

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

**Federal Fish and Wildlife Permit Applications and
Reports – Management Authority
50 CFR 13, 15, 16, 17, 18, 22, 23**

OMB Control Number 1018-0093

Terms of Clearance: None.

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

Information collection requirements contained in permit applications are specifically provided for in 50 CFR 13, 15, 16, 17, 18, 22, and 23.

All of the laws, treaties and regulations administered by the U.S. Fish and Wildlife Service which authorize activities for which a permit is required, authorize such permits in 50 CFR 13 (General Permit Requirements). The requirements in 50 CFR Part 13 are in addition to any other permit regulations that may apply to a specific circumstance and are outlined in other sections of regulation.

The Wild Bird Conservation Act (WBCA) and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) uses a system of permits and certificates to help ensure international trade is legal and does not threaten the survival of wildlife or plant species in the wild. Permits under the Endangered Species Act of 1973, as amended (ESA, 16 U.S.C. 1531 *et seq.*) and the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*) ensure that activities are consistent with the intent and purposes of the ESA and MMPA. Permitted activities under the Bald and Golden Eagle Protection Act (Eagle Act; 16 U.S.C. 668-668d) must be compatible with the preservation of the eagle. We only issue permits under the Lacey Act (18 U.S.C. 42) when the Service finds the activity will not be harmful to either the health or welfare of humans and to the interests of agriculture, horticulture, forestry, or to wildlife, or to the wildlife resources of the United States. Prior to the import or export of MMPA, eagle, injurious wildlife (Lacey Act), WBCA, ESA, and/or CITES-listed species, the Division of Management Authority and Scientific Authority makes the appropriate determinations and issues the appropriate documents. Section 8A of the ESA designates the Secretary of the Interior as the U.S. Management and Scientific Authority for CITES. The Secretary delegated these authorities to the 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 and Management Authorities 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. CoP18) 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.

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.

The information that we collect on applications and reports is the minimum necessary for us to determine if the applicant meets/continues to meet issuance requirements for the particular activity. Respondents submit application forms periodically as needed; submission of reports is generally on an annual basis, or as identified conditionally as part of an issued permit. We examined applications in this collection, focusing on questions frequently misinterpreted or not addressed by applicants. We have made clarifications to many of our applications to make it easier for the applicant to know what information we need and to accommodate future electronic permitting. Use of these forms:

- Reduces burden on applicants.
- Improves customer service.
- Allows us to process applications and finalize reviews quickly.

APPLICATIONS – Respondents submit application forms periodically, as necessary. All Service permit applications (generally in the 3-200 series of forms) are tailored to a specific activity based on the requirements for specific types of permits.

Standardizing general information common to the application forms makes filing of applications easier for the public as well as expedites our review of applications. In accordance with Federal regulations at 5 CFR 13.12, we collect standard identifier information for all permits, such as:

- Applicant's full name and address (street address, city, county, state, and zip code; and mailing address if different from street address); main and alternate telephone numbers; and, e-mail address (required if filing electronically, optional for a mail-in application), and;
 - If the applicant resides or is located outside the United States, an address in the United States, and, if conducting commercial activities, the name and address of his or her agent that is located in the United States; and
 - If the applicant is an individual, the date of birth, occupation, and any business, agency, organizational, or institutional affiliation associated with the wildlife or plants to be covered by the license or permit; or
 - If the applicant is a business, corporation, public agency, or institution, the tax identification number; description of the business type, corporation, agency, or institution; and the name and title of the person responsible for the permit (such as president, principal officer, or director);
- Location where the requested permitted activity is to occur or be conducted;
- Reference to the part(s) and section(s) of subchapter B as listed in paragraph (b) of 50 CFR 13 under which the application is made for a permit or permits, together with any additional justification, including supporting documentation as required by the referenced part(s) and section(s);
- If the requested permitted activity involves the import or re-export of wildlife or plants

from or to any foreign country, and the country of origin, or the country of export or re-export restricts the taking, possession, transportation, exportation, or sale of wildlife or plants, documentation as indicated in § 14.52(c) of subchapter B;

- Certification containing the following language:
 - *I hereby certify that I have read and am familiar with the regulations contained in title 50, part 13, of the Code of Federal Regulations and the other applicable parts in subchapter B of chapter I of title 50, Code of Federal Regulations, and I further certify that the information submitted in this application for a permit is complete and accurate to the best of my knowledge and belief. I understand that any false statement herein may subject me to suspension or revocation of this permit and to the criminal penalties of 18 U.S.C. 1001.*
- Desired effective date of permit except where issuance date is fixed by the part under which the permit is issued;
- Signature date;
- Signature of the applicant; and
- Such other information as the Director determines relevant to the processing of the application, including, but not limited to, information on the environmental effects of the activity consistent with 40 CFR 1506.5 and Departmental procedures at 516 DM 6, Appendix 1.3A; and
- Additional information required on applications for other types of permits may be found by referring to table 1 in paragraph (b) in 50 CFR 13.12.

