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Part III

Department of the Interior

Fish and Wildlife Service
50 CFR Parts 10 and 21
General Provisions; Revised List of Migratory Birds; Final Rule
DEPARTMENT OF THE INTERIOR
Fish and Wildlife Service
50 CFR Parts 10 and 21


RIN 1018–AX48

General Provisions; Revised List of Migratory Birds

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: We, the U.S. Fish and Wildlife Service, revise the List of Migratory Birds by both adding and removing species. Reasons for the changes to the list include adding species based on new taxonomy and new evidence of occurrence in the United States or U.S. territories, removing species no longer known to occur within the United States, and changing names to conform to accepted use. The net increase of 19 species (23 added and 4 removed) brings the total number of species protected by the Migratory Bird Treaty Act (MBTA) to 1,026. We regulate most aspects of the taking, possession, transportation, sale, purchase, barter, exportation, and importation of migratory birds. An accurate and up-to-date list of species protected by the MBTA is essential for public notification and regulatory purposes.

DATES: This rule is effective December 2, 2013.

FOR FURTHER INFORMATION CONTACT: George Allen at 703–358–1825.

SUPPLEMENTARY INFORMATION:

Background

What statutory authority does the service have for this rulemaking?


What is the purpose of this rulemaking?

Our purpose is to inform the public of the species protected by the MBTA and its implementing regulations. These regulations are found in Title 50, Code of Federal Regulations (CFR), Parts 10, 20, and 21. We regulate most aspects of the taking, possession, transportation, sale, purchase, barter, exportation, and importation of migratory birds. An accurate and up-to-date list of species protected by the MBTA is essential for regulatory purposes.

Why is this amendment of the list of migratory birds necessary?

The amendment is needed to: (1) Add five species previously overlooked from a family protected under the MBTA; (2) correct the spelling of six species on the alphabetized list; (3) correct the spelling of three species on the taxonomic list; (4) add 11 species based on new distributional records documenting their natural occurrence in the United States since April 2007; (5) add one species from a family now protected under the MBTA as a result of taxonomic changes; (6) add six species newly recognized as a result of recent taxonomic changes; (7) remove four species not known to occur within the boundaries of the United States or its territories as a result of recent taxonomic changes; (8) change the common (English) names of nine species to conform with accepted use; and (9) change the scientific names of 36 species to conform to accepted use.

The List of Migratory Birds (50 CFR 10.13) was last revised on March 1, 2010 (75 FR 9282). These amendments were necessitated by three published supplements to the 7th (1998) edition of the American Ornithologists’ Union’s Check-list of North American birds (AOU 1998), as amended (AOU 1999, 2000, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, and 2010), on matters of taxonomy, nomenclature, and the sequence of species and other higher taxonomic categories (orders, families, subfamilies) for species that occur in North America. The AOU Checklist contains all bird species that have occurred in North America from the Arctic through Panama, including the West Indies and the Hawaiian Islands, and includes distributional information for each species, which specifies whether the species is known to occur in the United States. For the 39 species that occur outside the geographic area covered by the Check-list (28 that occur in the Pacific island territories and 11 listed in the Japanese and/or Russian conventions that have not occurred in the AOU area), we relied primarily on Clements (2007). Although we primarily rely on the above checklists, when informed taxonomic opinion is inconsistent or controversial, we evaluate available published and unpublished information and come to our own conclusion regarding the validity of taxa.

What criteria are used to identify individual species protected by the MBTA?

A species qualifies for protection under the MBTA by meeting one or more of the following four criteria: (1) It is covered by the Canadian Convention of 1916, as amended in 1996, by virtue of meeting the following three criteria: (a) It belongs to a family or group of species named in the Canadian Convention, as amended; (b) specimens, photographs, videotape recordings, or audiotape recordings provide convincing evidence of natural occurrence in the United States or its territories; and (c) the documentation of such records has been recognized by the AOU or other competent scientific authorities. (2) It is covered by the Mexican Convention of 1936, as amended in
1972, by virtue of meeting the following three criteria: (a) It belongs to a family or group of species named in the Mexican Convention, as amended; (b) specimens, photographs, videotape recordings, or audiotape recordings provide convincing evidence of natural occurrence in the United States or its territories; and (c) the documentation of such records has been recognized by the AOU or other competent scientific authorities.

(3) It is listed in the annex to the Japanese Convention of 1972, as amended.

(4) It is listed in the appendix to the Russian Convention of 1976.

In accordance with the Migratory Bird Treaty Reform Act of 2004 (MBTRA) (Pub. L. 108–447, 118 Stat. 2809, 3071–72), we include all species native to the United States or its territories, which are those that occur as a result of natural biological or ecological processes (see 70 FR 12710, March 15, 2005). We do not include nonnative species whose occurrences in the United States are solely the result of intentional or unintentional human-assisted introduction(s).

How do the changes affect the list of migratory birds?

Several taxonomic changes were made at the Order and Family level by the AOU since our 2010 publication of the list: the order Phaethontiformes and Suliformes were split from the Pelecaniformes, the order Phaethontiformes now includes the family Phaethontidae (tropicbirds); Suliformes now includes the families Fregatidae (frigatebirds), Sulidae (boobys), Phalacrocoracidae (cormorants), and Anhingidae (anings). In addition, the Order Accipitriformes was split from the Falconiformes and now include the Families Cathartidae (vultures), Pandionidae (Osprey), and Accipitridae (hawks and eagles). At the Family level, the Ardeidae (herons and egrets) and the Strigidae (owls) were moved from the Ciconiiformes to the Ardeidae (herons and egrets) and the Strigidae (owls). As a result of these taxonomic changes transferring a species in a family formerly not protected under the MBTA (Timaliidae) into a family protected under the MBTA (Sylviidae). We reference the AOU publication supporting the change: Wrentit, Chamaea fasciata (AOU 2010).

(6) Add six species because of recent taxonomic changes in which taxa formerly treated as subspecies have been determined to be distinct species. Given that each of these species was formerly treated as subspecies of a listed species, these additions will not change the protective status of any of these taxa, only the names by which they are known. In each case, we reference the AOU publication supporting the change: Eastern Spot-billed Duck, Anas zonorhyncha—formerly considered a subspecies of Anas poecilorhyncha, Spot-billed Duck (AOU 2008); Black Scoter, Melanitta americana—formerly treated as a subspecies of Melanitta nigra, Common [Black] Scoter (AOU 2009); Mexican Whi-poor-will, Caprimulgus arizonae—formerly treated as a subspecies of Caprimulgus vociferus, Whip-poor-will (AOU 2010); Pacific Wren, Troglodytes pacificus—formerly treated as a subspecies of
(7) Remove four species based on revised taxonomic treatments and distributional evidence confirming that their known geographic ranges lie entirely outside the political boundaries of the United States and its territories. In each case, we reference the revised taxonomic treatments and distributional evidence supporting these changes: 

Spot-billed Duck, *Anas poecilorhyncha* (AOU 2008); 
Common [Black] Scoter, *Melanitta nigra* (AOU 2009); 
Eurasian [Winter] Wren, *Troglodytes troglodytes* (AOU 2010); and 

(8) Revise the common (English) names of nine species to conform to the most recent nomenclatural treatment. These revisions do not change the protective status of any of these taxa, only the names by which they are known. In each case, we reference the published source for the name change: 

*Greater Flamingo, Phoenicopterus ruber*, becomes American Flamingo (AOU 2008); 
*Greater Shearwater, Puffinus gravis*, becomes Great Shearwater (AOU 2010); 
*Whip-poor-will, Caprimulgus vociferus*, becomes Eastern Whip-poor-will (AOU 2010); 
*Green Violet-ear, Colibri thalassinus*, becomes Green Violetear (AOU 2008); 
*Blue Rock Thrush, Monticola solitarius*, becomes Blue Rock-Thrush (Clements 2007); 
*Clay-colored Robin, Turdus gravi*, becomes Clay-colored Thrush (AOU 2008); 
*White-throated Robin, Turdus assimilis*, becomes White-throated Thrush (AOU 2008); 
*Nelson’s Sharp-tailed Sparrow, Ammodramus nelsoni*, becomes Nelson’s Sparrow (AOU 2009); and 
*Saltmarsh Sharp-tailed Sparrow, Ammodramus caudacutus*, becomes Saltmarsh Sparrow (AOU 2009).

(9) Revise the scientific names of 36 species to conform to the most recent nomenclatural treatment. These revisions do not change the protective status of any of these taxa, only the names by which they are known. In each case, we reference the AOU publication documenting the name change: 

_Larus philadelphia* (Bonaparte’s Gull) becomes _Chroicocephalus philadelphia* (AOU 2008); 
_Larus cirrocephalus* (Gray-hooded Gull) becomes _Chroicocephalus cirrocephalus* (AOU 2008); 
_Larus ridibundus* (Black-headed Gull) becomes _Chroicocephalus ridibundus* (AOU 2008); 
_Larus minutus* (Little Gull) becomes _Hydrocoloeus minutus* (AOU 2008); 
_Larus atricilla* (Laughing Gull) becomes _Leucophaeus atricilla* (AOU 2008); 
_Larus pipixcan* (Franklin’s Gull) becomes _Leucophaeus pipixcan* (AOU 2008); 
_Cyanocorax morio* (Brown Jay) becomes _Psilorhinus morio* (AOU 2010); 
_Poecile hudsonica* (Boreal Chickadee) becomes _Poecile hudsonicus* (AOU 2009); 
_Poecile cincta* (Gray-headed Chickadee) becomes _Poecile cinctus* (AOU 2009); 
_Calocitta mccownii* (McCown’s Longspur) becomes _Rhyynchophanes mccownii* (AOU 2010); 
_Vermivora piperina* (Blue-winged Warbler) becomes _Vermivora cyanoptera* (AOU 2010); 
_Vermivora peregrina* (Tennessee Warbler) becomes _Oreothlypis peregrina* (AOU 2010); 
_Vermivora celata* (Orange-crowned Warbler) becomes _Oreothlypis celata* (AOU 2010); 
_Vermivora ruficapilla* (Nashville Warbler) becomes _Oreothlypis ruficapilla* (AOU 2010); 
_Vermivora virginiae* (Virginia’s Warbler) becomes _Oreothlypis virginiae* (AOU 2010); 
_Vermivora crissalis* (Colima Warbler) becomes _Oreothlypis crissalis* (AOU 2010); 
_Vermivora luciae* (Lucy’s Warbler) becomes _Oreothlypis luciae* (AOU 2010); 
_Parula superciliosa* (Crested-chested Warbler) becomes _Oreothlypis superciliosa* (AOU 2010); 

