



Department of the Interior
U.S. Fish and Wildlife Service

OMB Control No. 1018-0093
Expires ##/##/####

Federal Fish and Wildlife Permit Application Form

Return to: U.S. Fish and Wildlife Service
Division of Management Authority (DMA)
Branch of Permits, MS: IA
5275 Leesburg Pike
Falls Church, VA 22041-3803
1-800-358-2104 or 703-358-2104

Type of Activity:
Pre-Convention, Pre-Act, or Antique Musical Instruments Certificate (CITES, MMPA and/or ESA)
 New Application
 Re-issuance/Amendment of Certificate# _____

Complete Sections A or B, and C, D, and E of this application. U.S. address may be required in Section C, see instructions for details.
See attached instruction pages for information on how to make your application complete and help avoid unnecessary delays.

A. Complete if applying as an individual			
1.a. Last name	1.b. First name	1.c. Middle name or initial	1.d. Suffix
2. Date of birth (mm/dd/yyyy)	3. Telephone number	3.a. Alternate telephone number	4. E-mail address

B. Complete if applying on behalf of a business, corporation, public agency, Tribe, or institution			
1.a. Name of business, agency, Tribe, or institution		1.b. Doing business as (dba)	
2. Tax identification no.		3. Description of business, agency, Tribe, or institution	
4.a. Principal officer Last name	4.b. Principal officer First name	4.c. Principal officer Middle name/ initial	4.d. Suffix
5. Principal officer title		6. Primary contact name	
7.a. Business telephone number	7.b. Alternate telephone number	7.c. Business fax number	7.d. Business e-mail address

C. All applicants complete address information				
1.a. Physical address (Street address; Apartment #, Suite #, or Room #; no P.O. Boxes) (If Broker or Taxidermist is applying on behalf of a foreign national, provide Broker or Taxidermist's name and address in this block; U.S. hunters must provide their U.S. address)				
1.b. City	1.c. State	1.d. Zip code/Postal code:	1.e. County/Province	1.f. Country
2.a. Mailing Address (include if different than physical address; include name of contact person if applicable)				
2.b. City	2.c. State	2.d. Zip code/Postal code:	2.e. County/Province	2.f. Country

D. All applicants MUST complete	
1.	Attach check or money order payable to the U.S. FISH AND WILDLIFE SERVICE in the amount of \$75 nonrefundable processing fee. Federal, Tribal, State, and local government agencies, and those acting on behalf of such agencies, are exempt from the processing fee – attach documentation of fee exempt status as outlined in instructions. (50 CFR 13.11(d))
2.	Certification: I hereby certify that I have read and am familiar with the regulations contained in Title 50, Part 13 of the Code of Federal Regulations and the other applicable parts in subchapter B of Chapter I of Title 50 , and I certify that the information submitted in this application for a permit is complete and accurate to the best of my knowledge and belief. I understand that any false statement herein may subject me to the criminal penalties of 18 U.S.C. 1001.
_____ Signature of applicant/Principal Officer for permit (No photocopied or stamped signatures) Date of signature (mm/dd/yyyy)	

Please continue to next page

E. Export of Pre-Convention, Pre-Act, or Antique Musical Instrument/Traveling Exhibition Certificate (MMPA, ESA, and/or CITES)

Description	Applicable Date
pre-Convention (CITES)	Specimen was acquired (removed from the wild or born or propagated in a controlled environment) before the date CITES applied to it. The CITES listing date can be found at http://www.cites.org .
pre-Act (ESA)	Specimen was held in a controlled environment on or before (a) December 28, 1973 or the date when the species was listed under the ESA, and (b) the holding or use was not in the course of a commercial activity (<i>e.g.</i> , it has not been bought, sold, or offered for sale by you or anyone else) since December 28, 1973, or the date when listed under the ESA.
Antique (ESA)	Specimen is not less than 100 years old ago, has not been repaired or modified on or after December 28, 1973 with any part of any species protected by ESA and a) has entered at a port ¹ designated for the import of ESA antiques <u>or</u> b) there is documented proof that the specimen was in the United States prior to September 22, 1982.
pre-MMPA	Specimen was taken prior to December 21, 1972.

