

# 1SUPPORTING STATEMENT A FOR PAPERWORK REDUCTION ACT SUBMISSION

## BIG CAT PUBLIC SAFETY ACT REQUIREMENTS OMB Control Number 1018-0192

**Terms of Clearance:** This is a submission associated with our interim rule under RIN 1018-BH23, “Regulations to Implement the Big Cat Public Safety Act” pursuant to the Big Cat Public Safety Act (BCPSA; Pub. L. 117-243, December 20, 2022, 136 Stat. 2336) which amends our implementing regulations for the Captive Wildlife Safety Act (CWSA) by incorporating the requirements of the Big Cat Public Safety Act (BCPSA) in the CWSA regulations. Upon OMB approval of this ICR, we will discontinue the current CWSA information collection under Control No. 1018-0129 (exp. 07/31/2025) as the recordkeeping requirements will be amended by the BCPSA.

### Justification

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

We proposed regulations (RIN 1018-BH23) to incorporate the requirements of the BCPSA in the CWSA regulations. The purpose of the BCPSA is to amend the Lacey Act Amendments of 1981 (16 U.S.C. 3371–3378) to clarify provisions enacted by the CWSA and to further the conservation of certain wildlife species, including to end private ownership of big cats as pets and also to prohibit exhibitors from allowing direct public contact with big cats, including cubs. The BCPSA helps to ensure the health and welfare of big cats, protects the public from the dangers associated with private ownership of big cats, and strengthens the Service’s ability to combat illegal trafficking of wildlife. In this interim rule, we are implementing the BCPSA by amending subpart K of part 14, Importation, Exportation, and Transportation of Wildlife, in title 50 of the Code of Federal Regulations (CFR) to incorporate the new definitions, prohibitions, and exceptions under the BCPSA.

“Prohibited wildlife species” (also referred to as “big cats”) is defined as “any live species of lion, tiger, leopard, cheetah, jaguar, or cougar or any hybrid of such species” (16 U.S.C. § 3371(h)). This includes any of the following species, or hybrids of any of these species: Lion (*Panthera leo*), tiger (*Panthera tigris*), leopard (*Panthera pardus*), snow leopard (*Uncia uncia*), clouded leopard (*Neofelis nebulosa*), jaguar (*Panthera onca*), cheetah (*Acinonyx jubatus*), cougar (*Puma concolor*) (50 CFR 14.252).

The BCPSA amended the Lacey Act Amendments of 1981 to clarify provisions enacted by the CWSA and to further the conservation of certain wildlife species. The BCPSA makes it unlawful for any person to—(A) import, export, transport, sell, receive, acquire, or purchase in interstate or foreign commerce, or in a manner substantially affecting interstate or foreign commerce, or (B) breed or possess any live prohibited wildlife species (16 U.S.C. § 3372(e)(1)). The BCPSA also makes it unlawful for any person to attempt to commit any of these acts with prohibited wildlife species (16 U.S.C. § 3372(a)(4)). Violators of the BCPSA are subject to civil and criminal penalties (16 U.S.C. § 3373), and big cats bred, possessed, imported, exported, transported, sold, received, acquired, or purchased contrary to the provisions of the BCPSA shall be subject to forfeiture to the United States (16 U.S.C. § 3374).

The BCPSA also authorizes a limited exception from the prohibition on possession for a person or entity to register live specimens of prohibited wildlife species if certain requirements are met and continue to be met (16 U.S.C. § 3372(e)(2)(E)). The exception is intended to allow current owners of big cats at the time of enactment of the BCPSA to keep their big cats; however, they must register with the Service; are not allowed to breed, acquire, or sell big cats; and may not allow direct contact between the public and their big cats (H. Rept. No. 117-428, p. 17 (July 22, 2022)). By registering their big cats no later than the statutory deadline (June 18, 2023), the person or entity (registrant) may continue to possess registered big cats that were born before the date of enactment (December 20, 2022) and legally in their possession on or before the date of enactment, as long as the registrant meets and continues to meet all requirements of 16 U.S.C. § 3372(e)(2)(E).

To qualify to continue to possess live specimens of prohibited wildlife species (also referred to as “big cats”) under 16 U.S.C. § 3372(e)(2)(E), a registrant must register all live specimens of prohibited wildlife species in their possession with the United States Fish and Wildlife Service no later than June 18, 2023. The purpose of the registration form is to enable owners of big cats who want to continue to possess their big cats in accordance with 16 U.S.C. § 3372(e)(2)(E) to register all live specimens of big cats in their possession with the Service no later than June 18, 2023. The Service will use the information collected to verify eligibility to possess big cats under the BCPSA in accordance with 16 U.S.C. § 3372(e)(2)(E).

Big cats bred or possessed in violation of the BCPSA and any big cat that is not registered on or before June 18, 2023, shall be subject to forfeiture for violation of the BCPSA prohibition on possession, unless another limited exception applies in accordance with the BCPSA. (16 U.S.C. §§ 3372(e)(2)(A) - (D), 3374(a)). These other exceptions apply only to qualifying entities exhibiting big cats to the public under a Class C license from the Department of Agriculture, or a Federal facility registered with the Department of Agriculture that exhibits animals; State colleges, State universities, State agencies, or State-licensed veterinarians; qualifying wildlife sanctuaries; or qualifying transporters only when in custody of any big cat solely for the purpose of expeditiously transporting the big cat to a person who qualifies for an exception under the BCPSA.

To meet the requirements for an exception from the prohibition on possession under 16 U.S.C. § 3372(e)(2)(E), the registrant must:

- Register each individual big cat in their possession with the U.S. Fish and Wildlife Service by no later than 180 days after the date of enactment of the BCPSA, December 20, 2022 (i.e., no later than June 18, 2023) (16 U.S.C. § 3372(e)(2)(E)(i));
- Not breed, acquire, or sell any big cat after the date of the enactment of the BCPSA, December 20, 2022 (The requirement that the registrant not breed, acquire, or sell any prohibited wildlife species after December 20, 2022, applies regardless of whether the activity is intrastate, interstate, or international) (16 U.S.C. § 3372(e)(2)(E)(ii)); and
- Not allow direct contact between the public and any big cat after the date of the enactment of the BCPSA, December 20, 2022 (16 U.S.C. § 3372(e)(2)(E)(iii)).

