

**SUPPORTING STATEMENT A
FOR PAPERWORK REDUCTION ACT SUBMISSION**

**RENEWAL OF CITES REGISTRATION OF COMMERCIAL BREEDING OPERATIONS FOR
APPENDIX I WILDLIFE
50 CFR 23
OMB CONTROL NUMBER 1018-XXXX**

Terms of Clearance: Not applicable – New Collection.

Note: Information collection requirements for CITES permits are approved under OMB Control No. 1018-0093, which expires February 28, 2014. The application for registration of commercial breeding operations for Appendix I wildlife is included under this approval. We are proposing to require renewal of the registration every 5 years. This ICR contains only information collection requirements for the renewal of registrations. We are requesting a new OMB control number for these changes. Once we issue the final rule, we will incorporate the new requirements into OMB Control Number 1018-0093 and discontinue the new number.

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

The U.S. Fish and Wildlife Service, Division of Management Authority (DMA) collects information on application forms and in reports (in form and nonform format) to determine if applicants requesting permits for otherwise prohibited activities and permittees (individuals, companies, or agencies holding permits) meet the requirements mandated by:

- Bald and Golden Eagle Protection Act
- Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)
- Endangered Species Act
- Lacey Act (Injurious Wildlife)
- Marine Mammal Protection Act
- Migratory Bird Treaty Act
- Wild Bird Conservation Act

Service regulations implementing these statutes and the CITES treaty are contained in Chapter 1, 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.

This new information collection request supports requirements under the CITES treaty (27 U.S.T. 1087) and regulations in 50 CFR 23.46 pertaining to the registration of commercial facilities breeding species listed in CITES Appendix I. CITES Appendix I includes species that are threatened with extinction and are, or may be, affected by international trade. Article III of the Treaty prohibits international commercial trade in Appendix I species; however, Article VII, paragraph 5 allows an exemption to this prohibition under certain circumstances. CITES Resolution Conf. 10.16 (Rev.) and Resolution Conf. 12.10 (Rev. CoP15) establish procedures under which a commercial breeding operation can register with the CITES Secretariat to conduct international commercial trade in Appendix I specimens. These procedures are contained in U.S. regulations in 50 CFR 23.46. The collection of information from individuals wishing to register an Appendix I breeding facility was approved under OMB No. 1018-0093 (Form 3-200-65).

Under CITES Resolution Conf. 12.10 (Rev. CoP15), Management Authorities are to monitor registered facilities to detect major changes in the nature of the operations or the specimens being produced for export. We are proposing to establish a requirement that registrations be renewed every 5 years to assist us in monitoring these facilities and identifying major changes, if any, in their operations. This new request is to collect information through an application for renewal that will allow us to determine whether or not an operation continues to meet the requirements for registration.

When the final rule becomes effective, we will merge the burden associated with this Information Collection Request into information collections already approved under OMB Control Number 1018-0093.

2. Indicate how, by whom, and for what purpose the information is to be used.

All Service permit applications are in the 3-200 series of forms, each tailored to a specific activity based on the requirements for specific types of permits. We collect standard identifier information for all permits, such as the name of the applicant and the applicant's address, telephone and fax numbers, social security or tax identification number, and e-mail address. Standardization of general information common to the application forms makes the filing of applications easier for the public and expedites our review.

Form 3-200-65, "Federal Fish and Wildlife Permit Application Form: Registration of Appendix I Commercial Breeding Operations (CITES)," is approved under OMB No. 1018-0093. We use this form to collect information from commercial breeders of CITES Appendix I species who have requested registration of their facilities to allow them to conduct trade that would otherwise be prohibited. Form 3-200-65 allows us to collect specific information about a commercial breeding operation to register the facility with the CITES Secretariat. This information includes the name and location of the facility, the owner/operator, the species bred, the length of time the facility has been operating and its expertise at breeding the species for which registration is requested. The form also allows collection of information on the size of the breeding population, the source of the founding stock, physical description of the facility, the mortality rate experienced by the facility, and how the facility contributes to the long-term conservation of the affected species.

We are proposing to require that these registrations be renewed every 5 years. We would use the same form, Form 3-200-65, to renew an existing registration as we currently use for an initial request for registration. The information collection requests for renewal under Form 3-200-65 will involve only the identification of changes to the breeding operation since the original application or the last renewal request. Renewal of a registration will be less burdensome than the initial registration process as applicants will only be required to update information previously provided and describe any major changes to their operations. Our current regulations (50 CFR 23.46) include a requirement for annual reporting by registered operations, but we have never implemented this reporting requirement. Our proposed rule would amend 50 CFR 23.46 to eliminate the annual reporting requirement for registered operations and instead require the renewal of the registration every 5 years.