_Seiurus noveboracensis* (Northern Waterthrush) becomes _Parakessa noveboracensis* (AOU 2010); 
_Seiurus motacilla* (Louisiana Waterthrush) becomes _Parakessa motacilla* (AOU 2010); 
_Pipilo fuscus* (Canyon Towhee) becomes _Melozona fuscus* (AOU 2010); 
_Pipilo crissalis* (California Towhee) becomes _Melozona crissalis* (AOU 2010); 
_Pipilo aberti* (Abert’s Towhee) becomes _Melozona aberti* (AOU 2010); 
_Aimophila carpalis* (Rufous-winged Sparrow) becomes _Peucaea carpalis* (AOU 2010); 
_Aimophila botteri* (Botteri’s Sparrow) becomes _Peucaea botteri* (AOU 2010); 
_Aimophila cassinii* (Cassin’s Sparrow) becomes _Peucaea cassinii* (AOU 2010); 
_Aimophila aestivalis* (Bachman’s Sparrow) becomes _Peucaea aestivalis* (AOU 2010); 
_Aimophila quinquestriata* (Five-striped Sparrow) becomes _Amphispiza quinquestriata* (AOU 2010); 
_Carduelis flamma* (Common Redpoll) becomes _Acanthis flamma* (AOU 2009); 
_Carduelis hornemanni* (Hoary Redpoll) becomes _Acanthis hornemanni* (AOU 2009); 
_Carduelis spinus* (Eurasian Siskin) becomes _Spinus spinus* (AOU 2009); 
_Carduelis pinus* (Pine Siskin) becomes _Spinus pinus* (AOU 2009); 
_Carduelis psaltria* (Lesser Goldfinch) becomes _Spinus psaltria* (AOU 2009); 
_Carduelis lawrencei* (Lawrence’s Goldfinch) becomes _Spinus lawrencei* (AOU 2009); 
_Carduelis tristis* (American Goldfinch) becomes _Spinus tristis* (AOU 2009); and 
_Carduelis sinica* (Oriental Greenfinch) becomes _Chloris sinica* (AOU 2009).

For ease of comparison, changes are summarized in the following table (numbers reference the categories treated above). Species whose names have been revised (categories 2, 3, 8, and 9) appear in both the left-hand column (old name removed) and right-hand column (new name added), as are species that have been added based on taxonomic splits (category 6) of extralimital species that have been removed (category 7).
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How do the changes implemented here differ from those discussed in the proposed rule? The scientific name of one species spelled erroneously in the proposed rule is corrected to conform to the AOU Check-list (1998) and supplements: Black-capped Vireo, *Vireo atricapillus* becomes *Vireo atricapilla*.

How is the list of migratory birds organized? The species are listed in two formats to suit the needs of different segments of the public: alphabetically in 50 CFR 10.13(c)(1) and taxonomically in 50 CFR 10.13(c)(2). In the alphabetical listing, species are listed by common (English) group names, with the scientific name of each species following the English group name. This format, similar to that used in modern telephone directories, is most useful to members of the lay public. In the taxonomic listing, species are listed in phylogenetic sequence by scientific name, with the English name following the scientific name. To help clarify species relationships, we also list the higher-level taxonomic categories of Order, Family, and Subfamily. This format follows the sequence adopted by the AOU (1998, 2010) and is most useful to ornithologists and other scientists.

What species are not protected by the Migratory Bird Treaty Act? The MBTA does not apply to:

1. Nonnative species introduced into the United States or its territories by means of intentional or unintentional human assistance that belong to families or groups covered by the Canadian, Mexican, or Russian Conventions, in accordance with the MBTRA. See 70 FR 12710 (March 15, 2005) for a partial list of nonnative, human-introduced bird species in this category. Note, though, that native species that are introduced into parts of the United States where they are not native are still protected under the MBTA regardless of where they occur in the United States or its territories.

2. Native species that belong to families or groups represented in the United States, but which are not expressly mentioned by the Canadian, Mexican, or Russian Conventions, including the Megapodiidae (megapodes), Phasianidae (grouse, ptarmigan, and turkeys), Odontophoridae (New World quail), Burhinidae (thick-knees), Glareolidae (pratincoles), Psitacidae (parrots), Todidae (todies), Meliphagidae (honeyeaters), Monarchidae (monarch flycatchers [elepaios]), Zosteropidae (white-eyes), and Coerebidae (bananaquit). It should be noted that this rule supersedes the 70 FR 12710 notice to the extent that they are inconsistent. Specifically, the 1996 amendment to the Canadian Convention included the family Muscicapidae (Old World flycatchers). Thus, all members of the Muscicapidae family are now included on this list. In addition, the Wrentit is now considered a member of the Sylviidae family rather than the Timaliidae family and is now included on this list.

Partial lists of the species included in categories 2 and 3 are available at http://www.fws.gov/migratorybirds/RegulationsPolicies/mbta/MBTAProtectedNonprotected.html.

**Responses to Public Comments**

On April 26, 2011, we published in the *Federal Register* (76 FR 23428) a proposed rule to revise the list of migratory birds at 50 CFR 10.13. We solicited public comments on the proposed rule for 90 days, ending on July 25, 2011.

We received 7 comments in response to the proposed rule; 5 were from agencies, and 2 were from private individuals. The following text discusses the substantive comments we received and provides our responses to them.

*Comment:* One individual indicated that Brown Hawk-Owl, and the 10 other species we proposed to add based on new distributional records (Category 4), should not be added because they are either extremely rare vagrants or were moved by humans. The commenter further pointed out that the MBTA loses biological and ecological credibility when species are added that do not naturally occur in the United States or its territories, and pointed to the Eurasian Kestrel as one example.

*Response:* In 2004, the Migratory Bird Treaty Reform Act (MBTRA; Pub. L. 108–447) amended the MBTA. While the primary purpose of the MBTRA was to eliminate protection for introduced species, it also defined native species as those “occurring in the United States or its territories as a result of natural biological or ecological processes.” Vagrancy is a natural biological process, so these species are protected under the MBTA.

There is credible evidence to support our contention that these species have occurred in the United States as natural vagrants unhindered by human intervention. The AOU and other bird record committees take human intervention into account whenever they evaluate such records. Several of these species, including the Brown Hawk-Owl, have occurred in some of the remotest parts of Alaska, and are most unlikely to have been moved there by humans. Furthermore, multiple records of Eurasian Kestrel have been accepted from Western Alaska, and at scattered locations across North America, by the AOU and other competent scientific authorities.

*Comment:* The Arkansas Game and Fish Commission urged the Service to carefully consider the implications to State regulations when making recommendations, and ensure that they do not occur so frequently as to become burdensome. Specifically, they point out that the split of the order Accipitriformes from the Falconiformes will necessitate a change in State falconry regulations.

*Response:* The Service appreciates the State’s concern regarding changes to Federal regulations that affect States, and we make a concerted effort to work closely with the States through the Flyway Councils. To comply with the intent of the migratory bird treaties and the MBTA, we are obliged to update the list at intervals. However, the List of Migratory Birds has been updated only twice since 1985, which is not frequently enough to stay current with changes in bird taxonomy. Consequently, we intend to update this list on a 5-year cycle to coincide with updates to the Birds of Conservation Concern, thus balancing the frequency of updates with the frequency of changes in bird taxonomy. In this update, taxonomic changes at the Order level did not change which species are protected under the MBTA, as the species within those families were previously protected. Furthermore, this is the first change we have made to the
Falconiformes since the families within that Order were first protected in 1972.  

Comment: The Indiana Division of Fish and Wildlife (IDFW) was pleased that the Service intends to continue to treat cackling geese as Canada geese, pointing out that hunting management of white-cheeked geese could become more difficult if they were split. The IDFW also pointed out that the Mississippi Flyway Council is trying to cause progress toward simplification to geese, and splitting them into two species for management purposes could cause progress toward simplification to stall.

Response: The Service recognizes the management concerns referred to by the commenter. While we appreciate the complexities of white-cheeked goose management, our decision to continue to include the Cackling Goose within the listing for Canada Goose is based on lingering uncertainty regarding their taxonomic relationship. Work is currently being conducted in Alaska and northern Canada to resolve that uncertainty. We will consider new information when it is available, at which time we may reconsider our decision. In any case, regardless of name, goose subspecies identified as Cackling Goose by the AOU are currently protected under the MBTA as Canada Goose.

Required Determinations

Regulatory Flexibility Act (Executive Order 12866)

Executive Order (EO) 12866 provides that the Office of Information and Regulatory Affairs (OIRA) in the Office of Management and Budget will review all significant rules. OIRA has determined that this rule is not significant. EO 13563 reaffirms the principles of EO 12866, while calling for improvements in the nation’s regulatory system to promote predictability, to reduce uncertainty, and to use the best, most innovative, and least burdensome tools for achieving regulatory ends. EO 13563 directs agencies to consider regulatory approaches that reduce burdens and maintain flexibility and freedom of choice for the public where these approaches are relevant, feasible, and consistent with regulatory objectives.

EO 13563 emphasizes further that regulations must be based on the best available science and that the rulemaking process must allow for public participation and an open exchange of ideas. We have developed this rule in a manner consistent with these requirements.

Regulatory Flexibility Act (5 U.S.C. 601 et seq.)

Under the Regulatory Flexibility Act (5 U.S.C. 601 et seq., as amended by the Small Business Regulatory Enforcement Fairness Act (SBREFA) of 1996 (Pub. L. 104–121)), whenever an agency is required to publish a notice of rulemaking for any proposed or final rule, it must prepare and make available for public comment a regulatory flexibility analysis that describes the effect of the rule on small entities (i.e., small businesses, small organizations, and small government jurisdictions). However, no regulatory flexibility analysis is required if the head of an agency certifies the rule does not have a significant economic impact on a substantial number of small entities. SBREFA amended the Regulatory Flexibility Act to require Federal agencies to provide the statement of the factual basis for certifying that a rule will not have a significant economic impact on a substantial number of small entities. We have examined this rule’s potential effects on small entities as required by the Regulatory Flexibility Act, and have determined that this action will not have a significant economic impact on a substantial number of small entities, because we are simply updating the list of migratory bird species protected under the Conventions. Consequently, we certify that because this rule does not have a significant economic effect on a substantial number of small entities, a regulatory flexibility analysis is not required.

This rule is not a major rule under SBREFA (5 U.S.C. 804(2)). It does not have a significant impact on a substantial number of small entities.

a. This rule does not have an annual effect on the economy of $100 million or more.

b. This rule does not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions.

c. This rule does not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises.

Unfunded Mandates Reform Act

In accordance with the Unfunded Mandates Reform Act (2 U.S.C. 1501 et seq.), we have determined the following:

a. This rule does not “significantly or uniquely” affect small governments. A small government agency plan is not required. Actions under the regulation do not affect small government activities in any significant way.

b. This rule does not produce a Federal mandate of $100 million or greater in any year; i.e., it is not a “significant regulatory action” under the Unfunded Mandates Reform Act.

Takings

In accordance with Executive Order 12630, the rule does not have significant takings implications. This rule does not contain a provision for taking of private property. Therefore, a takings implication assessment is not required.

