

out a permit, for scientific, medical, educational, exhibition, or propagating purposes, but no such live reptiles or any progeny or eggs thereof may be released into the wild except by the State wildlife conservation agency having jurisdiction over the area of release or by persons having prior written permission for release from such agency.

Subpart C—Permits

§ 16.21 [Reserved]

§ 16.22 Injurious wildlife permits.

The Director may, upon receipt of an application and in accordance with the issuance criteria of this section, issue a permit authorizing the importation into or shipment between the continental United States, the District of Columbia, Hawaii, the Commonwealth of Puerto Rico, or any possession of the United States of injurious wildlife (See subpart B of this part) for zoological, educational, medical, or scientific purposes.

(a) *Application procedure.* Applications for permits to import or ship injurious wildlife for such purposes shall be submitted to the appropriate Special Agent in Charge (See § 13.11(b) of this subchapter). Each such application must contain the general information and certification required by § 13.12(a) of this subchapter plus the following additional information:

(1) The number of specimens and the common and scientific names (genus and species) of each species of live wildlife proposed to be imported or otherwise acquired, transported, and possessed;

(2) The purpose of such importation, or other acquisition, transportation, and possession;

(3) The address of the premises where such live wildlife will be kept in captivity;

(4) The name and address of the consignor or other person from whom such wildlife will be acquired; and

(5) A statement of applicant's qualifications and previous experience in caring for and handling captive wildlife.

(b) *Additional permit conditions.* In addition to the general conditions set forth in Part 13 of this Subchapter b, permits to import or ship injurious wildlife for zoological, educational, medical, or scientific purposes shall be subject to the following conditions:

(1) All live wildlife acquired under permit and all progeny thereof, must be confined in the approved facilities on the premises authorized in the permit.

(2) No live wildlife, acquired under permit, or any eggs or progeny thereof, may be sold, donated, traded, loaned, or transferred to any other person unless such person has a permit issued by the Director under § 16.22 authorizing him to acquire and possess such wildlife or the eggs or progeny thereof.

(3) Permittees shall submit a report of all live wildlife acquired under authority of a permit to the Director within 10 days following the date of such acquisition.

(4) Permittees must notify the Director by letter within 10 days following the death and by telephone or telegraph within 24 hours following the escape of any wildlife or their progeny possessed

under authority of a permit, unless specifically exempted from either requirement by special terms of his permit.

(c) *Issuance criteria.* The Director shall consider the following in determining whether to issue a permit to import or ship injurious wildlife for zoological, educational, medical, or scientific purposes:

(1) Whether the wildlife is being imported or otherwise acquired for a bona fide scientific, medical, educational, or zoological exhibition purpose;

(2) Whether the facilities for holding the wildlife in captivity have been inspected and approved, and consist of a basic cage or structure of a design and material adequate to prevent escape which is maintained inside a building or other facility of such structure that the wildlife could not escape from the building or other facility after escaping from the cage or structure maintained therein;

(3) Whether the applicant is a responsible person who is aware of the potential dangers to public interests posed by such wildlife, and who by reason of his knowledge, experience, and facilities reasonably can be expected to provide adequate protection for such public interests; and

(4) If such wildlife is to be imported or otherwise acquired for zoological or aquarium exhibition purposes, whether such exhibition or display will be open to the public during regular appropriate hours.

Subpart D—Additional Exemptions

§ 16.31 [Reserved]

§ 16.32 Importation by Federal agencies.

Nothing in this part shall restrict the importation and transportation, without a permit, of any live wildlife by Federal agencies solely for their own use, upon the filing of a written declaration with the District Director of Customs at the port of entry as required under § 14.61: *Provided*, That the provisions of this section shall not apply to bald and golden eagles or their eggs, or to migratory birds or their eggs, the importations of which are governed by regulations under Parts 22 and 21 of this chapter, respectively.

§ 16.33 Importation of natural-history specimens.

Nothing in this part shall restrict the importation and transportation, without a permit, of dead natural-history specimens of wildlife or their eggs for museum or scientific collection purposes: *Provided*, That the provisions of this section shall not apply to dead migratory birds, the importation of which is governed by regulations under Parts 20 and 21 of this chapter; to dead game mammals from Mexico, the importation of which is governed by regulations under Part 14 of this chapter; or to dead bald and golden eagles or their eggs, the importation of which is governed by regulations under Part 22 of this chapter.

PART 17—ENDANGERED WILDLIFE

Subpart A—Introduction

Sec.

- 17.1 Purpose of regulations.
- 17.2 Scope of regulations.

Subpart B—Endangered Wildlife Lists

Sec.

- 17.11 Endangered foreign wildlife.
- 17.12 Endangered native wildlife.
- 17.13 Amendments of the lists of endangered wildlife.

Subpart C—Endangered Wildlife Importation Permits

- 17.21 General permit requirement.
- 17.22 Economic hardship permits.
- 17.23 Zoological, educational, scientific, or propagation permits.

AUTHORITY: Endangered Species Conservation Act of 1969, sec. 4(e), 83 Stat. 278 (16 U.S.C. 668cc-4).

Subpart A—Introduction

§ 17.1 Purpose of regulations.

The regulations contained in this part identify the species or subspecies of native and foreign wildlife determined by the Secretary to be threatened with extinction, establish procedures and criteria for issuance of permits for importation of endangered foreign wildlife, and provide for public participation in the amendment of the endangered wildlife lists. The regulations of this part implement, in part, the Endangered Species Conservation Act of 1969 (16 U.S.C. 668aa to 668cc-6).

§ 17.2 Scope of regulations.

(a) The regulations of this part apply only to endangered wildlife.

(b) The provisions in this part are in addition to, and are not in lieu of, other regulations of this subchapter B which may require a permit or prescribe additional restrictions or conditions for the importation, exportation, and interstate transportation of wildlife. (See also Part 13 of this subchapter).

Subpart B—Endangered Wildlife Lists

§ 17.11 Endangered foreign wildlife.

Based on the best scientific and commercial data available to him and after consultation, in cooperation with the Secretary of State, with the foreign country or countries in which such wildlife are normally found and, to the extent practicable, with interested persons and organizations and other interested Federal agencies, the Secretary has determined that the species or subspecies of wildlife listed below are threatened with worldwide extinction due to one or more of the factors listed in 16 U.S.C. 668cc-3(a). The presence of a trinomial (third word) in the "scientific name" column identifies that animal as a subspecies. If one or more subspecies of a species are listed, it indicates that the species as a whole is not endangered although the named subspecies are. The "common and commercial name" column contains the most generally accepted names in the English language. When two or more common names for a species are in common usage, the most widely used one is placed first, followed by others in parentheses. The public should be aware that common and commercial names may vary from local usage. The "where found" column is provided for the convenience of the public, is not exhaustive, is not required to be given by law, and has no legal significance.