CITES - Convention on International Trade in Endangered Species of Wild Fauna and Flora

MMPA – Marine Mammal Protection Act

Act or ESA – Endangered Species Act

Note: This form is used to request a passport-like certificate for musical instruments. Your primary residence must be in the United States (i.e., you reside in the United States for the majority of the year) to be eligible for this certificate. Certificates issued may be valid for up to three years, and are intended for multiple border crossings for non-commercial purposes (e.g., the instrument is not being offered for sale or being sold while outside the United States).

Complete all questions on the application. Mark questions that are not applicable with "N/A". If needed, use separate sheets of paper. On all attachments or separate sheets you submit, indicate the application question number you are addressing.

Note: African elephant ivory removed from the wild after February 4, 1977, is not considered to be Pre-Convention; and worked African elephant ivory may only be re-exported for non-commercial purposes (e.g., you cannot sell the ivory once exported).

Electronic submission of inventories, photographs, and receipts: Some applications contain extensive inventories and /or a large number of photographs or receipts. You may provide electronic versions of the documents. Such a submission will assist in expediting the processing of your application since it may reduce data entry by the U.S. Fish and Wildlife Service. If you wish to provide information electronically, please either include a disk containing your information or, once you have received an application number via the e-mailed acknowledgement letter, e-mail your information to Permits@fws.gov. Be sure to include the application number provided in the acknowledgement e-mail that will be sent to you when we receive your application.

_____ I will be submitting documents electronically.

1. Name and address where you wish the permit to be mailed, **if different from page 1**. If you would like expedited shipping, please enclose a self-addressed, pre-paid, computer-generated, courier service airway bill. If unspecified, all documents will be mailed via regular mail through the U.S. Postal Service.

2. Whom should we contact if we have questions about the application (name, phone number, and e-mail)?

¹ U.S. Customs and Border Protection (CBP) designated 13 ports for the entry of antiques made of ESA-listed species on September 22, 1982 (19 C.F.R. 12.26). The following ports are authorized: Boston, Massachusetts; New York, New York; Baltimore, Maryland; Philadelphia, Pennsylvania; Miami, Florida; San Juan, Puerto Rico; New Orleans, Louisiana; Houston, Texas; Los Angeles, California; San Francisco, California; Anchorage, Alaska; Honolulu, Hawaii; and Chicago, Illinois.

3. Have you or any of the owners of the business (if applying as a business, corporation, or institution), been assessed a civil penalty or convicted of any criminal provision of any statute or regulation relating to the activity for which the application is filed; been convicted, or entered a plea of guilty or nolo contendere, for a felony violation of the Lacey Act, the Migratory Bird Treaty Act, or the Bald and Golden Eagle Protection Act; forfeited collateral; OR are currently under charges for any violation of the laws mentioned above?

No Yes

If you answered "Yes" to Question 3, provide: a) the individual's name; b) date of charge; c) charge(s); d) location of incident; e) court, and f) action taken for each violation. Please be aware that a "Yes" response does not automatically disqualify you from getting a permit.

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4. What activity are you requesting?
- i. New musical instrument certificate (processing Fee = \$75)
 - ii. Renewal or Amendment of a current Certificate, # _____ (processing Fee = \$75)
5. For EACH musical instrument, please provide the following:
- a. Scientific name (genus, species and, if applicable, subspecies) and common name of all CITES-listed plants or animals used to manufacture the instrument;
 - b. Description of item (e.g., published description from a catalog or art book) and size (in metric units);
 - c. Date of manufacture;
 - d. Date of acquisition and corresponding documentation or other information on how the specimen was acquired (e.g., bill of sale, U.S. Customs import declaration, transfer documents).
 - e. If the instrument was imported into the United States after 1975, provide:
 - i. A copy of canceled CITES export or re-export document issued by the appropriate CITES office in the country from which the wildlife was imported; and
 - ii. Cleared Wildlife Declaration for Import form 3-177 (hard copy or electronic release) if the instrument contains wildlife species; or
 - iii. Cleared import documentation from the Department of Agriculture or Department of Homeland Security if the instrument contains plant species.
6. Provide the current location of specimen(s) (address and country):
- Name:
Address:
City, State/Province:
County, Postal Code:
7. What is the purpose of the export?
- Please select: _____ Personal _____ Performance _____ Other (specify: _____)
_____ Display _____ Competition
8. Provide documents, signed statement, or other documentation that the instrument(s) was obtained or manufactured prior to the date CITES applied to the material used to manufacture the instrument (e.g., bill of sale, appraiser's statement,

