



The Ornithological Council

American Ornithological Society
Association of Field Ornithologists
Birds Caribbean

CIPAMEX: Sociedad para el Estudio y
Conservación de las Aves en México

Neotropical Ornithological Society

North American Crane Working Group

Pacific Seabird Group

Raptor Research Foundation

Waterbird Society

Wilson Ornithological Society

October 13, 2026

Service Information
Collection Clearance Officer
Attn.: Docket No. FWS-HQ-MB-2026-2146
U.S. Fish and Wildlife Service
MS: PRB (JAO/3W)
5275 Leesburg Pike
Falls Church, VA 22041-3803

Re: Docket No. FWS-HQ-MB-2026-2146

Submitted via regulations.gov

The Ornithological Council is a consortium of scientific societies of ornithologists; these societies span the Western Hemisphere and the research conducted by their members spans the globe. Their cumulative expertise comprises the knowledge that is fundamental and essential to science-based bird conservation and management.

We appreciate the opportunity to submit comments on Docket No. FWS-HQ-MB-2026-2146, regarding the U.S. Fish and Wildlife Service's information collection requests for permits under the Migratory Bird Treaty Act (MBTA). Many of the ornithologists who are members of the organizations that make up the Ornithological Council must secure MBTA permits from the USFWS, either regularly or from time to time during their career. Given this, ensuring that the process of applying for, renewing, and amending MBTA permits is efficient and predictable is of the utmost concern to the Ornithological Council. We appreciate the willingness of the USFWS Migratory Birds Program to work with us over the years to ensure that these permits meet the needs of both the ornithologists on the ground and the agency.

Our comments focus on ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology

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Form 3-200-6: Migratory Bird Import/Export

On the draft form, Section E Question 2 asks applicants to describe the purpose for the importation or exportation, and explain how this is consistent with the conservation of the species. Rather than simply providing space for a written answer, we suggest offering a check box to the effect of “import/export is a research or museum specimen currently in a museum collection, therefore import/export has no effect on conservation of the species.”

Draft Section E Questions 4 asks for documentation regarding possession of the import in the US. Instead of simply asking for documentation of legal possession, we encourage you to include a list of check boxes that applicants can select from, consisting of various mechanism for legal possession (documentation could still be attached for certain selections, as needed). Legal possession of MBTA specimens can be confusing for researchers, so providing a list of ways it can be achieved would be helpful.

The current form asks applicants to identify sub-permittees, while the proposed form does not include this question. Given that applicants may not know when applying for a permit (often months before fieldwork will occur) who will they will be working with, we appreciate the ability to designate sub-permittees outside the permit application process.

Form 3-200-7: Migratory Bird and Eagle Scientific Collecting

We recommend that the revised application include a new checkbox to request authorization for taking samples from salvaged materials. With the discontinuation of salvage permits, researchers who need to take samples from salvaged specimens must now seek authorization for this work through different mechanisms. One of these is scientific collecting permits; a check box would make this easier for researchers.

On the draft form, Section E Question 5 references the AVMA Euthanasia Guidance as a resource for applicants seeking additional information regarding euthanasia. We recommend that the application also refer to the *Guidelines for the Use of Wild Birds in Research*, as this offers guidance more appropriate to wildlife fieldwork than does the AVMA Guidance.

Draft Section E Question 6 asks about retaining live birds in possession for more than 8 hours. If applicants indicate yes, they are asked to provide a detailed description of each enclosure (permanent, temporary, and transport) that will be used to house migratory birds, including photos and/or diagrams of each facility or enclosure, dimensions (length, width, and height) of each structure, construction materials used (interior and exterior), including details such as flooring, netting, and perches, and species and number intended for each enclosure. The living conditions that are appropriate for and contribute to the welfare and comfort of birds have been standardized in federal regulations. For some field work, the exact details of how/where birds will be held may not have been determined when a permit is being applied for. We recommend

that instead the application include a check box asking applicants to confirm that birds will be held according to the federally defined standards.