Federalism

This rule does not have sufficient Federalism effects to warrant preparation of a Federalism summary impact statement under Executive Order 13132. It does not interfere with the States’ ability to manage themselves or their funds. No significant economic impacts are expected to result from the updating of the list of migratory bird species.

Civil Justice Reform

In accordance with Executive Order 12988, the Office of the Solicitor has determined that the rule does not unduly burden the judicial system and meets the requirements of sections 3(a) and 3(b)(2) of the Order.

Paperwork Reduction Act

We examined this rule under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.). There are no new information collection requirements associated with this rule. We do not require any new permits, reports, or recordkeeping in this rule.

National Environmental Policy Act (NEPA)

Given that the revision of 50 CFR 10.13 is strictly administrative in nature and will have no or minor environmental effects, it is categorically excluded from further NEPA requirements (43 CFR 46.210(i)).

Endangered Species Act (ESA)

Seventy-four of the species on the List of Migratory Birds are also designated as endangered or threatened in all or some portion of their U.S. range under provisions of the Endangered Species Act of 1973 (16 U.S.C. 1531–44; 50 CFR 17.11). No legal complications arise from the dual listing as the two lists are developed under separate authorities and for different purposes. Because the rule is strictly administrative in nature, it has no effect on threatened or endangered species. It does not require ESA consultation.
Government-to-Government Relationship With Tribes

In accordance with the President’s memorandum of April 29, 1994, “Government-to-Government Relations with Native American tribal Governments” (59 FR 22951), Executive Order 13175, and 512 DM 2, we have evaluated potential effects on federally recognized Indian tribes and have determined that there are no potential effects. The revisions to existing regulations in this rule are purely administrative in nature and do not interfere with the tribes’ ability to manage themselves or their funds or to regulate migratory bird activities on tribal lands.

Energy Supply, Distribution, or Use (Executive Order 13211)

On May 18, 2001, the President issued Executive Order 13211 addressing regulations that significantly affect energy supply, distribution, and use. Executive Order 13211 requires agencies to prepare Statements of Energy Effects when undertaking certain actions. Because this rule only affects the listing of protected species in the United States, it is not a significant regulatory action under Executive Order 12866, and does not significantly affect energy supply, distribution, or use. Therefore, this action is not a significant energy action and no Statement of Energy Effects is required.

References Cited

A complete list of all references cited is available upon request (see FOR FURTHER INFORMATION CONTACT above).

List of Subjects

50 CFR Part 10
Exports, Fish, Imports, Law enforcement, Plants, Transportation, Wildlife.

50 CFR Part 21
Exports, Hunting, Imports, Reporting and recordkeeping requirements, Transportation, Wildlife.

Regulation Promulgation

For the reasons discussed in the preamble, we amend title 50, chapter I, subchapter B, parts 10 and 21 of the Code of Federal Regulations, as follows:

PART 10—[AMENDED]

1. The authority citation for part 10 continues to read as follows:


2. Revise §10.13 to read as follows:

§10.13 List of Migratory Birds.

(a) Legal authority for this list. The legal authorities for this list are the Migratory Bird Treaty Act (MBTA; 16 U.S.C. 703–712), the Fish and Wildlife Improvement Act of 1978 (16 U.S.C. 742l), and the Fish and Wildlife Act of 1956 (16 U.S.C. 742a–742j). The MBTA implements Conventions between the United States and four neighboring countries for the protection of migratory birds, as follows:


(2) Mexico: Convention between the United States and Mexico for the Protection of Migratory Birds and Game Mammals, February 7, 1936, 50 Stat. 1311 (T.S. No. 912), as amended;

(3) Japan: Convention between the Government of the United States of America and the Government of Japan for the Protection of Migratory Birds and Birds in Danger of Extinction, and Their Environment, March 4, 1972, 25 U.S.T. 3329 (T.I.A.S. No. 7990); and


(b) Purpose of this list. The purpose is to inform the public of the species protected by regulations that enforce the terms of the MBTA. These regulations, found in parts 10, 20, and 21 of this chapter, cover most aspects of the taking, possession, transportation, sale, purchase, barter, exportation, and importation of migratory birds.

(c) What species are protected as migratory birds? Species protected as migratory birds are listed in two formats to suit the varying needs of the user: Alphabetically in paragraph (c)(1) of this section, and taxonomically in paragraph (c)(2) of this section. Taxonomy and nomenclature generally follow the 7th edition of the American Ornithologists’ Union’s Check-list of North American Birds (1998, as amended through 2010). For species not treated by the AOU Check-list, we generally follow The Clements Checklist of Birds of the World (Clements 2007).

1. Alphabetical listing. Species are listed alphabetically by common (English) group names, with the scientific name of each species following the common name. ACCENTOR, Siberian, Prunella montanus

2. Taxonomic listing. Species are listed by common name first, followed alphabetically by scientific name. AKEKEE, Loxops caeruleirostris

