

Regulations of Connecticut State Agencies

TITLE 26. Fisheries & Game

Agency

Department of Environmental Protection

Subject

Implementation of a Falconry Program

Inclusive Sections

§§ 26-67e-1—26-67e-18

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Implementation of a Falconry Program

Sec. 26-67e-1. Definitions

(a) For the purposes of sections 26-67e-1 to 26-67e-18, inclusive of the Regulations of Connecticut State Agencies:

(1) “Captive-bred raptor” means a raptor that has been born and raised in captivity for a period of more than fourteen days;

(2) “Commissioner” means the Commissioner of Environmental Protection;

(3) “Department” means the Department of Environmental Protection;

(4) “Falconer” means a person who engages in falconry as defined in section 26-67d of the Connecticut General Statutes and holds a valid Connecticut falconry permit;

(5) “Falconry” means “falconry” as defined in section 26-67d of the Connecticut General Statutes;

(6) “Hybrid raptor” means a raptor that is the offspring of species that are genetically dissimilar and is sterile or unable to breed with native raptors;

(7) “Imping” means the process of grafting new feathers onto the wing or tail of a bird to repair damage or to increase flying capacity;

(8) “Non-resident” means any person who does not have a domiciliary residence in Connecticut; and,

((9))

(Adopted effective March 1, 2004; Amended August 3, 2009)

Sec. 26-67e-2. General requirements

(a) No person shall engage in falconry or possess a raptor identified in 26-67e-13 of the Regulations of Connecticut State Agencies for the purpose of falconry in the state of Connecticut without a valid falconry permit issued pursuant to section 26-67e of the Connecticut General Statutes and a federal permit issued pursuant to 50 CFR 21.28 and 21.29.

(b) No person shall possess, import, or transport any raptor for falconry purposes in the state of Connecticut without a permit issued pursuant to section 26-55 of the Connecticut General Statutes.

(c) No person shall be issued a falconry permit if they have been convicted of violating the falconry laws and regulations of any state or the federal government within a 5-year period preceding the date upon which a permit application is received by the commissioner.

(d) No falconer shall take any raptor from the wild in Connecticut pursuant to section 26-92 of the Connecticut General Statutes except that a falconer may capture by use of a bow net, mist-net, dho-ghazza net or bal-chatri trap a legally possessed captive-bred or hybrid raptor that has escaped provided that the raptor has been banded with a seamless band pursuant to subsection (b) of section 26-67e-15 of the Regulations of Connecticut State Agencies and the raptor is wearing an item of falconry equipment.

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(e) No person who holds a falconry permit shall propagate any raptor.

(Adopted effective March 1, 2004)

Sec. 26-67e-3. Application for a permit

(a) Any resident of Connecticut who would like to apply for or renew a falconry permit shall:

(1) Submit a complete application for the appropriate falconry class permit as described in section 26-67e-6 of the Regulations of Connecticut State Agencies, on a form provided by the commissioner;

(2) submit the fee specified in section 26-67e-5(a) of the Regulations of Connecticut State Agencies;

(3) submit proof of having successfully completed the examination requirements specified in section 26-67e-8 of the Regulations of Connecticut State Agencies for the appropriate falconry class permit;

(4) submit to the commissioner written documentation from the zoning enforcement officer of the municipality in which the raptor housing facility is located which verifies that the possession of a raptor and construction of a raptor housing facility, or use of an existing structure to house a raptor complies with all applicable local zoning requirements;

(5) certify, in writing, on a form provided by the commissioner, compliance with the facility and equipment requirements specified in sections 26-67e-9 and 26-67e-10 of the Regulations of Connecticut State Agencies;

(6) submit proof of having a valid Connecticut firearms hunting license; and,

(7) certify, in writing on a form provided by the commissioner, that they have not been convicted of violating the falconry laws and regulations of any state or the federal government within a 5 year period preceding the date upon which a permit application is received by the commissioner.

