

**1 Supporting Statement A for
Paperwork Reduction Act Submission**

OMB Control Number 1018-XXXX

**Applications for Single Use Permits and
Registration of Production Facilities (CITES)**

**FWS Forms 3-200-74 and 3-200-75
50 CFR §§ 13.11, 23.20, 23.36, and 23.51**

1. Explain the circumstances that make the collection of information necessary.

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) uses a system of permits and certificates to help ensure that international trade is legal and does not threaten the survival of wildlife or plant species in the wild. Prior to the import or export of CITES-listed species, the Management Authority and Scientific Authority must make appropriate determinations and issue CITES documents. Section 8A of the Endangered Species Act (16 U.S.C. 1531 et seq.) designates the Secretary of the Interior as the U.S. Management Authority and U.S. Scientific Authority for CITES. The Secretary delegated these authorities to the Fish and Wildlife Service (we, Service).

Before a country can issue an export permit for CITES Appendix I or II specimens, the CITES Scientific Authority of the exporting country must determine that the export will not be detrimental to the species, and the Management Authority must be satisfied that the specimens were acquired legally. For the export of Appendix III specimens, the Management Authority must be satisfied that the specimens were acquired legally (CITES does not require findings from the Scientific Authority). Prior to the importation of Appendix I specimens, both the Scientific Authority and the Management Authority of the importing country must make required findings. The Scientific Authority must also monitor trade of all species to ensure that the level of trade is sustainable.

Article VIII(3) of the treaty states that participating parties should make efforts to ensure that CITES specimens are traded with a minimum of delay. Section XII of Resolution Conf. 12.3 (Rev. CoP13) recommends use of simplified procedures for issuing CITES documents to expedite trade that will have no impact, or a negligible impact, on conservation of the species involved.

The treaty and applicable resolutions are attached as supplementary documents.

2. Indicate how, by whom, how frequently, and for what purpose the information is to be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, explain how the collection complies with all applicable Information Quality Guidelines.

The proposed forms in this information collection will:

- Reduce burden on applicants.
- Improve customer service.
- Allow us to process applications and issue CITES documents quickly.

FWS Form 3-200-74 – Application for Single-Use Export Permits under a Master File or an Annual Program File

We propose to streamline the application process for CITES documents that involve multiple, similar actions over a given amount of time, such as exportation of biomedical samples derived from established cell lines. A biomedical facility may wish to export a number of shipments, all containing identical specimens, over a period of several months. Plant nurseries exporting artificially propagated plants and registered production facilities of certain native species are examples of other entities that may take advantage of this streamlined procedure.

Previously, the Office of Management and Budget approved information collections (1018-0093) that allow us to collect sufficient information to authorize the issuance of individual CITES documents for certain activities. The current application forms indicate that the applicant must submit a letter requesting additional single-use documents.

Requesting the same information from the applicant each time they want to export specimens is time-consuming and repetitive. Under the streamlined process (50 CFR 23.51), we plan to establish a master file or annual program file. Once we create a master file or annual program file, the permittee could submit a single supplemental form to request as many partially completed documents as needed over the next 6 months.

For the initial application, respondents would use forms (currently approved by OMB) designed specifically to address their particular activity. From information in the application, we will create a master file or annual program file that contains all the information necessary for us to make the required legal acquisition and nondetriment findings. The applicant could then submit FWS Form 3-200-74 requesting authorization to carry out multiple, identical activities over the next 6 months. On FWS Form 3-200-74, we request information only about the number of additional documents the applicant requires to carry out activities approved under the previous application process. By referencing information in the master file or annual program file, we can quickly issue partially completed CITES documents (with certain specific areas left blank for completion by the applicant).

FWS Form 3-200-75 – Application for Registration of a Production Facility for Export of Certain Native Species

U.S. facilities, such as farms and aquaculture operations, produce several native U.S. taxa listed in CITES Appendices II and III in closed and semi-closed production systems. In the final rule, we establish procedures to help us quickly process and issue export documents for these species, where appropriate.

By registering a production facility and setting up a master file, we will be able to expedite issuance of export permits for that facility. The registration will be valid for 1 year. We plan to use FWS Form 3-200-75 to collect information on annual production levels, method of producing specimens, source of the parental and founder stock, and method of transport for international trade. This information will allow us to issue documents on a very short turnaround time, and we would not need to collect additional information prior to the issuance of export documents. This process will reduce the burden on applicants as well as on the Service.

- 3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology; e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also**

describe any consideration of using information technology to reduce burden [and specifically how this collection meets GPEA requirements].

FWS Forms 3-200-74 and 3-200-75 will be available to applicants in a fillable format on our forms and permits websites, by mail, or by fax. Applicants may complete the application online, but must send the application form with an original signature and the processing fee to the Service by mail. At this time, we do not have a system for electronic submission of permit application forms or report forms; however, we are actively developing the system and are pilot testing two Service application forms that have current OMB approval. Applicants may send us any supporting documentation or information missing from the application, other than original signature, via electronic mail or fax.

4. Describe efforts to identify duplication.

The information that we collect is unique to the applicant and is not available from any other source. By tailoring application forms to particular activities, we are eliminating duplication, providing better customer service, and improving our ability to process applications.

5. If the collection of information impacts small businesses or other small entities, describe the methods used to minimize burden.

