



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE



5275 Leesburg Pike, MS: MB  
Falls Church, VA 22041

MBPM-12

Date: December 31, 2024

### **MIGRATORY BIRD PERMIT MEMORANDUM**

#### **SUBJECT: Evaluating Humane and Healthful Conditions at Rehabilitation Facilities**

**PURPOSE:** This memorandum serves to clarify the U.S. Fish and Wildlife Service (Service) approved guidance for evaluating humane and healthful conditions for migratory birds under rehabilitation permits.

**BACKGROUND:** The Service administers the Migratory Bird Treaty Act (16 U.S.C. §§ 703-712) and its implementing regulations, 50 CFR Part 21. Rehabilitation permits (50 CFR 21.76) are required to take, transport, or temporarily possess sick, injured, and orphaned migratory birds for rehabilitation purposes. Rehabilitation regulations specify standard conditions for rehabilitation permits. This includes that any live birds must be maintained under humane and healthful conditions (50 CFR § 13.41) as further defined in 50 CFR § 21.6 and § 22.6. It is the applicant/permittee's responsibility to demonstrate that they meet the Service's humane and healthful conditions.

**POLICY:** When evaluating humane and healthful conditions, including facilities, the Service will use the following documents as guidance:

- 1) National Wildlife Rehabilitators Association (NWRA) and International Wildlife Rehabilitation Council (IWRC). (2021). *Standards for Wildlife Rehabilitation*. <https://theiwrc.org/resources/guidelines-for-wildlife-rehabilitation/>
- 2) Arent, L. (2018). *Raptors in Captivity: Guidelines for Care and Management*. [https://www.hancockhouse.com/products/raptors-in-captivity?\\_pos=1&\\_sid=740d47b61&\\_ss=r](https://www.hancockhouse.com/products/raptors-in-captivity?_pos=1&_sid=740d47b61&_ss=r)
- 3) International Association of Avian Trainers and Educators. (2019). *Position Statement: Housing*. [https://iaate.org/wp-content/uploads/2022/09/Position-Statement\\_Housing-2019.pdf](https://iaate.org/wp-content/uploads/2022/09/Position-Statement_Housing-2019.pdf)
- 4) Arent, L. (2020). *Reconditioning Raptors: a training manual for the creance technique*. <https://raptor.umn.edu/programs-and-events/raptor-academy/reconditioning-raptors-training-manual-creance-technique>

- 5) Buhl, G., Schlieps, J., & Smith, L. (2018). *Wildlife In Education: A Guide for the Care and Use of Program Animals* (2<sup>nd</sup> ed.). [https://national-wildlife-rehabilitators-association.myshopify.com/products/wildlife-in-education-a-guide-for-the-care-and-use-of-program-animals-2nd-edit?\\_pos=1&\\_sid=8dea3f77a&\\_ss=r&variant=31394358788148](https://national-wildlife-rehabilitators-association.myshopify.com/products/wildlife-in-education-a-guide-for-the-care-and-use-of-program-animals-2nd-edit?_pos=1&_sid=8dea3f77a&_ss=r&variant=31394358788148)

The applicant/permittee may request a variation from the above guidance by submitting a description of the variation and justification for the variation (See Form 3-200-10b, Section E). The Service will authorize a variation from the guidance when it is (1) reasonable and necessary to accommodate a particular circumstance, and (2) the USFWS determines the variation is humane and healthful for the bird(s). Variations can be specific, such as for an individual bird, or general, such as for care of a species or taxa.

/s/ Jerome Ford, 12/31/2024

---

Assistant Director – Migratory Birds