(b) Any non-resident who would like to apply for or renew a falconry permit shall:

(1) Submit a complete application for a non-resident falconry permit on a form provided by the commissioner;

(2) submit the fee specified in section 26-67e-5(b) of the Regulations of Connecticut State Agencies;

(3) submit proof of having a valid falconry license or a valid falconry permit from the state in which they reside, and a valid federal falconry permit;

(4) certify, in writing, on a form provided by the commissioner, compliance with all federal and resident state laws and regulations governing falconry;

(5) submit proof of having a valid Connecticut firearms hunting license; and,

(6) certify, in writing, on a form provided by the commissioner, that they have not been convicted of violating the falconry laws and regulations of any state or the federal government within a 5 year period preceding the date upon which a permit application is received by the commissioner.

(c) Any resident or non-resident who would like to renew a falconry permit shall submit

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a permit application in accordance with the requirements of subsection (a) and (b) of this section at least thirty days before the expiration date of the permit.

(Adopted effective March 1, 2004)

Sec. 26-67e-4. Permit duration and revocation

(a) The duration of a falconry permit shall be:

(1) Three years, beginning on July 1 and ending on June 30 for any person who is a resident of Connecticut; or,

(2) one year, beginning on July 1 and ending on June 30 for any person who is a non-resident.

(b) The commissioner may at any time revoke, in accordance with the provisions of the Uniform Administrative Procedures Act, a falconry permit for violating the terms of a permit or any statute or regulation governing falconry in the state of Connecticut.

(Adopted effective March 1, 2004; Amended August 3, 2009)

Sec. 26-67e-5. Permit fees

(a) The fee for an apprentice, general or master class permit shall be:

(1) \$175.00 for the initial permit or if the permit has lapsed or has been revoked; and,

(2) \$150.00 for the renewal of a current permit.

(b) The fee for a non-resident permit shall be the same as for a Connecticut resident permit for a resident of a state which allows the same privilege to residents of this state. If no such privilege exists, the fee for a non-resident permit shall be \$14.00 annually.

(c) The permit fees specified in subsections (a) and (b) of this section are not refundable.

(Adopted effective March 1, 2004; Amended August 3, 2009)

Sec. 26-67e-6. Classes of permits

(a) There shall be four classes of falconry permits: Apprentice; general; master; and, non-resident.

(b) **Apprentice class.**

(1) The commissioner may issue an apprentice class permit to any person who meets the requirements specified in section 26-67e-3(a) of the Regulations of Connecticut State Agencies; is at least 14 years old; has written approval of a parent or guardian if less than 18 years of age; and, has a sponsor who meets the requirements of section 26-67e-7 of the Regulations of Connecticut State Agencies;

(2) an apprentice class falconer shall possess only one raptor at any time;

(3) an apprentice class falconer shall only possess a red-tailed hawk (*Buteo jamaicensis*), which shall be trapped from the wild in another state by the apprentice under the supervision of the sponsor;

(4) an apprentice class falconer shall not obtain from the wild more than one red-tailed hawk (*Buteo jamaicensis*) for replacement during any twelve-month period beginning on January 1 and ending on December 31;

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(5) an apprentice class falconer shall maintain a written log describing the instruction provided by his or her sponsor. Instruction should include all phases of falconry relating to basic biology, care and handling of raptors, live-trapping techniques, teaching raptors to hunt, and laws and regulations governing falconry; and,

(6) an apprentice class falconer shall not fly or hunt their red-tailed hawk alone until the sponsor provides written notification to the apprentice stating that the apprentice is competent to handle the bird without direct supervision.

(c) General class.

(1) The commissioner may issue a general class permit to any person who meets the requirements in section 26-67e-3(a) of the Regulations of Connecticut State Agencies; is at least 18 years old; submits proof of a minimum of two years experience in the practice of falconry at the apprentice class level, has practiced falconry with their own raptor during at least two hunting seasons; submits written certification from the applicant's sponsor verifying that the applicant satisfies the experience requirement;

(2) a general class falconer shall possess in aggregate only two raptors at any time;

(3) a general class falconer may possess raptors from any category specified under section 26-67e-13 of the Regulations of Connecticut State Agencies; and,

(4) a general class falconer shall not obtain from any category specified in 26-67e-13 of the Regulations of Connecticut State Agencies more than two raptors for replacement birds during any twelve-month period beginning on January 1 and ending on December 31.