The following permit application forms are currently approved under OMB Control No. 1018-0093:

- Form 3-200-19, “*Import of Sport-hunted Trophies of Southern African Leopard and Namibian Southern White Rhinoceros*” **50 CFR 17.40(f), 50 CFR 17.52, and 50 CFR 23.74**
- Form 3-200-20, “*Import of Sport-hunted Trophies (Appendix I of CITES and/or ESA)*” **50 CFR 17.22, 50 CFR 17.32, and 50 CFR 23.74**
- Form 3-200-21, “*Import of Sport-Hunted Trophies of Argali*” **50 CFR 17.40(j), and 50 CFR 23.74**
- Form 3-200-22, “*Import of Sport-Hunted Bontebok Trophies from South Africa*” **50 CFR 17.22, and 50 CFR 23.74**
- Form 3-200-23, “*Export of Pre-Convention, Pre-Act, or Antique Specimens (CITES, MMPA, and/or ESA)*” **50 CFR 17.4, 50 CFR 18.14, and 50 CFR 23.45**
- Form 3-200-24, “*Export of Live Captive-Born Animals and Products from Foreign Listed Captive-Born Animals (CITES)*” **50 CFR 23.36**
- Form 3-200-25, “*Export of Raptors under CITES and/or the Migratory Bird Treaty Act*” **50 CFR 21.21, and 50 CFR 23.36**
- Form 3-200-26, “*Commercial Export of Skins of 6 Native Species: Bobcat, River Otter, Lynx, Alaskan Brown Bear, Alaskan Gray Wolf, and American Alligator (CITES)*” **50 CFR 23.69, and 50 CFR 23.70**
- Form 3-200-27, “*Export of Wildlife Removed from the Wild (Live/Samples/Parts/Products (CITES))*” **50 CFR 23.36**
- Form 3-200-28, “*Export of Trophies by Hunters or Taxidermists (CITES)*” **50 CFR 23.74**
- Form 3-200-29, “*Export/Re-export of Wildlife Samples and/or Biomedical Samples (CITES)*” **50 CFR 23.36 and 50 CFR 23.37**
- Form 3-200-30, “*Export/Re-Export/Re-Import of Circuses, Traveling Animal Exhibitions, or Museum Exhibitions (and Reissuance) (CITES/ESA)*” **50 CFR 23.49**
- Form 3-200-31, “*Introduction from the Sea (CITES)*” **50 CFR 23.39**
- Form 3-200-32, “*Export/Re-Export of Plants (CITES)*” **50 CFR 23.72 and 50 CFR 23.73**