To meet the requirements under 16 U.S.C. § 3372(e)(2)(E), the big cat(s) in the registrant's possession must:

- Have been born before the date of enactment of the BCPSA, December 20, 2022, except as described below for a big cat born on or after December 20, 2022, from breeding that occurred before December 20, 2022 (16 U.S.C. § 3372(e)(2)(E));

- Not have been acquired by the registrant after the date of enactment, December 20, 2022 (i.e., legally in the registrant's possession on or before December 20, 2022, and have remained continually in the registrant's possession) (16 U.S.C. § 3372(e)(2)(E) (ii)); and
- Have been registered by the owner with the U.S. Fish and Wildlife Service by no later than 180 days after the date of enactment of the BCPSA, December 20, 2022 (i.e., no later than June 18, 2023) (16 U.S.C. § 3372(e)(2)(E)(i)).

The Service recognizes that there may have been big cats bred before the effective date of the BCPSA, that were subsequently born on or after the effective date of the BCPSA. The text of the BCPSA only allows big cats born before the effective date of the BCPSA to be registered under 16 U.S.C. § 3372(e)(2)(E). If a big cat is not registered, then it may not be possessed by its owner under the limited exception of 16 U.S.C. § 3372(e)(2)(E); and, if each big cat owned by a registrant is not registered by the statutory deadline (i.e., no later than June 18, 2023), then the registrant does not qualify to possess any of their big cats under 16 U.S.C. § 3372(e)(2)(E). However, the BCPSA does not specifically address big cats born on or after the effective date of the BCPSA from breeding that occurred before the effective date of the BCPSA. As noted above, the exception is intended to allow current owners of big cats to keep big cats that were legally in their possession at the time of enactment of the BCPSA, if they register their big cats and comply with the BCPSA, including by not breeding any big cats on or after the effective date of the BCPSA. (H. Rept. No. 117-428, p. 17 (July 22, 2022).)

The BCPSA was not intended to retroactively prohibit breeding that occurred before the enactment of the BCPSA. Under the requirements of 16 U.S.C. § 3372(e)(2)(E)(ii)-(iii), after December 20, 2022 the registrant is prohibited from breeding, acquiring, or selling big cats, and from allowing direct contact between the public and big cats. However, the BCPSA requires that to keep and possess the parent under the limited exception of 16 U.S.C. § 3372(e)(2)(E), the owner must register not only the parent, but each big cat legally in the owner's possession, 16 U.S.C. § 3372(e)(2)(E)(i), which includes the cub legally bred before but born to the parent after the enactment of the BCPSA. Recognizing these intentions, and to avoid a reading of the BCPSA that would lead to an impossibility for some current owners of big cats both to comply with the law and possess big cats that are born on or after the effective date of the BCPSA from breeding that occurred before the effective date of the BCPSA, such big cats will be considered eligible for registration. In addition to meeting all the other requirements above, such big cats may be registered if the registrant includes documentation demonstrating that the breeding of the big cat occurred before December 20, 2022 (the effective date of the BCPSA). The gestation period for all big cats is substantially less than the 180-day registration period provided in the BCPSA, meaning that any owners of big cats that are affected still must meet the statutory deadline to register (June 18, 2023). Accordingly, except as provided by the BCPSA (16 U.S.C. § 3372(e)(2)(A)-(D)), possession of any big cat born on or after December 20, 2022, violates the BCPSA, unless: documentation is provided to prove the big cat was born on or after December 20, 2022, from breeding that occurred before December 20, 2022, and all other registration requirements of 16 U.S.C. § 3372(e)(2)(E) are met as described above. It remains the responsibility of registrants to follow all local, State, and Federal laws and regulations for possession of and other activities with prohibited wildlife species, and registration under the BCPSA does not constitute authorization to engage in any activity prohibited by such laws and regulations. For example, most big cats are listed as either endangered or threatened under the Endangered Species Act and take of such species and their offspring is prohibited, with limited exceptions for take authorized by statute, regulation, or permit (16 U.S.C. § 1531 *et seq.*; 50 CFR part 17).

On April 4, 2023, the Service received approval from the Office of Management and Budget (OMB) of our emergency clearance request for a new information collection under the authority of the BCPSA and assigned OMB Control No. 1018-0192.

**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.**

To comply with the requirements of the BCPSA, OMB granted emergency approval of FWS Form 3-200-11, "Registration Form – Big Cat Public Safety Act (Pub. L. 117-243, December 20, 2022, 136 Stat. 2336), which collects the following information:

- Name, birth date, and contact information of individual applicant;
- Name, tax ID number, and contact information of business, corporation, or trust, if applicable;
- Information for officer of business, corporation, or trust, if applicable;
- Detailed information for big cats possessed (not including hybrids), to include:
  - Common name of big cat;
  - Name given to individual big cat, if applicable,
  - Genus, species, and subspecies;
  - Birthdate and date of acquisition, including supporting documentation;
  - Unique identifier information (i.e., microchip or tattoo);
  - Sex;
  - Description (e.g., eye color, scars, ear tags);
  - Photographs of big cat
  - Physical location of individual big cat (if different from registrant's contact information);
  - Protocols taken to prevent breeding;
  - Protocols taken to prevent direct contact between public and prohibited wildlife species; and
  - Copies of all local, State, or Federal licenses held in relation to the big cats, if applicable.
- Detailed information for hybrid big cats possessed, to include:
  - Name of hybrid big cat;
  - Name given to individual big cat, if applicable,
  - Genus, species, and subspecies;
  - Birthdate and date of acquisition, including supporting documentation;
  - Unique identifier information (e.g., microchip or tattoo);
  - Sex;
  - Description (e.g., eye color, scars, ear tags);
  - Photographs of big cat
  - Physical location of big cat (if different from registrant's contact information);
  - Protocols taken to prevent breeding;
  - Protocols taken to prevent direct contact between public and prohibited wildlife species; and
  - Copies of all local, State, or Federal licenses held in relation to the big cats, if applicable.
- Information collected to amend original registration, to include:
  - Genus, species, subspecies, name of big cat, and unique identifier;
  - Information for new location when individual big cat is relocated after registration;

- Description of any changes in protocols to prevent breeding as previously described in original registration;
- Description of any changes in protocols to prevent direct contact between the public and the prohibited wildlife as previously described in original registration;
- Change in unique identifier (i.e., microchip or tattoo);
- Contact information for new owner;
- Notification of big cat's death, to include date; and
- The manner of disposal of big cat's remains (requires documentation from veterinarian or other authority describing cause of death and how the remains were disposed).

