and administered by the State, relating to basic biology, care, and handling of raptors, literature, laws, regulations or other appropriate subject matter.

(g) *Facilities and equipment.* State laws or regulations shall provide that before a State falconry permit is issued the applicant's raptor housing facilities and falconry equipment shall be inspected and certified by a representative of the State wildlife department as meeting the following standards:

(1) *Facilities.* The primary consideration for raptor housing facilities whether indoors (mews) or outdoors (weathering area) is protection from the environment, predators, or undue disturbance. The applicant shall have the following facilities, except that depending upon climatic conditions, the issuing authority may require only one of the facilities described below.

(i) Indoor facilities (mews) shall be large enough to allow easy access for caring for the raptors housed in the facility. If more than one raptor is to be kept in the mews, the raptors shall be tethered or separated by partitions and the area for each bird shall be large enough to allow the bird to fully extend its wings. There shall be at least one window, protected on the inside by vertical bars, spaced narrower than the width of the bird's body, and a secure door that can be easily closed. The floor of the mews shall permit easy cleaning and shall be well drained. Adequate perches shall be provided.

(ii) Outdoor facilities (weathering area) shall be fenced and covered with netting or wire, or roofed to protect the birds from disturbance and attack by predators except that perches more than 6 1/2 feet high need not be covered or roofed. The enclosed area shall be large enough to insure the birds cannot strike the fence when flying from the perch. Protection from excessive sun, wind, and inclement weather shall be provided for each bird. Adequate perches shall be provided.

(2) *Equipment.* The following items shall be in the possession of the applicant before he can obtain a permit or license:

(i) *Jesses*—At least 1 pair of Alymeri jesses or similar type constructed of pliable, high-quality leather or suitable synthetic material to be used when any raptor is flown free. (Traditional 1-piece jesses may be used on raptors when not being flown.);

(ii) *Leashes and swivels*—At least 1 flexible, weather-resistant leash and 1 strong swivel of acceptable falconry design;

(iii) *Bath container*—At least 1 suitable container, 2 to 6 inches deep and wider than the length of the raptor, for drinking and bathing for each raptor;

(iv) *Outdoor perches*—At least 1 weathering area perch of an acceptable design shall be provided for each raptor; and

(v) *Weighing device*—A reliable scale or balance suitable for weighing the raptor(s) held and graduated to increments of not more than 1/2 ounce (15 gram) shall be provided.

(3) *Maintenance.* All facilities and equipment shall be kept at or above the preceding standards at all times.

(4) *Transportation; temporary holding.* A raptor may be transported or held in temporary facilities which shall be provided with an adequate perch and protected from extreme temperatures and excessive disturbance, for a period not to exceed 30 days.

(h) *Marking.* All peregrine falcons (*Falco peregrinus*), gyrfalcon (*Falco rusticolus*), and Harris hawk (*Parabuteo unicinctus*) possessed for falconry purposes must be marked in accordance with the following provisions:

(1) Any peregrine falcon (*Falco peregrinus*), gyrfalcon (*Falco rusticolus*), or Harris hawk (*Parabuteo unicinctus*), except a captive bred raptor lawfully marked by a numbered, seamless band issued by the Service, must be banded with a permanent, non-reusable, numbered band issued by the Service.

(2) Any peregrine falcon (*Falco peregrinus*), gyrfalcon (*Falco rusticolus*), or Harris hawk (*Parabuteo unicinctus*) possessed for falconry purposes must be banded at all times in accordance with these standards. Loss or removal of any band must be reported to the issuing office within five (5) working days of the loss and must be replaced with a permanent, non-reusable, numbered band supplied by the Service.

(i) *Taking restrictions.* State laws or regulations shall provide the following restrictions on the taking of raptors from the wild:

(1) Young birds not yet capable of flight (eyasses) may only be taken by a General or Master Falconer during the period specified by the State and no more than two eyasses may be taken by the same permittee during the specified period.

(2) First-year (passage) birds may be taken only during the period specified by the State;

(3) In no case shall the total of all periods of taking of eyasses or passage birds exceed 180 days during a calendar year, except that a marked raptor may be retrapped at any time; and

(4) Only American kestrels (*Falco sparverius*) and great-horned owls (*Bubo virginianus*) may be taken when over one year old, except that any raptor other than endangered or threatened species taken under a depredation (or special purpose) permit may be used for falconry by General and Master falconers.

(j) *Other restrictions.* State laws or regulations shall provide the following restrictions or conditions:

(1) A person who possesses a lawfully acquired raptor before the enactment of these regulations and who fails to meet the permit requirements shall be allowed to retain the raptors. All such birds shall be identified with markers supplied by the Service and cannot be replaced if death, loss, release, or escape occurs.

(2) If you possessed raptors before January 15, 1976, the date these regulations were enacted, and you had more than the number allowed under your permit, you may retain the extra raptors. However, each of those birds must be identified with markers we supplied, and you cannot replace any birds, nor can you obtain any additional raptors, until the number in your possession is at least one fewer than the total number authorized by the class of permit you hold.

(3) A falconry permit holder shall obtain written authorization from the appropriate State wildlife department before any species not indigenous to that State is intentionally released to the wild, at which time the marker from the released bird shall be removed and surrendered to the State wildlife department. The marker from an intentionally released bird which is indigenous to that State shall also be removed and surrendered to the State wildlife department. A standard Federal bird band shall be attached to such birds by the State or Service-authorized Federal bird bander whenever possible.