RULES AND REGULATIONS

Common name	Scientific name	Where found
Mollusk:		
Snail, Manus Island tree	<i>Papustyla pulcherrina</i>	Admiralty Islands: Manus Island.
Fish:		
Ala Balik	<i>Salmo platycephalus</i>	Turkey.
Ayumodoki	<i>Hymenophysa curta</i>	Japan.
Blindecat, Mexican	<i>Prietella phreatophila</i>	Mexico.
Catfish	<i>Pangasius sanilongsei</i>	Thailand.
Catfish, Giant	<i>Pangasianodon gigas</i>	Do.
Cleek	<i>Acanthorutilus handlirschi</i>	Turkey.
Nekogigi	<i>Coreobagrus ichikawai</i>	Japan.
Tanago, Miyako	<i>Tanakia tanago</i>	Do.
Amphibians:		
Frog, Stephen Island	<i>Leiopelma hamiltoni</i>	New Zealand.
Frog, Israel painted	<i>Discoglossus nigriventris</i>	Israel.
Reptiles:		
Boa, Jamaica	<i>Epicrates subflavus</i>	Jamaica.
Caiman (see Yacare)		
Crocodile, Cuban	<i>Crocodylus rhombifer</i>	Cuba.
Crocodile, Morelet's	<i>Crocodylus moreletii</i>	Mexico, British Honduras, Guatemala.
Crocodile, Nile	<i>Crocodylus niloticus</i>	Africa.
Crocodile, Orinoco	<i>Crocodylus intermedius</i>	Orinoco River, northern South America.
Gavial	<i>Gavialis gangeticus</i>	Pakistan, India, Burma, Bangladesh.
Gecko, Day	<i>Phelsuma newtoni</i>	Mauritius.
Gecko, Round Island day	<i>Phelsuma guentheri</i>	Do.
Iguana, Anegada ground	<i>Cyclura pinguis</i>	Virgin Islands: Anegada Island.
Lizard, Barrington land	<i>Conolophus pallidus</i>	Ecuador: Galapagos Islands.
Terrapin, River (Tuntong)	<i>Bataguraska</i>	Burma, India, Indonesia, Malaysia, Bangladesh.
Tortoise, Galapagos	<i>Testudo elephantopus</i>	Ecuador: Galapagos Islands.
Tortoise, Madagascar radiated	<i>Testudo radiata</i>	Madagascar.
Tortoise, Short-necked or swamp	<i>Pseudemys umbrina</i>	Australia.
Tuatara	<i>Sphenodon punctatus</i>	New Zealand.
Turtle, Aquatic box	<i>Terrapene coahuila</i>	Mexico.
Turtle, Atlantic Ridley	<i>Lepidochelys kempi</i>	Do.
Turtle, Hawksbill	<i>Eretmochelys imbricata</i>	Tropical seas.
Turtle, Leatherback	<i>Dermochelys coriacea</i>	Tropical seas and temperate seas.
Turtle, South American River	<i>Podocnemis expansa</i>	Orinoco and Amazon River Basin, northern South America.
Turtle, South American River	<i>Podocnemis unifilis</i>	Do.
Yacare (Caiman)	<i>Caiman yacare</i>	Bolivia, Argentina, Peru, Brazil.
Birds:		
Albatross, Short-tailed	<i>Diomedea albatrus</i>	Japan.
Bobwhite, Masked	<i>Colinus virginianus ridgwayi</i>	United States, Mexico.
Bristlebird, Western	<i>Dasyornis brachypterus longirostris</i>	Australia.
Bulbul, Mauritius oliveaceous	<i>Hypsipetes borbonicus oliveaceus</i>	Mauritius.
Bullfinch, Sao Miguel	<i>Pyrrhula pyrrhula murina</i>	Azores.
Bustard, Great Indian	<i>Choriotis nigricaps</i>	India, Pakistan.
Cahow	<i>Pterodroma cahow</i>	Bermuda.
Condor, Andean	<i>Vultur gryphus</i>	Colombia to Chile, Argentina.
Crane, Hooded	<i>Grus monachus</i>	Japan, U.S.S.R.
Crane, Japanese	<i>Grus japonensis</i>	Japan, China, Korea, U.S.S.R.
Crane, Siberian white	<i>Grus leucogeranus</i>	Siberia to India.
Crane, Whooping	<i>Grus americana</i>	Canada, United States.
Curassow, Red-billed	<i>Craz blumenbachii</i>	Brazil.
Curassow, Trinidad white-headed	<i>Pipile pipile pipile</i>	Trinidad.
Curlew, Eskimo	<i>Numenius borealis</i>	Canada to Argentina.
Dove, Cloven-feathered	<i>Drepanoptila holosericea</i>	New Caledonia.
Dove, Grenada	<i>Leptotila wellsi</i>	West Indies: Grenada.
Dove, Palau ground	<i>Gallicolumba canifrons</i>	Palau Islands.
Duck, White-winged wood	<i>Cairina scutulata</i>	India, Thailand, Malasia, Burma, Indonesia (including Java).
Eagle, Monkey-eating	<i>Pithecopaga jefferi</i>	Philippines.
Eagle, Spanish imperial	<i>Aquila heliaca adalberti</i>	Spain, Morocco, Algeria.
Egret, Chinese	<i>Egretta eulophotes</i>	China, Korea.
Falcon, American peregrine	<i>Falco peregrinus anatum</i>	Canada, United States, Mexico.
Falcon, Arctic	<i>Falco peregrinus tundrius</i>	Canada, United States, Mexico.
Fantail, Palau	<i>Phipidura lepida</i>	Palau Islands.
Flycatcher, Euler's	<i>Empidonax euleri johnstonei</i>	West Indies: Grenada.
Flycatcher, Seychelles black	<i>Terpsiphone corvina</i>	Seychelles.
Flycatcher, Tahiti	<i>Pomarea nigra nigra</i>	Tahiti.
Fody, Seychelles	<i>Foudia sechellarum</i>	Seychelles.
Goose, Aleutian Canada	<i>Branta canadensis leucopareia</i>	Japan, United States.
Goshawk, Christmas Island	<i>Accipiter fasciatus natalis</i>	Indian Ocean: Christmas Island.
Grackle, Slender-billed	<i>Cassidix palustris</i>	Mexico.
Grass-wren, Eyrean	<i>Amytornis goyderi</i>	Australia.
Grebe, Attitlan	<i>Podilymbus gigas</i>	Guatemala, Mexico.
Guan, Horned	<i>Oreophaps derbiamus</i>	Guatemala, Mexico.
Gull, Audouin's	<i>Larus audouinii</i>	Mediterranean.
Hawk, Anjouan Island sparrow	<i>Accipiter francesii pusillus</i>	Comoro Islands.
Hawk, Galapagos	<i>Buteo galapagoensis</i>	Ecuador: Galapagos Islands.
Honeyeater, Helmeted	<i>Meliphaga cassidix</i>	Australia.
Ibis, Japanese crested	<i>Nipponia nippon</i>	Japan, Korea, U.S.S.R., China.
Kagu	<i>Rhynchoceros jubatus</i>	New Caledonia.
Kakapo	<i>Strigops habroptilus</i>	New Zealand.
Kestrel, Mauritius	<i>Falco punctatus</i>	Mascarene Islands: Mauritius.
Kestrel, Seychelles	<i>Falco araea</i>	Seychelles.
Kite, Cuba hook-billed	<i>Chondrohierax wilsonii</i>	Cuba.
Kite, Grenada hook-billed	<i>Chondrohierax uncinatus mirus</i>	West Indies: Grenada.
Kokako	<i>Callaeas cinerea</i>	New Zealand.
Magpie-robin, Seychelles	<i>Copsychus sechellarum</i>	Seychelles.
Maleo	<i>Macrocephalon maleo</i>	Indonesia: Celebes.
Malikoh, Red-faced	<i>Phaenicophaeus pyrrhocephalus</i>	Ceylon.
Megapode, LaPerouse's	<i>Megapodius taperouse</i>	Palau Islands, Mariana Islands.
Monals (see Pheasant)		
Monarch, Timian	<i>Monarcha takatsukasae</i>	Mariana Islands: Tinian Island.
Ostrich, Arabian	<i>Struthio camelus syriacus</i>	Jordan, Saudi Arabia.
Ostrich, West African	<i>Struthio camelus spatzi</i>	Spanish Sahara.
Owl, Anjouan scops	<i>Otus rutilus capnodes</i>	Comoro Islands.
Owl, Seychelles	<i>Otus insularis</i>	Seychelles.
Owl, Palau	<i>Otus podargina</i>	Palau Island.
Owl, Mrs. Morden's	<i>Otus irenae</i>	Kenya.
Parakeet, Paradise	<i>Psephotus pulcherrimus</i>	New Zealand.
Parakeet, Forbes	<i>Cyanoramphus auriceps forbesi</i>	New Zealand.
Parakeet, Mauritius ring-necked	<i>Psittacula krameri echo</i>	Mauritius.