ACHEPA, Loxops coccineus

AKIALOA, Greater, Hemignathus ellisianus

AKIAPOLAUA, Hemignathus munroi

AKIKIKI, Oreomystis bairdi

AKOHEKOHE, Palmeria dolei

ALAUHAIO, Maui, Paroreomyza montana

Oahu, Paroreomyza maculata

ALBATROSS, Black-browed, Thalassarche melanophris

Black-footed, Phoebastria nigripes

Laysan, Phoebastria immutabilis

Light-mantled, Phoebetria palpebrata

Short-tailed, Phoebastria albatrus

Shy, Thalassarche cauta

Wandering, Diomedea exulans

Yellow-nosed, Thalassarche chlororhynchos

AMAKIH, Hawaii, Hemignathus virens

Kauai, Hemignathus kauaensis

Oahu, Hemignathus flavus

ANHINGA, Anhinga anhinga

ANI, Groove-billed, Crotaphaga sulcirostris

Smooth-billed, Crotaphaga ani

ANIANIAU, Magumma parva

APAPANE, Himatione sanguinea

AUKLET, Cassin’s, Ptychoramphus aleuticus

Crested, Aethia cristatella

Least, Aethia pusilla

Parakeet, Aethia psitacula

Rhinoceros, Cerorhinca monocerata

Whiskered, Aethia pygmaea

AVOCET, American, Recurvirostra americana

BEAN-GOOSE, Taiga, Anser fabalis

Tundra, Anser serrostris

BEARDLESS–TYRANNULET, Northern, Camptostoma imberbe

BECARD, Rose-throated, Pachyramphus aglaiae

BITTERN, American, Botaurus lentiginosus

Black, Ixobrychus flavicollis

Least, Ixobrychus exilis

Schrenck’s, Ixobrychus eurhythmus

Yellow, Ixobrychus sinensis

BLACK–HAWK, Common, Buteogallus anthracinus

BLACKBIRD, Brewer’s, Euphasius cyanocephalus

Red-winged, Agelaius phoeniceus

Rusty, Euphasius carolinus

Tawny-shouldered, Agelaius humeralis

Tricolored, Agelaius tricolor

Yellow-headed, Xanthocephalus xanthiscephalus

Yellow-shouldered, Agelaius xanthomus

BLUEBIRD, Eastern, Sialia sialis

Mountain, Sialia currucoides

Western, Sialia mexicana

BLUETAIL, Red-flanked, Tarsiger cyanurus

BLUETHROAT, Luscinia svecica

BOBOLINK, Dolichonyx oryzivorus
BOOBY, Blue-footed, Sula nebulosa
Brown, Sula leucogaster
Masked, Sula dactylatra
Red-footed, Sula sula
BRAMLING, Fringilla montifringilla
BRANT, Branta bernicla
BUFFLEHEAD, Bucephala albeola
BULLFINCH, Eurasian, Pyrrhula pyrrhula
Puerto Rican, Loxigilla portoricensis
BUNTING, Blue, Cyanocitta parellina
Gray, Emberiza variabilis
Indigo, Passerina cyanea
Little, Emberiza pusilla
Lark, Calamospiza melanocorys
Lazuli, Passerina amoena
McKay’s, Plectrophenax nivalis
Pallas’s, Emberiza pallasi
Pine, Emberiza leucocephalos
Reed, Emberiza schoeniclus
Rustic, Emberiza rustica
Snow, Plectrophenax nivalis
Varied, Passerina versicolor
Yellow-breasted, Emberiza aureola
Yellow-browed, Emberiza chrysophrys
Yellow-throated, Emberiza elegans
BUSHTIT, Psaltriparus minimus
CANVASBACK, Aythya valisineria
CARACARA, Crested, Caracara cheriway
CARDINAL, Northern, Cardinalis cardinalis
CARIB, Green-throated, Eulampis jugularis
Purple-throated, Eulampis jugularis
CATEBIRD, Black, Melanotilus glabirostris
Gray, Dusnetella carolinensis
CHAFFINCH, Common, Fringilla coelebs
CHAT, Yellow-breasted, Icteria virens
CHICKADEE, Black-capped, Poecile atricapillus
Boreal, Poecile hudsonicus
Carolina, Poecile carolinensis
Chesnut-backed, Poecile rufescens
Gray-headed, Poecile cinctus
Mexican, Poecile sclateri
Mountain, Poecile gambeli
CHUCK-WILL’S-WIDOW, Caprimulgus carolinensis
CONDOR, California, Gymnogyps californianus
COOT, American, Fulica americana
Caribbean, Fulica caribaea
Eurasian, Fulica atra
Hawaiian, Fulica alai
CORMORANT, Brandt’s, Phalacrocorax penicillatus
Double-crested, Phalacrocorax auritus
Great, Phalacrocorax carbo
Little Pied, Phalacrocorax melanoleucos
Neotropic, Phalacrocorax brasilianus
Pelagic, Phalacrocorax pelagicus
Red-faced, Phalacrocorax urile
COWBIRD, Bronzed, Molothrus aeneus
Brown-headed, Molothrus ater
Shiny, Molothrus bonariensis
CRAKE, Corn, Crex crex
Paint-billed, Neocrex erythrops
Spotless, Porzana tabuenis
Yellow-breasted, Porzana flavicenter
CRANE, Common, Grus grus
Sandhill, Grus canadensis
Whooping, Grus americana
CREEPER, Brown, Certhia americana
Hawaii, Oreamystis mana
CROSSBILL, Red, Loxia curvirostra
White-winged, Loxia leucoptera
CROW, American, Corvus brachyrhynchos
Fish, Corvus ossifragus
Hawaiian, Corvus hawaiiensis
Mariana, Corvus kubaryi
Northwestern, Corvus caurinus
Tamaulipas, Corvus imparatus
White-necked, Corvus leucognaphalus
CUCKOO, Black-billed, Coccozus erythropthalmus
Common, Cuculus canorus
Montane, Cuculus minor
Oriental, Cuculus optatus
Yellow-billed, Coccozus americanus
CURLEW, Bristle-thighed, Numenius tahitiensis
Eskimo, Numenius borealis
Eurasian, Numenius arquata
Far Eastern, Numenius madagascariensis
Little, Numenius minutus
Long-billed, Numenius arquata
DICKCISEL, Spiza americana
DIPPER, American, Cinclus mexicanus
DOTTEREL, Eurasian, Charadrius morinellus
DOVE, Inca, Columbina inca
Mourning, Zenaida macroura
White-tipped, Leptotila verreauxi
White-winged, Zenaida asiatica
Zenaida, Zenaida aurita
DOVEKIE, Alle alle
DOWITCHER, Long-billed, Limnodromus scolopaceus
Short-billed, Limnodromus griseus
Duck, American Black, Anas rubripes
Eastern Spot-billed, Anas zonorhyncha
Far Eastern, Anas falcata
Harlequin, Histrionicus histrionicus
Hawaiian, Anas wyvilliana
Laysan, Anas laysanensis
Long-tailed, Clangula hyemalis
Masked, Nomonyx dominicus
Mottled, Anas fulvigula
Muscovy, Cairina moschata
Pacific Black, Anas superciliosa
Ring-necked, Aythya collaris
Ruddy, Oxyura jamaicensis
Tufted, Aythya fuligula
Wood, Aix sponsa
DUNLIN, Calidris alpina
EAGLE, Bald, Haliaeetus leucocephalus
Golden, Aquila chrysaetos
White-tailed, Haliaeetus albicilla
EGRET, Cattle, Bubulcus ibis
Chinese, Egretta eulophotes
Great, Ardea alba
Intermediate, Mesophoyx intermedius
Little, Egretta garzetta
Reddish, Egretta rufescens
Snowy, Egretta thula
EIDER, Common, Somateria mollissima
King, Somateria spectabilis
Spectacled, Somateria fischeri
Steller’s, Polysticta stelleri
ELAENIA, Caribbean, Elaenia martinica
Greenish, Myiopagis viridicata
White-crested, Elaenia alciceps
EMERALD, Puerto Rican, Chlorostilbon maugaeus
EUPHONIA, Antillean, Euphonia musica
FALCON, Plomado, Falco femoralis
Peregrine, Falco peregrinus
Prairie, Falco mexicanus
Red-footed, Falco vespertinus
FIELDFARE, Turdus pilaris
FINCH, Cassin’s, Carpodacus cassini
House, Carpodacus mexicanus
Laysan, Telespiza cantans
Nihoa, Telespiza ultima
Purple, Carpodacus purpureus
FLAMINGO, American, Phoenicopterus ruber
FLICKER, Gilded, Colaptes chrysoides
Northern, Colaptes auratus
FLYCATCHER, Acadian, Empidonax virescens
Alder, Empidonax alnorum
Ash-throated, Myiarchus cinerascens
Asian Brown, Muscicapa dauurica
Brown-crested, Myiarchus tyrannulus
Buff-breasted, Empidonax fulvifrons
Cordilleran, Empidonax occidentalis
Crowed Slaty, Empidonomus aurantiocrocistatus
Dark-sided, Muscicapa sibirica
Dusky, Empidonax oberholseri
Dusky-capped, Myiarchus tuberculifer
Fork-tailed, Tyrannus savana
Gray, Empidonax wrightii
Gray-streaked, Muscicapa griseisticta
Great Crested, Myiarchus crinitus
Hammond’s, Empidonax hammondii
La Sagra’s, Myiarchus sagrae
Least, Empidonax minimus
Mugimaki, Ficedula mugimaki
Narcissus, Ficedula narcissina
Nutting’s, Myiarchus nuttingi
Olive-sided, Contopus cooperi
Pacific-slope, Empidonax difficilis
Piratic, Legatus leucophalus
Puerto Rican, Myiarchus antillarum
Scissor-tailed, Tyrannus forficatus
Social, Myiobius similis
Spotted, Muscicapa striata
Sulphur-bellied, Myiobius luteiventris
Taiga, Ficedula albicilla
Tufted, Myiobius rufocinereus
Variegated, Empidonomus varius
Vermilion, Pyrocephalus rubinus
Nordmann’s, Tringa guttifer
GROSBEAK, Black-headed, Pheucticus melanocephalus
Blue, Passerina caerulea
Crimson-collared, Rhodothraupis celaeno
Evening, Coccythraustes vesperinus
Pine, Pinicola enucleator
Rose-breasted, Pheucticus ludovicianus
Yellow, Pheucticus chrysopela
GILLIEMOT, Black, Cepphus grylle
Pigeon, Cepphus columba
GULL, Belcher’s, Larus belcheri
Black-headed, Chroicocephalus ridibundus
Black-tailed, Larus crassirostris
Bona parte’s, Chroicocephalus philadelphia
California, Larus californicus
Franklin’s, Leucophaeus pipixcan
Glaucous, Larus hyperboreus
Glaucous-winged, Larus glaucescens
Gray-hooded, Chroicocephalus cirrocephalus
Great Black-backed, Larus marinus
Heermann’s, Larus heermanni
Herring, Larus argentatus
Iceland, Larus glaucoides
Ivory, Pagophila eburnea
Kelp, Larus dominicanus
Laughing, Leucophaeus atricilla
Lesser Black-backed, Larus fuscus
Little, Hydrocoloeus minutus
Mew, Larus canus
Ring-billed, Larus delawarensis
Ross’s, Rhodostethia rosea
Sabin’s, Xema sabini
Slaty-backed, Larus schistisagus
Swallow-tailed, Creagrus furcatus
Thayer’s, Larus thayeri
Western, Larus occidentalis
Yellow-footed, Larus livens
Yellow-legged, Larus michahellis
GURFALCON, Falco rusticolus
HARRIER, Northern, Circus cyaneus
HAWFINCH, Coccothraustes erythropus
HAWK, Broad-winged, Buteo platyropus
Cooper’s, Accipiter cooperii
Crane, Geranospiza caerulescens
Ferruginous, Buteo regalis
Gray, Buteo nitidus
Harris’s, Parabuteo unicinctus
Hawaiian, Buteo solitarius
Red-shouldered, Buteo lineatus
Red-tailed, Buteo jamaicensis
Roadside, Buteo magnirostris
Rough-legged, Buteo lagopus
Short-eared, Buteo rufinus
Short-tailed, Buteo brachyurus
Swainson’s, Buteo swainsoni
White-tailed, Buteo albicaudatus
Zone-tailed, Buteo albonotatus
HAWK-CUCKOO, Hodgson’s, Cuculus fugax
HAWK-OWL, Brown, Ninox scutulata
HERON, Gray, Ardea herodias
Great Blue, Ardea herodias
Green, Butores violaceus
Little Blue, Egretta caerulea
Tricolored, Egretta tricolor
HOBBY, Eurasian, Falco subbuteo
HOPOO, Eurasian, Upupa epops
LEUCONYX, Common, Delichon urbicum
HUMMINGBIRD, Allen’s, Selasphorus sasin
Anna’s, Calypte anna
Antillean Crested, Orthorhyncus cristatus
Beryl, Amazilia beryllina
Black-chinned, Archilochus alexandri
Blue-throated, Lamprornis clemenciae
Broad-billed, Cynanthus latirostris
Broad-tailed, Selasphorus platycercus
Buff-bellied, Amazilia yucatanensis
Bumblebee, Anthelia heliosa
Calliope, Stellula calliope
Cinnamon, Amazilia cinnamomea
Costa’s, Calypte costae
Lucifer, Calothorax lucifer
Magnificent, Eugenes fulgens
Ruby-throated, Archilochus colubris
Rufous, Selasphorus rufus
Violet-crowned, Amazilia violiceps
White-eared, Hylocharis leucopterus
Xantus’s, Hylocharis xantusii
IBIS, Glossy, Plegadis falcinellus
Scarlet, Eudocimus ruber
White, Eudocimus albus
White-faced, Plegadis chihi
IWI, Vestaria coccinea
IMPERIAL-PIGEON, Pacific, Ducula pacifica
JABIRU, Jabiru mycteria
JACANA, Northern, Jacana spinosa
JAEGER, Long-tailed, Stercorarius longicaudus
Parasitic, Stercorarius parasiticus
Pomarine, Stercorarius pomarinus
JAY, Blue, Cyanocitta cristata
Brown, Psilorhinus morio
Gray, Perisoreus canadensis
Green, Cyanocorax yncas
Mexican, Aphrastura ultramarina
Pinyon, Gymnorhina cyanocephalus
Steller’s, Cyanocitta stelleri
JUNCO, Dark-eyed, Junco hyemalis
Yellow-eyed, Junco hyemalis
KAKAWAHIE, Paroreomyza flavescens
KAMAO, Myiastes myadestinus
KESTREL, American, Falco sparverius
Eurasian, Falco tinnunculus
KILLDEER, Charadrius vociferus
KINGBIRD, Cassin’s, Tyrannus vociferans
Coast, Tyrannus couchii
Eastern, Tyrannus tyrannus
Gray, Tyrannus dominicensis
Loggerhead, Tyrannus caudifasciatus
Thick-billed, Tyrannus crassirostris
Tropical, Tyrannus melancholius
Western, Tyrannus verticalis

KINGFISHER, Belted, Megaceryle alcyon
Collared, Todirhamphus chloris
Green, Chloroceryle americana
Micronesian, Todirhamphus cinnamominus

Ringed, Megaceryle torquata

KINGLET, Golden-crowned, Regulus satrapa
Ruby-crowned, Regulus calendula

KISKADEE, Great, Pitangus sulphuratus
KITE, Black, Milvus migrans

Hook-billed, Chondrohierax uncinatus
Mississippi, Ictinia mississippiensis
Snail, Rostrhamus sociabilis
Swallow-tailed, Elanoides forficatus
White-tailed, Elanus leucurus

KITTISIAME, Black-legged, Rissa tridactyla
Red-legged, Rissa brevirostris

KNOT, Great, Calidris tenuirostris
Red, Calidris canutus

LAPWING, Northern, Vanellus vanellus

LARK, Horned, Eremophila alpestris
Sky, Alauda arvensis

LEAF-WARBLER, Pallas’s, Phylloscopus proregulus
LIMPKIN, Aramus guarauna

LIZARD-CUCKOO, Puerto Rican, Coccyzus vieilloti

LONGSPUR, Chestnut-collared, Calcarius ornatus
Lapland, Calcarius lapponicus
McCown’s, Rhynchophanes mccownii
Smith’s, Calcarius pictus

LOON, Arctic, Gavia arctica

Common, Gavia immer
Pacific, Gavia pacifica
Red-throated, Gavia stellata
Yellow-billed, Gavia adamsii

MAGPIE, Black-billed, Pica hudsonia
Yellow-billed, Pica nuttalli

MALLARD, Anas platyrhynchos

MANGO, Antillean, Anthracothorax dominicus

Green, Anthracothorax viridis
Green-breasted, Anthracothorax prevosti

MARTIN, Brown-chested, Progne tapera
Caribbea, Progne dominicensis
Cuban, Progne cryptoleuca