**PROPOSED REVISIONS SINCE APPROVAL OF EMERGENCY CLEARANCE REQUEST**

**DISCONTINUE INITIAL REGISTRATION REQUIREMENT – Form 3-200-11, “Registration Form – Big Cat Public Safety Act (Pub. L. 117-243, December 20, 2022, 136 Stat. 2336)**

There are no exceptions to the June 18, 2023 deadline to comply with the requirements of the BCPSA requiring registration of big cats. Therefore, effective June 19, 2023 (or on the date of OMB approval of this submission), we are requesting OMB approval to remove the previously approved information collection associated with the initial registration.

**AMENDMENTS – Form 3-200-11, “Registration Form – Big Cat Public Safety Act (Pub. L. 117-243, December 20, 2022, 136 Stat. 2336)**

We propose to continue the previously approved information collections associated with registration amendments. The interim rule requires that big cat owners provide the Service with updates concerning the registered cats as follows:

50 CFR § 14.255(d) – Within 10 calendar days as required by the Service in Form 3-200-11, a registered pre-BCPSA owner must update the registration with the Service when a prohibited wildlife species dies or any of the following information changes: the location where the prohibited wildlife species is housed; the protocols taken to prevent breeding; the protocols taken to prevent direct contact between the public and big cat; ownership; or a unique identifier.

**POPULATION MANAGEMENT AND CARE PLAN (50 CFR 14.254)**

To qualify for an exception in § 14.257, a licensed entity or a registered Federal facility must not allow any individual to come into direct physical contact with a prohibited wildlife species, unless that individual is a person who is directly supporting conservation programs of the licensed entity, the direct contact is not in the course of commercial activity (which may be evidenced by advertisement or promotion of such activity or other relevant evidence), and the direct contact is incidental to humane husbandry conducted pursuant to a species-specific, publicly available, peer-edited population management and care plan that has been provided to the Director with justifications that the plan:

- Reflects established conservation science principles;
- Incorporates genetic and demographic analysis of a multi-institution population of animals covered by the plan; and
- Promotes animal welfare by ensuring that the frequency of breeding is appropriate for the species.

**RECORDKEEPING REQUIREMENTS**

**50 CFR 14.254(c) Licensed Entity or a Registered Federal Facility** – To qualify for an exception in § 14.257, a licensed entity or a registered Federal facility must maintain complete and accurate records of any possession, breeding, transportation, acquisition,

receipt, purchase, sale, disposition, importation, or exportation of prohibited wildlife species.

- (1) These records must be up to date and include the names and addresses of persons to or from whom any prohibited wildlife species has been acquired, received, imported, exported, purchased, sold, or otherwise transferred (including loans for exhibition, breeding, or otherwise), and the dates of these transactions.
- (2) The licensed entity or registered Federal facility must maintain these records for the lifespan of each prohibited wildlife species and for 5 years after its death or disposition and must copy these records for Service officials, if requested.
- (3) The licensed entity or registered Federal facility must make these records available and allow access to its facilities and its prohibited wildlife specimens for inspection by Service officials at reasonable hours.

**50 CFR 14.255(e) Registered Pre-BCPSA Owners** – A registered pre-BCPSA owner must maintain complete and accurate records of information for each individual prohibited wildlife species in their possession as required by the Service in Form 3-200-11 for the lifespan of each individual prohibited wildlife species and for 5 years after its death or disposition and must copy these records for Service officials, if requested.

- (1) While the pre-BCPSA owner may not sell or otherwise engage in commerce with prohibited wildlife species, if the pre-BCPSA owner is no longer able to continue to possess their prohibited wildlife species, the pre-BCPSA owner may make arrangements to donate the prohibited wildlife species to a licensed entity, registered Federal facility, State college, State university, State agency, State-licensed veterinarian, or a wildlife sanctuary, or may make arrangements to abandon the prohibited wildlife species to the Federal Government. The disposition must not be reasonably likely to result in the registered pre-BCPSA owner's economic use, gain, or benefit, including, but not limited to, profit (whether in cash or in kind).
- (2) These records must be up to date, and the registered pre-BCPSA owner must make these records available and allow access to their facilities and prohibited wildlife specimens for inspection by Service officials at reasonable hours.

**50 CFR 14.256(b) Wildlife Sanctuaries** – A wildlife sanctuary must maintain complete and accurate records of any possession, transportation, acquisition, receipt, disposition, importation, or exportation of prohibited wildlife species.

- (1) These records must be up to date and must include the names and addresses of persons to or from whom any prohibited wildlife species has been acquired, received, imported, exported, purchased, sold, or otherwise transferred, and the dates of these transactions.
- (2) The wildlife sanctuary must maintain these records for the lifespan of each prohibited wildlife species and for 5 years after its death or disposition and must copy these records for Service officials, if requested.
- (3) The wildlife sanctuary must make these records available and allow access to its facilities and its prohibited wildlife specimens for inspection by Service officials at reasonable hours.

**50 CFR 14.257(a) Documentation to Transport Live Prohibited Wildlife** – The prohibitions of § 14.253 do not apply to licensed entities or registered federal facilities that meet all of the requirements of § 14.252 and § 14.254; state colleges, state universities, or state agencies; state-licensed veterinarians; wildlife sanctuaries that meet all of the

requirements of § 14.252 and § 14.254; or persons who:

- (1) Can produce documentation showing that they are transporting live prohibited wildlife species solely for the purpose of expeditiously transporting the prohibited wildlife species between individuals or entities that are excepted from the prohibitions in § 14.253; and
- (2) Has no financial interest (whether in cash or in kind) in the prohibited wildlife species other than payment received for transporting them.

**50 CFR 14.257(b) Documentation of Date of Breeding** – The prohibition on possession in § 14.253 does not apply to a registered pre-BCPSA owner who is in possession of any prohibited wildlife species that was:

- (1) Born and possessed by the registered pre-BCPSA owner before December 20, 2022, and meets all of the requirements of § 14.255 for each of the prohibited wildlife species in their possession; or
- (2) Bred before but born after December 20, 2022, to a prohibited wildlife species possessed by the registered pre-BCPSA owner before December 20, 2022, if the registered pre-BCPSA owner provides documentation demonstrating that the breeding occurred before December 20, 2022, and meets all of the requirements of § 14.255 for each of the prohibited wildlife species in their possession.

