

Frequently Asked Questions
Parrot Species Listed Under the Endangered Species Act

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GENERAL FAQs

What is the process for adding a species to the list of threatened and endangered species under the Endangered Species Act (ESA)?

In order for a plant or animal species can receive the protection provided under the ESA, it must be added to the Federal Lists of Threatened and Endangered Wildlife and Plants. A species is added to the list when it is determined to be endangered or threatened because of any of the following factors:

- a) the present or threatened destruction, modification or curtailment of its habitat or range;
- b) overutilization for commercial, recreational, scientific or educational purposes;
- c) disease or predation;
- d) the inadequacy of existing regulatory mechanisms; or
- e) other natural or manmade factors affecting its continued existence.

An endangered species is defined as one “in danger of extinction throughout all or a significant portion of its range.”

A threatened species is defined as one “likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.”

The process of listing begins in one of two ways: through the petition process or the candidate assessment process. The ESA provides that any interested person may petition the Secretary of the Interior to add a species to, or to remove a species from, the lists of threatened and endangered wildlife and plants. Through the candidate assessment process, U.S. Fish and Wildlife Service biologists identify species that may warrant listing. For a detailed description of the listing process, see the Listing a Species as Threatened or Endangered, Section 4 of the ESA fact sheet at <http://www.fws.gov/endangered/esa-library/pdf/listing.pdf>.

What protections does the ESA provide to endangered wildlife?

Without a permit or specific exemptions, the ESA prohibits any person subject to the jurisdiction of the United States to do the following:

- import into and export from the U.S. listed species;
- take (take includes harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect or to attempt any of these) listed species within the United States, its territorial waters or on the high seas;
- deliver, receive carry, transport or ship listed species in interstate or foreign commerce in the course of commercial activity;
- sell or offer for sale in interstate or foreign commerce; or
- possess, sell, deliver, carry, transport or ship listed species taken in violation of the ESA.

Are the protections provided to endangered species different than those provided to threatened species?

Endangered species receive full protection under the ESA, as described above. Threatened species may receive the full protection of the ESA, unless a special rule under section 4(d) of the act accompanies the listing. A special rule provides an avenue for using the flexibility inherent in the ESA to lay out all the prohibitions and exceptions to the prohibitions for a species, as well as the requirements that are “necessary and advisable” for the conservation of the species. In that case, the protections for a threatened species with a special rule may be different from that of an endangered species.

Why does the U.S. Fish and Wildlife Service list species in foreign countries when it has no regulatory jurisdiction in that country?

The ESA requires the Service to list species regardless of the country in which they live. The ESA specifically directs the Service to consider species that have been identified by any foreign nation as at risk of extinction and to take into consideration conservation initiatives by foreign nations to prevent the need to list such species.

Since the protections provided to listed species apply only to persons subject to the jurisdiction of the United States, how does listing under the ESA help foreign species?

By regulating the activities of U.S. citizens and residents in relation to a listed species, the Service is ensuring that individuals under the jurisdiction of the United States do not contribute to the further decline of a threatened or endangered species. In addition, listing species under the ESA can generate conservation benefits, such as increasing awareness of them, prompting research efforts to address their conservation needs, or funding on-the-ground conservation in range countries.

The ESA also authorizes the United States to provide financial assistance for the development and management of conservation programs for listed foreign species in foreign countries, as well as assistance for such programs in the training of personnel. Such funding, however, is subject to Congressional appropriations.

Will the U.S. impose habitat protection or other restrictions in foreign countries where listed species occur?

No. Certain provisions of the ESA do not apply to foreign-listed species. The ESA’s prohibitions apply only to people subject to U.S. jurisdiction. Therefore, the Service does not have the authority or the jurisdiction to designate critical habitat in foreign countries. Nor does the Service review actions carried out by foreign nationals to ensure that they do not jeopardize the

continued existence of endangered and threatened species, as it does with federal agencies in the United States.

GENERAL FAQs ABOUT PARROTS

Is my parrot listed under the ESA?

A complete list of threatened and endangered parrot species can be found in the “Parrot Species Listed Under the ESA” section at the end of this document.

Why are captive parrots in the United States included in the listing of the species under the ESA when the threats acting on the species occur in the wild?

The ESA does not allow for captive-held animals to be assigned separate legal status from their wild counterparts on the basis of their captive state, including through designation as a separate population segment. For a full legal analysis, see the Service’s 12-month finding on a petition to list three antelope species at <http://www.gpo.gov/fdsys/pkg/FR-2013-06-05/pdf/2013-13268.pdf>.

I bred or bought a listed parrot species before it was listed under the ESA. Do the prohibitions now apply to my bird?