- Form 3-200-33, "*CITES Export of Artificially Propagated Live Plants or Plant Parts (Single and Multiple Commercial Shipments)*" **50 CFR 23.40**
- Form 3-200-34, "*Export of American Ginseng (Multiple Commercial Shipments)*" **50 CFR 23.68**
- Form 3-200-35, "*Import of Wild-Collected Appendix-1 Plants (CITES)*" **50 CFR 23.72**
- Form 3-200-36, "*Export/Import/Interstate and Foreign Commerce of Plants (CITES and/or ESA)*" **50 CFR 17.62, 50 CFR 17.72, and 50 CFR 23.72**
- Form 3-200-37a, "*Import/Export/Re-Export of Live Animals (CITES/ESA)*" **50 CFR 17.22, 50 CFR 17.32 50 CFR 23.35, 50 CFR 23.36, and 50 CFR 23.37**
- Form 3-200-37b, "*Export of Live Animals Under a Valid CBW (ESA)*" **50 CFR 17.21(g), and 50 CFR 23.36**
- Form 3-200-37c, "*Take (Cull, Lethal Harvest) of a Live Animal Under a Valid CBW*" **50 CFR 17.21(g), 50 CFR 17.22, and 50 CFR 17.32**
- Form 3-200-37d, "*Interstate or Foreign Commerce of Live Animals/Samples/or Products (ESA)*" **50 CFR 17.22 and 50 CFR 17.32**
- Form 3-200-37e, "*Import/Export/Re-Export of Biological Specimens (CITES/ESA) for Scientific Research*" **50 CFR 17.22, 50 CFR 17.32, 50 CFR 23.35, 50 CFR 36, and 50 CFR 23.37**
- Form 3-200-37f, "*Import of Live African Elephant from Botswana, Namibia, South African, and Zimbabwe and Southern White Rhinos from eSwatini and South Africa*" **50 CFR 17.52, 50 CFR 23.35, and 50 CFR 23.65**
- Form 3-200-39, "*Certificate of Scientific Exchange (CITES) Special Reporting Conditions*" **50 CFR 23.48**
- Form 3-200-40, "*Export and Re-Import of Museum Specimens (U.S. Endangered Species Act)*" **50 CFR 17.22, 50 CFR 17.32, 50 CFR 17.62, and 50 CFR 17.72**
- Form 3-200-41, "*Captive-Bred Wildlife Registration (U.S. Endangered Species Act)*" **50 CFR 17.21(g)**
- Form 3-200-42, "*Import/Transport of Injurious Wildlife*" **50 CFR 16.22**
- Form 3-200-43, "*Take/Import/Export of Marine Mammals for Public Display, Scientific Research, Enhancement, or Rescue/Rehabilitation/Release Activities or Renewal/Amendment of Existing Permit (MMPA and/or ESA)*" **50 CFR 18.31**
- Form 3-200-46, "*Import/Export/Re-Export of Personal Pets (CITES or Wild Bird Conservation Act)*" **50 CFR 15.25 and 50 CFR 23.44**
- Form 3-200-47, "*Import of Birds for Scientific Research or Zoological Breeding and Display (WBCA)*" **50 CFR 15.22 and 50 CFR 15.23**
- Form 3-200-48, "*Import of Bird(s) Under an Approved Cooperative Breeding Program (WBCA)*" **50 CFR 15.24**
- Form 3-200-49, "*Approval, Amendment, or Renewal of a Cooperative Breeding Program (Wild Bird Conservation Act)*" **50 CFR 15.26**
- Form 3-200-50, "*Approval of Sustainable Use Management Plan Under WBCA*" **50 CFR 15.32**
- Form 3-200-51, "*Approval of a Foreign Breeding Facility under WBCA*" **50 CFR 15.41**
- Form 3-200-52, "*Reissuance, Renewal, or Amendment of a Permit*" **50 CFR 13.22 and 50 CFR 13.23**
- Form 3-200-53, "*Export/Re-Export of Live Captive-Held Marine Mammals (CITES)*" **50 CFR 18.31**
- Form 3-200-58, "*Permit Issued Retrospectively - Supplemental Application (CITES)*" **50 CFR 23.53**
- Form 3-200-64, "*Certificate of Ownership for Personally Owned Wildlife "Pet Passport" (CITES)*" **50 CFR 15.25 and 50 CFR 23.44**
- Form 3-200-65, "*Registration of Appendix-I Commercial Breeding Operations (CITES)*" **50 CFR 23.46**

- Form 3-200-66, “Replacement Document (CITES/ESA/MMPA/WBCA/Lacey Act)” **50 CFR 50 CFR 23.52**
- Form 3-200-69, “Transport of Bald and Golden Eagle from the United States for Scientific or Exhibition Purposes (CITES)” **50 CFR 22.50**
- Form 3-200-70, “Export/Re-Import/Transport of Bald and Golden Eagle for Indian Religious Purposes (CITES)” **50 CFR 22.60**
- Form 3-200-73, “Re-Export of Wildlife (CITES)” **50 CFR 23.37**
- Form 3-200-74, “Partially Complete Certificates Under a Master File or an Annual Program File” **50 CFR 23.51**
- Form 3-200-75, “Registration of a Production Facility for Export of Certain Native Species” **50 CFR 23.36, 50 CFR 23.38, and 50 CFR 23.51**
- Form 3-200-76, “Export of Caviar or Meat of Paddlefish or Sturgeon Removed from the Wild (CITES)” **50 CFR 23.71**
- Form 3-200-80, “Export of Fertilized Live Eggs, Caviar or Meat from Aquacultured Paddlefish or Sturgeon (CITES)” **50 CFR 23.71**
- Form 3-200-85, “Establishment of a Master File for the Export of Live Animals Bred in Captivity in the United States (CITES)” **50 CFR 23.41 and 50 CFR 23.51**
- Form 3-200-86, “Photography of Marine Mammals for Educational or Commercial Purposes Under the MMPA” **50 CFR 18.31**
- Form 3-200-87, “Notification for and Transfer/Transport of Captive-Held Marine Mammals Under the Marine Mammal Protection Act (MMPA)” **50 CFR 18.31**
- Form 3-200-88, “Export of Pre-Convention, Pre-Act, or Antique Musical Instrument/Traveling Exhibition Certificate (MMPA, ESA and/or CITES)” **50 CFR 17.4, 50 CFR 23.**