(4) A raptor possessed under authority of a falconry permit may be temporarily held by a person other than the permittee only if that person is otherwise authorized to possess raptors, and only if the raptor is accompanied at all times by the properly completed form 3-186A (Migratory Bird Acquisition/Disposition Report) designating the permittee as the possessor of record and by a signed, dated statement from the permittee authorizing the temporary possession.

(5) Feathers that are molted or those feathers from birds held in captivity that die, may be retained and exchanged by permittees only for imping purposes.

(k) *States meeting Federal falconry standards.* We have determined that the following States meet or exceed the minimum Federal falconry standards established in this section for regulating the taking, possession, and transportation of raptors for the purpose of falconry. The States that are participants in a cooperative Federal/State permit system are designated by an asterisk (*).

*Alabama, *Alaska, Arizona, *Arkansas, *California, *Colorado, Connecticut, *Delaware, *Florida, *Georgia, *Idaho, *Illinois, *Indiana, *Iowa, *Kansas, *Kentucky, *Louisiana, Maine, Maryland, Massachusetts, *Michigan, *Minnesota, *Mississippi, Missouri, *Montana, *Nebraska, *Nevada, *New Hampshire, *New Jersey, New Mexico, New York, *North Carolina, *North Dakota, *Ohio, Oklahoma, *Oregon, Pennsylvania, Rhode Island, *South Carolina, *South Dakota, *Tennessee, Texas, Utah, *Vermont, *Virginia, *Washington, West Virginia, *Wisconsin, *Wyoming.

[41 FR 2238, Jan. 15, 1976; 41 FR 8053, Feb. 24, 1976, as amended at 42 FR 42353, Aug. 23, 1977; 43 FR 968, Jan. 5, 1978; 43 FR 10566, Mar. 14, 1978; 43 FR 34150, Aug. 3, 1978; 43 FR 57606, Dec. 8, 1978; 45 FR 25066, Apr. 14, 1980; 45 FR 70276, Oct. 23, 1980; 48 FR 31608, July 8, 1983; 48 FR 42820, Sept. 20, 1983; 54 FR 38153, Sept. 14, 1989; 59 FR 11204, Mar. 10, 1994; 64 FR 48566, Sept. 7, 1999; 65 FR 49509, Aug. 14, 2000; 70 FR 34698, June 15, 2005]

SPONSOR LIST

<u>First Name</u>	<u>Last Name</u>	<u>Phone</u>	<u>County</u>	<u>Class</u>
Jerry	Hollifield	336-578-8847	Alamance	Master
Bonifatius	Lozaga	252-344-2197	Bertie	Master
Derrick	Schubert	252-253-9659	Brunswick	General
Charles	McKenzie	828-664-0715	Buncombe	General
Richard	Johnson	828-728-8072	Caldwell	Master
James	Peele	252-726-5818	Carteret	Master
Joey	Osborne	828-308-4099	Catawba	General
Douglas	Potter	252-255-0835	Dare	General
Daniel	Cowan	336-945-5304	Forsyth	General
Fredrick	Fogg	336-788-2061	Forsyth	General
Chris	Williams	336-644-0305	Guilford	General
Charles	Gentry Jr.	910-893-8916	Harnett	General
Cynthia	Dickerson	704-546-2703	Iredell	Master
William	Dickerson	704-546-2703	Iredell	Master
Damon	Mason	704-585-9103	Iredell	General
Scott	Simpson	704-592-2005	Iredell	Master
William	Jones	919-938-3031	Johnston	General
Marian	Ballenger	252-448-1366	Jones	General
Clarence	Ballenger III	252-448-1366	Jones	Master
John	Harrell	252-569-3021	Lenoir	General
Jon	Browning	828-413-9193	McDowell	General
Jay	Peterson	828-738-8513	McDowell	Master
Daren	McGrew	704-366-6870	Mecklenburg	General
Christopher	Rogers	252-235-4507	Nash	Master
Sean	Davis	919-596-9403	Orange	General
Henry	Gilbert	910-200-1513	Pender	Master
Mike	Nystrom	910-270-2961	Pender	General
Leon	Crumpler	252-234-7925	Pitt	General
Cecil	Moore	252-753-4479	Pitt	General
Robert	Routh	336-861-5129	Randolph	General
James	Pendergrass	704-279-9535	Rowan	Master
Roland	Bowyer	910-276-4942	Scotland	Master
Peter	Kipp-Dupont	828-883-4500	Transylvania	Master
Stephen	Hughes	704-225-8188	Union	Master
James	Welch	704-289-4556	Union	Master
James	Caldwell	919-783-0365	Wake	General
Dennis	Clark	919-562-1535	Wake	General
William	Davis	919-467-2666	Wake	Master
Matthew	Holtz	919-847-6336	Wake	General
John	Matkins	919-557-6347	Wake	Master
Daniel	Notch	919-878-5410	Wake	Master
Fonda	Notch	919-878-5410	Wake	Master
Joseph	Notch	919-878-5410	Wake	Master
Kenlaugh	Lewis	919-779-6188	Wake	General
Raymond	Lewis	919-779-6188	Wake	General
John	Thedieck	919-556-8923	Wake	Master
Thomas	Thedieck	919-832-2976	Wake	General
William	Wallace	919-481-4524	Wake	Master
Robert	Crandall	919-731-7275	Wayne	General
Bo	Daughtry	919-731-7676	Wayne	Master

Ben	Gibson	919-739-5737	Wayne	Master
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