We believe the new application forms will minimize the burden on the public. Generally, a permit applicant is responsible for providing us with sufficient information to make the required findings prior to issuing a CITES export permit. We can issue required findings either on an application-by-application basis or a programmatic basis. FWS Form 3-200-74 allows entities to obtain multiple documents based on information in a master file or annual program file, thereby reducing the burden on such entities. FWS Form 3-200-75 will reduce the burden on applicants by using a single application form rather than multiple forms.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

If we do not collect the information, we would not be able to issue required CITES documents for import and export. While we could issue CITES documents without using the proposed application forms, the burden would be greater on applicants because we would have to collect the information on a permit-by-permit basis.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- * requiring respondents to report information to the agency more often than quarterly;
- * requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
- * requiring respondents to submit more than an original and two copies of any document;
- * requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;
- * in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;
- * requiring the use of a statistical data classification that has not been reviewed and approved by OMB;

- * that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use;
- * requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

There are no special circumstances that would cause us to collect this information in a manner inconsistent with OMB guidelines.

8. **Provide the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice (or in response to a PRA statement) and describe actions taken by the agency in response to these comments.**

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported. [Please list the names, titles, addresses, and phone numbers of persons contacted.]

A copy of the proposed rule, which was published in the *Federal Register* on April 19, 2006 (71 FR 20168) is attached as a supplementary document. The proposed rule solicited public comment for a period of 60 days (until June 19, 2006) on the information collection and recordkeeping requirements described in this supporting statement. During the proposed rule stage, we solicited comments on the new information collections (FWS Forms 3-200-74 and 3-200-75). While we did not receive any comments specifically for the new collection requirements, we did receive several comments pertaining to other information collection requirements in the rule, which we summarize and discuss in the preamble to the final rule. We did not make any changes to our burden estimates for the new requirements as a result of these comments. Also, the comments did not result in any changes to information collections already approved under OMB Control Numbers 1018-0093 and 1018-0130.

At the proposed rule stage, we submitted the PRA package to OMB for review. In a Notice of Action dated May 22, 2006, OMB did not provide any comments and directed us to reference OMB comment number 1018-0131 for any future submissions.

We work closely with members of the public, small businesses, nonprofit organizations, and nongovernmental organizations to improve the quality of the information available on the status of native and non-native CITES-listed species and both the legal and illegal harvest of these species. We also work with applicants to improve the data collection process and actively solicit their input on reducing the information collection burden while still obtaining the information we require in order to make the necessary determinations in accordance with our CITES obligations. In the past 2 years, we have met with individuals representing groups such as:

Falconers (Phil Kenney, phil@gyrs.com)
American Zoological and Aquarium Association (Lynn McDuffie, lynn.mcduffie@disney.com)
Safari Club International (Robert Byrne, bbyrne@sci-dc.org)
Marine Mammal Commission
Museums (Sally Shelton, shelton.sally@nmnh.si.edu)

American Fisheries Society (main@fisheries.org)
 International Pet and Animal Transporters Association (inquiries@ipata.com)
 American Orchid Society (Ned Nash, nednash@mindspring.com)

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

We do not provide gifts or payment to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

The information that we collect from applicants is part of an existing Privacy Act system of records and is subject to the requirements of both the Privacy Act of 1974 and the Freedom of Information Act. For organizations, businesses, or individuals operating as a business (i.e., permittees not covered by the Privacy Act), we request that applicants identify any information that they wish us to consider privileged and confidential business information. We will determine if the information meets the FOIA criteria that will allow us to withhold it from the public. The nonconfidential information may be made available to the public under FOIA [43 CFR 2.13(c)(4), 43 CFR 2.15(d)(1)(i)].

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

We do not ask questions of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information.

We estimate a total of 113 annual burden hours (see table below) for this information collection. At an average rate of \$25 per hour for salary and benefits, the dollar value of the annual burden hours is \$2,825.

Activity	Annual No. of Respondents	Annual No. of Responses	Average Completion Time per Response	Total Annual Burden Hours	Total \$ Value of Burden Hours
FWS Form 3-200-74-application	350	1,000	6 minutes	100	\$2,500
FWS Form 3-200-75-application	25	25	30 minutes	13	325
Totals	375	1,025		113	\$2,825

13. Provide an estimate of the total annual [nonhour] cost burden to respondents or recordkeepers resulting from the collection of information.

We estimate the total annual nonhour burden cost for respondents to be \$31,250. Using FWS Form 3-200-74, respondents could request as many documents as they would use in the next 6 months. We estimate that each respondent would request an average of six documents (6,000 total), and there is a \$5 processing fee for each CITES document. The total nonhour cost burden associated with FWS Form 3-200-74 will be approximately \$30,000. Respondents using

FWS Form 3-200-75 to request annual registration will incur a \$50 processing fee. The total nonhour cost burden associated with annual registration will be \$1,250.

14. Provide estimates of annualized costs to the Federal Government.

We anticipate that the annual cost to the Federal Government will be approximately \$55,000 or less, based on an average of \$50 per hour for salary and benefits.

ACTIVITY	Number of Responses	Processing Time	Cost to Federal Government
FWS Form 3-200-74	1,000	1,000 hours	\$50,000
FWS Form 3-200-75	25	100 hours	5,000
Totals	1,025		\$55,000

15. Explain the reasons for any program changes or adjustments.

We are requesting 113 burden hours for this information collection. Both application forms are a result of our efforts to streamline and improve the application process for the public. In addition, new CITES resolutions recommend the use of simplified procedures for issuing CITES documents, where applicable.

16. For collections of information whose results will be published, outline plans for tabulation and publication.

There are no plans to publish the results of these information collections.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

We will display the OMB control number and expiration date.

18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.

There are no exceptions to the certification statement.