REPORTING REQUIREMENTS 50 CFR 13.45

Certain permit types require the permittee to submit a report of their activities on an annual basis. These reports are used by the Service to ensure the applicant remains in compliance with the terms of their permit. The following report forms are currently approved under OMB Control No. 1018-0093:

- Form 3-200-30A, “Annual Report for Exhibition Permittees” ” **50 CFR 17.22 and 50 CFR 17.32**
- Form 3-200-37f, “ESA Cull/Take Report Form” **50 CFR 17.21(g), 50 CFR 17.22, and 50 CFR 17.32**
- Form 3-200-39A, “Certificate of Scientific Exchange (COSE) Special Reporting Conditions” **50 CFR 23.48**
- Form 3-200-40A, “ESA Museum Permit Annual Report” **50 CFR 17.22 and 50 CFR 17.32**
- Form 3-200-41A, “Captive-Bred Wildlife Registration (CBW) Annual Report” **50 CFR 17.21(g)**
- Form 3-200-61, “CITES Export Programs – American Ginseng Export Program” **50 CFR 23.68**

Miscellaneous Information Collections:

Request for Approval of a CITES Export Program (American Ginseng, CITES furbearers, American Alligator) 50 CFR 23.68, 50 CFR 23.69, and 50 CFR 23.70

For States and Tribes that set up and maintain management programs for these species to protect from over-harvest, requesting approval of their management plans allows the Division of Scientific Authority to make programmatic findings under specific requirements that allow the export of these species under CITES. These programmatic findings streamline the permit process for applicants.

Report for Furbearer CITES Export Programs 50 CFR 23.69(b)(3)

A State or Tribe with an approved CITES export program must submit a CITES furbearer activity report that provides information as to whether or not the population status or management of the species has changed within the State or Tribal lands. If information has not changed, the report may reference information provided in previous years. Range-wide non-detriment findings are re-evaluated at least every 5 years, or sooner if information indicates that there has been a change in the status of management of the species that might lead to different treatment of the species.

Report for American Alligator CITES Export Program 50 CFR 23.70(c)(2)

A State or Tribe with an approved CITES export program must submit a CITES American alligator activity report that provides information as to whether or not the population status or management of the species has changed within the State or Tribal lands. If information has not changed, the report may reference information provided in previous years. Range-wide non-detriment findings are re-evaluated at least every 5 years, or sooner if information indicates that there has been a change in the status of management of the species that might lead to different treatment of the species.

Report - Plant Rescue Program Receipt and Condition of Specimens 50 CFR 23.79

Seized plants that are placed with a registered Plant Rescue Center may be required to account periodically for the donation or loan regarding the receipt of those specimens and the condition in which they arrived.

Report Take (Grizzly Bears) 50 CFR 17.40(b)

Grizzly bears taken in self-defense or in the defense of others by individuals or their designee in Montana or Wyoming must report the take to the U.S. Fish and Wildlife Service's Office of Law Enforcement within 5 days of the said take. If taken in Idaho or Washington said take must also be reported to the appropriate State and Tribal authorities.

Report Take (Mountain Lion) 50 CFR 17.40(h)

Mountain lions taken in the State of Florida must be reported to the U.S. Fish and Wildlife Service's Office of Law Enforcement within 5 days of the said take.

Application - Participation in the Plant Rescue Center Program 50 CFR 23.79

The Plant Rescue Center Program is established to place confiscated live plants quickly to prevent physical damage to plants. Entities that wish to participate may submit a letter requesting participation. A request to become part of the Plant Rescue Center Program comes via a letter. The requestor just has to address the requirements in the regulation.

Marking/Labeling Requirements

The following contain marking/labeling requirements outlined in the regulations. We do not collect information on this rather, if items show up with these species without the necessary labelling/markings and permits, they will be seized.

- Vicuna Products, Beluga Sturgeon Caviar, and African Elephant Sport Hunted Trophies **50 CFR 23.75, 50 CFR 23.71, 50 CFR 17.44(y), and 50 CFR 17.40(e)**
- Beluga Sturgeon Exemption **50 CFR 17.44(y)(3)**
- Wildlife Hybrid Exemption **50 CFR 23.42 and 50 CFR 23.43**
- Exception to Use of CITES Specimens after Import **50 CFR 23.55**

International Reporting Requirements – The Service imposes international reporting

requirements specified in 50 CFR 13.21(5), 50 CFR 17.22(b)(v), 50 CFR 17.31(b)(v), 50 CFR 18.30(c)(2), 50 CFR 23.6, and 50 CFR 23.33(b). These reporting requirements are associated with the findings we must make under the various laws, treaties, and regulations administered by the Service. This may include consultation on sustainable use, population data, management practices, and verification of information received from other sources. The Service does not provide a form for this collection; rather, we request specific information based on the most current data we hold, in order to enable us to update or clarify that data. We estimate the annual burden associated with the international reporting requirements to be 24 responses and 192 burden hours. There are no nonhour burden costs associated with the international reporting requirements.

