

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

**Federal Fish and Wildlife Permit Applications and Reports—
Law Enforcement; 50 CFR 13 and 14
OMB Control Number 1018-0092**

Terms of Clearance: The information collection requirements associated with FWS Form 3-200-44, "Permit Application Form: Registration of an Agent/Tannery under the Marine Mammal Protection Act (MMPA)," and FWS Form 3-200-44a, "Registered Agent/Tannery Bi-Annual Inventory Report" are currently approved under OMB Control No. 1018-0093. These forms are managed by the Service's Law Enforcement Division. With this revision, the Service is requesting OMB approval to transfer the forms from 1018-0093 into 1018-0092 so that all forms managed by the Service's Law Enforcement Division are contained in a single collection. If OMB approves this revision, we will revise OMB Control Number 1018-0093 to remove references to these two forms to avoid a duplication of burden.

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.

Section 9(d) of the Endangered Species Act (ESA) (16 U.S.C. 1531 *et seq.*), as amended, makes it unlawful to import or export wildlife or wildlife products for commercial purposes without first obtaining an import/export license (50 CFR Part 14.91). Persons required to obtain an import/export license must keep records that fully and correctly disclose each importation or exportation of fish, wildlife, or plants and the subsequent disposition made by them with respect to such fish, wildlife, or plants for a period of 5 years (50 CFR Part 13.46 and 14.93). Any live wildlife possessed under permit issued by the U.S. Fish and Wildlife Service (we, Service) must be maintained under humane and healthful conditions (50 CFR Part 13.41).

If an applicant resides or is located outside the United States and conducting commercial activities, the applicant must have an agent located in the United States (50 CFR Part 13.12).

Section 9(f) of the ESA requires that fish or wildlife be imported into or exported from the United States only at a designated port or at a nondesignated port under certain limited circumstances. The Secretary of the Interior, with approval of the Secretary of Homeland Security, designates these ports after notice and opportunity for public comment. To date, 18 U.S. Customs and Border Protection (CBP) ports of entry are designated for the import and export of wildlife and wildlife products (50 CFR 14.12). The Service has strategically located staff so that wildlife shipments are funneled through the most active CBP ports. Exceptions to the designated port requirement are permitted (1) scientific purposes (50 CFR 14.31); (2) to minimize deterioration or loss (50 CFR 14.32); and (3) to alleviate undue economic hardship (50 CFR 14.33).

The Marine Mammal Protection Act (MMPA), 16 U.S.C., Section 1371, paragraph (b)(2), allows for Native Alaskans to take marine mammals, including the polar bear, walrus, and sea otter, for subsistence purposes or, for the purpose of creating handicrafts. THE MMPA, 16 U.S.C., Section 1373, paragraph (a), allows for the Secretary to prescribe regulations with respect to the take of these marine mammal species by Native Alaskans.

Tanneries and registered agents with the Service can apply for an exemption under the MMPA to receive marine mammal parts and products from Native Alaskans for the purposes of tanning or transferring and ensure that these marine mammal parts and products are returned to Native Alaskans.

All of the laws, treaties, and regulations administered by the Service that authorize activities for which a permit is required provide the basis for our regulations in 50 CFR Part 13 (General Permit Requirements) and 50 CFR Part 14 (Importation, Exportation, and Transportation of Wildlife). The requirements in 50 CFR Parts 13 and 14 are in addition to any other permit requirements that may apply to a specific circumstance, as outlined in other sections of the Code of Federal Regulations, Title 50, Chapter 1, subchapter B.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection. Be specific. If this collection is a form or a questionnaire, every question needs to be justified.

Designated Port Exception Permit (FWS Form 3-200-2)

The information collected on the 3-200-2 will be used by Service employees to determine if the applicant qualifies to use a nondesignated port. The information we collect corresponds to the requirements in 50 CFR 14.31, 14.32, and 14.33.

The permits can be valid for up to 2 years from the date of issuance and can cover a single import/export shipment, multiple import/export shipments or shipments during a specified period of time. The permit can be renewed upon request.

We have updated the application to remove confusing questions and brought back some questions that were asked on previous versions of this form because the regulations require the information. We updated the form by providing the list of Service Designated ports. We have found recently that applicants were requesting designated ports on this application. We have removed the checklist of possible ports. We found the applicants were confused and many of them checked every box provided. After reviewing port usage, most of the time only 1 or 2 nondesignated ports were actually used, causing extra work and records maintenance by Service permit issuers.