No. Birds that were born before the listing goes into effect and were not bought or sold after the listing went into effect are considered “pre-Act.” What you can do with your bird, provided you can provide documentation on when you obtained your bird, is not restricted by the ESA. However, if you choose to sell your bird, it will lose its “pre-Act” status and become a protected species under the ESA.

Can I travel with my listed parrot within the United States?

Yes. There are no restrictions on traveling with or transporting legally obtained threatened and endangered species within the United States, provided these activities are not occurring as part of a commercial sale. In other words, no ESA permit is required for you to travel or transport your pet bird within the United States, provided you are not selling it.

FAQs FOR PARROTS LISTED AS THREATENED

Are there any special rules under section 4(d) of the ESA for listed parrot species?

Yes. Some parrot species that are listed as threatened are included in a special rule for species in the parrot family (Click [here](#) for 50 CFR 17.41(c) and the list of included parrot species). Under the special rule for these parrots, all the prohibitions and provisions of the ESA apply except that the import and export of parrots that meet certain criteria and interstate commerce are allowed without a permit under the ESA, as explained below.

Import and export: Provided you obtain appropriate permits from the Service under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and the Wild Bird Conservation Act (WBCA) you may import or export:

- 1) a wild-collected bird that was held in captivity prior to the date specified in the special rule.
- 2) a captive-bred bird.

Failure to obtain permits, or to meet the provisions of the CITES or WBCA constitutes a violation of the ESA.

Interstate commerce. You may deliver, receive, carry, transport, or ship in interstate commerce and in the course of a commercial activity, or sell or offer to sell, in interstate commerce parrot species listed in the special rule without an ESA permit.

Can I purchase a parrot species listed as threatened under the ESA as a personal pet?

Yes. The ESA does not prohibit the ownership of listed species as personal pets. The ESA also does not prohibit intrastate commerce (sale of a listed species within a state where both seller and buyer reside). Additionally, interstate commerce (the seller and buyer reside in different states) is allowed for parrot species included in the parrot special rule.

If I purchase a parrot species listed as threatened, will the prohibitions under the ESA apply to my bird?

Yes. All birds born or entered into commerce after the effective date of the listing as a threatened species are covered by the ESA's prohibitions. Even if you purchase a bird that qualified as "pre-Act," it will also be subject to the prohibitions; "pre-Act" birds lose this status as soon as they are offered for sale. If you purchase a threatened parrot species included in the parrot special rule, all prohibitions apply, except that import into or export from the United States and certain actions in interstate commerce are allowed without obtaining a permit under the ESA, provided certain criteria are met.

Can I sell my bird if it is listed as a threatened species?

Maybe. The ESA does not prohibit intrastate (within a state) sale of threatened or endangered species. Additionally, interstate (between states) commercial sale is allowed for parrot species included in the parrot special rule. However, interstate commercial sale of threatened parrot species that are not included in the parrot special rule is prohibited under the ESA. A Service permit could be issued for interstate sale if a buyer can demonstrate that the interstate sale of the bird either enhances the propagation or survival of the species, is for scientific research, zoological exhibition, education or special purpose consistent with the ESA. In addition, to be in compliance with the ESA, any advertisements for the sale of your bird should include a statement that no sale can be completed until a permit has been obtained from the Service.

Can I travel with or transport my threatened bird into or out of the United States?

If your bird is included in the parrot special rule and you meet established criteria, you will be able to export from and import into the United States your bird without a permit under the ESA. However, you will still need to apply for a permit under CITES and the WBCA. Under the special rule, a person will need to provide records, receipts, or other documents when applying for permits under CITES and WBCA.

Can I continue to captive breed a parrot species that is listed as threatened under the ESA?

The ESA does not prohibit captive breeding of listed species. However, there may be restrictions on the sale of your parrot species; see the above question “Can I sell my bird if it is listed as a threatened species.”

What activities will require a permit?

For threatened parrot species included in the parrot special rule:

- A permit under the ESA is not required for import into and export from the United States for birds that meet certain criteria or some activities in interstate commerce. See the above question “Are there any special rules under section 4(d) of the ESA for listed parrot species.”
- You will need a permit under CITES and WBCA for import into the United States and a permit under CITES for export out of the United States.
- A permit must be obtained for all other prohibited activities under the ESA.
- Permits for threatened species may be authorized for scientific research, the enhancement of propagation or survival of the species, as well as zoological exhibition, educational purposes and special purposes consistent with the ESA.

How do I apply for a permit and who do I contact for questions regarding permits?

Permit applications may be obtained from the Service's web site or by contacting the Service's Division of Management Authority. Applicants should allow at least 90 days for processing application requests that involve activities that are not otherwise exempted under the special rule. For pet birds, applicants should allow at least 45 days for processing.

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FAQs FOR PARROTS LISTED AS ENDANGERED

Can I purchase a parrot species listed as endangered under the ESA as a personal pet?

