

E. Export/Re-Export of Live Captive-Held Marine Mammals (CITES)

PURPOSE

Use this application for the export or re-export of captive-held LIVE marine mammals under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Under the MMPA, marine mammals can only be exported for the purpose of public display, scientific research, or enhancing the survival or species of the stock.

This form should NOT be used for:

- The collection (take¹) of live marine mammals from the wild: To apply for these activities, use [form 3-200-43](#) for U.S. Fish and Wildlife Service-jurisdiction marine mammal species: sea otters, marine otter, polar bears, walrus, manatees, and dugong; see [the marine mammal policy fact sheet](#); OR for whales, dolphins, porpoises, seals, and sea lions, contact the [the National Marine Fisheries Service \(NMFS\)](#).
- To apply for a CITES permit to export or re-export parts or biological samples, use [Form 3-200-29](#); for import of parts of Appendix I animals, use [Form 3-200-37](#); and for introduction from the sea, use [Form 3-200-31](#). Provide a copy of your FWS or NOAA Fisheries permit or authorization with your CITES permit application.

All international shipment(s) must be through a designated port. A [list of designated ports](#) (where an inspector is posted) is available. If you wish to use a port not listed, please contact the Office of Law Enforcement for a Designated Port Exemption Permit (form 3-200-2).

Please review the complete application carefully before beginning. Provide complete answers to all the questions on the application. If a question is not applicable, answer with "N/A". If needed, use additional sheets of paper. On all attachments or separate sheets you submit, indicate the application question number you are addressing. If you are applying to export/re-export multiple animals, be sure to indicate which animal you are addressing in each response.

Electronic submission of inventories, photographs, and receipts/invoices: If you wish to provide information electronically, please include a flash drive containing your information with your physical application.

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 the U.S. Postal Service.

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

¹ The term, "take," as defined by the MMPA means to harass, hunt, capture, or kill, or attempt to harass, hunt, capture, or kill any marine mammal.

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.

4. For what activity are you requesting authorization to carry out (check the appropriate box):

Export

Re-Export

5. What is the purpose of the export/re-export?

Commercial

Exhibition

Scientific

Breeding

6. Provide the following for EACH animal you are applying:

a. Scientific name (genus, species, and if applicable, subspecies);

b. Common name;

c. Birth date/Age;

d. Sex (if known);

e. Description (e.g. I.D. #, ISIS #, tattoo #);

f. Country where the wildlife originated;

g. Indicate if the wildlife was originally taken from the wild or born in captivity; and

- h. Current location of the specimen.
7. For animals **previously taken from the wild or imported**, provide a copy of the Marine Mammal Protection Act (MMPA) permit or other authorization demonstrating that the specimens were legally obtained.
8. For **captive-born wildlife**, provide an ARKS/ZIMS report OR:
- a. If the animal was born at your facility, please provide a statement that includes:
- i. Birth date, sex, and identification number of each specimen;
 - ii. Name and address of your facility where the animal was born;
 - iii. Location and source (e.g., captive-born, wild-caught) of parental stock; and
 - iv. Your signature and date.
- b. If the animal was born at another facility, provide a signed statement from the facility detailing the origin of the animal and records that include:
- i. The complete name and address of the facility where the animal was born;
 - ii. Birth date, sex, and identification number of each specimen;
 - iii. Location and source (e.g., captive-born, wild-caught) of parental stock; and
 - iv. Copies of documentation showing that you acquired the animal from the facility or documentation demonstrating the history of transactions (chain of ownership of each animal).
9. If the specimen is being re-exported (exporting a specimen that was previously imported into the United States) provide:
- a. A copy of the canceled CITES export or re-export document issued by the appropriate CITES office in the country from which the wildlife was imported (if applicable); **and**
 - b. A cleared copy of Form 3-177, wildlife Declaration for Import (hard copy or electronic release); **or**
 - c. If you did not make the original import, provide a copy of the importer's documents outlined above and the invoice or other documentation that shows you acquired the wildlife from the original importer or history of transactions which demonstrate chain of ownership.
10. Provide the name and address of the person receiving the shipment in the foreign country (if self, provide address abroad).
Name:
Address:
City:
Country, Postal Code:
11. If the animal was obtained prior to the date CITES applied to it ("**pre-Convention**"), provide documents, signed statement, or other evidence to that effect.
12. For CITES Appendix I species, provide a copy of the foreign CITES import permit, or evidence one will be issued by the Management Authority of the country to which you plan to export or re-export the wildlife. (In accordance with Article III of the CITES Treaty, it is required that import permits are issued before the corresponding export permit.)

13. For whales, dolphins, porpoises, seals, and sea lions, provide either a copy of the NOAA Fisheries letter of authorization for export or evidence that NOAA Fisheries has been contacted.