Common name	Scientific name	Where found
Parakeet, Ochre-marked	<i>Pyrrhura cruentata</i>	Brazil.
Parakeet, Golden-shouldered	<i>Psephotus chrysopterygius</i>	Australia.
Parakeet, Turquoise	<i>Neophema pulchella</i>	Do.
Parrot, Bahamas	<i>Amazona leucocephala bahamensis</i>	Bahamas.
Parrot, Ground	<i>Pezoporus wallicus</i>	Australia.
Parrot, Imperial	<i>Amazona imperialis</i>	West Indies: Dominica.
Parrot, Night	<i>Geopsittacus occidentalis</i>	Australia.
Parrot, Orange-bellied	<i>Neophema chrysogaster</i>	Do.
Parrot, Red-browed	<i>Amazona rhodocorytha</i>	Brazil.
Parrot, St. Lucia	<i>Amazona versicolor</i>	West Indies: St. Lucia.
Parrot, St. Vincent	<i>Amazona guildingii</i>	West Indies: St. Vincent.
Parrot, Scarlet-chested	<i>Neophema splendida</i>	Australia.
Parrot, Thick-billed	<i>Rhynchopsylla pachyrhyncha</i>	Mexico, United States.
Pelican, Brown	<i>Pelecanus occidentalis</i>	Mexico, United States, Panama, Puerto Rico, etc.
Penguin, Galapagos	<i>Spheniscus mendiculus</i>	Equador: Galapagos Islands.
Pheasant, Bar-tailed	<i>Symaticus himiae</i>	Burma, China.
Pheasant, Blyth's tragopan	<i>Tragopan blythii</i>	China, Burma, India.
Pheasant, Brown-eared	<i>Crossoptilon mantchuricum</i>	China.
Pheasant, Cabot's tragopan	<i>Tragopan caboti</i>	Do.
Pheasant, Chinese monal	<i>Lophophorus lhuysii</i>	Do.
Pheasant, Edward's	<i>Lophura edwardsi</i>	Vietnam.
Pheasant, Imperial	<i>Lophura imperialis</i>	Do.
Pheasant, Mikado	<i>Symaticus mikado</i>	Taiwan.
Pheasant, Palawan peacock	<i>Polyplectron emphanum</i>	Philippines.
Pheasant, Selater's monal	<i>Lophophorus sclateri</i>	China, Burma, India.
Pheasant, Swinhoe's	<i>Lophura swinhoei</i>	Taiwan.
Pheasant, Western tragopan	<i>Tragopan melanocephalus</i>	India, Pakistan.
Pheasant, White-eared	<i>Crossoptilon crossoptilon</i>	China, Tibet, India.
Pigeon, Azores wood	<i>Columba palumbus azorica</i>	Azores.
Pigeon, Chathan Island	<i>Hemiphaga novaeseelandiae chathamensis</i>	New Zealand.
Piopio	<i>Turnagra capensis</i>	Mascarene Islands: Reunion Island.
Plover, New Zealand shore	<i>Thinornis novaeseelandiae</i>	New Zealand.
Rail, Auckland Island	<i>Rallus pectoralis muelleri</i>	Do.
Rhea, Darwin's	<i>Pterocnemia pennata</i>	Argentina, Peru, Uruguay, Bolivia.
Robin, Chathan Island	<i>Petroica traversi</i>	New Zealand
Robin, Scarlet-breasted	<i>Petroica multicolor multicolor</i>	Australia: Norfolk Island.
Rock-Fowl, Grey-necked	<i>Picathartes oreas</i>	Cameroon.
Rock-Fowl, White-necked	<i>Picathartes gymnocephalus</i>	Togo to Sierra Leone.
Roller, Long-tailed ground	<i>Cratogeomys chimera</i>	Madagascar.
Scrub-bird, Noisy	<i>Atriphornis niger</i>	Australia.
Shama, Cebu black	<i>Copsychus niger cebuensis</i>	Philippines.
Shrike, Mauritius cuckoo	<i>Copsychus typicus</i>	Mascarene Islands: Mauritius.
Shrike, Reunion cuckoo	<i>Copsychus neotoni</i>	Mascarene Islands: Reunion Island.
Starling, Ponape Mountain	<i>Aplonis pelzelni</i>	Caroline Islands: Ponape Island.
Starling, Rothschild's	<i>Leucophaea rothschildi</i>	Indonesia: Bali.
Stork, White oriental	<i>Ciconia ciconia boyciana</i>	Japan, Korea, China, U.S.S.R.
Tern, California least	<i>Sterna albifrons browni</i>	Mexico, United States.
Thrasher, White-breasted	<i>Ramphocinclus brachyurus</i>	West Indies: Martinique, St. Lucia.
Tragopans (see Pheasants)		
Trembler, Martinique brown	<i>Cinlocerthia ruficauda gutturalis</i>	West Indies: Martinique.
Wanderer, Plain	<i>Pedionomus torquatus</i>	Australia.
Warbler, Bachman's	<i>Vermivora bachmanii</i>	Cuba, United States.
Warbler, Barbados yellow	<i>Dendroica petechia petechia</i>	West Indies: Barbados.
Warbler, Kirland's	<i>Dendroica kirlandii</i>	Bahamas, United States.
Warbler, Reed	<i>Acrocephalus luscini</i>	Mariana Islands.
Warbler, Rodrigues	<i>Bebrornis rodericanus</i>	Indian Ocean: Rodrigues Island.
Warbler, Sempers	<i>Lucopeza semperi</i>	West Indies: St. Lucia.
Warbler, Seychelles	<i>Bebrornis sechellensis</i>	Seychelles.
Whipbird, Western	<i>Psophodes nigrogularis</i>	Australia.
White-eye, Ponape great	<i>Rukia sanfordi</i>	Caroline Islands: Ponape.
White-eye, Seychelles	<i>Zosterops modestus</i>	Seychelles.
Woodpecker, Imperial	<i>Campephilus imperialis</i>	Mexico.
Woodpecker, Ivory-billed	<i>Campephilus principalis</i>	Cuba, United States.
Woodpecker, Tristram's	<i>Dryocopus javensis richardsi</i>	Korea.
Wren, Guadeloupe house	<i>Troglodytes aedon guadeloupensis</i>	West Indies: Guadeloupe
Wren, New Zealand bush	<i>Xenicus longipes</i>	New Zealand.
Wren, St. Lucia	<i>Troglodytes aedon mesoleucus</i>	West Indies: St. Lucia.
Mammals:		
Anoa	<i>Anoa depressicornis</i>	Indonesia.
Armadillo, Pink fairy	<i>Chlamyphorus truncatus</i>	Argentina.
Ass, African wild	<i>Equus asinus</i>	Ethiopia, Somalia, Sudan.
Ass, Asian wild	<i>Equus hemionus</i>	Pakistan, Iran, India, China, Afghanistan, Central Asia.
Ayahis (see Indris)		
Aye-aye	<i>Daubentonia madagascariensis</i>	Madagascar.
Bandicoot, Barred	<i>Perameles bougainville</i>	Australia.
Bandicoot, Desert	<i>Perameles eremiana</i>	Do.
Bandicoot, Rabbit	<i>Macrotis lagotis</i>	Do.
Bandicoot, Lesser rabbit	<i>Macrotis leucura</i>	Do.
Bandicoot, Pig-footed	<i>Chaeropus ecaudatus</i>	Do.
Banteng	<i>Bibos banteng</i>	Southeast Asia.
Bear, Mexican grizzly	<i>Ursus arctos nelsoni</i>	Mexico.
Bison, Wood	<i>Bison bison athabascæ</i>	Canada.
Cat, tiger	<i>Felis tigrina</i>	Costa Rica to northern South America.
Cheetah	<i>Acinonyx jubatus</i>	Africa, Asia Minor, India.
Clouded Leopard (see Leopard)		
Colobus, Red	<i>Colobus badius rufomitatus</i>	Kenya.
Colobus, Zanzibar red	<i>Colobus badius kirkii</i>	Tanzania: Zanzibar.
Deer, Bawean	<i>Helaphus kuhli (Cervus kuhli)</i>	Indonesia.
Deer, Brow-Antlered, Eld's	<i>Cervus eldi</i>	India, Southeast Asia.
Deer, Marsh	<i>Blastocercus dichotomus</i>	Argentina, Uruguay, Brazil, Paraguay.
Deer, McNeill's	<i>Cervus elaphus macneilli</i>	China, Tibet.
Deer, Persian fallow	<i>Dama dama mesopotamica</i>	Iraq, Iran.
Deer, Swamp	<i>Cervus duvauceli</i>	India, Nepal.
Dibatag, (see Gazelle, Clark's)		
Dibbler	<i>Antechinus apicalis</i>	Australia.
Dog, Asiatic wild	<i>Cuon alpinus</i>	U.S.S.R., India.
Dugong	<i>Dugong dugon</i>	East Africa to Ryukyu Islands.
Ferret, Black-footed	<i>Mustela nigripes</i>	United States, Canada.
Forester, Tasmanian	<i>Macropus giganteus tasmaniensis</i>	Australia.
Fox, Northern kit	<i>Vulpes velox hebes</i>	Canada.
Gaur (see Seladang)		
Gazelle, Clark's (Dibatag)	<i>Ammordorcas clarkii</i>	Somalia, Ethiopia.
Gazelle, Cuviers	<i>Gazella cuvieri</i>	Morocco, Tunisia.
Gazelle, Mhor	<i>Gazella dama mhor</i>	Morocco.