(d) Master class.

(1) The commissioner may issue a master class permit to any person who meets the requirements in section 26-67e-3(a) of the Regulations of Connecticut State Agencies; submits proof of having at least five years experience in the practice of falconry at the general class level; and, submits written recommendations from three master falconers stating that the applicant meets the qualifications of a master class falconer;

(2) a master class falconer shall possess in aggregate only three raptors at any time;

(3) a master class falconer may possess raptors from any category specified in 26-67e-13 of the Regulations of Connecticut State Agencies; and,

(4) a master class falconer shall not obtain from any category specified in 26-67e-13 of the Regulations of Connecticut State Agencies more than two raptors taken for replacement birds during any twelve-month period beginning on January 1 and ending on December 31.

(e) Non-resident class.

(1) The commissioner may issue a non-resident class permit to any person who meets the requirements of 26-67e-3(b) of the Regulations of Connecticut State Agencies.

(2) A non-resident falconer shall only possess, while in Connecticut, the approved raptor species specified in 26-67e-13 of the Regulations of Connecticut State Agencies and which are identified on their falconry permit.

(Adopted effective March 1, 2004)

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Sec. 26-67e-7. Sponsorship requirements

(a) Any person who would like to sponsor an apprentice class falconer shall certify in writing, on a form provided by the commissioner, that such person:

(1) Has a valid master falconry permit or a valid general falconry permit with a minimum of three years experience as a general falconer; and,

(2) has not been convicted of violating the falconry laws and regulations of any state or the federal government within a 3 year period preceding the start of the sponsorship.

(b) The sponsor shall:

(1) Act as a source of advice and information for the apprentice;

(2) provide a minimum of twenty hours of field instruction annually and oversee the care, maintenance, and training of the apprentice's raptor;

(3) reside within 400 miles of the apprentice's residence;

(4) not have more than three apprentices at any one time;

(5) notify the commissioner, in writing, within 10 days after the sponsorship has been discontinued with an explanation of the reasons for discontinuing the sponsorship; and,

(6) maintain a written log of the instruction provided to each apprentice class falconer.

(c) An apprentice class falconer may submit, at any time, a written request to the department to change sponsors. Said request shall describe the reasons or circumstances for changing sponsors and the name and address of the new sponsor. Upon authorization from the department, an apprentice class falconer may resume falconry activities with a new sponsor.

(Adopted effective March 1, 2004)

Sec. 26-67e-8. Examination

(a) Any resident who would like to apply for an apprentice class falconry permit shall successfully complete, prior to submitting a permit application, a written examination administered by the commissioner, or his designee.

(b) Any resident who would like to apply for a general or master class falconry permit shall successfully complete prior to submitting a permit application, a written and practical field examination. The commissioner or his designee shall administer the written examination. The commissioner or his designee and a master falconer selected by the commissioner shall administer the practical field examination.

(c) To successfully complete the written examination in subsections (a) and (b) of this section a person shall answer correctly at least 80 percent of the questions relative to the biology, care and handling of raptors and laws and regulations governing falconry.

(d) Any person failing an examination shall not retake the examination for at least 60 days following the date of the previous examination.

(Adopted effective March 1, 2004)

Sec. 26-67e-9. Housing facilities

(a) No resident of Connecticut shall be issued a falconry permit unless the commissioner

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or his designee has inspected and certified that the raptor housing facilities comply with all the requirements of subsections (b) to (i), inclusive, of this section.

(b) Raptor housing facilities shall include a mews (indoor facility) and a weathering area that provides protection from the environment, predators and undue disturbance. The mews and weathering area may be one enclosure or two separate enclosures.