Questions 14 through 19 apply only for the export or re-export of FWS species

14. Provide a copy of the MMPA/ESA permit or authorization for this activity **OR** provide the appropriate information for question 15, 16, or 17.
15. If the purpose of the export/re-export is for **Public Display**, provide certification from the importer's relevant foreign authority (e.g. provincial or national government) that:
- The foreign recipient maintains their facility for public display of marine mammals;
 - The facility is open to the public on a regularly scheduled basis;
 - Access to such facilities is not limited or restricted other than by charging an admission fee; and
 - The recipient offers a program for education or conservation purposes that is based on professionally recognized standards of the public display community (include copies of outreach/educational materials, photos of signage, etc., along with an English translation).
16. If the purpose of the export/re-export is for **Scientific Research**, provide information indicating that the export of the animal meets the MMPA definition of "*bona fide* research," i.e., scientific research on marine mammals, the results of which:
- Are likely to be accepted for publication in a referred scientific journal;
 - Are likely to contribute to the basic knowledge of marine mammal biology or ecology; or
 - Are likely to identify, evaluate, or resolve conservation problems.
17. If the purpose of the export/re-export is for **Enhancement**, provide an explanation of how the proposed activities:
- Will contribute significantly to maintaining or increasing distribution or numbers necessary to ensure the survival or recovery of the species or stock; and
 - Is consistent with any U.S. conservation or recovery plan or the factors that would be addressed in any such plan.
18. Provide a certification from the appropriate government agency of the importing country to show that:
- The laws and regulations of that government allow enforcement of the U.S. permit conditions;
 - Such conditions will be enforced;
 - The government will afford comity to the USFWS to amend, suspend or revoke the permit, if issued; and
 - The documents provided by and about the foreign facility are true and correct.
19. Provide a copy of the letter from the U.S. Department of Agriculture (USDA), Animal and Plant Health Inspection Service, confirming that the foreign recipient meets comparable standards under the Animal Welfare Act for maintenance and care of marine mammals.

For All Applicants

20. **The transport conditions must comply with the CITES Guidelines for Transport of Live Animals** or, in the case of air transport, with the International Air Transport Association (IATA) live animal regulations (contact airline for information). You must also meet USDA standards for Humane and Healthful Transport of Marine Mammals. As such, provide:
- a. The means and duration of transportation;
 - b. A description of the type, size, and construction of any shipping container;
 - c. The arrangements for watering or otherwise caring for the wildlife during transport,
 - d. The qualifications of the person(s) accompanying the wildlife;
 - e. Documentation showing compliance with USDA regulations for transport and care of live marine mammals (7 U.S.C. 2131-2159; 9 CFR 3, Part E).

All international shipment(s) must be through a designated port. A [list of designated ports](#) (where an inspector is posted) is available. If you wish to use a port not listed, please contact the Office of Law Enforcement for a Designated Port Exemption Permit (form 3-200-2).

NOTICES

PRIVACY ACT STATEMENT

Authority: The information requested is authorized by the following: the Bald and Golden Eagle Protection Act (16 U.S.C. 668), 50 CFR 22; the Endangered Species Act (16 U.S.C. 1531-1544), 50 CFR 17; the Migratory Bird Treaty Act (16 U.S.C. 703-712), 50 CFR 21; the Marine Mammal Protection Act (16 U.S.C. 1361, et seq.), 50 CFR 18; the Wild Bird Conservation Act (16 U.S.C. 4901-4916), 50 CFR 15; the Lacey Act: Injurious Wildlife (18 U.S.C. 42), 50 CFR 16; Convention on International Trade in Endangered Species of Wild Fauna and Flora (TIAS 8249), 50 CFR 23; General Provisions, 50 CFR 10; General Permit Procedures, 50 CFR 13; and Wildlife Provisions (Import/export/transport), 50 CFR 14.

Purpose: The collection of contact information is to verify the individual has an eligible permit to conduct activities which affect protected species. This helps FWS monitor and report on protected species and assess the impact of permitted activities on the conservation and management of species and their habitats.

Routine Uses: The collected information may be used to verify an applicant's eligibility for a permit to conduct activities with protected wildlife; to provide the public and the permittees with permit related information; to monitor activities under a permit; to analyze data and produce reports to monitor the use of protected wildlife; to assess the impact of permitted activities on the conservation and management of protected species and their habitats; and to evaluate the effectiveness of the permit programs. More information about routine uses can be found in the System of Records Notice, Permits System, FWS-21.

Disclosure: The information requested in this form is voluntary. However, submission of requested information is required to process applications for permits authorized under the listed authorities. Failure to provide the requested information may be sufficient cause for the U.S. Fish & Wildlife Service to deny the request.

PAPERWORK REDUCTION ACT STATEMENT

We are collecting this information subject to the Paperwork Reduction Act (44 U.S.C. 3501) in order provide the U.S. Fish and Wildlife Service the information necessary, under the applicable laws governing the requested activity, for which a permit is requested. 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 applicable laws. Failure to provide all requested information may be sufficient cause for the U.S. Fish and Wildlife Service to deny the request. According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. OMB has approved this collection of information and assigned Control No. 1018-0093.

ESTIMATED BURDEN STATEMENT

We estimate public reporting for this collection of information averages:

Original submission - paper-based: 2 hours
Amended submission - paper-based: 1 hour 45 minutes
Original submission - electronic: 1 hour 45 minutes
Amended submission - electronic: 1 hour 30 minutes

These estimates include time for reviewing instructions, gathering and maintaining data and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of the form to the Service Information Clearance Officer, Fish and Wildlife Service, U.S. Department of the Interior, 5275 Leesburg Pike, MS: PRB/PERMA (JAO), Falls Church, VA 22041-3803, or via email at Info_Coll@fws.gov. Please do not send your completed form to this address.