Common name	Scientific name	Where found
Quokka	<i>Setonix borchmuyrs</i>	Australia.
Rabbit Volcano	<i>Lepus arizonae</i>	Mexico.
Rat, Black-nose	<i>Rattus rattus</i>	Australia.
Rat, Felsa venter	<i>Xenomys xanthopus</i>	Do.
Rat-kangaroo, Brush-tailed	<i>Macrotis leucogaster</i>	Do.
Rat-kangaroo, Galmaur's	<i>Macrotis lagotis</i>	Do.
Rat-kangaroo, Ismaur's	<i>Macrotis leucogaster</i>	Do.
Rat-kangaroo, Plain	<i>Macrotis lagotis</i>	Do.
Rat-kangaroo, Queensland	<i>Macrotis lagotis</i>	Do.
Rhin (see Gazelle, Slender-horned)		
Rhinoceros, Great Indian	<i>Rhinoceros unicornis</i>	India, Nepal.
Rhinoceros, Java	<i>Rhinoceros sondaicus</i>	Indonesia, Burma, Thailand.
Rhinoceros, Northern white	<i>Ceratotherium simum cottoni</i>	Zaire, Uganda, Sudan, Central African Republic.
Rhinoceros, Sumatran	<i>Dicerorhinus sumatrensis</i>	Southeast Asia—Bangladesh to Vietnam to Indonesia (Borneo).
Saki, White-nosed	<i>Chlorocebus albinaeus</i>	Brazil.
Mediterranean monk	<i>Macaca monachus</i>	Mediterranean, Northwest African Coast and Black Sea.
Soledang (Gaur)	<i>Bos gaurus</i>	India, Southeast Asia, Bangladesh.
Shawl, Barbary	<i>Felis serval constantina</i>	Algeria.
Shou	<i>Cervus elaphus wallichi</i>	Tibet, Bhutan.
Sloth (see Iridris)		
Sloth, Brazilian three-toed	<i>Bradypus torquatus</i>	Brazil.
Snow Leopard (see Leopard)		
Solenodon, Cuban	<i>Atopogale cubana</i>	Cuba.
Solenodon, Haitian	<i>Solenodon paradoxus</i>	Dominican Republic, Haiti.
Stag, Barbary	<i>Cervus elaphus barbarus</i>	Tunisia, Algeria.
Stag, Kashmir	<i>Cervus elaphus kashmiri</i>	Kashmir.
Tamarav	<i>Anoa mindorensis</i>	Philippines.
Tamarin, Golden-rumped (golden-headed tamarin; golden lion marmoset)	<i>Leontideus spp. (all species)</i>	Brazil.
Tapir, Brazilian	<i>Tapirus terrestris</i>	Venezuela, Argentina, Brazil, Colombia.
Tapir, Central America	<i>Tapirus bairdii</i>	Southern Mexico to Colombia and Ecuador.
Tapir, Mountain	<i>Tapirus pinchaque</i>	Colombia, Ecuador, Peru.
Thylacine (see Tiger, Tasmanian)		
Tiger	<i>Panthera tigris</i>	Central Asia, China, and Korea to India, Indonesia, and Malaysia.
Tiger, Tasmanian (Thylacine)	<i>Thylacynus cynocephalus</i>	Australia.
Tiger Cat (see Cat, Tiger)		
Uakari	<i>Cacajao spp. (all species)</i>	Peru, Colombia, Brazil, Venezuela, Ecuador.
Vienna	<i>Viverra zibetha</i>	Peru, Bolivia, Argentina.
Wallaby, Banded hare	<i>Lagostrophus fasciatus</i>	Australia.
Wallaby, Brindled nail-tail	<i>Ongolegale frenata</i>	Do.
Wallaby, Crescent nail-tail	<i>Ongolegale lunata</i>	Do.
Wallaby, Farna	<i>Macropus parma</i>	Do.
Wallaby, Western hare	<i>Lagorchestes leiranthus</i>	Do.
Wallaby, Yellow-footed rock	<i>Petrogale xanthopus</i>	Do.
Whale, Blue	<i>Balaenoptera musculus</i>	Oceanic.
Whale, Bowhead	<i>Balaena mysticetus</i>	Do.
Whale, Finback	<i>Eschrichtia physalus</i>	Do.
Whale, Gray	<i>Eschrichtia globosus</i>	Do.
Whale, Humpback	<i>Megaptera novaeangliae</i>	Do.
Whale, Right	<i>Subcetacea spp.</i>	Do.
Whale, Sei	<i>Balaenoptera borealis</i>	Do.
Whale, Sperm	<i>Physeter catodon</i>	Do.
Wall, Mined	<i>Caryacyon trachyrus</i>	Brazil, Bolivia, Paraguay, Argentina.
Wombat, Burmud's	<i>Lasiorhinus burmudi</i>	Australia.
Wombat, Queensland hairy-nosed	<i>Lasiorhinus hirsutus</i>	Do.
Yak, Wild	<i>Bos grunniens mutus</i>	Tibet, India.