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].

Forms in the 3-200 series are available to applicants in a fillable format on our forms and permits websites, by mail, or by fax. Applicants may complete the fillable application online, but must send the application form with an original signature and the applicable processing fee by mail. Applicants may send supporting information by email or fax, if we already have their application and they are able to reference an application number. At this time, we do not have a system for electronic submission of permit application forms or reports; however, we are actively developing the system and are pilot testing two Service application forms that have current OMB approval.

4. Describe efforts to identify duplication.

The requested information is applicant-specific and cannot be obtained from other sources. We will reference information previously submitted by the applicants and request that they only provide information on changes to their operations since their last application.

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

This collection of information does not have a significant economic effect on a substantial number of small entities. We only collect the minimum information necessary to determine an applicant's eligibility. The information requested is information that would be retained as part of usual and customary business recordkeeping. This collection of information provides an economic benefit to the applicants because registration of the breeding operation allows them to conduct commercial transactions that would otherwise be prohibited under CITES.

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.

As a signatory to CITES, the United States has an obligation to abide by the terms of the Treaty. The proposed information collection ensures that we are meeting our obligations under CITES. We are required to monitor registered breeding facilities and advise the CITES Secretariat of any major change in the nature of these operations. Collecting the information less frequently than once every 5 years would not allow us to meaningfully fulfill our obligation to monitor registered facilities. Not collecting the requested information would jeopardize the ability of U.S. breeding operations to participate in commercial international trade of Appendix I species.

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 3 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 statistical data classification that has 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.**

The type of information collected is such that it is not unreasonable to expect that respondents would retain it as usual and customary business practice. No special circumstances exist that require us to collect information in a manner inconsistent with OMB guidelines.

8. If applicable, provide a copy and identify 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.

We have prepared proposed regulations to require the renewal of the registration for commercial breeding facilities. A copy of the proposed rule is attached. The proposed rule solicits public comment for a period of 30 days on the information collection and recordkeeping requirements described in this supporting statement. In addition, during the rulemaking process, we will solicit comments from commercial breeding operations that have already been registered to conduct international trade in Appendix I specimens.

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

We will not provide payment or gifts to respondents.

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

We do not provide any assurance of confidentiality. The information collected is subject to the requirements of the Privacy Act and the Freedom of Information Act as explained in the "Notice" portion of all applications.

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 no more than five CITES-registered commercial breeding operations for Appendix I wildlife requesting renewal of their registration in any 1 year. Registrations must be

renewed at least once every 5 years. We estimate the annual burden is 100 reporting and recordkeeping hours.

We estimate the total dollar value of the burden hours for this collection will be \$2,787. We used USDL Bulletin 11-1718, December 7, 2011, Employer Costs for Employee Compensation-September 2011 (<http://www.bls.gov/news.release/pdf/ecec.pdf>) to estimate hourly wages and calculate benefits. Table 5 lists an hourly wage of \$19.91 for all workers. We multiplied the hourly rate by 1.4 to account for benefits, resulting in an hourly rate of \$27.87.

Activity	Number of Respondents	Number of annual responses	Average time required per response	Total annual burden hours	Hourly Labor Costs Including Benefits	Total \$ Value of Burden Hours
Renewal of Registration (FWS Form 3-200-65)	5	5	20	100	\$27.87	\$2,787

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

We estimate the annual nonhour cost burden for this collection of information will be \$250. These costs reflect the renewal application fee of \$50 per renewal request (x 5 requests).

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

We estimate the total annual cost to the Federal Government to administer this information collection will be \$1534 (rounded). We used the Office of Personnel Management's Salary Table 2012-DCB to determine the hourly wages. We multiplied the hourly wages by 1.5 to account for benefits (Bureau of Labor Standards news release USDL Bulletin 11-1718, December 7, 2011).

To analyze and review the information required by the rulemaking, we estimate the Government will spend an average of 5 hours for each renewal request. Based on a cost factor of \$61.37 per hour, the total annualized cost to the Government will be \$1,524.25 (5 requests x 5 hours x \$61.37).

Position	Grade	Hourly Pay rate (\$/hour estimate)	Hourly rate including benefits (1.5 x \$/hour)	Percent of time spent on collection	Weighted Average (\$/hour)
Permit Biologist	GS-11/step 5	\$33.92	\$50.88	70%	\$35.66
Chief, Branch of Permits	GS-14/step 5	\$57.13	\$85.70	30%	\$25.71
Weighted Average (\$/hour)					\$61.37

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

This is a new collection.

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

We will not publish the data from this information collection.

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 on this application form.

18. Explain each exception to the certification statement.

There are no exceptions to the certification statement.