**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.**

Due to the emergency nature of this rulemaking, efforts to digitize the registration process were not feasible at this time.

**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 registrant and is not available from any other source. By tailoring the registration form specifically to the activities mandated by the BCPSA, we eliminate duplication, provide better customer service, and improve our ability to process the registrations.

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

The use of the registration form minimizes the burden on the public. We do not believe the form imposes undue burden on small businesses or small, non-profit sanctuaries. Generally, the registrant is responsible for providing us with sufficient information to ensure compliance under the BCPSA.

**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 verify compliance under the BCPSA of an individual or business entity. In the absence of collecting this information, the owners of big cats might be subject to seizure of their big cats for failing to comply with the requirements of the BCPSA.

### **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.**

Given that the BCPSA was enacted on December 20, 2022, to meet the requirements for an exception from the prohibition on possession under 16 U.S.C. § 3372(e)(2)(E), a person or entity must register live specimens of pre-BCPSA prohibited wildlife species within 180 days of the enactment of the BCPSA (i.e., by June 18, 2023), which will require respondents to prepare a written response to this collection of information within fewer than 30 days if information in their initial registration changes, or they have not yet registered.

The BCPSA prohibits possession of prohibited wildlife species unless an exception applies. The intent of the BCPSA registration is to ensure ongoing compliance with the requirements of the exception at 16 U.S.C. § 3372(e)(2)(E) for any registered pre-BCPSA owner. In Form 3-200-11, we require that registrants update their registration within 10 calendar days when a prohibited wildlife species dies or in the event of any of the following information changes: the location where the prohibited wildlife species is housed; the protocols taken to prevent breeding; the protocols taken to prevent direct contact between the public and big cat; ownership; or a unique identifier. The timeline is required to keep an updated registry and ensure continued compliance with 16 U.S.C. § 3372(e)(2)(E).

We require that a licensed entity or registered Federal facility must maintain records for the lifespan of each prohibited wildlife species and for 5 years after its death or disposition and must provide copies of such records, if requested.

### **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.

We prepared the interim regulations (RIN 1018-BH23) to incorporate the requirements of the BCPSA into the CWSA regulations. A copy of the interim rule is attached. The interim rule solicits public comment for a period of 60 days on the information collection requirements described in this supporting statement. Prior to the registration deadline, the Service undertook significant public outreach, including in cooperation with non-governmental organizations instrumental in passage of the BCPSA, wildlife sanctuaries, and Tribes.

On March 20, 2023, we published in the *Federal Register* ([88 FR 16657](#)) a notice of our intent to request OMB approve our request for emergency clearance of this information collection. In that notice, we solicited comments for 60 days, ending on May 19, 2023. 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 No. [FWS-HQ-IA-2023-0031](#)) to provide the public with an additional method to submit comments (in addition to the typical [Info\\_Coll@fws.gov](mailto:Info_Coll@fws.gov) email and U.S. mail submission methods). We received 14 comments in response to that notice as of May 9, 2023:

**Comment 1:** Electronic comment received March 20, 2023 via Regulations.gov ([FWS-HQ-IA-2023-0031-0002](#)) from Jean Publiee. The commenter expressed concern about exhibition of cats in the United States and trophy hunting of large cats outside of the United States.

**Agency Response to Comment 1:** We consider this comment to be beyond the scope of this information collection request. As part of our continuing effort to reduce paperwork and respondent burdens, we have invited the public and other Federal agencies to comment on this new collection of information. The comment did not address the information collections. No change was made as a result of this comment.

**Comment 2:** Electronic comment received March 20, 2023 via Regulations.gov ([FWS-HQ-IA-2023-0031-0003](#)) from Jean Publiee. The commenter provided a personal commentary regarding the USFWS's conservation efforts and other agency's land management practices.

**Agency Response to Comment 2:** We consider this comment to be beyond the scope of this information collection request. As part of our continuing effort to reduce paperwork and respondent burdens, we have invited the public and other Federal agencies to comment on this new collection of information. The comment did not address the information collections. No change was made as a result of this comment.

**Comment 3:** Anonymous electronic comment received March 21, 2023 via Regulations.gov ([FWS-HQ-IA-2023-0031-0004](#)). The commenter submitted an inquiry regarding the Federal government's role in the regulation of intrastate ownership and breeding of big cats.

**Agency Response to Comment 3:** We consider this comment to be beyond the scope of this information collection request. The information collection is required to implement the registered pre-BCPSA owner exception of the BCPSA (16 U.S.C. 3372(e)(2)(E)). Additionally, the BCPSA, at 16 U.S.C. 3376(a)(3), provides that the Secretary shall promulgate any regulations necessary to implement the prohibitions and exceptions of the BCPSA (16 U.S.C. 3372(e)). As part of our continuing effort to reduce paperwork and respondent burdens, we have invited the public and other Federal agencies to comment on this new collection of information. The comment did not address the information collections. No change was made as a result of this comment.

**Comment 4:** Anonymous electronic comment received March 24, 2023 via Regulations.gov ([FWS-HQ-IA-2023-0031-0008](#) duplicated at [FWS-HQ-IA-2023-0031-0009](#)). The commenter submitted a question regarding concern with a possible future scenario after the BCPSA registration period where a current licensed exhibitor no longer has a USDA Class C license, and therefore is no longer excepted from prohibitions under the Big Cat Public Safety Act. Two additional commenters (Comment 6 and Comment 9) also raised this concern and the possibility of registering now as a back-up option if a current USDA Class C license holder later no longer has a USDA Class C license.

**Agency Response to Comment 4:** We consider this comment to be beyond the scope of this information collection request. The BCPSA provides a one-time 180-day period from December 20, 2022 to June 18, 2023 to current private owners in which to register their big cats under the BCPSA, allowing them to keep their current animals if they register them with the Service and meet all the BCPSA requirements for a registered pre-BCPSA owner. The Service does not have discretion to extend the statutory deadline. Certain entities outlined in the statute, including exhibitors with valid U.S. Department of Agriculture (USDA) Class C licenses, USDA-registered Federal facilities, State agencies, State colleges and universities, State-licensed veterinarians, and sanctuaries, are excepted from the requirement to register their big cats with the Service subject to certain requirements.