We have added Q & As in front of the application. This should clear up much confusion and reduce the number of nondesignated port applications received, because the applicant did not need to apply in the first place.

Director's Order 212 (signed December 9, 2015) establishes policy and procedure for us to assert our full legal and regulatory authority to deny wildlife violators the ability to obtain wildlife permits and licenses.

CBP is coordinating the implementation of the International Trade Data System (ITDS). Under the ITDS umbrella, through CBP's Automated Commercial Environment (ACE), the requirements for all Federal Government agencies that have jurisdiction over a given import shipment will be consolidated. Issuance of nondesignated port permits will be greatly reduced because the Service is required to have a port presence in order to process entries through ACE. Entries for shipments arriving at non-staffed nondesignated port locations has to be outside of the ACE process.

We modified this form to remove the field asking for the last 4 digits of the SSN from individuals in section A.

Import/Export License (FWS Form 3-200-3a and 3-200-3b) (Paper and Electronic)

We have simplified the application for the Import/Export License by separating into 2 forms: 1) for U.S. Entities (3-200-3a) and 2) Foreign Entities (3-200-3b). There has been much confusion in trying to keep two very different entities (and requirements) on one application. We have added Q & As specific to the different entities in front of each form. This should clear up much confusion and may reduce the number of import/export licenses we issue. We have found recently some foreign entities have applied for an Import/Export License, when the U.S. importer/exporter should have obtained the license and not a foreign entity.

Director’s Order 212 (signed December 9, 2015) establishes policy and procedure for us to assert our full legal and regulatory authority to deny wildlife violators the ability to obtain wildlife permits and licenses. The information we collect corresponds to the requirements in 50 CFR 14.91, 14.92, and 14.93. We use this information as an enforcement tool and management aid to: (a) monitor the international wildlife market and (b) detect trends and changes in the commercial trade of wildlife and wildlife products. Import/export licenses are valid for up to 1 year and can be renewed upon request.

Permit Application Form: Registration of an Agent/Tannery under the Marine Mammal Protection Act (MMPA) (FWS Form 3-200-44) *New IC Transferred from 1018-0093*

The information collected on Form 3-200-44 will be used by Service employees to confirm that an applicant has provided a written description of the procedures that they will use to receive, store, process and, ship marine mammal parts and products and, a written description system of the bookkeeping and inventory that they will use used to receive, store, process and, ship marine mammal parts and products, from Native Alaskans to Native Alaskans.

Registered Agent/Tannery Bi-Annual Inventory Report (FWS Form 3-200-44a) *New IC Transferred from 1018-0093*

The information collected on Form 3-200-44a will be used by Service employees to review the activities of the registered agent or registered tannery regarding the receipt and transfer of marine mammal parts and products from Native Alaskans to Native Alaskans.

Unless a form number is specified in the table below, we collect the following information on FWS Forms 3-200-2, 3-200-3a, 3-200-3b, 3-200-44, and 3-200-44a:

We collect information on ...	So that we can ...
Name of the individual and personal identifying information such as date of birth, last 4 of social security number, occupation, and address and contact information	Identify the individual and the activity conducted by the applicant for which a license/permit is required.
Name of business, tax identification number or last 4 of social security number, description of business, website, and name and contact information for the principal officer	Identify the business and the activity conducted by the applicant for which a license/permit is required.
Name, street address, and contact information for each additional partner/principal officer (3-200-3a &3b)	Identify all individuals or businesses associated with the entity requesting a license/permit.
Whether or not applicant has or has ever had any Federal fish and wildlife permits. If yes, number of current permit or permit to be	Identify prior or current activity under Federal wildlife permits. This helps in determining their knowledge of Service laws and regulations.