Gray-breasted, Progne chalybea

Purple, Progne subis
Southern, Progne elegans

MEADOWLARK, Eastern, Sturnella magna
Western, Sturnella neglecta

MGERANSER, Common, Mergus merganser

Hooded, Lophodytes cucullatus
Red-breasted, Mergus serrator

MERLIN, Falco columbarius

MILLER, Varied, Anthreptes familiaris

MOCKINGBIRD, Bahama, Mimus gundlachii

Blue, Melanotis coeruleus
Northern, Mimus polyglottos
MOORHEN, Common, Gallinula chloropus

MURRE, Common, Uria aalge
Thick-billed, Uria lomvia

MURRELET, Ancient, Synthliboramphus antiquus
Craveri’s, Synthliboramphus craveri
Kittlitz’s, Brachyramphus brevirostris
Long-billed, Brachyramphus perdix
Marbled, Brachyramphus marmoratus
Xantus’s, Synthliboramphus hypoleucus

NEEDLETAIL, White-throated, Hirundapus caudacutus

NIGHT-HERON, Black-crowned, Nycticorax nycticorax
Japanese, Gorsachius goisagi
Malayan, Gorsachius melanolophus
Yellow-crowned, Nyctanassa violacea

NIGHTHAWK, Antillean, Chordeiles gundlachii
Common, Chordeiles minor
Lesser, Chordeiles acutipennis

NIGHTINGALE-THRUSH, Black, Catharus aurantirostris

NIGHTJAR, Buff-collared, Caprimulgus ridgwayi
Gray, Caprimulgus indicus
Puerto Rican, Caprimulgus noctitherus

NODDY, Black, Anous minutus
Blue-gray, Procelsterna cerulea
Brown, Anous stolidus

NUKUPUU, Hemignathus lucidus

NUTCRACKER, Clark’s, Nucifraga columbiana

NUTHATCH, Brown-headed, Sitta pusilla
Pygmy, Sitta pygmea
Red-breasted, Sitta canadenesis

White-breasted, Sitta carolinensis

OLOMAO, Myiastes laniensis
OMAO, Myiastes obscurus

ORIOLE, Altamira, Icterus gularis
Audubon’s, Icterus graduacauda
Baltimore, Icterus galbula
Black-vented, Icterus wagleri
Bullock’s, Icterus bullockii
Hooded, Icterus cucullatus