USDA or foreign phytosanitary certificate). The listing date can be found in the CITES Species Database at <http://www.cites.org/eng/resources/species.html> or you can contact the Division of Management Authority.

9. For specimens(s) protected under the U.S. Endangered Species Act (ESA), provide one of the following:

For Antiques (see definition above):

Provide documentation which shows the age OR a statement from a qualified appraiser attesting to the age; AND Signed statement that the item has not been repaired or modified on or after December 28, 1973 with any part of any species protected by ESA.

For the export of all other items that are less than 100 years old (see pre-Act definition above) and that are not African elephant ivory:

Has this item entered into commerce (e.g., been bought, sold, or offered for sale by you or anyone else) since December 28, 1973? Yes _____ No _____.

If Yes, there may be a need for additional information- the Division of Management Authority will contact you directly.

If No, sign the following certification statement:

CERTIFICATION STATEMENT (Original Signature is required)

I certify to the best of my knowledge and belief that the endangered or threatened wildlife used to manufacture the musical instruments identified above was 1) held in captivity or in a controlled environment on December 28, 1973, or the species listing date, if later; 2) that the purposes of such holding were not contrary to the purposes of the Act; and 3) that the wildlife was not held in the course of a commercial activity.

Applicant's signature: _____ Date: _____

10. If the specimen is protected under the Marine Mammal Protection Act, provide an affidavit and supporting documentation that the item was taken prior to December 21, 1972 as outlined in 50 CFR 18.14 (<http://ecfr.gpoaccess.gov/>). For cetacean (whales) and pinniped (seals and seal lions; not walrus) specimens, provide either a copy of NOAA Fisheries letter of authorization or evidence that NOAA Fisheries has been contacted.
11. Please note that you may need to obtain additional authorizations required under State, Tribal, Federal, or foreign government for the activities that you want to conduct. While the Service will assist you where we can with these additional authorizations, it is your responsibility to obtain all required authorizations. If you have questions, please call the Division of Management Authority.
12. All instruments that contain wildlife specimens must be declared to the U.S. Fish and Wildlife Service Wildlife Inspectors at time of export/re-export. Likewise, the Department of Agriculture must inspect all instruments that contain CITES-listed plant species. Please indicate which U.S. port(s) you will be traveling through. The Service will assist you in contacting the appropriate border officials.

APPLICATION FORM INSTRUCTIONS

The following instructions pertain to an U.S. Fish and Wildlife Service (FWS) permit applications. The General Permit Procedures in [50 CFR 13](#) address the permitting process. For simplicity, all licenses, permits, registrations, and certificates are referred to as a permit.

GENERAL INSTRUCTIONS:

- Complete all relevant questions in Sections A or B, C, D, and E.
- **An incomplete application may cause delays in processing or may be returned to the applicant. Be sure you are filling in the appropriate application form for the proposed activity.**
- Print clearly or type in the information. Illegible applications may cause delays.
- Sign the application. Faxes or copies of the original signature will not be accepted.
- Mail the original application to the address at the top of page one of the application or, if applicable, on the attached address list.
- **Keep a copy of your completed application.**
- **Please plan ahead. Allow at least 60 days for your application to be processed, however, some applications may take longer than 90 days to process (50 CFR 13.11).**
- Applications are processed in the order they are received.

SECTION A OR SECTION B:

Section A. Complete if applying as an individual [do not complete this section if applying for Import/Export License (3-200-3)]:

- Enter the complete name of the responsible individual who will be the permittee if a permit is issued. Enter personal information that identifies the applicant. **Fax and e-mail, while helpful in processing, are not required.**
- If you are applying on behalf of a client, the personal information must pertain to the client, and a document evidencing **power of attorney** must be included with the application.
- **Affiliation/ Doing business as (dba):** business, agency, Tribe, organizational, or institutional affiliation *directly* related to the activity requested in the application (e.g., a taxidermist is an individual whose business can *directly* relate to the requested activity). The Division of Management Authority (DMA) and the Office of Law Enforcement (OLE) do **not** accept *doing business as* affiliations for individuals (complete Section B)..

