

**DEPARTMENT OF THE INTERIOR****Fish and Wildlife Service****[50 CFR 17]****Endangered and Threatened Wildlife and Plants; U.S. Populations of Seven Endangered Species****AGENCY:** Fish and Wildlife Service, Interior.**ACTION:** Notification that the populations of seven endangered species are not currently protected by the Endangered Species Act.

**SUMMARY:** With this notice, the Service recognizes that, through an oversight in the listing of seven endangered species the U.S. populations of these species are not currently covered by the endangered classification which is given to the species as a whole. These species are: short-tailed albatross, thick-billed parrot, wood bison, northern swift fox, jaguar, margay and ocelot. Since the Service had assumed that the U.S. populations of these species were provided the protection of the Endangered Species Act of 1973, action will be taken as quickly as possible to propose them for listing and to correct the oversight which currently excludes them from classification under the Act.

**DATES:** Comments on this notice should be received by September 28, 1979.**ADDRESSES:** Send all communications to Director (OES), U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240.**FOR FURTHER INFORMATION CONTACT:** John L. Spinks, Jr., Chief, Office of Endangered Species, U.S. Fish and Wildlife Service, Washington, D.C. 20240. Phone 703/235-1975.**SUPPLEMENTARY INFORMATION:****Background**

The purpose of this notice is to inform the public and concerned State and Federal agencies that, through an oversight, United States populations of the following species are not currently listed under the Endangered Species Act of 1973: short-tailed albatross (*Diomedea albatrus*), thick-billed parrot (*Rhynchopsitta pachyrhyncha*), wood bison (*Bison bison athabasca*), northern swift fox (*Vulpes velox hebes*), jaguar (*Panthera onca*), margay (*Felis wiedii*) and ocelot (*Felis pardalis*).

The Endangered Species Conservation Act of 1969 required that in listing a native species as endangered, the Governor of any State in which such species was resident was to be consulted. In the case of the above

seven species, they were placed on the list as endangered "foreign species" under the 1969 Act and none of the Governors of the States in which they are resident was contacted at the time. Thus the native populations of these species were never formally proposed for listing pursuant to the criteria and procedures of the 1969 Act. Because the "foreign" and "native" species lists were combined under the 1973 Act, the oversight involving the native populations of the listed foreign species was not discovered until recently. Therefore, the native populations of these species are not listed as endangered, although foreign populations are listed and receive all the protection of the Act. It has always been the intent of the Service that all populations of the above seven species deserve to be listed as endangered, whether they occur in the United States or in foreign countries. Therefore, the Service intends to take action as quickly as possible to propose the U.S. populations of these species for listing, and will correct the oversight that excludes them from the current list. Until final action is taken on that proposal, U.S. populations of the above species have no official standing under the Act. However, it is emphasized that the status of these native populations is truly endangered and that it is only as a result of an oversight that they are currently excluded from the protection of the Act. All Federal and State agencies, therefore, are requested and urged to provide them with the same considerations, wherever possible, that they would receive as endangered species until such time as they can be listed.

This notice was prepared by John L. Paradiso, Office of Endangered Species, 703/235-1975).

Dated: July 17, 1979.

**Robert S. Cook,***Acting Director, Fish and Wildlife Service.*

[FR Doc. 79-22955 Filed 7-24-79; 8:45 am]

**BILLING CODE 4310-55-M**