

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

OMB Control Number 1018-0137

**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**

Terms of Clearance - None.

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 CITES 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.

Service regulations implementing these statutes and the CITES treaty are in Chapter I, Subchapter B of Title 50, Code of Federal Regulations. These regulations stipulate general and specific requirements that when met allow us to issue permits to authorize activities that are otherwise prohibited.

The treaty, applicable resolutions, and regulations 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.**

We have not made any changes to the forms in this information collection. Use of these forms:

- Reduces burden on applicants.
- Improves customer service.
- Allows 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

Use of this form streamlines 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.

For the initial application, respondents use forms (currently approved by OMB under OMB Control No. 1018-0093) designed specifically to address their particular activity. From information in the application, we 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 can 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. By registering a production facility and setting up a master file, we are able to expedite issuance of export permits for that facility. The registration is valid for 1 year. We 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 allows us to issue documents on a very short turnaround time, and we do not need to collect additional information prior to the issuance of export documents. This process reduces the burden on applicants as well as on the Service.

Note: OMB Control No. 1018-0093 includes all other applications for CITES permits. We plan to include FWS Forms 3-200-74 and 3-200-75 in that collection when we seek renewal in November 2010.

- 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 are available 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 eliminate duplication, provide better customer service, and improve 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.**

The use of these application forms minimizes 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 reduces 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; or
- * 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 require 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.]

On February 23, 2010, we published in the Federal Register (75 FR 8102) a notice of our intent to request that OMB approve this information collection. In that notice, we solicited comments for 60 days, ending on April 26, 2010. We did not receive any comments.

In addition to the Federal Register notice, we contacted the following individuals/groups that consistently use our forms and solicited comments on the information collection. We did not receive any comments in response to our solicitation or to a follow-up.

<p>Florida Nursery, Growers & Landscape Association President – Monty Knox 1533 Park Center Drive Orlando, Florida 32835-5705 407-295-7994 info@fn gla.org</p>	<p>Association of Reptilian and Amphibian Veterinarians Legislative/Animal Welfare – Dr. David Hannon 1890 N. Germantown Parkway, Suite 103 Cordova, Tennessee 38019 901-756-5556</p>
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<p>Safari Club International Governmental Affairs 4800 West Gates Pass Road Tucson, Arizona 85745-9490 520-620-1205 Fax: 520-622-1205</p>	<p>Association of Zoos and Aquariums Director of Government Affairs 8403 Colesville Road, Suite 710 Silver Spring, Maryland 20910-3314</p>
<p>Pet Industry Joint Advisory Council Director of Government Affairs – Ms. Bambi Nicole Osborne 1220 19th Street, NW, Suite 400 Washington, D.C. 20036 202-452-1525 Fax: 202-293-4377 bambi@pijac.org</p>	<p>The Ornithological Council Executive Director – Ellen Paul 8722 Preston Place Chevy Chase, Maryland 20815 301-986-8568 Fax: 301-986-5205 epaul@concentric.net</p>
<p>American Federation of Aviculture, Inc. Conservation and Research Committee – Dr. Janice Boyd P.O. Box 91717 Austin, Texas 78709-1717 512-585-9800 Fax: 512-858-7029 Jboyd46@charter.net</p>	<p>University of California Museum of Vertebrate Zoology Carla Cicero 3101 Valley Life Science Building Berkeley, California 94720-3160 510-642-3567 Fax: 510-643-8238 ccicero@berkeley.edu</p>
<p>Regulatory Affairs Professionals Society Director of Regulatory Affairs 5635 Fishers Lane, Suite 550 Rockville, Maryland 20852 301-770-2920 Fax: 301-770-2924 raps@raps.org</p>	

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 that there will be 450 respondents annually for the applications included in this information collection. We anticipate receiving approximately 1,095 responses annually, totaling 150 annual burden hours.