renewed/reissued	
U.S. address for foreign applicant	Inspect records, as necessary.
Name, physical address, and telephone number of agent or location where business records will be maintained	Inspect records, as necessary.
Street address and contact information for location where wildlife inventories will be kept (3-200-3a & 3b)	Licensees are required to provide Service Officers access to their facility to examine inventories of wildlife or wildlife products imported or to be exported.
Port(s) of entry where importation/exportation is requested (3-200-2)	Determine if it is an appropriate port to be requested. Determine if additional workload can be accommodated by staff presently available at the requested port.
Valid import/export license number (for commercial shipments) (3-200-2)	Establish compliance with commercial import/export requirements.
Reason for requesting port exception (3-200-2)	Determine if there is a bona fide scientific purpose, potential deterioration or loss, or potential economic hardship that would benefit from the issuance of the permit.
General description of wildlife or wildlife products	Determine workload burden.
Whether the applicant is applying for a registration under the MMPA as agent, tannery or both (3-200-44)	Determine whether the business qualifies for a registration under the MMPA.
The species that the agent or tannery wishes to use in the transfer of marine mammal parts and products from Native Alaskans to Native Alaskans (3-200-44).	Determine that the species requested are eligible under the MMPA.
The procedure that the agent or tannery will use to receive, store, process and, ship marine mammal parts and products from Native Alaskans to Native Alaskans (3-200-44).	Determine that these procedures are sufficient to ensure the legitimate transfer of mammal parts and products from Native Alaskans to Native Alaskans.
The system of bookkeeping and inventory used to receive, store, process and, ship marine mammal parts and products from Native Alaskans to Native Alaskans (3-200-44).	Determine that the system of bookkeeping and inventory are sufficient to ensure the legitimate transfer of mammal parts and products from Native Alaskans to Native Alaskans.
A certification by the applicant that they will responsibly receive, store, process and, ship marine mammal parts and products from Native Alaskans to Native Alaskans to receive an exemption under the MMPA (3-200-44).	Confirm that the applicant is aware of the requirements in order to receive an exemption under the MMPA.
A description of the activities of the registered agent or registered tannery regarding the receipt and transfer of marine mammal parts and products from Native Alaskans to Native Alaskans (3-200-44a).	Confirm that the applicant is receiving, storing, processing and, shipping marine mammal parts and products from Native Alaskans to Native Alaskans.

Permittees and licensees must maintain records that accurately describe each importation or exportation of wildlife or wildlife products under the permit/license, and any subsequent sale or transfer of the wildlife or wildlife products. In addition, licensees must make these records and the

corresponding inventory of wildlife or wildlife products available for our inspection at reasonable times, subject to applicable limitations of law. Any live wildlife possessed under a Service permit/license must be maintained under humane and healthful conditions. We believe the burden associated with these recordkeeping requirements is minimal because the records already exist. Importers and exporters must complete FWS Form 3-177 (Declaration for Importation or Exportation of Fish or Wildlife) for all imports or exports of wildlife or wildlife products. This form provides an accurate description of the imports and exports. OMB has approved the information collection for FWS Form 3-177 and assigned OMB Control Number 1018-0012. Normal business practices should produce records (e.g., invoices or bills of sale) needed to document additional sales or transfers of the wildlife or wildlife products.

Generally, we do not require individuals and government entities to submit a report on activities conducted under the authority of a designated port exception permit. On an occasional basis, we may require entities to provide a report on activities conducted under a designated port exception permit or an import/export license.

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.

Currently forms 3-200-2 and 3-200-3 are available on the Internet in a fillable format. Currently, we must receive a hard copy, originally signed application form by mail or hand delivery from an applicant. Facsimile and e-mailed signatures are not accepted, but applicants may submit any supporting documentation or information missing from the application, other than an original signature, via e-mail or facsimile.

eLicense

We have developed and will soon pilot a new electronic application process (eLicense). Form 3-200-3a and 3b will be first to have an electronic application. This will simplify the application process and give the applicant the ability to pay online thru Pay.gov via credit card or direct bank payment. This will reduce the number of applicants requesting multiple licenses for the same business, and will reduce the number of bad addresses and bounced checks we contend with. An applicant will not be able to submit both an electronic and paper application.

Permittees/Licensees will receive their digitally signed permit/license electronically via the email address provided on the application. Renewal notifications will also be sent via e-mail 90, 60 and 30 days prior to expiration.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

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 any methods used to minimize burden.

Almost all of our permittees/licenseses are small businesses. We have carefully analyzed and constructed these requirements to ensure that the information requested of all applicants is the minimum necessary, while still ensuring our ability to determine if an applicant qualifies for the permit/license. In addition, we have consolidated our 8 issuing offices into 2 (East Coast and West Coast) to reduce inconsistencies in the issuance process. We have designed the eLicense application process requiring the individual, sole owner or principal officer apply directly, which will save the small entity money because they no longer hire a Customshouse broker to complete their application.