(c) The requirements for separate mews shall be:

(1) For a single raptor: An enclosure having dimensions of 8' x 8' x 7' (L x W x H) at a minimum;

(2) for two or three raptors: An enclosure having dimensions of 8' x 8' x 7' (L x W x H) at a minimum, provided that each raptor shall be able to fully extend its wings without touching the roof, any walls or any other raptors;

(3) the raptors shall be tethered or separated by solid partitions if the species or individuals cannot be safely housed together;

(4) at least one window, protected on the inside by vertical bars that are spaced narrower than the width of the raptor's body;

(5) a roof which covers at least one half the size of the enclosure;

(6) at least three walls constructed of solid materials such as wood, metal, corrugated plastic or similar material;

(7) the fourth wall may be constructed of nonsolid material such as chain-link fencing, welded wire, heavy-duty plastic mesh or vertical bars having a mesh opening or spacing between the vertical bars that prevents the escape or entrapment of the raptor. A mesh opening of 2 inches by 2 inches or spacing between vertical bars of 2 inches shall not be exceeded;

(8) vestibule area with two secure doors that can be easily closed and locked at all times;

(9) a floor consisting of pea gravel, sand, grass, artificial turf, rubber mats, or other artificial substrates that provide proper drainage and are easily cleaned; and,

(10) two or more perches per raptor if the raptor is not tethered and one perch if the raptor is tethered.

(d) The requirements for a separate weathering area shall be:

(1) For a single raptor: An enclosure having dimensions of 8' x 8' x 7' (L x W x H) at a minimum;

(2) for two or three raptors: An enclosure having dimensions of 8' x 8' x 7' (L x W x H) at a minimum provided that each raptor shall be able to fully extend its wings without touching the roof, any walls or any other raptors;

(3) a roof that consists of a solid area at least one third (1/3) the size of the entire cage;

(4) entirely enclosed with at least two of the side walls consisting of nonsolid materials such as chain-link fencing, welded wire, heavy-duty plastic mesh or vertical bars;

(5) the mesh opening or spacing between the vertical bars shall prevent the escape or entrapment of all captive raptors;

(6) the maximum mesh opening shall be 2 inches by 2 inches and the maximum spacing between vertical bars shall be 2 inches; and,

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(7) two or more perches per raptor if the raptor is not tethered and one perch per raptor if it is tethered.

(e) The requirements for a combined mews and weathering area shall be:

(1) For a single raptor: An enclosure having dimensions of 10' x 10' x 7' (L x W x H) at a minimum;

(2) for two or three raptors: An enclosure having dimensions of 10' x 10' x 7' (L x W x H) at a minimum provided that each raptor shall be able to fully extend its wings without touching the roof, any walls or any other raptors;

(3) the raptors shall be tethered or separated by solid partitions if the species or individuals cannot be safely housed together;

(4) at least one window, protected on the inside by vertical bars that are spaced narrower than the width of the raptor's body;

(5) a roof which covers at least one half the size of the enclosure;

(6) at least three walls constructed of solid materials such as wood, metal, corrugated plastic or similar material;

(7) at least one side wall constructed of nonsolid material such as chain-link fencing, welded wire, heavy-duty plastic mesh or vertical bars having a mesh opening or spacing between the vertical bars that prevents the escape or entrapment of the raptor. A mesh opening of 2 inches by 2 inches or spacing between vertical bars of 2 inches shall not be exceeded;

(8) vestibule area with two secure doors that can be easily closed and locked at all times;

(9) a floor consisting of pea gravel, sand, grass, artificial turf, rubber mats, or other artificial substrates that provide proper drainage and are easily cleaned; and,

(10) two or more perches per raptor if the raptor is not tethered and one perch per raptor if it is tethered.

(f) Perches located in the mews and weathering areas shall be of natural materials with all sharp protrusions removed or the perches shall be covered with sisal or manila strand rope, artificial turf or indoor/outdoor carpeting. Natural perches and coverings shall be replaced when worn.

(g) A falconer relocating the raptor housing facility and the raptors to a new location shall notify the department 30 days in advance before the facility is relocated.

(h) Any major structural changes to the mews or weathering area shall be reported, in writing, with accompanying photographs, to the commissioner no later than 30 days after completion of the changes.

(i) The mews and weathering area shall be kept clean and maintained in good working order at all times.