Recordkeeping Requirements 50 CFR 13.46 – Permittees must keep records of all activities conducted under certain permits, including those of subpermittees carried out under the authority of the permit, as well as documentation of any take that occurs from the permitted activity and the data gathered through surveys and monitoring. We use these data to assess the conservation benefits or detriments to plant and wildlife populations. Additionally, under 50 CFR 13.47, the Service may enter a permittee’s premises at any reasonable hour to inspect any wildlife or plant held or to inspect, audit, or copy any permits, books, or records required to be kept by these regulations for compliance under the permit conditions

Amendments to Permit Applications – Amendments to a permit may be requested by the permittee, or the Service may amend a permit for just cause upon a written finding of necessity. Amendments comprise changes to the permit authorization or conditions. The permittee must apply for amendments to the permit by submitting a description of the modified activity and the changed impacts. These are considered substantive amendments and incur a fee. For CITES permits, if there is a change in the legal individual or business name, this is considered a substantive amendment and incurs a fee. For federal permits, a permittee is not required to obtain a new permit if there is a change in the legal individual or business name, or in the mailing address of the permittee. A permittee is required to notify the issuing office within 10 calendar days of such change. This provision does not authorize any change in location of the conduct of the permitted activity when approval of the location is a qualifying condition of the permit.

PROPOSED REVISIONS

With this submission, we are proposing the following revisions to the existing information collection:

- (1) Changes to trophy applications (FWS Forms 3-200-19, “Import of Sport-Hunted Trophies of Southern African Leopard and Namibian Southern White Rhinoceros”; 3-200-20, “Import of Sport-Hunted Trophies (Appendix I of CITES and/or ESA)”; 3-200-21, “Import of Sport-Hunted Trophies of Argali”; and 3-200-22, “Import of Sport-Hunted Bontebok Trophies from South Africa”), to include specific questions on the sex and approximate age of the trophy, and copies of the specific forms provided by each country to the hunter as part of their application.
- (2) Updating FWS Form 3-200-31, “Introduction from the Sea (CITES),” to add information requirements necessary to identify ports of entry to ensure proper inspection/clearance of specimens imported under the introduction from the sea.
- (3) Updating FWS Form 3-200-32, “Export/Re-Export of Plants (CITES),” to ensure that each section of the application requests receipts documenting the legal acquisition of the species requested.
- (4) Updating FWS Form 3-200-37d, “Interstate or Foreign commerce of Live

Animals/Samples/or Products (ESA),” to add a question on the description of and justification for the requested activity. We will outline the information needed for each of the following purposes: scientific research, conservation education and/or zoological display, and captive propagation for the conservation and survival of the species.

- (5) Based on requirements outlined in Resolution Conf. 11.20 (Rev CoP18), we will be updating FWS Form 3-200-37f, “Import of Live African Elephant from Botswana, Namibia, South Africa, and Zimbabwe and Southern White Rhino from Eswatini and South Africa,” to request additional information required in order to make the finding of appropriate and acceptable destinations for the import of live African elephants and rhinoceros.
- (6) Updates to FWS Form 3-200-41, “Captive-Bred Wildlife Registration (U.S. Endangered Species Act,” will be updated to include all new applicants completing sections 1, 2, and 4, as appropriate, and section 3 for renewing a captive-bred wildlife registration.
- (7) Splitting FWS Form 3-200-43, “Take/Import/Export of Marine Mammals for Public Display, Scientific Research, Enhancement, or Rescue/Rehabilitation/Release Activities or Renewal/Amendment of Existing Permit (MMPA and/or ESA),” into smaller parts (3-200-43a, 3-200-43b, 3-200-43c, 3-200-43d) to ensure the applicant can easily identify and submit the correct type of application for activities being requested under the MMPA.
- (8) Clarification of information needed on FWS Form 3-200-46, “Import/Export/Re-Export of Personal Pets under the Conservation on International Trade in Endangered Species (CITES) and/or the U.S. Endangered Species Act (ESA),” will include the requirement of the address of an applicant when they will be relocating with their pet.
- (9) Updates to FWS Form 3-200-73, “Re-Export of Wildlife (CITES),” will be updated to align with our FWS Form 3-200-24, “Export of Live Captive-Born Animals and/or Part/Products from Non-Native Species under the Convention on International Trade in Endangered Species (CITES),” for information collected on live animals to include the sex and birth/hatch date of the live wildlife to be re-exported.
- (10) We do not plan to make changes to the annual report forms contained in this collection. We do make note that some permits are issued with specific reporting requirements at the termination of the permitted activity. The information varies based on the permitted activities. The report is submitted at the time a permit renewal is requested or at the termination of the permitted activity.