The proposed form no longer includes an option to request authorization for import/export. Instead, presumably, researchers will be required to submit separate permits for scientific collecting and import/export. This increases the burden both for applicants and USFWS staff. We recommend allowing applicants to request import/export authorization through the scientific collecting permit application.

On the last page of the draft application form, the link to regional contacts is a dead link.

Form 3-200-10c: Migratory Bird Special Purpose/Migratory Bird and Eagle Exhibition Permit

On the draft form, Section E Question 4 asks about compliance with the USDA requirements under the Animal Welfare Act. If no license is required, the applicant is asked to write in the exemption. We recommend providing a list of check boxes, from which the applicant can select the appropriate exemption.

Draft Section E Question 6 asks for a detailed description of each enclosure (permanent, temporary, and transport) that will be used to house migratory birds for exhibit, including photos and/or diagrams of each facility or enclosure, dimensions (length, width, and height) of each structure, construction materials used (interior and exterior), including details such as flooring, netting, and perches, and species and number intended for each enclosure. The living conditions that are appropriate for and contribute to the welfare and comfort of birds have been standardized in federal regulations. For some field work, the exact details of how/where birds will be held may not have been determined when a permit is being applied for. We recommend that instead the application include a check box asking applicants to confirm that birds will be held according to the federally defined standards.

There is a typo (a word or phrase is missing from the end of the sentence) at top of page 5: “was included in Question 6 and .”

Form 3-200-10f: Migratory Bird Special Purpose - Miscellaneous

On the draft form, Section E Question 4(c) references the AVMA Euthanasia Guidance as a resource for applicants seeking additional information regarding euthanasia. We recommend that the application also refer to the *Guidelines for the Use of Wild Birds in Research*, as this offers guidance more appropriate to wildlife fieldwork than does the AVMA Guidance.

Draft Section E Questions 5 and 6 ask about retaining live birds in possession for more than 8 hours. (Note that on the scientific collecting application, this is all in one question and here it is divvied into two). If yes, applicants are asked to provide a detailed description of each enclosure

(permanent, temporary, and transport) that will be used to house migratory birds, including photos and/or diagrams of each facility or enclosure, dimensions (length, width, and height) of each structure, construction materials used (interior and exterior), including details such as flooring, netting, and perches, and species and number intended for each enclosure. The living conditions that are appropriate for and contribute to the welfare and comfort of birds have been standardized in federal regulations. For some field work, the exact details of how/where birds will be held may not have been determined when a permit is being applied for. We recommend that instead the application include a check box asking applicants to confirm that birds will be held according to the federally defined standards.

The current form asks applicants to identify sub-permittees, while the proposed form does not include this question. Given that applicants may not know when applying for a permit (often months before field work will occur) who will they will be working with, we appreciate the ability to designate sub-permittees outside the permit application process.

Annual Report Forms

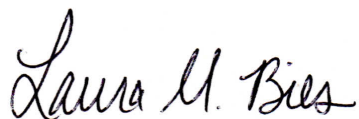
We support the proposal to automate and digitize all annual reports included in this collection to simplify reporting and to reduce burden.

We have no comments on proposed **Form 3-202-2: Migratory Bird Live Possession**. Having one form solely for live possession makes logical sense and should be straightforward for those possessing live birds to complete and submit each year.

In our opinion, **Form 3-202-1: Migratory Bird Wild Take** and **Form 3-202-3: Migratory Bird Specimen Possession** could be combined into one form. If you're collecting birds (i.e. wild take), you're also in specimen possession. Reporting both wild take and specimen possession on one annual report would likely streamline the process for permittees.

Thank you for the opportunity to provide feedback on the Information Collection Request for Docket FWS–HQ–MB–2026–2146. We value our partnership with the U.S. Fish and Wildlife Service, and with the Migratory Bird Program in particular. We appreciate this opportunity to share some information with the agency about how the requirements of the MBTA permit system impact ornithologists. Thank you in advance for considering our views.

Sincerely,

A handwritten signature in cursive script that reads "Laura M. Bies".

Laura M. Bies
Executive Director