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 this information, applicants would not be issued permits/licenses. The information is either required on the permit itself or needed to make the necessary legal findings under the ESA or Director's Order 212. If we do not issue designated port exception permits, applicants who meet one or more of the three exemptions for importing or exporting wildlife or wildlife products at staffed, nondesignated ports, would be unable to do so. If import/export licenses are not issued, businesses could not commercially import or export wildlife or wildlife products.

If we collect this information less frequently, (1) the information establishing the eligibility may no longer be applicable, and (2) the frequency for collecting this information would not be consistent with the duration of validity for designated port exception permits and import/export licenses established in 50 CFR Parts 14.31, 14.32, 14.33 and 14.93.

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.**

The only special circumstance that is inconsistent with OMB guidelines is the timeframe for the retention of documents. Permit regulations (50 CFR Parts 13.46 and 14.93) require that records of any taking, possession, transportation, sale, purchase, barter, export or import of wildlife

pursuant to a permit be maintained for 5 years from the expiration date of the permit. The statute of limitations for enforcement is 5 years. Since commercial importers and exporters may have applied for and been issued permits under the general permit procedures, including designated port exception permits, we believe it would be in the public interest that the records maintenance requirements be consistent with those regulations.

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 and in response to the PRA statement associated with the collection over the past three years, and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

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.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every three years — even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

On April 30, 2019, we published in the *Federal Register* (84 FR 18309) a notice of our intent to request that OMB approve this information collection. In that notice, we solicited comments for 60 days, ending on July 1, 2019. We received one comment in response to that notice which did not address the information collection requirements.

In addition to the *Federal Register* Notice, we consulted with the nine (9) individuals identified in Table 8.1 who familiar with this collection of information in order to validate our time burden estimate and asked for comments on the questions below:

Table 8.1

Organization	Title
Holiday Coral	Owner
FedEx Trade Networks	Customs Trade Specialist
Talon Distribution	Owner
Talbots Import, LLC	Vice President
Pro Cargo USA	Customs Broker
Steger Design, Inc.	General Manager
Herpetologic	General Manager
Genus Logistics	Customs Broker, Import Specialist
Masterpiece International	Vice President, Fine Arts Western Region

“Whether or not the collection of information is necessary, including whether or not the information will have practical utility; whether there are any questions they felt were unnecessary”

Comments: Seven of the comments received agreed that the information was necessary and useful. One commenter suggested that explaining to a client why a Designated Port

exception Permit is required can be difficult. Two commenters suggested that the date of birth on the application was unnecessary.

FWS Response/Action Taken: The Service regulations in 50 CFR Part 14 explain that wildlife shipments must be imported through a Designated Port unless the applicant qualifies for a Designated Port Exception Permit. The Service has determined that the date of birth on the application is useful in confirming the identity of the applicant. We did remove the field requesting the last 4 digits of the SSN from the individual section A.

“The accuracy of our estimate of the burden for this collection of information”

Comments: Only one of the comments received suggested that our burden estimate could be inaccurate, in that the time to complete the Designated Port Exception Permit application could take 2 hours, exceeding our suggested time of 1.25 hours.

FWS Response/Action Taken: Since the other comments we received suggested that our burden estimates were reasonable, or even, excessive, we conclude that these burden estimates are reasonable.

“Ways to enhance the quality, utility, and clarity of the information to be collected”

Comments: One commenter suggested that most of the information required on the applications already exists on valid export permits. One commenter suggested that we should consider block chain technology, how records should be stored and the types of records that should be stored. One commenter suggested that the process should be streamlined and that there should be a way to include customs brokers contact information. One commenter suggested adding the question “How long have you been importing fish and wildlife products” to the applications.

FWS Response/Action Taken: Even if information exists on other permits, this information is still needed to confirm that the requested activity on the application can be authorized. The Service may consider the use of block chain technology in the future. Our regulations in 50 CFR Part 14.93 describe the records that must be maintained as an import/export license holder. The Service does not see the need to include brokers contact information on the applications since applicants can change brokers. The Service does not feel that the length of time a business has been importing fish and wildlife products is relevant.