Common name	Scientific name	Where found
Gazelle, Moroccan Dorcas	<i>Gazella dorcas nasaceryla</i>	Morocco, Algeria.
Gazelle, Rio de Oro Dama	<i>Gazella dama laseni</i>	Spanish Sahara.
Gazelle, Slender-horned (Ruhm)	<i>Gazella leptoceros</i>	Sudan, Algeria, Egypt, Libya.
Gibbon, Kloss	<i>Hylodactylus klossi</i>	Indonesia.
Gorilla	<i>Gorilla gorilla</i>	Loos, Thailand, Cambodia, Central and Western Africa.
Gorilla, Pileated	<i>Gorilla gorilla</i>	Ethiopia.
Hartbeest, Swayne's	<i>Alcelaphus buselaphus swaynei</i>	India, Nepal, Bhutan, Sikkim.
Hog, Pygmy	<i>Sus salicinctus</i>	Morocco.
Hyena, Barbary	<i>Hyaena hyaena barbata</i>	Spain.
Hyena, Brown	<i>Hyaena brunnea</i>	South Africa.
Ibox, Pyrenean	<i>Capra pyrenaica pyrenaica</i>	Ethiopia.
Ibox, Walla	<i>Capra walli</i>	Southwest Africa, Angola.
Impala, Black-faced	<i>Aepyceros melampus geleri</i>	Madagascar and Comoro Islands.
Indris, Sifakas, Awahis	Indridae; all members of the Genus	
Jaguar	<i>Panthera onca</i>	Central and South America.
Kit fox (see Fox, Kit)		
Kouprey	<i>Bos sauveli</i>	Cambodia.
Langur, Douc	<i>Pygathrix nemaeus</i>	Indochina: China and Hainan Island.
Langur, Pagi Island	<i>Simias concolor</i>	Indonesia.
Lechwe, Black	<i>Kobus leche smithemani</i>	Zambia.
Lemurs	Lemuridae; all members of the genera	
Lemur, Hapalemur, Lepilemur, Chiroptaleus, Microcebus, Phaner		Madagascar and Comoro Islands.
Leopard	<i>Panthera pardus</i>	Africa, Asia Minor, India, Southeast Asia, Korea.
Leopard, Formosan clouded	<i>Neofelis nebulosa brachyurus</i>	Taiwan.
Leopard, Snow	<i>Panthera uncia</i>	Central Asia.
Lion, Asiatic	<i>Panthera leo persica</i>	India.
Lynx, Spanish	<i>Lynx lynx pardina</i>	Spain.
Macaque, Lion-tailed	<i>Macaca silenus</i>	India.
Manatee, Amazonian	<i>Tritichechus inunguis</i>	Amazon Basin.
Manatee, West Indian (Florida)	<i>Tritichechus manatus</i>	Caribbean, northern South America.
Mangabey, Tana River	<i>Cercocebus galerritus galerritus</i>	Kenya.
Margay	<i>Felis wiedii</i>	Brazil, Colombia, Ecuador, Peru.
Marmoset, Gould's	<i>Callitico gouldii</i>	Brazil.
Marmoset, Golden Lion (see Tamarin)		
Marsupial, Eastern Jarboa	<i>Antechinus myzomeris</i>	Australia.
Marsupial-mouse, Largo desert	<i>Sminthopsis psammophila</i>	Do.
Marsupial-mouse, Long-tailed	<i>Sminthopsis longicaudata</i>	Do.
Marten, Formosan yellow-throated	<i>Martes flaviventris caryocarpa</i>	Taiwan.
Mexican Prairie Dog (see Prairie Dog, Mexican)		
Monkey, Seal—Mediterranean (Monkey, Spider)	<i>Atelafis geoffroyi frontatus</i>	Costa Rica, Nicaragua.
Do.	<i>Atelafis geoffroyi panamensis</i>	Costa Rica, Panama.
Monkey, Red-backed squirrel	<i>Saimiri sciureus sciureus</i>	Do.
Monkey, Woolly spider	<i>Brachyteles arachnoides</i>	Brazil.
Mongoose, Flat	<i>Pseudomys fieldi</i>	Australia.
Mongoose, Gould's	<i>Pseudomys gouldii</i>	Do.
Mongoose, New Holland	<i>Pseudomys novaehollandiae</i>	Do.
Mongoose, Shark Bay	<i>Pseudomys praecox</i>	Do.
Mongoose, Shortridge's	<i>Pseudomys shortridgei</i>	Do.
Mongoose, Smoky	<i>Pseudomys fumus</i>	Do.
Mongoose, Western	<i>Pseudomys occidentalis</i>	Do.
Native-cat, Eastern	<i>Nyctarctus macrotis</i>	Do.
Numbat	<i>Mylodon darwini</i>	Do.
Ocelot	<i>Panthera onca</i>	Central and South America.
Orang utan	<i>Pongo pygmaeus</i>	Indonesia, Malaysia, Brunei.
Oryx, Common	<i>Oryx capensis</i>	Arabia, Namibia.
Otter, Gulo Plate	<i>Pteropus brattlemis</i>	Caribbean.
Otter, Lya Plate	<i>Lutra elata</i>	South America.
Platigale, Little	<i>Platigale subulifera</i>	Uruguay, Argentina, Bolivia, Brazil.
Platigale, Southern	<i>Platigale tenuirostris</i>	Australia.
Possum, Mountain pigmy	<i>Chaeromys subulifera</i>	Brazil.
Possum, Seal-tailed	<i>Burramys parvus</i>	Australia.
Prairie Dog, Mexican	<i>Vulpes squamimanus</i>	Do.
Proughorn, Sonoran	<i>Cynomys lazionus</i>	Mexico.
	<i>Antilocapra americana sonoriensis</i>	Mexico, United States.

§ 17.12 Endangered native wildlife.