(Adopted effective March 1, 2004)

Sec. 26-67e-10. Equipment

(a) No resident of Connecticut shall be issued a falconry permit unless the commissioner or his designee has inspected and certified that the falconer is in possession of the following

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equipment:

- (1) At least 1 glove or gauntlet appropriate for each species being handled;
 - (2) at least one pair of Aylmeri jesses or similar type constructed of pliable, high-quality leather or suitable synthetic material;
 - (3) a supply of leather and grommets along with grommet setters, a leather punch and cutting tools;
 - (4) at least 1 flexible, weather-resistant leash and 1 strong swivel designed for use with raptors;
 - (5) a digital, triple-beam, postal or baby scale weighing device that is graduated to increments of not more than ½ ounce (15 grams) and containing either a solid perch or an artificial turf covering;
 - (6) at least one suitable container, 2 to 6 inches deep and wider than the length of the raptor for the drinking and bathing of each raptor; and,
 - (7) at least one tethering perch designed for use with raptors.
- (b) All equipment shall be maintained in good working order at all times.

(Adopted effective March 1, 2004)

Sec. 26-67e-11. Transportation and temporary holding requirements

(a) **Transportation.** A raptor shall be transported within an enclosure that provides protection from extreme temperatures and excessive disturbance, and equipped with one perch as described in section 26-67e-9(f) of the Regulations of Connecticut State Agencies. The enclosure shall be at least 3 inches taller than the height of the bird while perched, shall allow for easy entry and removal to minimize stress, and have adequate ventilation. The raptor shall be kept in this temporary enclosure for a period not more than 30 days.

(b) **Temporary Holding.** A raptor may be temporarily held at an off site location in an enclosure constructed of wood or sturdy plastic for a period not more than 30 days. The enclosure shall have dimensions of 5' x 4' x 4' (L x W x H) at a minimum; have at least 1 perch as described in section 26-67e-9(e); adequate ventilation; and protect the raptor from extreme temperatures, excessive disturbance and predators.

(Adopted effective March 1, 2004)

Sec. 26-67e-12. Temporary custody of raptors

(a) A falconer may, for not more than 30 days, place a raptor under the temporary care of another person who:

- (1) Is authorized to do so by the United States Fish and Wildlife Service; and,
- (2) holds a valid permit issued by the commissioner pursuant to section 26-55 of the Connecticut General Statutes; or holds a valid permit issued by another state.

(b) A falconer who places a raptor under the temporary care of another person shall provide the temporary care provider with:

- (1) A completed United States Fish and Wildlife Service Form 3-186A (Migratory Bird Acquisition/Disposition Report); and,

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(2) written authorization which is signed and dated by the falconer, designating another person to temporarily possess the raptor.

(Adopted effective March 1, 2004)

Sec. 26-67e-13. Approved raptor species

(a) The following species of raptors may be used for falconry in Connecticut:

(1) Raptors taken from the wild:

Red-tailed Hawk	<i>(Buteo jamaicensis);</i>
Merlin	<i>(Falco Columbarius);</i>
Prairie Falcon	<i>(Falco mexicanus); and</i>
Harris's Hawk	<i>(Parabuteo unicinctus).</i>

(2) any captive-bred raptor species; and,

(3) any species of hybrid raptors, provided that the hybrid is sterile or unable to breed with wild native raptors.

(b) No species of raptor, identified in subsection (a), that is listed as threatened, endangered, or of special concern pursuant to section 26-306 of the Connecticut General Statutes or any species listed as threatened or endangered by the federal government shall be used for falconry in Connecticut.

(Adopted effective March 1, 2004)

Sec. 26-67e-14. Notification requirement

(a) A falconer shall submit to the commissioner a United States Fish & Wildlife Service form 3-186A (Migratory Bird Acquisition/Disposition Report) not more than five calendar days after the acquisition, recovery, transfer, loss, including death, escape, or euthanization intentional release of a raptor.

(b) A falconer shall submit a written request to and receive approval from the commissioner before release of a raptor into the wild in accordance with section 26-55 of the Connecticut General Statutes.

(Adopted effective March 1, 2004)

Sec. 26-67e-15. Banding requirements

(a) A falconer, upon capturing a raptor from the wild, shall immediately band the bird with a permanent non-reusable band provided by the commissioner or the United States Fish and Wildlife Service.

