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Title 50 —Wildlife and Fisheries

Chapter I —United States Fish and Wildlife Service, Department of the Interior

Subchapter B —Taking, Possession, Transportation, Sale, Purchase, Barter, Exportation, and Importation of Wildlife and Plants

Part 21 —Migratory Bird Permits

Subpart C —Specific Permit Provisions

Authority: 16 U.S.C. 703-712.

Source: 39 FR 1178, Jan. 4, 1974, unless otherwise noted.

§ 21.70 Banding or marking permits.

- (a) **Permit requirement.** A banding or marking permit is required before any person may capture migratory birds for banding or marking purposes or use official bands issued by the Service for banding or marking any migratory bird.
- (b) **Application procedures.** Applications for banding or marking permits shall be submitted by letter of application addressed to the Bird Banding Laboratory, U.S. Geological Survey, Laurel, Maryland 20708. Each such application shall contain the general information and certification set forth by § 13.12(a) of this subchapter plus the following additional information:
 - (1) Species and numbers proposed to be banded or marked;
 - (2) Purpose of banding or marking;
 - (3) State or States in which authorization is requested; and
 - (4) Name and address of the public, scientific, or educational institution to which any specimens will be donated that are salvaged pursuant to paragraphs (c) (3) and (4) of this section.
- (c) **Additional permit conditions.** In addition to the general conditions set forth in part 13 of this subchapter B, banding or marking permits shall be subject to the following conditions:
 - (1) The banding of migratory birds shall only be by official numbered leg bands issued by the Service. The use of any other band, clip, dye, or other method of marking is prohibited unless specifically authorized in the permit.
 - (2) All traps or nets used to capture migratory birds for banding or marking purposes shall have attached thereto a tag or label clearly showing the name and address of the permittee and his permit number, or the area in which such traps or nets are located must be posted with notice of banding operations posters (Forms available upon request from the Bird Banding Laboratory, U.S. Geological Survey, Laurel, MD 20708) which shall bear the name and address of the permittee and the number of his permit.
 - (3) The holder of a banding or marking permit may salvage, for the purpose of donating to a public scientific or educational institution, birds killed or found dead as a result of the permittee's normal banding operations, and casualties from other causes. All dead birds salvaged under authority of a migratory bird banding or marking permit must be donated and transferred to a public scientific or

educational institution at least every 6 months or within 60 days of the time such permit expires or is revoked, unless the permittee has been issued a special permit authorizing possession for a longer period of time.

- (4) Permittees must keep accurate records of their operations and file reports as set forth in the North American Bird Banding Manual, or supplements thereto, in accordance with instructions contained therein.

- (d) **Term of permit.** A banding or marking permit issued or renewed under this part expires on the date designated on the face of the permit unless amended or revoked, but the term of the permit shall not exceed three (3) years from the date of issuance or renewal.

[39 FR 1178, Jan. 4, 1974, as amended at 54 FR 38151, Sept. 14, 1989. Redesignated and amended at 87 FR 881, Jan. 7, 2022; 89 FR 107042, Dec. 31, 2024]