There may be some circumstances where an entity that is in possession of only pre-BCPSA big cats meets the criteria of both 16 U.S.C. 3372(e)(2)(A) and 16 U.S.C. 3372(e)(2)(E). It is up to a USDA-licensed Class C exhibitor to decide if they wish to register under the BCPSA, if they meet the requirements for a registered pre-BCPSA owner. Registration would prohibit any otherwise qualifying USDA-licensed Class C exhibitor from breeding, acquiring, or selling any big cats, and any USDA-licensed Class C exhibitor that has engaged in breeding, acquiring, or selling any big cats after December 20, 2022 does not qualify for the registration exception under the BCPSA.

Please also see response to Comment 11. Under the BCPSA, if the individual no longer qualifies for an exception, then they are prohibited from possessing prohibited wildlife species. For any individual or entity that does not qualify for another BCPSA exception, does not qualify for the registered pre-BCPSA owner exception, does not want to register, or otherwise no longer wishes to possess their big cat, there are responsible options available to comply with the BCPSA. Such persons may make arrangements to donate their big cat to another person or entity that qualifies to possess big cats under one of the other exceptions of the BCPSA outlined in 16 U.S.C 3372(e)(2)(A)–(C). As part of our continuing effort to reduce paperwork and respondent burdens, we have invited the public and other Federal agencies to comment on this new collection of information. The comments did not address the information collections. No change was made as a result of these comments.

**Comment 5:** Anonymous electronic comment received March 27, 2023 via Regulations.gov ([FWS-HQ-IA-2023-0031-0010](https://www.regulations.gov/document/FWS-HQ-IA-2023-0031-0010)). The commenter asked whether USDA C class holders are still able to legally breed and transport (across the states lines) prohibited wildlife species under the BCPSA.

**Agency Response to Comment 5:** We consider this comment to be beyond the scope of this information collection request. Each person involved in an otherwise prohibited activity must qualify for a BCPSA exception that applies to that activity for the activity to be excepted from BCPSA prohibitions. A USDA-licensed Class C exhibitor that qualifies under 16 U.S.C 3372(e)(2)(A) may, for example, sell to, purchase from, or engage in a breeding loan with another licensed exhibitor that qualifies under 16 U.S.C 3372(e)(2)(A). However, for example, in accordance with 16 U.S.C 3372(e)(1), (e)(2)(C), and (e)(2)(E), a licensed exhibitor may not sell to, purchase from, or engage in a breeding loan with a person or entity that does not qualify for a BCPSA exception, a wildlife sanctuary, or an individual or entity that registers under the registered pre-BCPSA owner exception. This is the case because a person who does not qualify for a BCPSA exception, a wildlife sanctuary, or an individual or entity that registers under the pre-BCPSA exception may neither engage in commerce with big cats nor breed big cats. As part of our continuing effort to reduce paperwork and respondent burdens, we have invited the public and other Federal agencies to comment on this new collection of information. The comments did not address the information collections. No change was made as a result of this comment.

**Comment 6:** Anonymous electronic comment received April 2, 2023 via Regulations.gov ([FWS-HQ-IA-2023-0031-0011](https://www.regulations.gov/document/FWS-HQ-IA-2023-0031-0011)). The commenter raised three issues in their comment. First, the commenter asserted that very few private owners of prohibited wildlife species have access to information to know that they need to register their cats by a certain date. Second, they are also concerned about the release of information related to the names and addresses of registrants of pre-BCPSA prohibited wildlife species through Freedom of Information Act (FOIA) requests. Third, the commenter recommends reworking the grandfather clause in the BCPSA to make it fairer to owners and the captive big cats by providing a consideration for owners who no longer qualify for a USDA license.

**Agency Response to Comment 6:**

- The BCPSA was enacted December 20, 2022. To comply with the requirements of the BCPSA, the Service provided the public with notice of the

BCPSA registration form and sought Office of Management and Budget (OMB) approval of FWS Form 3-200-11, "Registration Form—Big Cat Public Safety Act" (Pub. L. 117-243, December 20, 2022, 136 Stat. 2336), which collects information to verify eligibility to possess big cats under the BCPSA in accordance with 16 U.S.C. 3372(e)(2)(E). The BCPSA emergency information collection for the BCPSA registration form was approved and assigned OMB Control Number 1018-0192. The OMB approval is valid for only 6 months and expires October 31, 2023 (See 88 FR 16657, March 20, 2023, Agency Information Collection Activities; Big Cat Public Safety Act Registration.). The Service further announced the availability of the registration form on its website on April 18, 2023: <https://www.fws.gov/media/3-200-11-big-cat-public-safety-act-registration-form>. In addition to publishing notice of this information collection in the *Federal Register* on March 20, 2023, and posting it to the Service's website, the Service has also engaged in and continues to engage in public outreach to message requirements to the public and ensure relevant individuals and entities are aware of the requirements. No change was made as a result of this comment.

- The Service has a responsibility to protect personally identifiable information (PII) for employees and members of the public as required by the Privacy Act. The Service has a Privacy program that ensures that all PII entrusted to the Service from members of the public, project partners, and personnel is protected and handled according to the Fair Information Practice Principles upon which the Privacy Act and other privacy legislation is based. For more information please visit: <https://www.fws.gov/program/privacy>.
- The third issue is outside the scope of the information requested, and is addressed above in Comment 4. Please also see response to Comment 4. No change was made as a result of this comment.

**Comment 7:** Anonymous electronic comment received April 11, 2023 via Regulations.gov ([FWS-HQ-IA-2023-0031-0012](https://www.regulations.gov/comment/FWS-HQ-IA-2023-0031-0012)). The commenter seeks additional descriptions for "permanent barrier" terminology and clarification on the "15 feet" distance requirements as required by the form. The commenter questioned how the 15-foot distance would be enforced if it is in a vertical orientation.

**Agency Response to Comment 7:** The information collection is to implement the registered pre-BCPSA owner exception under the BCPSA and does not specify a "permanent barrier" or 15-foot distance requirement, 16 U.S.C. 3372(e)(2)(E). The comment refers to the restriction on public contact by an exhibitor under a separate exception of the BCPSA, 16 U.S.C. 3372(e)(2)(A). That exception requires that a licensed entity or a registered Federal facility must ensure that during public exhibition of a lion (*Panthera leo*), tiger (*Panthera tigris*), leopard (*Panthera pardus*), snow leopard (*Uncia uncia*), jaguar (*Panthera onca*), cougar (*Puma concolor*), or any hybrid thereof, the animal is at least 15 feet from members of the public unless there is a permanent barrier sufficient to prevent public contact (16 U.S.C. 3372(e)(2)(A)(ii)). The BCPSA places a similar requirement on a registered pre-BCPSA owner not to allow direct contact between the public and any prohibited wildlife species (16 U.S.C. 3372(e)(2)(E)(iii)). The information collection therefore requests information on the protocols taken to prevent direct contact between public and prohibited wildlife species to ensure compliance with this requirement.