And

“Ways to minimize the burden of the collection of information on respondents”

Comments: Two commenters suggested that all of the applications should be available electronically. One commenter requested that we provide “approval for a period of time instead of per package.”

FWS Response/Action Taken: The Service is working towards having the Designated Port Exception Permit application available on-line. The Service feels that the importation or exportation of wildlife must be approved on a shipment by shipment basis.

Additional comments received during the outreach:

Comments: One comment suggested that we should allow customs brokers to complete applications on behalf of their clients. One commenter suggested that we should have a

system whereby imports or exports could be shipped without obtaining clearance each time. One commenter questioned the need for a Designated Port Exception Permit for tourists. One commenter suggested that you should be able to query import/export license numbers.

FWS Response/Action Taken: The Service does allow customs brokers to complete applications on behalf of their clients provided that the customs broker has Power of Attorney to do so. The Service feels that the importation or exportation of wildlife must be approved on a shipment by shipment basis. The need for a tourist to obtain a Designated Port Exception Permit depends on whether the species that the tourist is importing or exporting is protected under CITES. Unfortunately, there is no mechanism to query import/export license numbers. An applicant would have to check previous applications for that information.

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.

We removed the field requesting the last 4 digits of an individual's Social Security Number. Information will be maintained in a secure system of records accessible only by authorized Service employees ([Permits System – Interior, FWS-21](#), September 4, 2003, 68 FR 52610; modification published June 4, 2008, 73 FR 31877). These records may be subject to disclosure under provisions of the Freedom of Information Act.

If there is an indication of a violation of a statute, regulation, rule, order, or license, whether civil, criminal, or regulatory in nature, we may transfer the information made available under this information collection to the appropriate Federal, State, local, or foreign agency charged with investigating or prosecuting those violations. In the event of litigation involving the information made available under this information collection, we may transfer the information to the U.S. Department of Justice.

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. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

We do not ask questions of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- * **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**

- * If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens.
- * Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here.

We estimate that we will receive **11,949 responses** totaling **14,918 annual burden hours** for this information collection. The total dollar value of the annual burden hours is approximately **\$516,428** (rounded). We used the Table 1 of the Bureau of Labor Statistics (BLS) News Release [USDL-19-1002](#), June 18, 2019, Employer Costs for Employee Compensation—March 2019, to calculate the total annual burden.

- Individuals - lists the hourly rate for all workers \$36.77, including benefits.
- Private Sector - lists the hourly rate for all workers as \$34.49, including benefits.
- Government - lists the hourly rate for all workers as \$50.89, including benefits.

Requirement	Annual Number of Respondents	Number of Responses Each	Total Annual Responses	Completion Time per Response (Hours)	Total Annual Burden Hours*	Hourly Labor Costs (Incl. Benefits)	Total Dollar Value of Burden Hours
Designated Port Exception Permit Application (Form 3-200-2)							
Individuals	577	1	577	1.25	721	\$ 36.77	\$ 26,511.17
Private Sector	722	1	722	1.25	903	34.49	31,144.47
Government	13	1	13	1.25	16	50.89	814.24
Designated Port Exception Permit Report (50 CFR 13 and 14)							
Private Sector	5	1	5	1	5	\$ 34.49	\$ 172.45
Import/Export License Report (50 CFR 13 and 14)							
Private Sector	10	1	10	1	10	\$ 34.49	\$ 344.90
Import/Export License - U.S. Entities (Form 3-200-3a)							
Private Sector	10,197	1	10,197	1.25	12,746	\$ 34.49	\$ 439,609.54
Import/Export License - Foreign Entities (Form 3-200-3b)							
Private Sector	380	1	380	1.25	475	\$ 34.49	\$ 16,382.75
Permit Application Form: Registration of an Agent/Tannery under the Marine Mammal Protection Act (MMPA) (Form 3-200-44) NEW – TRANSFER FROM 1018-0093							
Private Sector	5	1	5	.3	2	\$ 34.49	\$ 68.98
Registered Agent/Tannery Bi-Annual Inventory Report (Form 3-2200-44a) NEW – TRANSFER FROM 1018-0093							
Private Sector	20	2	40	1	40	\$ 34.49	\$ 1,379.60
Total	11,929		11,949		14,918		\$ 516,428.10

*Rounded to match ROCIS

13. Provide an estimate of the total annual non-hour cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected in item 12.)