(b) A falconer shall not obtain or have in their possession a captive-bred or hybrid raptor unless the bird is banded with a seamless numbered band.

(c) When any band becomes mutilated, illegible or lost, the falconer shall submit to the commissioner a United States Fish and Wildlife Service Form 3-186A and request a replacement band within five calendar days. The mutilated or illegible band shall be returned

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to the commissioner at the time the new band is attached to the raptor.

(d) The commissioner or a United States Fish & Wildlife Service authorized federal bird bander shall remove from the raptor prior to its release the band affixed in subsection (a) of this section and shall attach a standard federal bird band to such birds.

(e) Upon death of any raptor held under a falconry permit, the falconer shall submit to the commissioner a United States Fish and Wildlife Service Form 3-186A and return the band taken from the raptor within five calendar days. The carcass shall be disposed of within five calendar days by burying or incineration, unless other arrangements are made with the commissioner.

(Adopted effective March 1, 2004)

Sec. 26-67e-16. Record keeping and reporting

(a) A falconer shall maintain complete and accurate records for each raptor that identifies:

- (1) The species, sex, age, and lineage of each raptor;
- (2) date of acquisition;
- (3) the date of the death, loss, release, or transfer to another person of each raptor and an explanation of the reasons therefore; and,
- (4) name, address, and permit number of the person(s) who previously possessed the raptor, and date of transfer.

(b) The records required in subsection (a) of this section shall be maintained in chronological order, retained for a minimum of five years after the date of death, loss, or transfer of any raptor possessed by a falconer and shall be available for inspection at any reasonable time upon request of the commissioner or his designee. The United States Fish and Wildlife Service Form 3-186A may be used. A supplemental report shall also be prepared and attached to the Form 3-186A to address the lineage of each bird and to explain the loss, release or transfer or death of each raptor.

(c) A falconer shall submit to the commissioner an annual activity report by July 1 on a form provided by the commissioner that identifies:

- (1) The number, species, and band number of raptors used;
- (2) the number, species, date, and location of all kills of any animal for which there is no season or is out of season;
- (3) the number, species, date, and location of all kills of any animal for which there is an open season; and,
- (4) the number and species of replacement raptors.

(Adopted effective March 1, 2004; Amended August 3, 2009)

Sec. 26-67e-17. Hunting requirements

(a) Any falconer while engaging in hunting shall have in their possession a valid Connecticut firearms hunting license.

(b) Hunting or training of falconry birds shall only take place on:

- (1) State-owned or managed lands identified by the commissioner as open to hunting;

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or

(2) private land, provided that the falconer has obtained verbal permission from the landowner.

(c) A falconer shall abide by all current Connecticut hunting laws and season dates pursuant to Chapter 490 of the Connecticut General Statutes and any regulations promulgated thereunder, while pursuing wildlife using a raptor and shall have in their possession:

- (1) A federal and Connecticut migratory waterfowl stamp when hunting waterfowl;
- (2) a harvest information permit when hunting migratory birds;
- (3) pheasant tags when hunting pheasants during the open season; and,
- (4) a valid Connecticut falconry permit.

(d) The commissioner may declare an area closed to hunting with raptors at any time, in accordance with the provisions of section 26-68 of the Connecticut General Statutes.

(e) Any falconer whose raptor kills an animal for which there is no season or that is out of season shall leave the dead quarry where it lies, except that the raptor may feed upon the quarry prior to leaving the site of the kill.

(Adopted effective March 1, 2004)

Sec. 26-67e-18. Other requirements

(a) Any person in possession of a lawfully acquired raptor prior to the effective date of Connecticut's falconry regulations who receives a notice of violation from the commissioner regarding any provision of Connecticut's falconry regulation shall have 60 days to achieve compliance. If compliance is not achieved within 60 days, the raptor shall be transferred to another person or organization having a valid federal falconry permit and a valid falconry permit from Connecticut or another state, or the raptor shall be released to the wild in accordance with section 26-67e-14 of the Regulations of Connecticut State Agencies.

(b) Any person who is issued a falconry permit may retain and exchange feathers for imping purposes only providing the feathers have molted or come from birds held in captivity that have died.

(Adopted effective March 1, 2004)