

**FISH AND WILDLIFE SERVICE
LAW ENFORCEMENT**

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2.1 What is the purpose of this chapter? This chapter describes the requirements for the licenses, permits, and certificates that the Office of Law Enforcement (OLE) issues.

2.2 What is the scope of this chapter? This chapter covers the following licenses and permits:

A. Import/Export licenses,

B. Designated port exception permits, and

C. Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES) export permits and re-export certificates.

2.3 What is the authority for the chapter? The authority for this chapter is the Endangered Species Act (16 U.S.C. 1531 – 1544).

2.4 Who is responsible for overseeing the issuance of licenses and permits?

A. The Chief, Office of Law Enforcement (OLE):

(1) Is responsible for issuing and maintaining records of Import/Export Licenses and designated port exception permits.

(2) May issue CITES export permits only for certain species (see section 2.6 below) and re-export certificates after receiving training the Division of Management Authority has approved.

B. The Chief, Division of Management Authority (DMA):

(1) Is responsible for all CITES documentation the United States issues, and

(2) Has delegated authority to issue certain CITES documents to the Office of Law Enforcement at certain regional and port offices.

2.5 What licenses and permits do OLE staff issue?

A. Import/Export licenses. OLE staff issue these licenses to commercial entities (see 50 CFR 14) who engage in trade in wildlife and wildlife products. The person or entity importing or exporting wildlife must obtain the license before beginning any import or export activities. You can find detailed criteria for issuing these licenses in 50 CFR 13 and 14.

B. Designated port exception permits. OLE staff may issue these permits to a commercial entity or an individual after receiving a complete application package that meets the requirements specified in 50 CFR 13 and 14. The applicant must obtain a permit before beginning any import or export activities.

2.6 What types of CITES permits and certificates may OLE staff issue?

A. CITES Export Permit Issuance. OLE staff:

(1) May issue CITES export permits for species when:

- (a) The Division of Scientific Authority has found that the exports are not detrimental to the species, and
- (b) The Division of Management Authority (DMA) has found that the exports were legally obtained.

(2) May issue CITES export permits only for tagged skins of:

- (a) American alligator (*Alligator mississippiensis*);
- (b) Bobcat (*Lynx rufus*);
- (c) River otter (*Lontra (=Lutra) canadensis*);
- (d) In the lower 48 states, only captive-bred lynx (*Lynx canadensis*), and all lynx from Alaska;
- (e) Alaskan population only of the:
 - (i) Gray wolf (*Canis lupus*);
 - (ii) Brown bear (*Ursus arctos*); and
 - (iii) American black bear (*Ursus americanus*) (also see section 2.6A(4)).

(3) For parts other than the tagged skins mentioned in section 2.6A(2), must send applications to DMA along with the processing fee, unless DMA has granted a waiver to allow OLE to issue a permit for other parts.

(4) In Region 7 are the only OLE staff who may issue permits for black bears taken in Alaska.

B. CITES Re-export Certificate Issuance.

(1) OLE staff may only issue re-export certificates for Appendix II and III species when:

- (a) They receive complete applications and fees that include a copy of the CITES and declaration documents confirming legal import, and
- (b) The species is not protected under any other law or regulation, including, but not limited to, the:

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- (i) Endangered Species Act,
- (ii) Wild Bird Conservation Act,
- (iii) Marine Mammal Protection Act,
- (iv) Migratory Bird Treaty Act, or
- (v) Injurious wildlife regulations.

(2) For crocodylians and caimans, certain specimens may be exported or re-exported without an ESA permit. OLE staff may issue a CITES re-export certificate for the following specimens in the countries listed. Applications for these specimens originating from other countries must be sent to DMA for processing.

(a) *Crocodylus niloticus* (Nile crocodile): OLE staff may issue re-export certificates for any specimens from the following countries:

- (i) Botswana,
- (ii) Ethiopia,
- (iii) Kenya,
- (iv) Madagascar,
- (v) Malawi,
- (vi) Mozambique,
- (vii) Namibia,
- (viii) South Africa,
- (ix) Uganda, and
- (x) The United Republic of Tanzania, Zambia and Zimbabwe.

(b) *Crocodylus porosus* (Saltwater crocodile): OLE staff may issue re-export certificates for any specimens from the following countries:

- (i) Australia, and
- (ii) Papua New Guinea.

(c) *Caiman yacare*, *Caiman crocodilus crocodilus*, *Caiman crocodilus fuscus*, *Caiman crocodilus chiapasius* (caiman): OLE staff may not issue re-export certificates for live specimens, but they may issue re-export certificates for all other specimens. Applications for live animals must be sent to DMA for processing.

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2.7 Are there other CITES re-export certificates OLE staff may not issue? Applications for the following species, regardless of source, must be sent to DMA for processing.

A. Amphibians:

Mantella sp.

B. Reptiles:

Antaresia stimsoni

Aspidites ramsayi

Calumma sp.

Furcifer sp.

Morelia amethystina kinghorni

Morelia carinata

Paradelma orientalis

Pyxis sp.

Varanus baritji

Varanus caudolineatus

Varanus giganteus

Varanus glauerti

Varanus gouldii

Varanus keithhomei

Varanus mertensi

Varanus pilbarensis

Varanus rosenbergi

Varanus semiremex

Varanus storri

Varanus varius

Aspidites melanocephalus

Brookesia sp.

Erymnochelys madagascariensis

Liasis olivaceus

Morelia bredli

Morelia oenpelliensis

Phelsuma sp.

Varanus acanthurus

Varanus brevicauda

Varanus eremius

Varanus gilleni

Varanus glebopalma

Varanus indicus

Varanus kingorum

Varanus mitchelli

Varanus primordius

Varanus scalaris

Varanus spenceri

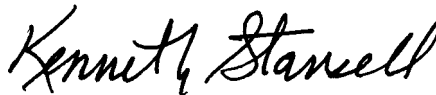
Varanus tristis

2.8 What additional restrictions apply to CITES documents? OLE staff may:

A. Never sign CITES documents.

B. Issue CITES documents only on security paper having a current authorized DMA signature.

C. Not create or issue any document that acts as or claims to be a CITES document or authorization.



DIRECTOR

Deputy

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