- * The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information (including filing fees paid for form processing). Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.
- * If cost estimates are expected to vary widely, agencies should present ranges of

cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.

- * Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

The total annual nonhour dollar cost burden to the respondents is approximately \$1,188,100 for application fees. The fee for each application (Forms 3-200-2 and 3-200-3) received from individuals and private sector is \$100. There is no fee for applications from government agencies or for processing reports.

Requirement	Total Annual Responses	Non-hour Cost per Response	Total Non-Hour Cost Burden
Designated Port Exception Permit Application (Form 3-200-2)			
Individuals	577	\$100.00	\$ 57,700
Private Sector	722	100.00	72,200
Government	13	0	0
Import/Export License - U.S. Entities (Form 3-200-3a)			
Private Sector	10,197	100.00	1,019,700
Import/Export License - Foreign Entities (Form 3-200-3b)			
Private Sector	380	100.00	38,000
Permit Application Form: Registration of an Agent/Tannery under the Marine Mammal Protection Act (MMPA) (Form 3-200-44) NEW - TRANSFER FROM 1018-0093			
Private Sector	5	100.00	500.00
Total	11,894		\$ 1,188,100

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.

We estimate that the total annual cost to the Federal Government for this information collection is **\$486,469** (rounded).

Salaries/Benefits - \$480,469 (rounded). Import/export license and Designated Port Exception Permits are issued at 2 issuing centers – East Coast (located in Atlanta, Georgia) and West Coast (located in Sacramento, California). Registration of agent/tannery permit applications under the MMPA are issued in the Anchorage office. These issuers are solely dedicated to reviewing and processing applications and reports for designated port exception permits, import/export licenses and, agent/tannery permit applications under the MMPA. We used the Office of Personnel Management Salary Table [2019-RUS](#) to determine the hourly wage rate for a GS-8, step 5, the median grade/step for these employees. To calculate benefits, we multiplied the hourly rate (\$25.29) by 1.59 to account for benefits in accordance with BLS News Release [USDL-19-1002](#), June 18, 2019, Employer Costs for Employee Compensation—March 2019, resulting in an hourly

cost factor of \$40.21.

We estimate that we will receive 11,949 applications and reports annually. It takes approximately 1 hour to process these for a total of 11,949 hours, at a cost of \$480,469.29 (\$40.21 X 11,949). We expect these costs to go down on the Import/Export License application once eLicense goes live because the data entry will be completed by the applicant and not the Service permit issuer.

These forms do not have an annual reporting requirement. However, there may be a very small number of applicants that may have this requirement added to their permit conditions due to extra scrutiny necessary because of prior violations.

Operational Expenses - \$6,000. Includes printing and mailing costs. These applications are almost exclusively obtained electronically from the Service website (<https://www.fws.gov/forms/>). We expect these costs to go down on the Import/Export License application once eLicense goes live because this document will be digitally signed and emailed to the applicant at the email address provided on their application.

15. Explain the reasons for any program changes or adjustments in hour or cost burden.

We are reporting a burden change as a result of the transfer of FWS Form 3-200-44, "Permit Application Form: Registration of an Agent/Tannery under the Marine Mammal Protection Act (MMPA)," and FWS Form 3-200-44a, "Registered Agent/Tannery Bi-Annual Inventory Report" from OMB Control Number 1018-0093 into this collection. We are reporting an increase (agency discretion) 45 responses, 42 burden hours, and \$500 non-hour cost burden associated with the two new forms.

We are also reporting an increase (change due to adjustment in agency estimate) of 1,140 responses, 1,424 burden hours, and \$112,700 non-hour cost burden since the last submission for the remaining ICs in this collection. The updated non-hour cost burden estimate reflects a reduction of \$1,400 in non-hour cost burden associated with a correction to a previous error in non-hour cost burden associated with government respondents submitting Form 3-200-02. These respondents do not pay the \$100 fee. We removed this non-hour cost burden from the government respondent IC.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

We will not perform any analyses, develop statistical reports, or publish the results of 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.

18. Explain each exception to the topics of the certification statement identified in "Certification for Paperwork Reduction Act Submissions."

There are no exceptions to the certification statement.