Orchard, Icterus spurius
Puerto Rican, Icterus portoricensis

Scott’s, Icterus parisorum
Streak-backed, Icterus pustulatus

OSPREY, Pandion haliaetus

OU, Psitriostro psittacea

OYSTERBIRDS, Sexualia aurocapilla

OWL, Barn, Tyto alba
Barred, Strix varia

Boreal, Aegolius funereus
Burrowing, Athene cunicularia

EIEI, Microhynie whitneyi

Flammulated, Otus flammula

Great, Megascops borealis
Great Horned, Bubo virginianus

Long-eared, Asio otus

MOTTLED, Gicabca virgata

Northern Hawk, Surnia ulula

Northern Saw-whet, Aegolius acadicus

Short-eared, Asio flammeus

Snowy, Bubo scandiacus

Spotted, Strix occidentalis

Strygian, Asio stygius

OYSTERcatcher, American, Haematopus palliatus

Black, Haematopus bachmani

Eurasian, Haematopus ostralegus

PAILDA, Loxiaoides bairdi

Palm-Swift, Antillean, Tachornis phoenicobia

PARROTBILL, Maui, Pseudonestor xanthophrys

PARULA, Northern, Parula americana

Tropical, Parula pityavumi

PAURAQUE, Common, Nyctidromus albicollis

PELICAN, American White, Pelecanus erythrorhynchos

Brown, Pelecanus occidentalis

PETREL, Bermuda, Pterodroma cahow

Black-eared, Pterodroma haematopus

Black-winged, Pterodroma nigripennis

Bonin, Pterodroma hypoleuca

Bulwer’s, Bulweria bulwerii

Cook’s, Pterodroma cookii

Gould’s, Pterodroma leucotera

Great-winged, Pterodroma macroptera

Hawaiian, Pterodroma sandwichensis

Herald, Pterodroma arminjoniana

Jouanin’s, Bulweria fuligula

Juan Fernandez, Pterodroma externa

Kermadec, Pterodroma neglecta

Mottled, Pterodroma inexpectata

Murphy’s, Pterodroma ultima

Parker’s, Procellaria parkinsonii

Phoenix, Pterodroma alba

Stejneger’s, Pterodroma longirostris

Tahiti, Pterodroma rostrata

White-necked, Pterodroma cervicalis

PEWEE, Cuban, Contopus caribaeus

Greater, Contopus pertinax

Hispaniolan, Contopus hispaniolensis

Lesser Antillean, Contopus latirostris

PHAINOPELA, Phainopepla nitens

PHALAROPE, Red, Phalaropus fulicarius

Red-necked, Phalaropus lobatus

Wilson’s, Phalaropus tricolor

PHOEAE, Black, Sayornis nigricans

Eastern, Sayornis phoebe

Say’s, Sayornis saya

PIGEON, Band-tailed, Patagioenas fasciata

Plain, Patagioenas inornata

Red-billed, Patagioenas flavirostris

Scaly-naped, Patagioenas squamosa

White-crowned, Patagioenas leucocephala

PINTAIL, Northern, Anas acuta

Northern Saw-whet, Aegolius acadicus

Short-eared, Asio flammeus

Snowy, Bubo scandiacus

Spotted, Strix occidentalis

Strygian, Asio stygius

OYSTER CATCHER, American, Haematopus palliatus

Black, Haematopus bachmani

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Plain, Patagioenas inornata

Red-billed, Patagioenas flavirostris

Scaly-naped, Patagioenas squamosa

White-crowned, Patagioenas leucocephala

PINTAIL, Northern, Anas acuta

White-cheeked, Anas bahamensis

PIPET, American, Anthus rubescens

Olive-backed, Anthus hodgsoni

Pechora, Anthus gustavi
Western, Spindalis zonaria
SPOONBILL, Roseate, Platalea ajaja
STARLING, Chestnut-cheeked, Sturnus philippensis
White-cheeked, Sturnus cineraceus
STARThroat, Plain-capped, Heliomerna constantii
STILT, Black-necked, Himantopus mexicanus
Black-winged, Himantopus himantopus
STINT, Little, Calidris minuta
Long-toed, Calidris subminuta
Red-necked, Calidris ruficollis
Temminck's, Calidris temminckii
STONECHAT, Saxicola torquatus
STORK, Wood, Mycteria americana
STORM-PEtREL, Ashy, Oceanodroma homochroa
Band-rumped, Oceanodroma castro
Black, Oceanodroma melanias
Black-bellied, Fregatta tropica
Fork-tailed, Oceanodroma furcata
Leach's, Oceanodroma leucorhoa
Least, Oceanodroma microsoma
Matsudaira's, Oceanodroma matsudairae
Polynesian, Nesofregata fuliginosa
Ringed, Oceanodroma hornbyi
Swinhoe's, Oceanodroma monorhis
Tristram's, Oceanodroma tristrami
Wedge-rumped, Oceanodroma tethys
White-faced, Pelagodroma marina
White-bellied, Fregatta grallaria
Wilson's, Oceanites oceanicus
SURFBIRD, Aphriza virgata
SWALLOw, Bahama, Tachycineta cyaneoviridis
Bank, Riparia riparia
Barn, Hirundo rustica
Cave, Petrochelidon fulva
Cliff, Petrochelidon pyrrhonota
Mangrove, Tachycineta albilinea
Northern Rough-winged, Stelgidopteryx serripennis
Tree, Tachycineta bicolor
Violet-green, Tachycineta thalassina
SWAMPHeN, Purple, Porphyropterus porphyrio
SWAN, Trumpeter, Cygnus buccinator
Tundra, Cygnus columbianus
Whooper, Cygnus cygnus
SWIFT, Alpine, Apus melba
Black, Apus melba nigricans
Chimney, Chasotera pelagica
Common, Apus apus
Fork-tailed, Apus pacificus
Short-tailed, Chasotera brachyura
Vaux's, Chasotera vauxi
White-collared, Streptoprocne zonaris
White-throated, Aeronautes saxatalis
SWIPLET, Mariana, Aerodramus bartschi
White-rumped, Aerodramus spodiopygus
TANGER, Flame-colored, Piranga ludoviciana
Hepatic, Piranga flava
Puerto Rican, Nesospingus speculiferus
Scarlet, Piranga olivacea
Summer, Piranga rubra
Western, Piranga ludoviciana
TATTLer, Gray-tailed, Tringa brevipes
Wandering, Tringa incana
TEn, Baikal, Anas formosa
Blue-winged, Anas discors
Cinnamon, Anas cyanoptera
Green-winged, Anas crecca
TERN, Aleutian, Onychoprion aleuticus
Arctic, Sterna paradisaea
Black, Chlidonias niger
Black-naped, Sterna sumatrana
Bridled, Onychoprion annethus
Caspian, Hydroprogne caspia
Common, Sterna hirundo
Elegant, Thalasseus elegans
Forster's, Sterna forsteri
Gray-backed, Onychoprion lunatus
Great Crested, Thalasseus bergii
Gull-billed, Gelocephala nilotica
Large-billed, Phaetusa simplex
Least, Sterna antillarum
Little, Sterna albifrons
Roseate, Sterna dougallii
Royal, Thalasseus maximus
Sandwich, Thalasseus sandvicensis
Sooty, Onychoprion fuscatus
Whiskered, Chlidonias hybridus
White, Gygis alba
White-winged, Chlidonias leucopterus
THRASHER, Bendire's, Toxostoma bendirei
Brown, Toxostoma rufum
California, Toxostoma redivivum
Crissal, Toxostoma crissalis
Curve-billed, Toxostoma curvirostre
Le Conte's, Toxostoma lecontei
Long-billed, Toxostoma longirostre
Pearly-eyed, Margaropus fuscatus
Sage, Oreocephalus montanus
THRUSH, Aztec, Ridgwayia pinicola
Bicknells, Catharus bicknelli
Clay-colored, Turdus grayi
Dusky, Turdus naumanni
Eyebrowed, Turdus obscurus
Gray-cheeked, Catharus minimus
Hermit, Catharus guttatus
Red-legged, Turdus plebejus
Swainson's, Catharus ustulatus
Varied, Isoreus isoreus
White-throated, Turdus assimilis
Wood, Hydrochile motilina
TIMMouSE, Black-crested, Baeolophus atricristatus
Bridled, Baeolophus wollweberi
Juniper, Baeolophus ridgwayi
Oak, Baeolophus inornatus
Tufted, Baeolophus bicolor
TITTYRA, Masked, Tityra semifasciata
TOWhee, Abert's, Melozone aberti
California, Melozone crissalis
Canyon, Melozone fusca
Eastern, Pipilo erythrophthalmus
Green-tailed, Pipilo chlorurus
Spotted, Pipilo maculatus
TROGON, Elegant, Trogon elegans
TROPiCBiRd, Red-billed, Phaethon aethereus
Red-tailed, Phaethon rubricauda
White-tailed, Phaethon lepturus
TURNSTONE, Black, Arenaria melanocephala
Ruddy, Arenaria interpres
TURTLE-DOVe, Oriental, Streptopelia orientalis
VEERY, Catharus fusciscens
VERDiN, Auriiparus flaviceps
VIOLETAIR, Green, Colibri thalassinus
VIREO, Bell's, Vireo bellii
Black-capped, Vireo atricapilla
Black-whiskered, Vireo altilogus
Blue-headed, Vireo solitarius
Cassin's, Vireo cassini
Gray, Vireo vicinior
Hutton's, Vireo huttoni
Philadelphia, Vireo philadelphicus
Plumbeous, Vireo plumbeus
Puerto Rican, Vireo latimeri
Red-eyed, Vireo olivaceus
Thick-billed, Vireo crassirostris
Warbling, Vireo gilvus
White-eyed, Vireo griseus
Yellow-green, Vireo flaviviridis
Yellow-throated, Vireo flavifrons
Yucatan, Vireo magister
VULTURE, Black, Coragyps atratus
Turkey, Cathartes aura
WAGTAIL, Citrine, Motacilla citreola
Eastern Yellow, Motacilla tschutschensis
Gray, Motacilla cinerea
White, Motacilla alba
WARBLER, Adelaide's, Dendroica adelaidae
Arctic, Phylloscopus borealis
Bachman's, Vireo bachmanni
Bay-breasted, Dendroica castanea
Black-and-white, Mniotilta varia
Black-throated Blue, Dendroica caerulescens
Black-throated Gray, Dendroica nigrescens
Black-throated Green, Dendroica virens
Blackburnian, Dendroica fusca
Blackpoll, Dendroica striata
Blue-winged, Vireo cyanopterus
Canada, Wilsonia canadensis
Cape May, Dendroica tigrina
Cerulean, Dendroica cerulea
Chestnut-sided, Dendroica pensylvanica
Colima, Oreothlypis crissalis
Connecticut, Opornis agilis
Crescent-chested, Oreothlyps superciliosa
Dusky, Phylloscopus fuscatus
Elfin-woods, Dendroica angelae
Fan-tailed, Euthlypis superciliosa
Golden-cheeked, Dendroica chrysoparia
Golden-crowned, Basileuterus culicivorus
Golden-winged, Vireo cinerbrevitarsis
Great Spotted, *Dendrocopos major*
Hair, *Pica villosus*
Ivory-billed, *Campephilus principalis*
Ladder-backed, *Pica scolaris*
Lewis’s, *Melanerpes lewis*
Nuttall’s, *Picoeditus nuttallii*
Pileated, *Dryocopus pileatus*
Puerto Rican, *Melanerpes portoricicensis*
Red-billed, *Melanerpes carolinus*
Red-cockaded, *Picoeditus borealis*
Red-headed, *Melanerpes erythrocephalus*
White-headed, *Picoeditus albolavrus*
WOODSTAR, Bahama, *Calliphlox evelynae*
WREN, Bewick’s *Thryomanes beckiiwixus*
Cactus, *Campylophynchus brunneicapillus*
Carolina, *Thryothorus ludovicianus*
House, *Troglydotes aedon*
Marsh, *Troglydotes palustris*
Pacific, *Troglydotes pacificus*
Rock, *Salpinetes obsoletus*
Sedge, *Thryothorus phaeocephalus*
Sinaloa, *Thryothorus sinaloa*
Winter, *Troglydotes hispalisem*
WRENIT, *Chamaeae fasciatus*
WRYNECK, *Euraspis jynx torquilla*
YELLOWLEGS, Greater, *Tringa melanoleuca*
Lesser, *Tringa flavipes*
YELLOWTHROAT, *Euraspis trichas*
Gray-crowned, *Geothlypis poliophtheala*
(2) Taxonomic listing. Species are listed in phylogenetic sequence by scientific name, with the common (English) name following the scientific name. To help clarify species relationships, we also list the higher-level taxonomic categories of Order, Family, and Subfamily.
Order ANSERINAE
Family ANATIDAE
Subfamily DENDROCYGNINAE
*Dendrocygna autumnalis*, Black-bellied Whistling-Duck
*Dendrocygna arboare*, West Indian Whistling-Duck
Dendrocygna bicoar, *Fulvous Whistling-Duck*
Dendrocygna reaverae, *Trumpeter Swan*
Dendrocygna bicolor, *Green-winged Teal*
Dendrocygna eulophos, *Baer’s Pochard*
Dendrocygna euryzona, *Hairy Woodpecker*
Dendrocygna fusca, *American Three-toed Woodpecker*
Dendrocygna gigas, *Golden-fronted Woodpecker*
Dendrocygna melas, *American Three-toed Woodpecker*
Dendrocygna nigrescens, *Black-bellied Plover*
Dendrocygna nigra, *Pileated Woodpecker*
Dendrocygna seicola, *Red-headed Woodpecker*
Dendrocygna sylvestris, *Gadwall*
Dendrocygna tenebrosa, *Blue-winged Teal*
Dendrocygna superciliosa, *Northern Pintail*
Dendrocygna tundria, *Tundra Bean-Goose*
Dendrocygna virginica, *Least Sandpiper*
Dendrocygna eyrensis, *Red-breasted Scaup*
Dendrocygna americanus, *Hawaiian Goose*
Dendrocygna aestivalis, *Red-breasted Scaup*
Dendrocygna alba, *Common Eider*
Dendrocygna bicornis, *Harlequin Duck*
Dendrocygna barnesi, *Baer’s Pochard*
Dendrocygna collaris, *Ring-necked Duck*
Dendrocygna fuligula, *Tufted Duck*
Dendrocygna marila, *Greater Scaup*
Dendrocygna affinis, *Lesser Scaup*
Dendrocygna leucophrys, *Eurasian Teal*
Dendrocygna marina, *Common Eider*
Dendrocygna exilis, *Horned Scaup*
Dendrocygna bairdi, *Horned Scaup*
Dendrocygna pontina, *Common Pochard*
Dendrocygna fuligula, *Merganser*
Dendrocygna leucouras, *Yellow-billed Duck*
Dendrocygna fulvus, *Ruddy Duck*
Dendrocygna alba, *Lesser Scaup*
Dendrocygna affinis, *Harlequin Duck*
Dendrocygna exilis, *Horned Scaup*
Dendrocygna leucophrys, *Eurasian Teal*
Dendrocygna marina, *Common Eider*
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Dendrocygna alba, *Lesser Scaup*
Dendrocygna affinis, *Harlequin Duck*
Tachybatrus dominicus, Least Grebe
Podilymbus podiceps, Pied-billed Grebe
Podiceps auritus, Horned Grebe
Podiceps grisegena, Red-necked Grebe
Podiceps nigricollis, Eared Grebe
Aechmophorus occidentalis, Western Grebe
Aechmophorus clarkii, Clark’s Grebe
Order PROCELLARIIFORMES
Family PHOENICOPTERIDAE
Phoebastria immutabilis, Laysan Albatross
Phoebastria nigripes, Black-footed Albatross
Phoebastria nigripes, Black-footed Albatross

Family DIOMEDEIDAE
Thalassarche chlororhynchos, Yellow-nosed Albatross
Thalassarche cauta, Shy Albatross
Thalassarche melanophris, Black-browed Albatross
Phoebetria palpebrata, Light-mantled Albatross
Diomedea exulans, Wandering Albatross
Phoebastria immutabilis, Laysan Albatross
Phoebastria nigripes, Black-footed Albatross
Phoebastria albatrus, Short-tailed Albatross

Family PROCELLARIDAE
Fregata magnificens, Magnificent Frigatebird
Fregata minor, Great Frigatebird
Fregata ariel, Lesser Frigatebird

Family SULIDAE
Sula dactylatra, Masked Booby
Sula nebouxii, Blue-footed Booby
Sula leucogaster, Brown Booby
Sula sula, Red-footed Booby
Morus bassanus, Northern Gannet

Order PHALACROCORACIFORMES
Family PHALACROCORIDAE
Phalacrocorax penicillatus, Brandt’s Cormorant
Phalacrocorax brasilianus, Neotropic Cormorant
Phalacrocorax auritus, Double-crested Cormorant
Phalacrocorax carbo, Great Cormorant
Phalacrocorax urile, Red-faced Cormorant
Phalacrocorax pelagicus, Pelagic Cormorant
Phalacrocorax melanoleucus, Little Pied Cormorant

Family ANHINGIDAE
Anhinga anhinga, Anhinga

Family PELECANIDAE
Pelecanus erythrorhynchos, American White Pelican
Pelecanus occidentalis, Brown Pelican

Family ARDEIDAE
Botaurus lentiginosus, American Bittern
Ixobrychus sinensis, Yellow Bittern
Ixobrychus exilis, Least Bittern
Ixobrychus eurhythmus, Schrenck’s Bittern
Ixobrychus flavicollis, Black Bittern
Ardea herodias, Great Blue Heron
Ardea cinerea, Gray Heron
Ardea alba, Great Egret
Mesophoyx intermedia, Intermediate Egret
Egretta eulophotes, Chinese Egret
Egretta garzetta, Little Egret
Egretta sacra, Pacific Reef-Egret
Egretta gularis, Western Reef-Heron
Egretta thula, Snowy Egret
Egretta caerulescens, Little Blue Egret
Egretta tricolor, Tricolored Heron
Egretta rufescens, Reddish Egret
Bubulcus ibis, Cattle Egret
Ardea alba, Great Egret
Butozeros virens, Green Heron
Nycticorax nycticorax, Black-crowned Night-Heron
Nycus arnaudii, Yellow-crowned Night-Heron
Gorsachius goisagi, Japanese Night-Heron
Gorsachius melanolophus, Malayan Night-Heron