After consultation with the appropriate States and after having reviewed the advice and recommendations of interested persons and organizations as appropriate, the Secretary has determined, in accordance with the provisions of 16 U.S.C. 668aa(c), the following species or subspecies of native wildlife to be threatened with extinction within the territory of the United States. The presence of a trinomial (third word) in the "scientific name" column identifies that animal as a subspecies. The "common name" column contains the most generally accepted names in the English language. When two or more common names for a species are in common usage, the most widely used one is placed first, followed by others in parentheses. The public should be aware that common and commercial names may vary from local usage. If one or more subspecies of a species are listed, it indicates that the species as a whole is not endangered although the named subspecies are.

COMMON NAME AND SCIENTIFIC NAME

Fishes:
 Bonytail, Pahranagat; *Gila robusta jordani*.
 Chub, humpback; *Gila cypha*.
 Chub, Mohave; *Siphateles mohavensis*.
 Cisco, longjaw; *Coregonus alpenae*.
 Cul-ui; *Oasmistes cufus*.
 Dace, Kendall Warm Springs; *Rhinichthys osculus thermalis*.
 Dace, Moapa; *Moapa coriacea*.
 Darter, fountain; *Etheostoma fonticola*.
 Darter, Maryland; *Etheostoma sellare*.
 Darter, Okaloosa; *Etheostoma okaloosae*.
 Darter, watercress; *Etheostoma nuchale*.
 Gambusia, Big Bend; *Gambusia gaigei*.
 Gambusia, Clear Creek; *Gambusia heterochir*.
 Gambusia, Peocos; *Gambusia nobolis*.
 Killifish, Pahump; *Empetrichthys latos*.
 Pike, blue; *Stizostedion vitreum glaucum*.
 Pupfish, Comanche Springs; *Cyprinodon elegans*.
 Pupfish, Devil's Hole; *Cyprinodon diabolis*.
 Pupfish, Owen River; *Cyprinodon radiosus*.
 Pupfish, Tecopa; *Cyprinodon nevadensis calidae*.
 Pupfish, Warm Springs; *Cyprinodon nevadensis pectoralis*.
 Squawfish, Colorado River; *Ptychocheilus lucius*.
 Stickleback, unarmored threespine; *Gasterosteus aculeatus williamsoni*.
 Sturgeon, shortnose; *Acipenser brevirostrum*.
 Topminnow, Gila; *Poeciliopsis occidentalis*.
 Trout, Arizona (Apache); *Salmo sp.*
 Trout, Gila; *Salmo gilae*.
 Trout, greenback cutthroat; *Salmo clarki stomias*.
 Trout, Lahontan cutthroat; *Salmo clarki henshawi*.
 Trout, Palute cutthroat; *Salmo clarki lenitris*.
 Woundfin; *Plagopherus argentissimus*.
Reptiles and amphibians:
 Alligator, American; *Alligator mississippiensis*.
 Boa, Puerto Rican; *Epicrates inornatus*.
 Lizard, blunt-nosed leopard; *Crotaphytus silus*.
 Salamander, desert slender; *Batrachoseps aridus*.
 Salamander, Santa Cruz long-toed; *Ambystoma macrodactylum croceum*.
 Salamander, Texas blind; *Typhlomolge rathbuni*.
 Snake, San Francisco garter; *Thamnophis sirtalis tetrataenia*.
 Toad, Houston; *Bufo houstonensis*.

Birds:
 Akepa, Hawaii (akepa); *Loxops coccinea coccinea*.
 Akepa, Maui (akepuie); *Loxops coccinea ochracea*.
 Akiakoa, Kauai; *Hemignathus procerus*.
 Akiapolaau; *Hemignathus wilsoni*.
 Bobwhite, masked; *Colinus virginianus ridgwayi*.
 Condor, California; *Gymnogyps californianus*.
 Coot, Hawaiian; *Fulica americana alai*.
 Crane, Mississippi sandhill; *Grus canadensis pulla*.
 Crane, whooping; *Grus americana*.
 Crow, Hawaiian (alala); *Corvus tropicus*.
 Creeper, Molokai (kakawahie); *Loxops maculata flammea*.
 Creeper, Oahu (alauwahio); *Loxops maculata maculata*.
 Curlew, Eskimo; *Numenius borealis*.
 Duck, Hawaiian (koloa); *Anas wyvilliana*.
 Duck, Laysan; *Anas laysanensis*.
 Duck, Mexican; *Anas diazi*.
 Eagle, Southern bald; *Haliaeetus leucocephalus leucocephalus*.
 Falcon, American peregrine; *Falco peregrinus anatum*.
 Falcon, Arctic peregrine; *Falco peregrinus tundrius*.
 Finches, Laysan and Nihoa; *Psittirostra cantans*.
 Gallinule, Hawaiian; *Gallinula chloropus sandvicensis*.
 Goose, Aleutian Canada; *Branta canadensis leucopareia*.
 Goose, Hawaiian (nene); *Branta sandvicensis*.
 Hawk, Hawaiian (io); *Buteo solitarius*.
 Kite, Florida Everglade (snail kite); *Rostrhamus sociabilis plumbeus*.
 Honeycreeper, crested (akohekohe); *Palmeria dolei*.
 Millerbird, Nihoa; *Acrocephalus kingi*.
 Nukupuu, Kauai and Maui; *Hemignathus lucidus*.
 Oo, Kauai (oo aa); *Moho braccatus*.
 Ou; *Psittirostra psittacea*.
 Pailia; *Psittirostra baillieui*.
 Parrot, Puerto Rican; *Amazona vittata*.
 Parrotbill, Maui; *Pseudonestor xanthophrys*.
 Pelican, brown; *Pelecanus occidentalis*.
 Petrel, Hawaiian dark-rumped; *Pterodroma phaeopygia sandwichensis*.
 Pigeon, Puerto Rican plain; *Columba inornata wetmorei*.
 Prairie Chicken, Attwater's greater; *Tympanuchus cupido attwateri*.
 Rail, California clapper; *Rallus longirostris obsoletus*.
 Rail, light-footed clapper; *Rallus longirostris levipes*.
 Rail, Yuma clapper; *Rallus longirostris yumanensis*.
 Sparrow, Cape Sable; *Ammospiza mirabilis*.
 Sparrow, dusky seaside; *Ammospiza migracens*.
 Sparrow, Santa Barbara; *Melospiza melodia graminea*.
 Stilt, Hawaiian; *Himantopus himantopus knudseni*.
 Tern, California least; *Sterna albifrons browni*.
 Thrush, large Kauai; *Phaeornis obscurus myadestina*.
 Thrush, Molokai (olomau); *Phaeornis obscurus rutha*.
 Thrush, small Kauai (pualohi); *Phaeornis palmeri*.
 Warbler, Bachman's; *Vermivora bachmanii*.
 Warbler, Kirtland's; *Dendroica kirtlandii*.
 Whip-poor-will, Puerto Rican; *Caprimulgus noctitherus*.
 Woodpecker, ivory-billed; *Campephilus principalis*.
 Woodpecker, red-cockaded; *Dendrocopos borealis*.