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.

Current Process

Forms in this collection are available in a fillable format on our forms and permits websites, by mail, or by e-mail. Applicants may complete the application online and submit the form as an attachment to the appropriate permit application form and pay with a credit/debit card through pay.gov, or they may send the application form with an original signature and the processing fee to the Service by mail. Applicants may send us any supporting documentation or information missing from the application, other than original signature, via electronic mail.

Process Under ePermits System – We are actively expanding the functionality of our automated permit application system, referred to as “ePermits.” The ePermits system allows the agency to streamline the permitting process to reduce the information collection burden on

the public, particularly small businesses. Public burden reduction is a priority for the Service; the Assistant Secretary for Fish, Wildlife, and Parks; and senior leadership at the Department of the Interior.

The intent of ePermits is to allow an applicant to file an electronic, fully digitized application form to the extent practicable to improve the customer experience and to reduce time burden on respondents. The updated functionality will enhance the user experience by allowing users to enter data from any device that has Internet access, including personal computers, tablets, and smartphones. It will also link the permit applicant to the Pay.gov system for payment of the associated permit application fee.

As we update the functionality of ePermits, we anticipate a reduction in applicant burden time to apply for a permit. They can now perform regular actions related to that permit (e.g., amend, renew, report). Users of ePermits must register for an account which will then automatically populate the forms they complete with the required identification information, thus preventing the need for them to enter it multiple times when they apply for separate permits and reducing burden on the applicant. Through the ePermits account registration, we will track and be able to report the numbers of small business applicants more accurately, along with the type of business (for-profit, farm, not-for profit). This information will allow the Service to be more responsive in identifying the possibility of additional burden reduction on small businesses.

We have eliminated the necessity for physical mail-in applications (though this will remain an option for those who either don't have access to the internet or prefer to use mail-in applications), thus further reducing the burden on the public. With ePermits, applicants are able to establish an account and apply for multiple permits through a single interface. They are also able to track all their applications, permits and permit-related actions, as well as all communications between Service staff and the permittee/applicant within the same interface, significantly reducing the burden on the government to process these applications and manage permit-related actions.

The Service anticipates a significant reduction in the number of the paper-based versions of a large number of forms in lieu of using ePermits. However, PDF copies of additional permit documentation, including affidavits that require signatures may be uploaded to ePermits by the applicant or by processors depending on the method (i.e., paper, electronic) in which the documents are submitted. This reduction in processing paper based forms reduces the government cost of administering and processing permit applications.

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.

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 permit. We can issue required findings either on an application- by-application basis or a programmatic basis.

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 be unable to issue required permits for import, export, take, and interstate/foreign commerce. While we could issue 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. 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 June 30, 2022, we published in the *Federal Register* ([87 FR 39112](#)) a notice of our intent to request that OMB approve this information collection. In that notice, we solicited comments for 60 days, ending on August 29, 2022. In an effort to increase public awareness of, and participation in, our public commenting processes associated with information collection requests, the Service also published the *Federal Register* notice on Regulations.gov (Docket [FWS-HQ-IA-2022-0067](#)) to provide the public with an additional method to submit comments (in addition to the typical Info_Coll@fws.gov email and U.S. mail submission methods). We received the following comments in response to that notice:

Comment 1: Email Comment Dated July 18, 2022, from the Marine Mammal Commission

The Marine Mammal Commission provided the following recommendations regarding marine mammal permit applications:

1. Recommended that we 1) remove the requirement to denote procedures as Level A or B harassment or other take, and 2) ensure that mortality takes are denoted on separate rows and classified appropriately in the tables.
2. Recommended that we adopt a clearer means of collecting principal investigator (PI) and co-investigator (CI) activities by providing a table based on comments they provided on November 26, 2019.
3. Recommended that the Service establish a standardized qualification system similar to National Marine Fisheries Service (NMFS) standards, authorize PI and CIs to conduct activities according to this system and require that in lieu of a CV, each PI or CI submit a qualification table based on the qualification standards that we establish.
4. Expressed concern that we under reported the burden hours as indicated on our application forms for marine mammals and provided suggested burden hours for information collection.