The total dollar value of the annual burden hours is approximately \$4,178. We used the Bureau of Labor Statistics news release USDL-10-0283, March 10, 2010, Employer Costs for Employee Compensation- December 2009 (<http://www.bls.gov/news.release/pdf/ecec.pdf>) to estimate average hourly wages and calculate benefits:

- Individuals – We used the wage and salary costs for all workers from Table 1, which states an hourly rate of \$20.49. To calculate benefits, we multiplied the hourly rate by 1.4. The hourly rate including benefits is \$28.69.
- Private Sector – We used the wage and salary costs for all workers from Table 5, which states an hourly rate of \$19.41. To calculate benefits, we multiplied the hourly rate by 1.4. The hourly rate including benefits is \$27.17.
- State Government – We used the wage and salary costs for all workers from Table 3, which states an hourly rate of \$26.11. To calculate benefits, we multiplied the hourly rate by 1.5. The hourly rate including benefits is \$39.17.

Activity	Annual No. of Respondents	Total Annual Responses	Completion Time per Response	Total Annual Burden Hours	Hourly Labor Costs including Benefits	Total Dollar Value of Annual Burden Hours*
3-200-74						
Individual	5	5	6 minutes	1	\$28.69	\$ 29
Priv Sector	345	945	6 minutes	95	27.17	2,581
Government	10	50	6 minutes	5	39.17	196
<i>Subtotal</i>	<i>360</i>	<i>1,000</i>		<i>101</i>		<i>2,806</i>
3-200-75						
Individual	5	5	30 minutes	3	28.69	86
Priv Sector	80	85	30 minutes	43	27.17	1,168
Government	5	5	30 minutes	3	39.17	118
<i>Subtotal</i>	<i>90</i>	<i>95</i>		<i>49</i>		<i>1,372</i>
Total	450	1,095		150		\$4,178

*rounded

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 is \$33,000 for processing fees. There is no fee for State, tribal, or local government applicants.

Using FWS Form 3-200-74, respondents can request as many documents as they would use in the next 6 months. We estimate that for each response, nongovernment respondents request an average of six documents (5,700 total). There is a \$5 processing fee for each CITES document, or a total of \$28,500.

Each nongovernment applicant using FWS Form 3-200-75 to request annual registration will incur a \$50 processing fee per response (90 total), or a total of \$4,500.

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

The total estimated cost to the Federal Government for processing FWS Forms 3-200-74 and 3-200-75 is \$35,276 for salary and benefits. We used Office of Personnel Management Salary Table 2010-DCB (http://www.opm.gov/oca/10tables/pdf/dcb_h.pdf) to determine the hourly wages and multiplied the hourly wage by 1.5 to account for benefits in accordance with BLS news release USDL-10-0283, March 10, 2010, Employer Costs for Employee Compensation- December 2009 (<http://www.bls.gov/news.release/pdf/ecec.pdf>). The following table shows Federal staff and grade levels performing various tasks associated with this information collection.

POSITION AND GRADE	HOURLY RATE	HOURLY RATE INCLUDING BENEFITS	TOTAL ANNUAL HOURS	ANNUAL COST*
Office Automation Assistant GS-326-5/5	\$18.50	\$27.75	436	\$12,099
Legal Instrument Examiner GS-963 7/5	\$22.92	\$34.38	428	14,715
Biologist GS-401/486-11/5	\$33.92	\$50.88	72	3,663
Program Manager GS-340-14/5	\$57.13	\$85.70	56	4,799
Total				\$35,276

*rounded

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

We estimate 150 responses and 1,095 burden hours for this information collection, which is an increase of 70 responses and 37 burden hours from our previous submission. These increases are adjustments for the use of FWS Form 3-200-75, based on our experience in administering this collection during the past 3 years. We added two ICs to correct an omission in our last submission. State, tribal, and local governments have always been able to use the forms in this collection; however, the applicable burden was not specified separately in the last submission.

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. Certification.

There are no exceptions to the certification statement.