While a registered pre-BCPSA owner may be able to provide evidence of other ways

to prevent all direct contact between the public and prohibited wildlife species at all times, we consider that under the BCPSA if a registered pre-BCPSA owner ensures at all times that any big cat is at least 15 feet in every direction from any member of the public or if there is a permanent barrier sufficient to prevent public contact, then this requirement would be met. No change was made as a result of this comment.

**Comment 8:** Anonymous electronic comment received April 22, 2023 via Regulations.gov ([FWS-HQ-IA-2023-0031-0013](#)). The commenter provided a personal commentary on big cat ownership and referred to the BCPSA as a proposal.

**Agency Response to Comment 8:** The Big Cat Public Safety Act was passed and became Public Law No: 117-243 on December 20, 2022. It is a law and not a proposal. This information collection will assist the public in complying with the law. No changes to the information collection were made as a result of this comment.

**Comment 9:** Electronic comment received April 21, 2023 via Regulations.gov ([FWS-HQ-IA-2023-0031-0014](#)) from Lynn Culver. The commenter expressed concern about the impacts to big cat owners due to loss of licenses if commercial activities cease. Additionally, the commenter recommended more detailed description on the registration page that addresses the status of currently exempted entities and includes encouragement to register now in order to secure a secondary exemption status that would become primary should the big cat owner end their exhibition license.

**Agency Response to Comment 9:** Please see response to Comment 4. No change was made as a result of this comment.

**Comment 10:** Anonymous electronic comment received April 23, 2023 via Regulations.gov ([FWS-HQ-IA-2023-0031-0015](#)). The commenter expressed concern about the requirement for the unique identifier of every big cat to be either a tattoo or microchip stating this requirement is unreasonable, unjustified, costly, and potentially deadly due to the danger of sedating big cats.

**Agency Response to Comment 10:** No information was provided to support the concern expressed in the comment regarding the costs associated with these identifiers or dangers of sedation for big cats for a short, minimally invasive procedure such as microchip implantation or tattoo marking. The form requests a unique identifier for registered big cats, which will allow the animals to be readily and accurately identified and prevent laundering of unregistered big cats. This requirement is necessary to accurately identify individual animals in compliance with the registered pre-BCPSA owner exception (16 U.S.C. 3372(e)(2)(E)). No change was made as a result of this comment.

**Comment 11:** Anonymous electronic comment received April 24, 2023 via Regulations.gov ([FWS-HQ-IA-2023-0031-0016](#)). The commenter expressed concern about the legality of the BCPSA registration form and regulation of intrastate activities due to the reference of intrastate activity whereas, this term is not included in 16 U.S.C. § 3372(e)(2)(E)(ii).

**Agency Response to Comment 11:** The text of the BCPSA sets forth the requirement that in order to qualify for the registered pre-BCPSA owner exception to the BCPSA prohibition on possession the registrant must not "breed, acquire, or sell

any prohibited wildlife species after December 20, 2022" (16 U.S.C. § 3372(e)(2)(E) (ii)). The plain text of this statutory requirement is without limitation to whether the activity is intrastate, interstate, or international. No change was made as a result of this comment.

**Comment 12:** Electronic comment received April 26, 2023 via Regulations.gov ([FWS-HQ-IA-2023-0031-0017](#)) from Lynn Culver. The commenter expressed concern that there are "practically" no privately owned big cats in the United States and those held in facilities with USDA Class B status should be exempted once they are registered. The commenter also claims genetic diversity of big cat species is facing a crisis and will become a greater issue if USDA Class B facilities are prohibited.

**Agency Response to Comment 12:** This information collection will assist the public in complying with the law. With the exception of cost estimates, we consider the points raised in this comment to be beyond the scope of this information collection request. The BCPSA provides a one-time 180-day period from December 20, 2022 to June 18, 2023 to current private owners in which to register their big cats under the BCPSA, allowing them to keep their current animals if they register them with the Service and meet all the BCPSA requirements for a registered pre-BCPSA owner. The Service does not have discretion to extend the statutory deadline.

Certain entities outlined in the statute, including exhibitors with valid U.S. Department of Agriculture (USDA) Class C licenses, are excepted from the requirement to register their big cats with the Service subject to certain requirements. The Service does not have discretion to extend the BCPSA's exhibitor exception for qualifying holders of Class C licenses (16 U.S.C. § 3372(e)(2)(A)) to holders of Class B licenses. Under the BCPSA, if the individual does not qualify for an exception, then they are prohibited from possessing prohibited wildlife species. No change was made as a result of this comment.

Regarding cost estimates, we estimate that we will receive 7,263 responses totaling 7,263 burden hours. We estimate the dollar value of the burden hours for the initial registration will be \$299,577 (from burden estimates in question 12). After the initial registration, the annual cost for recordkeeping and reporting will drop substantially. No change was made as a result of this comment.

**Comment 13:** Anonymous electronic comment received May 15, 2023 via Regulations.gov ([FWS-HQ-IA-2023-0031-0018](#)). The commenter urged the Service to protect big cats and the general public.

**Agency Response to Comment 13:** We consider this comment to be beyond the scope of this information collection request. As part of our continuing effort to reduce paperwork and respondent burdens, we have invited the public and other Federal agencies to comment on this new collection of information. The comment did not address the information collections. We did not make any changes to our approval request to OMB as a result of this comment.

**Comment 14:** Anonymous electronic comment received May 15, 2023 via Regulations.gov ([FWS-HQ-IA-2023-0031-0019](#)). The commenter states that cheetahs and clouded leopards are not included under the BCPSA and asks why the Service is requiring them to be registered.