Agency Response to Comment 1: We accepted these changes and have incorporated them in our revised marine mammal permit application forms to include the removal of the requirement to denote procedures as Level A or B harassment or other take, adopting a clearer means of collecting PI and CI activities, and adjusting the burden hours for information collection.

Comment 2: Email Comment Dated August 15, 2022, from The Ornithological Council

The Ornithological Council's comment supports our electronic permitting system. They are encouraged to see improvements and the continued development of the system and encourage continued improvements to the digitization of the application forms. The commenter hopes that the Service can be more responsive to their requests for assistance when needed. For Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) permits, the commenter indicated that it can be problematic to obtain the endorsements that were adopted in 2002 (Resolution Conf. 12.3 Rev. CoP18). For Wild Bird Conservation Act (WBCA) permits, the commenter indicated that there is some question on interpretation of the exemption for requiring a permit under the WBCA for dead museum specimens and dead scientific specimens. Finally, the commenter requested that we change the title of Form 3-200-47 to Import of Live Birds for Scientific Research or Zoological Breeding and Display under the Wild Bird Conservation Act.

Agency Response to Comment 2: We are pleased to see that the commenter is in support of our ePermits system with the acknowledgement that we continue to build and improve the system. We continue to work to improve our responsiveness to our customers' questions. For WBCA permits, the Service's position is that this exemption is only allowed for those specimens that are accessioned into a museum or scientific institution's collection. Specimens that are subject to collection under a researcher's activities and are not accessioned into an institution's collection would not be eligible for this exemption and the researcher should apply for the necessary import permits.

For CITES permit endorsements, Resolution Conf. 12.3 (Rev CoP18) provides that "export permits and re-export certificates be endorsed, with quantity, signature, and stamp, by an inspecting official, such as Customs, in the export endorsement block of the document. If the export document has not been endorsed at the time of export, the Management Authority of the importing country should liaise with the exporting country's Management Authority, considering any extenuating circumstances or documents, to determine the acceptability of the document". As this is a regulatory requirement and recommendation under a CITES resolution, the commenter has continued to experience barriers to obtaining the required endorsements; consequently, they submitted a petition requesting we eliminate this requirement from our regulations. These regulations are currently being updated at this time and may address the Ornithological Society's concerns. For application Form 3-200-47, based on our discussion above, this change would preclude researchers that obtain dead specimens that are not accessioned into a museum or scientific institution no means of applying for a permit. Therefore, we will not make this change.

The commenter also discussed issues specific to the Migratory Bird Treaty Act (MBTA). Since we collect information regarding CITES and the U.S. Endangered Species Act (ESA), we can only provide the comments to the Service program that handles MBTA permits.

Comment 3: Email Comment Dated August 29, 2022, from Safari Club International

The Safari Club International (SCI) opposes the information collected on Forms 3-200-19, 3-200-20, 3-200-21, and 3-200-22, regarding the sex and age of the sport-hunted trophy. The commenter also suggested changes to the Notices section of the application under the Privacy Act Statement and Paperwork Reduction Act Statement.

Agency Response to Comment 3: In response to the request to remove the questions asking for the age and sex of the trophy, our regulations at 50 CFR 23.61 require us to find that a proposed import of an Appendix I specimen is for purposes that would not be detrimental to the survival of the species, prior to issuing a CITES document. The regulations stipulate at 50 CFR 23.61(c), that the applicant must provide sufficient information for us to make a finding of non-detriment and outlines those criteria for which a finding of non-detriment is made. Specifically, 50 CFR 23.61(c)(2) states the removal of the animal or plant from the wild is part of a biologically based sustainable-use management plan that is designed to eliminate over-utilization of the species. Under CITES, the import permit should be issued prior to the export permit. By having the applicant state the sex and age of the sport-hunted trophy, this provides us with the complete information we need to make that non-detriment finding.

Additionally, in accordance with regulations at 50 CFR 23.60, in order to issue a permit for this activity, the Division of Management Authority (DMA) must determine that the trophy was legally acquired. This involves reviewing records such as permits, licenses, and tags,

plus harvest locations and capture means, that demonstrate the specimen was legally removed from the wild under relevant wildlife or forestry laws or regulations; in some cases, this may include the sex and age of the animal; evidence of firearms license where restricted and relevant; invoices related to hiring of guides or professional hunters, where required.

