U.S. Fish and Wildlife Serv., Interior

§ 21.21 Import and export permits.

(a) Permit requirement. Except as provided in paragraphs (b), (c), and (d) of this section, you must have a permit to import or export migratory birds, their parts, nests, or eggs. You must meet the applicable permit requirements of the following parts of this subchapter B, even if the activity is exempt from a migratory bird import or export permit:

(1) 13 (General Permit Procedures);
(2) 14 (Importation, Exportation, and Transportation of Wildlife);
(3) 15 (Wild Bird Conservation Act);
(4) 17 (Taking, Possession, Transportation, Sale, Purchase, Barter, Exportation, and Importation of Wildlife and Plants);
(5) 20 (Migratory Bird Hunting);
(6) 21 (Migratory Bird Permits);
(7) 22 (Eagle Permits); and
(8) 23 (Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)).

(b) Exception to the import permit requirements. If you comply with the requirements of parts 14, 20, and 23 of this subchapter B, you do not need a migratory bird permit to import or possess migratory birds in the families Anatidae, Columbidae, Gruidae, Rallidae, and Scolopacidae for personal use that were lawfully hunted by you in a foreign country. The birds may be carcasses, skins, or mounts. You must provide evidence that you lawfully took the bird or birds in, and exported them from, the country of origin. This evidence must include a hunting license and any export documentation required by the country of origin. You must keep these documents with the imported bird or birds permanently.

c) General exceptions to the export permit requirements. You do not need a migratory bird export permit to:

(1) Export live, captive-bred migratory game birds (see § 20.11 of this subpart) to Canada or Mexico if they are marked by one of the following methods:

   (i) Removal of the hind toe from the right foot;
   (ii) Pinioning of a wing by removal of all or some of the metacarpal bones of one wing, which renders the bird permanently incapable of flight;
   (iii) Banding of one metatarsus with a seamless metal band; or
   (iv) A readily discernible tattoo of numbers and/or letters on the web of one foot.

(2) Export live, lawfully-acquired, captive-bred raptors provided you hold a valid raptor propagation permit issued under § 21.30 and you obtain a CITES permit or certificate issued under part 23 to do so. You must have full documentation of the lawful origin of each raptor, and each must be identifiable with a seamless band issued by the Service, including any raptor with an implanted microchip for identification.

(d) Falconry birds covered under a CITES “pet passport.” You do not need a migratory bird import or export permit to temporarily export and subsequently import a raptor or raptors you lawfully possess for falconry to and from another country for use in falconry when the following conditions are met:
§ 21.22 Banding or marking permits.

(a) Permit requirement. A banding or marking permit is required before any person may capture migratory birds for banding or marking purposes or use official bands issued by the Service for banding or marking any migratory bird.

(b) Application procedures. Applications for banding or marking permits shall be submitted by letter of application addressed to the Bird Banding Laboratory, Office of Migratory Bird Management, U.S. Fish and Wildlife Service, Laurel, Maryland 20708. Each application package must include a completed application (form 3–200–6, or 3–200–7 if the import or export is associated with an application for a scientific collecting permit), and a check or money order made payable to the U.S. Fish and Wildlife Service in the amount of the application fee for permits issued under this section, as listed in §13.11 of this chapter. After we receive a completed import or export application, the Regional Director will decide whether to issue you a permit based on the general criteria of §13.21 of this chapter, and whether you meet the following requirements:

(1) You are at least 18 years of age;
(2) The bird was lawfully acquired;
(3) The purpose of the import or export is consistent with the conservation of the species; and
(4) For an import permit, whether you are authorized to lawfully possess the migratory bird after it is imported.

(h) Are there standard conditions for the permit? Yes, standard conditions for your permit are set forth in part 13 of this subchapter B. You must also comply with the regulations in part 14 (Importation, Exportation, and Transportation of Wildlife). We may place additional requirements or restrictions on your permit as appropriate.

(i) Term of a migratory bird import and export permit. Your migratory bird import or export permit will be valid for not more than 5 years. It will expire on the date designated on its face unless it is amended or revoked.