**Agency Response to Comment 14:** As previously stated, “prohibited wildlife species” (also referred to as “big cats”) is defined by statute as “any live species of lion, tiger, leopard, cheetah, jaguar, or cougar or any hybrid of such species” (16 U.S.C. 3371(h)). These are the following species, or hybrids of any of these species: lion (*Panthera leo*), tiger (*Panthera tigris*), leopard (*Panthera pardus*), snow leopard (*Uncia uncia*), clouded leopard (*Neofelis nebulosa*), jaguar (*Panthera onca*), cheetah (*Acinonyx jubatus*), and cougar (*Puma concolor*) (50 CFR 14.252).

The comment refers to the restriction on public contact by an exhibitor under a specific exception of the BCPSA, 16 U.S.C. 3372(e)(2)(A)(ii). The exception requires that a licensed entity or a registered Federal facility must ensure that during public exhibition of a lion (*Panthera leo*), tiger (*Panthera tigris*), leopard (*Panthera pardus*), snow leopard (*Uncia uncia*), jaguar (*Panthera onca*), cougar (*Puma concolor*), or any hybrid thereof, the animal is at least 15 feet from members of the public unless there is a permanent barrier sufficient to prevent public contact (16 U.S.C. 3372(e)(2)(A)(ii)). This specific provision does not apply to clouded leopard, cheetah, or hybrids of only those two species. The provisions at 16 U.S.C. 3372(e)(2)(A)(ii) applies to all other prohibited wildlife species, including for example, if a clouded leopard or cheetah were hybridized with another big cat species. We did not make any changes to our approval request to OMB as a result of this comment.

**Comment 15:** Electronic comment received May 18, 2023 via Regulations.gov (FWS-HQ-IA-2023-0031-0020) from Lynn Culver. The commenter questioned why an exhibitor that may at some point in the future become a USDA-licensed C exhibitor should be required to sign a certification statement on Form 3-200-11, “Registration Form – Big Cat Public Safety Act” certifying that they will not breed, acquire, or sell any big cat after December 20, 2022, if they may in the future be eligible for an exception under the BCPSA.

**Agency Response to Comment 15:** To meet the requirements of 16 U.S.C. 3372(e)(2)(E)(ii), a registrant is required to certify that they have not bred, acquired, or sold, and will not breed, acquire, or sell any big cat after December 20, 2022. As noted in response to Comment 4, there may be some circumstances where an entity that is in possession of only pre-BCPSA big cats meets the criteria of both 16 U.S.C. 3372(e)(2)(A) and 16 U.S.C. 3372(e)(2)(E). If a registered pre-BCPSA owner later becomes a USDA-licensed Class C exhibitor, the registration requirements of 16 U.S.C. 3372(e)(2)(E)(ii) that allow for continued possession of the big cats would prohibit that registrant from breeding, acquiring, or selling any big cats after December 20, 2022. We did not make any changes to our approval request to OMB as a result of this comment.

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

We will not provide any payment or gifts to respondents.

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

The information that we collect from applicants is part of an existing Privacy Act System of

Records (INTERIOR/FWS–21, Permits System, September 4, 2003, 68 FR 52610; modification published March 16, 2023, [88 FR 16277](#)) 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 **7,263 responses** totaling **7,263 burden hours**. We estimate the annual dollar value of the burden hours is **\$299,577** (rounded).

We used Table 1 from the Bureau of Labor Statistics (BLS) [News Release](#) USDL-23-0488, March 17, 2023, Employer Costs for Employee Compensation—December 2022, to calculate the cost of the total annual burden hours:

- Individuals – the hourly rate for all workers is \$42.48, including benefits.
- Private Sector – the hourly rate for all workers is \$40.23, including benefits.
- Government – the hourly rate for all workers is \$57.60, including benefits.

Type of Action	Number of Annual	Number of Responses	Total Annual	Average Completion	Total Annual	Hourly Rate	Total Annual Hourly Costs
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	Respondents	Each	Responses	Time (Hours)	Burden Hours		
<b>Amendments – Form 3-200-11, “Registration Form – Big Cat Public Safety Act”</b>							
Reporting – Individuals	250	1	250	.5	250	\$ 42.48	\$ 10,620.00
Recordkeeping – Individuals				.5			
Reporting – Private Sector	250	1	250	.5	250	40.23	10,057.50
Recordkeeping – Private Sector				.5			
<b>Population Management and Care Plan (50 CFR 14.254)</b>							
Reporting – Private Sector	5	1	5	.5	5	\$ 40.23	\$ 201.15
Recordkeeping – Private Sector				.5			
Reporting – Government	1	1	1	.5	1	57.60	57.60
Recordkeeping – Government				.5			
<b>Recordkeeping – 50 CFR 14.254(c) Licensed Entity or a Registered Facility</b>							
Reporting – Individuals	500	1	500	.25	500	\$ 42.48	\$ 21,240.00
Recordkeeping – Individuals				.75			
Reporting – Private Sector	500	1	500	.25	500	40.23	20,115.00
Recordkeeping – Private Sector				.75			
Reporting – Government	1	1	1	.25	1	57.60	57.60
Recordkeeping – Government				.75			
<b>Recordkeeping – 50 CFR 14.255(d) Registered Pre-BCPSA Owners</b>							
Reporting – Individuals	2,500	1	2,500	.25	2,500	\$ 42.48	\$ 106,200.00
Recordkeeping – Individuals				.75			
Reporting – Private Sector	2,500	1	2,500	.25	2,500	40.23	100,575.00
Recordkeeping – Private Sector				.75			
<b>Recordkeeping – 50 CFR 14.256(b) Wildlife Sanctuaries</b>							
Reporting – Private Sector	750	1	750	.25	750	\$ 40.23	\$ 30,172.50
Recordkeeping – Private Sector				.75			
<b>Recordkeeping – 50 CFR 14.257(a) Documentation to Transport Live Prohibited Wildlife</b>							
Reporting – Individuals	1	1	1	.25	1	\$ 42.48	\$ 42.48
Recordkeeping – Individuals				.75			
Reporting – Private Sector	1	1	1	.25	1	40.23	40.23
Recordkeeping – Private Sector				.75			
Reporting – Government	1	1	1	.25	1	57.60	57.60
Recordkeeping – Government				.75			
<b>Recordkeeping – 50 CFR 14.257(b) Documentation of Date of Breeding</b>							