Yes, provided you purchase it from someone who resides in your home state. The ESA does not prohibit the ownership of listed species as personal pets. The ESA also does not prohibit intrastate commerce (sale of a listed species within the state that both the seller and buyer reside). However, interstate commerce (the seller and buyer reside in different states) of an endangered parrot species is prohibited.

If I purchase a parrot species listed as endangered, will the prohibitions under the ESA apply to my bird?

Yes. All birds born or entered into commerce after the effective date of the listing are covered by the ESA's prohibitions. Even if you purchase a bird that qualified as "pre-Act," it will also be subject to the prohibitions; "pre-Act" birds lose this status as soon as they are offered for sale.

Can I sell my bird if it is listed as an endangered species?

Yes, but only within your state. While the ESA does not prohibit intrastate (within a state) sale of a listed species, it does prohibit interstate (between states) commercial sale, unless a buyer can demonstrate that such sales enhance the propagation or survival of the species or is for scientific research and obtains an ESA permit. Even birds that were born before the species listing became

final are covered by this provision of the ESA because the “pre-Act” status of the bird is lost as soon as the bird is offered for sale. In addition, any advertisements for the sale of your bird should include a statement that no sale can be consummated until a permit has been obtained from the Service.

Can I travel with or transport my endangered bird into (import) or out of (export) the United States?

You will need a permit under the ESA to import or export your birds to/from the United States. Permits for an endangered species can only be issued for activities that enhance the propagation or survival of the species in the wild or for scientific research; therefore, it may be difficult to obtain a Service permit.

Can I continue to captive breed an endangered parrot species?

Yes. The ESA does not prohibit captive breeding of listed species. However, the ESA does prohibit interstate sales, imports and exports without a permit under the ESA.

What criteria do I have to meet to get a permit for an endangered parrot?

Permits for prohibited activities, such as interstate sale, import and export, can be issued for endangered species if the activities enhance the propagation or survival of the species in the wild. Additionally, a breeder could obtain a Captive-bred Wildlife Registration (CBW), which would authorize interstate commerce. However, it must be shown that the sale enhances the propagation or survival of the affected species and the principal purpose is to facilitate conservation breeding and not for the sale of protected species as pets. Furthermore, authorized commerce must be with another CBW registrant. For more information on the CBW program, see <http://www.fws.gov/international/pdf/factsheet-captive-bred-wildlife-and-endangered-species-act-2012.pdf>.

How do I apply for a permit and who do I contact for questions regarding permits?

Permit applications may be obtained from the Service’s web site or by contacting the Service’s Division of Management Authority. Applicants should allow at least 90 days for processing application requests that involve activities that are not otherwise exempted under the special rule. For pet birds, applicants should allow at least 45 days for processing.

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PARROT SPECIES LISTED UNDER THE ESA as of 5/9/2014

Scientific Name	Common Name	Status	4(d) Rule
<i>Anodorhynchus glaucus</i>	Glaucous macaw	Endangered	No
<i>Anodorhynchus leari</i>	Indigo macaw	Endangered	No
<i>Ara glaucogularis</i>	Blue-throated macaw	Endangered	No
<i>Amazona brasiliensis</i>	Red-tailed parrot	Endangered	No
<i>Amazona collaria</i>	Yellow-billed parrot	Threatened	Yes
<i>Amazona guildingii</i>	St Vincent parrot	Endangered	No
<i>Amazona imperialis</i>	Imperial parrot	Endangered	No
<i>Amazona leucocephala</i>	Bahaman or Cuban parrot	Endangered	No
<i>Amazona pretrei pretrei</i>	Red-spectacled parrot	Endangered	No
<i>Amazona rhodocorytha</i>	Red-browed parrot	Endangered	No
<i>Amazona versicolor</i>	St. Lucia parrot	Endangered	No
<i>Amazona vinacea</i>	Vinaceous-breasted parrot	Endangered	No
<i>Amazona vittata</i>	Puerto Rican parrot	Endangered	No
<i>Cacatua alba</i>	White cockatoo	Threatened	Yes
<i>Cacatua haematuropygia</i>	Philippine cockatoo	Endangered	No
<i>Cacatua moluccensis</i>	Salmon-crested cockatoo	Threatened	Yes
<i>Cacatua sulphurea</i>	Yellow-crested cockatoo	Endangered	No
<i>Coracopsis nigra barklyi</i>	Seychelles lesser vasa parrot	Endangered	No
<i>Cyanopsitta spixii</i>	Little blue macaw	Endangered	No
<i>Pezoporus wallicus</i>	Ground parrot	Endangered	No
<i>Pionopsitta pileata</i>	Red-capped parrot	Endangered	No
<i>Rhynchopsitta pachyrhyncha</i>	Thick-billed parrot	Endangered	No