Family THRESKIORNITHIDAE
Subfamily THRESKIORNITHINAE
Eudocimus albus, White Ibis
Eudocimus ruber, Scarlet Ibis
Plegadis falcinellus, Glossy Ibis
Plegadis chihi, White-faced Ibis
Subfamily PLATALEINAE
Platalea ajaja, Roseate Spoonbill
Order ACCIPITRIDAE
Family CATHARTIDAE
Falco vespertinus, Crested Caracara
Falco tinnunculus, Collared Hawk
Cathartes aura, Turkey Vulture
Gymnogyps californianus, California Condor
Family PANDIONIDAE
Pandion haliaetus, Osprey
Family ACCIPITRIDAE
Chondrohierax uncinatus, Hook-billed Kite
Eagles
Falco cherrug, Aquila chrysaetos, Buteo lagopus, Buteo jamaicensis, Red-tailed Hawk
Buteo solitarius, Hawaiian Hawk
Buteo albonotatus, Zone-tailed Hawk
White-tailed Hawk
Buteo albicaudatus, Buteo swainsoni, Buteo nitidus, Gray Hawk
Buteo platypterus, Red-shouldered Hawk
Buteo lineatus, Roadside Hawk
Buteo magnirostris, Harris’s Hawk
Hawks
Buteo regalis, Ferruginous Hawk
Buteo lapogus, Rough-legged Hawk
Aquila chrysaetos, Golden Eagle
Order CHARADRIIFORMES
Family CHARADRIIDAE
Charadrius ursinus, Little Ringed Plover
Charadrius morinellus, Charadrius montanus, Mountain Plover
Charadrius hiaticula, Wilson’s Plover
Charadrius alexandrinus, Greater Sand-Plover
Charadrius melodus, Piping Plover
Charadrius dubius, Little Ringed Plover
Charadrius vociferus, Killdeer
Charadrius montanus, Mountain Plover
Charadrius morinellus, Eurasian Dotterel
Family HAEMATOPODIDAE
Haematopus ostralegus, Eurasian Oystercatcher
Family HAEMATOPODIDAE
Haematopus palliatus, American Oystercatcher
Family CARACARINAE
Haliaeetus leucocephalus, White-tailed Eagle
Family FALCONIDAE
Falco mexicanus, Prairie Falcon
Order GRUIFORMES
Family RALLIDAE
Porphyrio porphyrio, Purple Swamphen
Porphyrio martinica, Purple Gallinule
Porphyrio flavicollis, Azure Gallinule
Gallinula chloropus, Common Moorhen
Fulica atra, American Coot
Fulica alai, Hawaiian Coot
Fulica americana, American Coot
Fulica caribaea, Caribbean Coot
Family ARAIMIDAE
Aramus guarauna, Limpkin
Family GRUIDAE
Grus canadensis, Sandhill Crane
Grus grus, Common Crane
Grus americana, Whooping Crane
Order CHARADRIIFORMES
Family CHARADRIIDAE
Vanellus vanellus, Western Lapwing
Vanellus cinereus, Common Sandpiper
Vanellus ocellatus, Painted Sandpiper
Family SCOLOPACIDAE
Actitis hypoleucos, Common Sandpiper
Actitis macularius, Spotted Sandpiper
Tringa ochropus, Green Sandpiper
Tringa solitaria, Solitary Sandpiper
Tringa brevipes, Gray-tailed Tattler
Tringa incana, Wandering Tattler
Tringa erythropus, Spotted Redshank
Tringa melanoleuca, Greater Yellowlegs
Tringa nebularia, Common Greenshank
Tringa glaucorhyncha, Nordmann’s Greenshank
Tringa semipalmata, Willet
Tringa flavipes, Lesser Yellowlegs
Tringa stagnatilis, Marsh Sandpiper
Tringa glareola, Wood Sandpiper
Bartramia longicauda, Upland Sandpiper
Nenetus minutus, Little Curlew
Nenetus borealis, Eskimo Curlew
Nenetus phaeopus, Whimbrel
Nenetus tibii, Bristle-thighed Curlew
Nenetus madagascariensis, Far Eastern Curlew
Nenetus arquata, Eurasian Curlew
Nenetus americana, Long-billed Curlew
Limosa limosa, Black-tailed Godwit
Limosa haemastica, Hudsonian Godwit
Limosa lapponica, Bar-tailed Godwit
Limosa fedoa, Marbled Godwit
Arenaria interpres, Ruddy Turnstone
Arenaria melanocephala, Black Turnstone
Aphriza virgata, Surfbird
Calidris tenuirostris, Great Knot
Calidris canutus, Red Knot
Calidris alba, Sanderling
Calidris pusilla, Sempipalmated Sandpiper
Calidris mauri, Western Sandpiper
Calidris ruficollis, Red-necked Stint
Calidris minutus, Little Stint
Calidris temminckii, Temminck’s Stint
Calidris minuta, Long-toed Stint
Calidris minutilla, Least Sandpiper
Calidris fuscicollis, White-rumped Sandpiper
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Order STRIGIFORMES
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Family STRIGIDAE
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  Otus sunia, Oriental Scops-Owl
  Megascops kennicotti, Western Screech-Owl
  Megascopsasio, Eastern Screech-Owl
  Megascops trichopsis, Whiskered Screech-Owl
  Megascops nudipes, Puerto Rican Pygmy-Owl
  Microthene whitneyi, Elf Owl
  Athene cunicularia, Burrowing Owl
  Ciccaba virgata, Mottled Owl
  Strix occidentalis, Spotted Owl
  Strix varia, Barred Owl
  Strix nebulosa, Great Gray Owl
  Asio otus, Long-eared Owl
  Asio stygius, Stygian Owl
  Asio flammeus, Short-eared Owl
  Aegolius funereus, Boreal Owl
  Aegolius acadicus, Northern Saw-whet Owl
  Nyctes scutulata, Brown Hawk-Owl
Order CAPRIMULGIFORMES
Family CAPRIMULGIDAE
  Subfamily CYPSELOIDINAE
    Cypseloides niger, Black Swift
    Streptoprocne zonaris, White-collared Swift
  Subfamily CHAETURINAE
    Chaetura pelagica, Chimney Swift
    Chaetura vauxi, Vaux’s Swift
    Chaetura brachyura, Short-tailed Swift
    Hirundapus caudacatus, White-throated Needletail
    Aerodramus spodiopygius, White-rumped Swiftlet
    Aerodramus bartschii, Mariana Swiftlet
  Subfamily APODINAE
    Apus apus, Common Swift
    Apus pacificus, Fork-tailed Swift
    Apus melba, Alpine Swift
    Aeronautas saxatalis, White-throated Swift
    Tachornis phoenicobia, Antillean Palm-Swift
Family TROCHILIDAE
  Subfamily TROCHILINAE
    Colibri thalassinus, Green Violet-ear
    Anthracothorax prevostii, Green-breasted Mango
    Anthracothorax dominicus, Antillean Mango
    Anthracothorax viridis, Green Mango
    Eulampis jugularis, Purple-throated Carib
    Eulampis holosericeus, Green-throated Carib
    Orthorhyncus cristatus, Antillean Crested Hummingbird
    Chlorostilbon maugaeus, Puerto Rican Emerald
    Cynanthus latirostris, Broad-billed Hummingbird
    Hylocharis leucotis, White-eared Hummingbird
    Hylocharis xantusii, Xantus’s Hummingbird
    Amazilia yucatanensis, Buff-bellied Hummingbird
    Amazilia xantusii, Xantus’s Hummingbird
    Amazilia beryllina, Berylline Hummingbird
    Amazilia carolinensis, Williams’s Hummingbird
    Amazilia violiceps, Violet-crowned Hummingbird
    Lampornis clemenciae, Blue-throated Hummingbird
    Eugenes fulgens, Magnificent Hummingbird
    Heliodinnae, Plain-capped Starthroat
    Calliphlox evelynae, Bahama Woodstar
    Calothorax lucifer, Lucifer Hummingbird
    Anthracothorax colubris, Ruby-throated Hummingbird
    Asturina norris, Black-chinned Hummingbird
    Calypte anna, Arizona’s Hummingbird
    Calypte coelestis, Costa’s Hummingbird
    Stellula calliope, Calliope Hummingbird
    Atthis heliosa, Bumblebee Hummingbird
    Selasphorus platycercus, Broad-tailed Hummingbird
    Selasphorus rufus, Rufous Hummingbird
    Selasphorus sasin, Allen’s Hummingbird
Family TROGONIDAE
  Subfamily TROGONINAE
    Colaptes auritus, Rusty Blackbird
    Cercotrichas galapagoensis, Galapagos Kingbird
    Elaenia eulophotes, Cinnamon Elaenia
    Euptilotis neoxenus, Eared Quetzel
  Order TROGONIFORMES
Family UPUPIIFORMES
  Upupa epops, Eurasian Hoopoe
  Order CORACIIFORMES
Family ALCEDINIDAE
  Subfamily HALCYONINAE
    Todiramphus cinnamominus, Micronesian Kingfisher
    Todiramphus chloris, Collared Kingfisher
  Subfamily CERYLINAE
    Megaceryle torquata, Ringed Kingfisher
    Megaceryle alcyon, Belted Kingfisher
    Chloroceryle americana, Green Kingfisher
  Order PICIFORMES
Family PICIDAE
  Subfamily YINGINAE
    Synx torquilla, Eurasian Wryneck
  Subfamily PICINAE
    Melanerpes lewis, Lewis’s Woodpecker
    Melanerpes formicivorus, Acorn Woodpecker
    Melanerpes formicivorus, Acorn Woodpecker
    Melanerpes aurifrons, Golden-fronted Woodpecker
    Melanerpes carolinus, Red-bellied Woodpecker
    Sphyrapicus thyroideus, Williamson’s Sapsucker
    Sphyrapicus varius, Yellow-bellied Sapsucker
    Sphyrapicus nuchalis, Red-naped Sapsucker
    Sphyrapicus rubicundus, Red-breasted Sapsucker
    Dendrocopos major, Great Spotted Woodpecker
    Picoides scalaris, Ladder-backed Woodpecker
    Picoides arcticus, Grey-headed Woodpecker
    Picoides albus, Boreal Woodpecker
    Picoides villosus, Hairy Woodpecker
    Picoides arcticus, Arizona Woodpecker
    Picoides borealis, Red-cockaded Woodpecker
    Picoides rubiginosus, Red-cockaded Woodpecker
Subfamily FLUVICOLINAE
Mitrephanes phaeocercus, Tufted Flycatcher
Contopus cooperi, Olive-sided Flycatcher
Contopus pertinax, Greater Pewee
Contopus sordidulus, Western Wood-Peeve
Contopus virens, Eastern Wood-Peeve
Contopus caribaeus, Cuban Pewee
Contopus hispaniolensis, Hispaniolan Pewee
Contopus latirostris, Lesser Antillean Pewee
Empidonax flaviventris, Yellow-bellied Flycatcher
Empidonax virescens, Acadian Flycatcher
Empidonax alnorum, Alder Flycatcher
Empidonax traillii, Willow Flycatcher
Empidonax minimus, Least Flycatcher
Empidonax hammondii, Hammond’s Flycatcher
Empidonax wrightii, Gray Flycatcher
Empidonax oberholseri, Dusky Shrike
Empidonax difficilis, Pacific-slope Flycatcher
Empidonax occidentalis, Cordilleran Flycatcher
Empidonax fulvifrons, Buff-breasted Flycatcher
Sayornis nigricans, Black Phoebe
Sayornis phoebe, Eastern Phoebe
Sayornis saya, Say’s Phoebe
Pyrocephalus rubinus, Vermilion Flycatcher
Subfamily TYRANNNINAE
Myiarchus tyrannulus, Brown-crested Flycatcher
Myiarchus sagrae, La Sagra’s Flycatcher
Myiarchus antillarum, Puerto Rican Flycatcher
Pitangus sulphuratus, Great Kiskadee
Myiozetetes similis, Social Flycatcher
Myiodynastes luteiventris, Sulphur-bellied Flycatcher
Legatus leucophalus, Piratic Flycatcher
Empidonax varius, Variegated Flycatcher
Empidonax aurantioatrocristatus, Crowned Slaty Flycatcher
Tyrannus melancholicus, Tropical Kingbird
Tyrannus couchii, Couch’s Kingbird
Tyrannus vociferans, Cassin’s Kingbird
Tyrannus crassirostris, Thick-billed Kingbird
Tyrannus verticalis, Western Kingbird
Tyrannus tyrannus, Eastern Kingbird
Tyrannus dominicensis, Gray Kingbird
Tyrannus caudifasciatus, Scissor-tailed Flycatcher
Tyrannus savana, Fork-tailed Flycatcher
Pachyramphus aglaiae, Rose-throated Becard
Tityra semifasciata, Masked Tityra
Family LANTIDAE
Lanius cristatus, Brown Shrike
Lanius ludovicianus, Loggerhead Shrike
Lanius excubitor, Northern Shrike
Family VIREONIDAE
Vireo griseus, White-eyed Vireo
Vireo crassirostris, Thick-billed Vireo
Vireo latimeri, Puerto Rican Vireo
Vireo bellii, Bell’s Vireo
Vireo atricapilla, Black-capped Vireo
Vireo vicinior, Gray Vireo
Vireo flavifrons, Yellow-throated Vireo
Vireo plumbeus, Plumbeous Vireo
Vireo cassini, Cassin’s Vireo
Vireo solitarius, Blue-headed Vireo
Vireo huttoni, Hutton’s Vireo
Vireo gilvus, Warbling Vireo
Vireo philadelphicus, Philadelphia Vireo
Vireo olivaceus, Red-eyed Vireo
Vireo flaviforidis, Yellow-green Vireo
Vireo altiloquous, Black-whiskered Vireo
Vireo magister, Yucatan Vireo
Family PARIDAE
Picoe carolinensis, Carolina Chickadee
Poecile atricapillus, Black-capped Chickadee
Poecile gambeli, Mountain Chickadee
Poecile sclateri, Mexican Chickadee
Poecile rufescens, Chestnut-backed Chickadee
Poecile hudsonicus, Boreal Chickadee
Poecile cinctus, Gray-headed Chickadee
Baeolophus wollweberi, Bridled Titmouse
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Oreothlypis virginias, Virginia’s Warbler
Oreothlypis crissalis, Calima Warbler
Oreothlypis luciae, Lucy’s Warbler
Oreothlypis superciliosa, Crescent-sided Warbler
Parula americana, Northern Parula
Parula pitiayumi, Tropical Parula
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Dendroica pensylvanica, Chestnut-sided Warbler
Dendroica magnolia, Magnolia Warbler
Dendroica tigrina, Cape May Warbler
Dendroica caerulescens, Black-throated Blue Warbler
Dendroica coronata, Yellow-rumped Warbler
Dendroica nigrescens, Black-throated Gray Warbler
Dendroica chrysoparia, Golden-cheeked Warbler
Dendroica virens, Black-throated Green Warbler
Dendroica townsendi, Townsend’s Warbler
Dendroica occidentalis, Hermit Warbler
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Dendroica gracilis, Grace’s Warbler
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Dendroica pinus, Pine Warbler
Dendroica kirtlandii, Kirtland’s Warbler
Dendroica discolor, Prairie Warbler
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Setophaga ruticilla, American Redstart
Prothonotaria citrea, Prothonotary Warbler
Helmitheros vermivorum, Worm-eating Warbler
Limnothlypis swainsonii, Swainson’s Warbler
Seiurus aurocapilla, Ovenbird
Parusia noveboracensis, Northern Waterthrush
Parusia motacilla, Louisiana Waterthrush
Oporornis formosus, Kentucky Warbler
Oporornis agilis, Connecticut Warbler
Oporornis philadelphia, Mourning Warbler
Oporornis olivaceus, MacGillivray’s Warbler
Geothlypis trichas, Common Yellowthroat
Geothlypis poliocephala, Gray-crowned Yellowthroat
Wilsonia citrina, Hooded Warbler
Wilsonia pusilla, Wilson’s Warbler
Wilsonia canadensis, Canada Warbler
Carollina rubrifrons, Red-faced Warbler
Myioborus pictus, Painted Redstart
Myioborus minimus, Slate-throated Redstart
Euthlypis lachrymosa, Fan-tailed Warbler
Basileuterus culicivorus, Golden-crowned Warbler
Basileuterus rufifrons, Rufous-capped Warbler
Icteria virens, Yellow-breasted Chat
Family THRAUPIDAE
Nesospingus speculiferus, Puerto Rican Tanager
Spindalis zena, Western Spindalis
Spindalis portoricensis, Puerto Rican Warbler
Spindalis portoricensis, Puerto Rican Spindalis
Family EMBERIZIDAE
Sporophila torquata, White-collared Seedeater
Tiaris olivaceus, Yellow-faced Grassquit
Tiaris bicolor, Black-faced Grassquit
Loxigilla portoricensis, Puerto Rican Gray Finch
Arremonops rufivirgatus, Olive Sparrow
Pipilo chlorurus, Green-tailed Towhee
Pipilo maculatus, Spotted Towhee
Pipilo erythrophthalmus, Eastern Towhee
Aimophila ruficeps, Rufous-crowned Sparrow
Melosyna fusca, Canyon Towhee
Melosyna mexicana, California Towhee
Melosyna aberti, Abert’s Towhee
Poeaeus carpalis, Rufous-winged Sparrow
Poeaeus botteri, Botteri’s Sparrow
Poeaeus cassinii, Cassin’s Sparrow
Poeaeus aestivalis, Bachman’s Sparrow
Spizella arborea, American Tree Sparrow
Spizella passerina, Chipping Sparrow
Spizella pallida, Clay-colored Sparrow
Spizella breweri, Brewer’s Sparrow
Spizella pusilla, Field Sparrow
Spizella warheni, Worthen’s Sparrow
Spizella occidentalis, Black-chinned Sparrow
Poecetes gramineus, Vesper Sparrow
Chondestes grammaceus, Lark Sparrow
Amphispiza quinquenigrata, Five-striped Sparrow
Amphispiza bineata, Black-throated Sparrow
Amphispiza bellii, Sage Sparrow
Calamospiza melanocorys, Lark Bunting
Passerellus sandwichensis, Savannah Sparrow
Ammodramus savannarum, Grasshopper Sparrow
Ammodramus bairdii, Baird’s Sparrow
Ammodramus henslowii, Henslow’s Sparrow
Ammodramus leconteii, Le Conte’s Sparrow
Ammodramus nelsoni, Nelson’s Sparrow
Ammodramus caudacutus, Saltmarsh Sparrow
Ammodramus maritimus, Seaside Sparrow
Passerellus iliaca, Fox Sparrow
Melospiza melodia, Song Sparrow
Melospiza lincolnii, Lincoln’s Sparrow
Melospiza georgiana, Swamp Sparrow
Zonotrichia albicollis, White-throated Sparrow
Zonotrichia querula, Harris’s Sparrow
Zonotrichia leucophrys, White-crowned Sparrow
Zonotrichia atricapilla, Golden-crowned Sparrow
Junco hyemalis, Dark-eyed Junco
Junco phaeonotus, Yellow-eyed Junco
Emberiza leucocephalos, Pine Bunting
Emberiza chrysophrys, Yellow-browed Bunting
Emberiza pusilla, Little Bunting
Emberiza rustica, Rustic Bunting
Emberiza elegans, Yellow-throated Bunting
Emberiza aureola, Yellow-breasted Bunting
Emberiza variabilis, Gray Bunting
Emberiza pallasi, Pallas’s Bunting
Emberiza schoeniclus, Reed Bunting
Family CARDINALIDAE
Piranga flavu, Hepatic Tanager
Piranga rubra, Summer Tanager
Piranga olivacea, Scarlet Tanager
Piranga ludoviciana, Western Tanager
Piranga bidentata, Flame-colored Tanager
Rhododrups celaena, Crimson-collared Grosbeak
Cardinalis cardinalis, Northern Cardinal
Cardinalis sinuatus, Purrhuloxia
Pheucticus chrysopeplus, Yellow Grosbeak
Pheucticus ludovicianus, Rose-breasted Grosbeak
Pheucticus melanocephalus, Black-headed Grosbeak
Cyanocompsa parellina, Blue Bunting
Passerina caerulea, Blue Grosbeak
Passerina amoena, Lazuli Bunting
Passerina cyanea, Indigo Bunting
Passerina versicolor, Varied Bunting
Passerina ciris, Painted Bunting
Spiza americana, Dickcissel