Mammals:
 Bat, Hawaiian hoary; *Lasiurus cinereus semotus*.
 Bat, Indiana; *Lyotis sodalis*.
 Cougar, Eastern; *Felis concolor cougar*.
 Deer, Columbian white-tailed; *Odocoileus virginianus leucurus*.
 Deer, Key; *Odocoileus virginianus clavium*.
 Ferret, black-footed; *Mustela nigripes*.
 Fox, San Joaquin kit; *Vulpes macrotis mutica*.
 Manatee, Florida (sea cow); *Trichechus manatus latirostris*.
 Mouse, salt marsh harvest; *Reithrodontomys raviventris*.
 Panther, Florida; *Felis concolor coryi*.
 Prairie Dog, Utah; *Cynomys parvidens*.
 Pronghorn, Sonoran; *Antilocapra americana sonoriensis*.
 Rat, Morro Bay kangaroo; *Dipodomys heermanni morroensis*.
 Squirrel, Delmarva Peninsula fox; *Sciurus niger cinereus*.
 Wolf, Eastern timber; *Canis lupus lycaon*.
 Wolf, Northern Rocky Mountain; *Canis lupus irremotus*.
 Wolf, red; *Canis rufus*.

§ 17.13 Amendments of the list of endangered wildlife.

(a) The lists of endangered foreign wildlife (§ 17.11) and endangered native wildlife (§ 17.12) may be revised from time to time as additional data become available which show, to the Secretary's satisfaction, that a species or subspecies should be added to or removed from either list.

(b) The Director shall receive and maintain data regarding endangered species and subspecies of wildlife and at least once every 5 years, will conduct a thorough review of the lists of endangered wildlife. Any revisions of the lists which are proposed by the Secretary as the result of such review or otherwise will be published in the FEDERAL REGISTER, which notice shall give interested persons not less than 30 days to submit written comments and suggestions.

(c) At any time any interested person may submit a request for a review of any particular listed or nonlisted species or subspecies. Such requests must be dated and in writing, and should be submitted to the Director. The request must contain the following information:

- (1) Name and address of the person making the request;
- (2) Association, organization, or business, if any, represented by the person making the request;
- (3) Reasons why the person making the request, or the person he represents, should be considered to be an "interested person";
- (4) Designation of the particular species or subspecies in question by common and scientific name;
- (5) Narrative explanation of the request for review and justification for a change in the status of the species or subspecies as aforesaid in question;
- (6) Scientific, commercial, or other data believed to support the request; and
- (7) Signature of the person making the request.

If it is determined that substantial evidence has been presented which warrants a review, a finding to that effect

shall be published in the FEDERAL REGISTER. Such notice shall give all interested persons an opportunity to submit information on the status of the species or subspecies under review in such form or manner as may be specified.

Subpart C—Endangered Wildlife Importation Permits

§ 17.21 General permit requirement.

No person shall import from any foreign country and species or subspecies of wildlife which the Secretary has determined to be threatened with worldwide extinction, as evidenced by its inclusion on the list of endangered foreign wildlife (§ 17.11) without a valid permit issued pursuant to this subpart C.

§ 17.22 Economic hardship permits.

The Director may, upon receipt of an application and in accordance with the issuance criteria of this section, issue a permit authorizing importation of endangered foreign wildlife to prevent undue economic hardship.

(a) *Application procedure.*—Applications for permits to import endangered foreign wildlife to prevent undue economic hardship shall be submitted by letter of application to the Director. Each such application must contain the general information and certification required by § 13.12(a) of this subchapter plus the following additional information:

(1) Common and scientific names of the species or subspecies, number, and description (e.g., tanned hides), of the wildlife to be covered in the permit;

(2) Purpose of the importation;

(3) A full statement of the facts, circumstances and reasons why failure to grant a permit under this section would lead to undue economic hardship, together with all supporting documents, including certified copies of all relevant contracts, correspondence, financial commitments, and current and historical financial data which show the dollar amount of anticipated loss or economic hardship;

(4) A full statement of the applicant's involvement with the importation of the same or similar species or subspecies of wildlife during the calendar year immediately preceding the date the proposal to list such species or subspecies as endangered was published in the FEDERAL REGISTER and the same information for the period between the date the proposed listing was published in the FEDERAL REGISTER and the date the actual determination that the species or subspecies was endangered. This statement should include certified copies of all relevant contract, correspondence, and financial data pertaining to such importations;

(5) The economic and legal alternatives available to the applicant;

(6) Method of shipment;

(7) If live wildlife is involved, a detailed description of the type, size, and construction of the container; arrangements for feeding, watering, and otherwise caring for the wildlife in transit;

and the arrangements for caring for the wildlife on importation into the United States must be included;

(8) Date the importation is expected to occur; and

(9) Designated port of entry through which the importation will be made.

(b) *Additional permit conditions.*—In addition to the general conditions set forth in part 13 of this subchapter B, permits to import endangered wildlife to prevent undue economic hardship shall be subject to the following conditions:

(1) In addition to any reporting requirements set forth in the permit, a report of the importations made under authority of such permit shall be submitted in writing to the Director within 10 days following such importation.

(2) The death or escape of any living wildlife imported under the authority of such permit shall be reported to the Bureau's Office of Endangered Species and International Activities (phone 202-343-5687) immediately. The carcass of any such wildlife which die or are killed should be retained in such a manner as not to impair its use as a scientific specimen.

(c) *Issuance criteria.*—The Director shall consider the following in determining whether to issue a permit to import endangered foreign wildlife to prevent undue economic hardship:

(1) The direct or indirect effect which issuing such permit would be likely to have upon the wild populations of the wildlife;

(2) The severity of the economic hardship that likely would result should the permit not be issued;

(3) Evidence that the applicant had entered into a valid, binding contract to import into the United States the wildlife in question and that such contract had been concluded prior to the date on which the wildlife was listed as endangered pursuant to § 17.11;

(4) Whether the contract referred to in paragraph (c) (3) of this section had been entered into during the period between publication in the FEDERAL REGISTER of the proposal to list such species as endangered and the date of actual determination that the species or subspecies was endangered or during a period when the applicant would otherwise likely have known the wildlife in question would be determined to be endangered;

(5) Whether it appears the applicant can reasonably effect the importation within 1 year from the date on which the wildlife in question was listed as endangered in § 17.11; and

(6) The economic, legal or other alternatives or relief available to the applicant.

(d) *Tenure of permits.*—The tenure of permits to import endangered foreign wildlife to prevent undue economic hardship shall be designated on the face of the permit, but in no case shall extend beyond 1 year following the addition of that species or subspecies to the list of endangered foreign wildlife in § 17.11.

§ 17.23 Zoological, educational, scientific, or propagation permits.

The Director may, upon receipt of an application and in accordance with the issuance criteria of this section, issue a permit authorizing the importation of endangered foreign wildlife for zoological, scientific, or educational purposes, or for the propagation of such wildlife in captivity.

