

JUSTIFICATION FOR NONSUBSTANTIVE CHANGE

OMB Control Number 1018-0093

We are proposing a nonsubstantive revision to FWS Form 3-200-73, application for a re-export permit. An issue has come up with some of our re-exporters regarding the information they must provide when applying for a re-export permit. On page 2 of our current FWS Form 3-200-73), item 3c reads:

“If you did not make the original import, provide a copy of the importer's documents outlined above and the invoice or other document that shows you acquired the wildlife from the original importer or history of transactions that demonstrate chain of ownership. **NOTE: Redacted documents will not be accepted.** For further instructions contact the permit issuing office directly.”

Some re-exporters would like to redact business confidential information (e.g., how much they paid for the specimens and who originally exported them to the United States). In evaluating their request, we have determined that the information they would like to redact does not affect our ability to make the required findings under CITES, provided that other information provided can show that the specimens were legally imported. This information would typically consist of a cleared (stamped by OLE at the time of import) FWS Form 3-177 (declaration form) that included the identification number of the specific transaction. OLE's computer system, LEMIS, could then be used to determine if the shipment was actually cleared. In other words, we would look up the required data in our computer system, instead of requiring the re-exporter to provide us documents we already have in our possession electronically.

To resolve the issue, we propose to amend Item 3c, FWS Form 3-200-73, to read as follows:

3c. If you did not make the original import, provide a copy of the importer's documents outlined above and the invoice or other document that shows you acquired the wildlife from the original importer or history of transactions that demonstrate chain of ownership. **NOTE: Redacted documents will only be accepted if the information redacted is not needed to determine legal chain of custody. For example, declared value of wildlife and foreign exporter information may be redacted, if you provide a copy of the cleared FWS Form 3-177 (Declaration for Importation or Exportation of Fish or Wildlife).** All other redactions will not be accepted. For further instructions contact the permit issuing office directly.

This change will not result in any change in burden.