Section B. Complete if applying as a business, corporation, public agency, Tribe, or institution:

- Enter the complete name of the business, agency, or institution that will be the permittee if a permit is issued. Give a brief description of the type of business the applicant is engaged in. Provide contact phone number(s) of the business. If you are applying on behalf of a client, a document evidencing power of attorney must be included with the application.
- **Principal Officer** is the person in charge of the listed business, corporation, public agency, Tribe, or institution. The principal officer is the person responsible for the application and any permitted activities. Often the principal officer is a Director or President. **Primary Contact** is the person at the business, corporation, public agency, or institution who will be available to answer questions about the application or permitted activities. Often this is the preparer of the application.

ALL APPLICANTS COMPLETE SECTION C:

- For all applications submitted to the Division of Management Authority (DMA), a physical U.S. address is **required**.
- **Mailing address** is the address to which communications from USFWS should be mailed if different from applicant's physical address.

ALL APPLICANTS COMPLETE SECTION D:

Section D.1 Application processing fee:

- An application processing fee is required at the time of application, unless exempted under 50 CFR13. The application processing fee is assessed to partially cover the cost of processing a request. **The fee does not guarantee the issuance of a permit, nor will fees be refunded for applications for which processing has begun.**
- **Documentation of fee exempt status is not required for applications submitted by Federal, Tribal, State, or local government agencies; but must be supplied by those applicants acting on behalf of such agencies.** Such applications must include a letter on agency letterhead and signed by the head of the unit of government for which the applicant is acting on behalf, confirming that the applicant will be carrying out the permitted activity for the agency.

Section D.2 Federal Fish and Wildlife permits:

- List the number(s) of your most recent issued USFWS permit. If applying for re-issuance of a CITES permit, the original permit must be returned with this application.

Section D.3 CERTIFICATION:

- **The individual identified in Section A, the principal officer named in Section B, or person with a valid power of attorney (documentation must be included in the application) must sign and date the application.** This signature legally binds the applicant to the statement of certification. You are certifying that you have read and understand the regulations that apply to the permit. You are also certifying that all information included in the application is true to the best of your knowledge. Be sure to read the statement and re-read the application and your answers before signing.

ALL APPLICANTS COMPLETE SECTION E

Please continue to next page. DO NOT RETURN THIS PAGE WITH THE APPLICATION

APPLICATION FOR A FEDERAL FISH AND WILDLIFE PERMIT
Paperwork Reduction Act, Privacy Act, and Freedom of Information Act – Notices

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501, *et seq.*) and the Privacy Act of 1974 (5 U.S.C. 552a), please be advised:

1. The gathering of information on fish and wildlife is authorized by:
(Authorizing statutes can be found at: <http://www.gpoaccess.gov/cfr/index.html> and <http://www.fws.gov/permits/ltr/ltr.html>)
 - a. Bald and Golden Eagle Protection Act (16 U.S.C. 668), 50 CFR 22;
 - b. Endangered Species Act of 1973 (16 U.S.C. 1531-1544), 50 CFR 17;
 - c. Migratory Bird Treaty Act (16 U.S.C. 703-712), 50 CFR 21;
 - d. Marine Mammal Protection Act of 1972 (16 U.S.C. 1361, *et seq.*), 50 CFR 18;
 - e. Wild Bird Conservation Act (16 U.S.C. 4901-4916), 50 CFR 15;
 - f. Lacey Act: Injurious Wildlife (18 U.S.C. 42), 50 CFR 16;
 - g. Convention on International Trade in Endangered Species of Wild Fauna and Flora (TIAS 8249), <http://www.cites.org/>, 50 CFR 23;
 - h. General Provisions, 50 CFR 10;
 - i. General Permit Procedures, 50 CFR 13; and
 - j. Wildlife Provisions (Import/export/transport), 50 CFR 14.
2. Information requested in this form is purely voluntary. However, submission of requested information is required in order to process applications for permits authorized under the above laws. Failure to provide all requested information may be sufficient cause for the U.S. Fish and Wildlife Service to deny the request. We may not conduct or sponsor and you are not required to respond to collection of information unless it displays a currently valid OMB control number.
3. Certain applications for permits authorized under the Endangered Species Act of 1973 (16 U.S.C. 1539) and the Marine Mammal Protection Act of 1972 (16 U.S.C. 1374) will be published in the **Federal Register** as required by the two laws.
4. Disclosures outside the Department of the Interior may be made without the consent of an individual under the routine uses listed below, if the disclosure is compatible with the purposes for which the record was collected. (Ref. 68 FR 52611, September 4, 2003)
 - a. Routine disclosure to subject matter experts, and Federal, Tribal, State, local, and foreign agencies, for the purpose of obtaining advice relevant to making a decision on an application for a permit or when necessary to accomplish a FWS function related to this system of records.
 - b. Routine disclosure to the public as a result of publishing **Federal Register** notices announcing the receipt of permit applications for public comment or notice of the decision on a permit application.
 - c. Routine disclosure to Federal, Tribal, State, local, or foreign wildlife and plant agencies for the exchange of information on permits granted or denied to assure compliance with all applicable permitting requirements.
 - d. Routine disclosure to Captive-bred Wildlife registrants under the Endangered Species Act for the exchange of authorized species, and to share information on the captive breeding of these species.
 - e. Routine disclosure to Federal, Tribal, State, and local authorities who need to know who is permitted to receive and rehabilitate sick, orphaned, and injured birds under the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act; federally permitted rehabilitators; individuals seeking a permitted rehabilitator with whom to place a bird in need of care; and licensed veterinarians who receive, treat, or diagnose sick, orphaned, and injured birds.
 - f. Routine disclosure to the Department of Justice, or a court, adjudicative, or other administrative body or to a party in litigation before a court or adjudicative or administrative body, under certain circumstances.
 - g. Routine disclosure to the appropriate Federal, Tribal, State, local, or foreign governmental agency responsible for investigating, prosecuting, enforcing, or implementing statutes, rules, or licenses, when we become aware of a violation or potential violation of such statutes, rules, or licenses, or when we need to monitor activities associated with a permit or regulated use.
 - h. Routine disclosure to a congressional office in response to an inquiry to the office by the individual to whom the record pertains.
 - i. Routine disclosure to the Government Accountability Office or Congress when the information is required for the evaluation of the permit programs.
 - j. Routine disclosure to provide addresses obtained from the Internal Revenue Service to debt collection agencies for purposes of locating a debtor to collect or compromise a Federal claim against the debtor or to consumer reporting agencies to prepare a commercial credit report for use by the FWS.
5. For individuals, personal information such as home address and telephone number, financial data, and personal identifiers (social security number, birth date, etc.) will be removed prior to any release of the application.
6. The public reporting burden on the applicant for information collection varies depending on the activity for which a permit is requested. The relevant burden for a Musical Instrument application is 1 hour 30 minutes. This burden estimate includes time for reviewing instructions, gathering and maintaining data and completing and reviewing the form. You may direct comments regarding the burden estimate or any other aspect of the form to the Service Information Clearance Officer, U.S. Fish and Wildlife Service, 5275 Leesburg Pike, MS: BPHC, Falls Church, VA 22041-3803.

Freedom of Information Act – Notice

For organizations, businesses, or individuals operating as a business (i.e., permittees not covered by the Privacy Act), we request that you identify any information that should be considered privileged and confidential business information to allow the Service to meet its responsibilities under FOIA. Confidential business information must be clearly marked "Business Confidential" at the top of the letter or page and each succeeding page and must be accompanied by a non-confidential summary of the confidential information. The non-confidential summary and remaining documents may be made available to the public under FOIA [43 CFR 2.13(c)(4), 43 CFR 2.15(d)(1)(i)].

DO NOT RETURN THIS PAGE WITH THE APPLICATION