(a) *Application procedures.*—Application for permits to import endangered foreign wildlife for zoological, educational, scientific, or propagational purposes shall be submitted by letter of application to the Director. Each such application must contain the general information and certification required by § 13.12(a) of this subchapter plus the following additional information:

(1) Common and scientific names of the species or subspecies, number, age, and sex of the wildlife to be covered in the permit;

(2) Copy of the contract or other agreement under which such wildlife is to be imported, showing the country of origin, name and address of the seller or consignor, date of the contract, number and weight (if available), and description of the wildlife;

(3) A full statement of justification for the permit, including details of the project or other plans for utilization of the wildlife in relation to zoological, educational, scientific, or propagational purposes as appropriate and the planned disposition of the wildlife upon termination of the project;

(4) A description and the address of the institution or other facility where the wildlife will be used or maintained;

(5) A statement that at the time of application the wildlife to be imported is still in the wild, was born in captivity, or has been removed from the wild;

(6) A résumé of the applicant's attempts to obtain the wildlife to be imported from sources which would not cause the death or removal of additional animals from the wild, if appropriate; and

(7) If live wildlife is to be imported, include:

(i) A complete description, including photographs or diagrams, of the area and facilities in which the wildlife will be housed;

(ii) A brief résumé of the technical expertise available, including any experience the applicant or his personnel have had in propagating the species or closely related species to be imported;

(iii) A statement of willingness to participate in a cooperative breeding program and maintain or contribute data to a studbook; and

(iv) A detail description of the type, size, and construction of the container; arrangements for feeding, watering, and otherwise caring for the wildlife in transit; and the arrangements for caring for the wildlife on importation into the United States.

(b) *Additional permit condition.*—In addition to the general conditions set

forth in part 13 of this subchapter B, permits to import endangered foreign wildlife for scientific, educational, or zoological purposes or for the purpose of propagation of such wildlife in captivity shall be subject to the following conditions:

(1) In addition to any reporting requirements set forth in the permit, a report of the importation made under authority of any such permit shall be submitted in writing to the Director. Such report must be postmarked or actually delivered no later than 10 days following each such importation.

(2) The death or escape of any living wildlife imported under the authority of such permit shall be reported to the Bureau's Office of Endangered Species and International Activities immediately. The carcass of any such wildlife which die or are killed should be retained in such a manner as not to impair its use as a scientific specimen.

(c) *Issuance criteria.*—The Director shall consider, among other criteria, the following in determining whether to issue a permit to import endangered foreign wildlife for scientific, educational, or zoological purposes or for the purpose of propagation of such wildlife in captivity:

(1) The direct or indirect effect which issuing such a permit would be likely to have upon the wild populations of the wildlife;

(2) Whether the purpose for which the permit is being requested would likely reduce the severity of the threat of extinction facing the subject species or subspecies;

(3) Opinions or views of scientists or other persons or organizations knowledgeable of the wildlife to be imported or of other matters germane to the application;

(4) Whether the expertise, facilities or other resources available to the applicant appear adequate to successfully accomplish the objectives stated in the application; and

(5) Whether the purpose for which the permit is being requested is adequate to justify the removal of the wildlife from the wild or otherwise change its status.

(d) *Tenure of permits.*—The tenure of permits to import endangered foreign wildlife for scientific, educational, or zoological purposes or for the purpose of propagation of such wildlife in captivity shall be designated on the face of the permit.

PART 19—AIRBORNE HUNTING

Subpart A—Introduction

- Sec. 19.1 Purpose of regulations.
- 19.2 Scope of regulations.
- 19.3 Relation to other laws.
- 19.4 Definitions.

Subpart B—Prohibitions

- 19.11 General prohibition.
- 19.12 Exceptions to general prohibition.

Subpart C—Federal Permits

- Sec. 19.21 Limitation on Federal permits.

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- 19.31 State permits.
- 19.32 Annual reporting requirements.

AUTHORITY: Fish and Wildlife Act of 1956, 85 Stat. 480, as amended, 86 Stat. 905 (16 U.S.C. 742j-1).

Subpart A—Introduction

§ 19.1 Purpose of regulations.

The regulations contained in this part provide rules relative to the prohibition against shooting or harassing of wildlife from any aircraft, provide the requirements for the contents and filing of annual reports by the States regarding permits issued for such shooting or harassing, and provide regulations necessary for effective enforcement of the Fish and Wildlife Act of 1956 as amended (16 U.S.C. 742a-j-1).

§ 19.2 Scope of regulations.

The regulations contained in this part apply to all persons within the territorial jurisdiction of the United States, to all United States citizens whether within the territorial jurisdiction of the United States or on the high seas or on board aircraft in flight over the high seas, and to all persons on board aircraft belonging in whole or in part to any United States citizen, firm, or partnership, or corporation created by or under the laws of the United States, or any State, territory or possession thereof.

§ 19.3 Relation to other laws.

The exemptions to general prohibitions of the Fish and Wildlife Act of 1956, that permit airborne hunting in certain circumstances (See Subpart B of this part) do not supersede, or authorize the violation of, other laws designed for the conservation or protection of wildlife, including those laws prohibiting the shooting or harassing of bald and golden eagles, polar bears and other marine mammals, migratory birds, and other wildlife, *except* to the extent that airborne hunting is authorized by regulations or permits issued under authority of those laws. [See e.g., § 21.41 of this Subchapter]

§ 19.4 Definitions.

In addition to definitions contained in Part 10 of this subchapter, and unless the context otherwise requires, in this Part 19:

"*Harass*" means to disturb, worry, molest, rally, concentrate, harry, chase, drive, herd or torment.

Subpart B—Prohibitions

§ 19.11 General prohibition.

(a) Except as otherwise authorized by the Fish and Wildlife Act of 1956 as amended, no person shall:

(1) While airborne in any aircraft shoot or attempt to shoot for the purpose of capturing or killing any wildlife;

(2) Use an aircraft to harass any wildlife; or

(3) Knowingly participate in using an aircraft whether in the aircraft or on the ground for any purpose referred to in paragraph (a) (1) or (2):

(b) The acts prohibited in this section include, but are not limited to, any person who—

(1) Pilots or assists in the operation of an aircraft from which another person shoots or shoots at wildlife while airborne, or

(2) While on the ground takes or attempts to take any wildlife by means, aid, or use of an aircraft.

§ 19.12 Exceptions to general prohibitions.

The prohibitions of the preceding section shall not apply to any person who—

(1) Is acting within the scope of his official duties as an employee or authorized agent of a State or the United States to administer or protect or aid in the administration or protection of land, water, wildlife, livestock, domesticated animals, human life or crops; or

(2) Is acting within the limitations of a permit referred to in §§ 19.21 or 19.31 of this part.

Subpart C—Federal Permits

§ 19.21 Limitation on Federal permits.

No Federal permits will be issued to authorize any person to hunt, shoot, or harass any wildlife from an aircraft, except for Federal permits to scare or herd migratory birds referred to in § 21.41 of this subchapter.

Subpart D—State Permits and Annual Report Requirements

§ 19.31 State permits.

(a) Except as provided in § 19.3, States may issue permits to persons to engage in airborne hunting or harassing of wildlife for purposes of administering or protecting land, water, wildlife, livestock, domestic animals, human life or crops. States may not issue permits for the purpose of sport hunting.

(b) Upon issuance of a permit by a State to a person pursuant to this section, the issuing authority will provide immediate notification to the Special Agent in Charge having jurisdiction according to § 10.22.

§ 19.32 Annual reporting requirements.

(a) Any State issuing permits to persons to engage in airborne hunting or harassing of wildlife or any State whose employees or agents participate in airborne hunting or harassing of wildlife for purposes of administering or protecting land, water, wildlife, livestock, domestic animals, human life or crops, shall file with the Director, an annual report on or before July 1 for the preceding calendar year ending December 31.

(b) The annual report required by this section shall contain the following information as to each such permit issued:

(1) The name and address of each person to whom a permit was issued.