Family ICTERIDAE
Dolichonyx oryzivorus, Bobolink
Agelaius phoeniceus, Red-winged Blackbird
Agelaius tricolor, Tricolored Blackbird
Agelaius xanthomus, Yellow-shouldered Blackbird
Sturnella magna, Eastern Meadowlark
Sturnella neglecta, Western Meadowlark
Xanthocephalus xanthocephalus, Yellow-headed Blackbird
Euphagus carolinus, Rusty Blackbird
Euphagus cyanocephalus, Brewer’s Blackbird
Quiscalus quiscula, Common Grackle
Quiscalus mexicanus, House Finch
Loxia curvirostra, Red Crossbill
Loxia leucoptera, White-winged Crossbill
Acanthis flammea, Common Redpoll
Acanthis hornemanni, Hoary Redpoll
Spinus psaltria, Lesser Goldfinch
Spinus tristis, American Goldfinch
Spinus pinus, Pine Siskin
Spinus psaltria, Lesser Goldfinch
Spinus lawrencei, Lawrence’s Goldfinch
Spinus tristis, American Goldfinch
Chloris sinica, Oriental Greenfinch
Pyrrhula pyrrhula, Eurasian Bullfinch
Coccothraustes vespertinus, Evening Grosbeak
Coccothraustes coccothraustes, Hawfinch

PART 21—[AMENDED]

3. Revise the authority citation for part 21 to read as follows:


§ 21.3 [Amended]

4. In § 21.3, amend the definition of “Raptor” by adding the words “the Order Accipitriformes,” immediately before the words “the Order Falconiformes” and adding a comma after “Falconiformes”.

Dated: September 17, 2013.

Michael J. Bean,
Acting Principal Deputy Assistant Secretary for Fish and Wildlife and Parks.