Additionally, for species listed as threatened or endangered under the U.S. Endangered Species Act, we are required to find that the activity enhances the survival of the species. We understand that many management plans in foreign countries require that a certain age and/or sex to be sport-hunted. Providing that information in addition to the current enhancement questionnaire, precludes our inquiry to the country for this information. We do not ask for the age and/or sex for a trophy that has not yet been hunted. Therefore, in summary, we appreciate the comment submitted, however, the topics addressed in the comment submitted will remain as is in the application. In response to the commenter's request that we incorporate their suggested changes to our Notices under the Privacy Act Statement and Paperwork Reduction Act Statement, we did not make the suggested changes as these statements apply to all permit application forms.

Additionally, we are required to publish in the *Federal Register* the name, city and state of any applicant who requests activities with a species that is listed as endangered. The information that is collected is voluntary in that the General Permit Procedures, outlined in 50 CFR 13.12(a) require this information be disclosed if a person wishes to obtain a permit.

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

Organization	Title
Zoological Registrars Association	Registrar
Avicultural Society of America	President
The American Ornithological Society	Executive Director
The American Public Gardens Association	President
North American Falconers Association	President
United States Association of Reptile Keepers	President
Zoological Association of America	Executive Director
Association of Zoos and Aquariums	Senior Vice President
League of American Orchestras	President and CEO

Despite multiple attempts to solicit feedback from the 9 individuals contacted, we received just one comment as a result of outreach. They offered no comments in regard to the below listed questions.

“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”

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

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

And

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

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 (FWS-21, Permits System, September 4, 2003, 68 FR 52610; modification published June 4, 2008, [73 FR 31877](#)) and is subject to the requirements of both the Privacy Act of 1974 and the Freedom of Information Act (FOIA).

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 non-confidential 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. 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 **8,946 responses** totaling **9,035 burden hours** (see Attachment A). We estimate the annual dollar value of the burden hours is **\$411,546** (rounded). See Attachment A for a breakdown of burden hours and hourly burden costs for each

information collection.

We used Table 1 from the of Bureau of Labor Statistics (BLS) [News Release](#) USDL-22-2307, December 15, 2022, Employer Costs for Employee Compensation—September 2022, to calculate the cost of the total annual burden hours:

- Individuals – the hourly rate for all workers is \$41.86, including benefits.
- Private Sector – the hourly rate for all workers is \$39.61, including benefits.
- Government – the hourly rate for all workers is \$57.02, including benefits.

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.**

We estimate the non-hour cost burden to respondents for this information collection to be **\$576,387** (see Attachment A). These costs are for application processing fees, which range from \$0 to \$250. There is no fee for reports. Federal, Tribal, State, and local government agencies, and those acting on their behalf, are exempt from processing fees. Where there is more than one applicable fee, we have used an average of the fees.

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 the total cost to the Federal Government to administer this information collection will be **\$1,667,716** (rounded) (see Attachment A). The table below shows Federal staff and

grade levels performing various tasks associated with this information collection. Service staff will:

- a. Review and determine the adequacy of the information an applicant provides.
- b. Conduct any internal research necessary to verify information in the application or evaluate the biological impact of the proposed activity.
- c. Evaluate whether the proposed activity meets the issuance criteria.
- d. Prepare either a permit or a denial letter for the applicant.
- e. Monitor reports.

We used Office of Personnel Management Salary Table [2023-DCB](#) to determine average hourly wages. We multiplied the hourly rate by 1.59 to account for benefits in accordance with BLS [News Release](#) USDL-22-2307.

Position/Grade	Hourly Rate	Fully Burdened Hourly Rate*	Time Spent on Collection	Weighted Average (\$/hour)*
Office Automation Assistant, GS-05/05	\$ 23.28	\$ 37.02	5%	\$ 1.85
Legal Instrument Examiner, GS-07/05	28.84	45.86	45%	20.64
Biologist, GS-11/05	42.68	67.86	40%	27.14
Program Manager GS-14/05	71.88	114.29	10%	11.43
			Total:	\$ 61.06

*Rounded

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

We are reporting increases (due to change in agency estimate) of **73 annual responses** and **805 burden hours**, and a decrease of **(-\$46,247) to annual cost burden**.

We are also reporting a decrease (due to agency discretion) of **(-39) annual responses**, an increase of **269 burden hours**, and a decrease of **(-\$6,766) to annual cost burden** primarily associated with the splitting of Form 3-200-43 into Forms 3-200-43a, 3-200-43b, 3-200-43c, and 3-200-43d.

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.

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 topics of the certification statement identified in "Certification for Paperwork Reduction Act Submissions."

There are no exceptions to the certification statement.