Reporting – Individuals	1	1	1	.25	1	\$ 42.48	\$ 42.48
Recordkeeping – Individuals				.75			
Reporting – Private Sector	1	1	1	.25	1	40.23	40.23
Recordkeeping – Private Sector				.75			
Reporting – Government	1	1	1	.25	1	57.60	57.60
Recordkeeping – Government				.75			
<b>Totals:</b>	<b>7,263</b>		<b>7,263</b>		<b>7,263</b>		<b>\$ 299,576.97</b>

**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 total nonhour cost burden to be **\$3,016** (rounded to match ROCIS). We estimate a nonhour cost burden of \$ 0.63/each associated with mailing the amendment forms to the Service. Additionally, we estimate a nonhour cost burden of \$ 0.40 for the recordkeeping/documentation requirements as most respondents will only have a small number of specimens of the prohibited wildlife species. If each of the respondents had 10 pages of documents pertaining to their activities with the prohibited wildlife species, the cost to copy these documents would be \$0.04/page for a total of \$ 0.40 per respondent. However, we note the requirement to make records available will be initiated only on an as-needed basis so, in all probability, the total annual nonhour cost burden will be far less than the estimates shown below.

Type of Action	Total Annual Responses	Average Nonhour Burden Cost	Total Annual Nonhour Burden Cost*
<b>Amendments – Form 3-200-11, “Registration Form – Big Cat Public Safety Act”</b>			
Recordkeeping – Individuals	250	\$ 0.63	\$ 158.00
Recordkeeping – Private Sector	250	\$ 0.63	\$ 158.00
<b>Recordkeeping – 50 CFR 14.254(c) Licensed Entity or a Registered Facility</b>			
Recordkeeping – Individuals	500	\$ 0.40	\$ 200.00
Recordkeeping – Private Sector	500	\$ 0.40	\$ 200.00
Recordkeeping – State/Local/Tribal Govt	1	\$ 0.40	\$ 0.00
<b>Recordkeeping – 50 CFR 14.255(d) Registered Pre-BCPSA Owners</b>			
Recordkeeping – Individuals	2,500	\$ 0.40	\$ 1,000.00
Recordkeeping – Private Sector	2,500	\$ 0.40	\$ 1,000.00
<b>Recordkeeping – 50 CFR 14.256(b) Wildlife Sanctuaries</b>			
Recordkeeping – Private Sector	750	\$ 0.40	\$ 300.00
<b>Recordkeeping – 50 CFR 14.257(a) Documentation to Transport Live Prohibited Wildlife</b>			
Recordkeeping – Individuals	1	\$ 0.40	\$ 0.00
Recordkeeping – Private Sector	1	\$ 0.40	\$ 0.00
Recordkeeping – State/Local/Tribal Govt	1	\$ 0.40	\$ 0.00
<b>Recordkeeping – 50 CFR 14.257(b) Documentation of Date of Breeding</b>			
Recordkeeping – Individuals	1	\$ 0.40	\$ 0.00
Recordkeeping – Private Sector	1	\$ 0.40	\$ 0.00
Recordkeeping – State/Local/Tribal Govt	1	\$ 0.40	\$ 0.00
<b>Totals:</b>	<b>7,263</b>		<b>\$ 3,016.00</b>

\*Rounded

**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 **\$259,486** (\$17,296 for amendment and recordkeeping activities and \$242,190 for law enforcement activities). The table below shows the Federal staff and grade level performing various tasks associated with this information collection.

While the number of future enforcement actions are easily predictable at this time , the CBO estimates that the Service would incur costs of less than \$500,000 annually after 2023 to maintain the registration database and conduct enforcement. The Service will report estimated annualized costs incurred for database maintenance and enforcement activities with the first renewal of this collection after OMB approval at the final rule stage of this rulemaking.

We used the below listed Office of Personnel Management Salary Tables to determine average hourly wages. We multiplied the hourly rate by 1.61 to account for benefits in accordance with BLS [News Release](#) USDL-23-0488.

**AMENDMENTS AND RECORDKEEPING ACTIVITIES – \$17,296**

Table 14.1 – Weighted Average by Position

Position	Salary Table	Grade	Hourly Rate	Fully Burdened Hourly Rate *	Time Spent on Collection (Hours)	Weighted Average (\$/hour) *
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Office Automation Assistant	<a href="#">2023-DCB</a>	GS-05/05	\$ 23.28	\$ 37.48	100%	\$ 37.48
Biologist	<a href="#">2023-DCB</a>	GS-12/05	51.15	82.35	7%	5.76
<b>Total Weighted Average/Response:</b>						<b>\$ 43.24</b>

Table 14.2 – Government Costs by Activity

Requirement	Estimated Total Gov't Hours	Weighted Average	Government Costs
Review & Process Amendments	250	\$ 43.24	\$ 10,810.00
Review of Population Management and Care Plan	100	43.24	4,324.00
Review of Records/Documentation	50	43.24	2,162.00
<b>Grand Total Government Costs:</b>	<b>400</b>		<b>\$ 17,296.00</b>

***LAW ENFORCEMENT ACTIVITIES – \$242,190***

We used Office of Personnel Management Salary Table [2023-RUS \(LEO\)](#) to determine an average hourly wage for a GS-13, step 5 with Law Enforcement Availability Pay (\$66.86). In accordance with BLS [News Release](#) USDL-23-0488, we multiplied the hourly rate by 1.61 to account for benefits, resulting in a total hourly cost factor of \$107.64.

Special agents (GS-13), located all across the United States, are the primary staff persons who would be visiting a site to confirm that it qualifies as accredited. We estimate that most wildlife sites are within 1 hour of driving time from one of our special agent field offices. We also estimate that a site visit of a site can be completed in about 1 hour. Therefore, if each of the estimated 750 sites was visited by one of our special agents, these site visits would take at most approximately 2,250 hours to complete (2 hours of travel time + 1 hour site visit X 750). We estimate that the annual Federal Government cost for law enforcement activities associated with this information collection to be approximately \$242,190 (\$107.64 X 2,250 hours).

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

We are reporting the following program changes/adjustments (since OMB's approval of the emergency clearance and assignment of OMB Control No. 1018-0192):

***Change Due to Statute*** (expiration of initial registration requirement on June 19, 2023)

- 5,000 Annual Responses
- 5,000 Annual Burden Hours
- 3,150 Annual Cost Burden

***Agency Discretion***

- 6,763 Annual Responses
- 6,763 Annual Burden Hours
- 2,700 Annual Cost Burden

**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 publish the results of the 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.**

Not applicable.

**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.