1SUPPORTING STATEMENT A
FOR PAPERWORK REDUCTION ACT SUBMISSION

Big Cat Public Safety Act (50 CFR 14, Subpart K)
OMB Control Number 1018-0192

Terms of Clearance: Due to delays in publishing the final 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), this submission serves as an interim renewal to prevent the information collection from lapsing into noncompliance. We have published a 30-day Federal Register notice to provide the public with an additional opportunity to comment on the information collection, supplementing the 60-day comment period associated with the interim rule (88 FR 38358; June 12, 2023). Substantive changes to this document since OMB's approval at the interim rule stage are highlighted in yellow.

Justification

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

We prepared regulations (RIN 1018-BH23) to incorporate the requirements of the BCPSA in the Captive Wildlife Safety Act 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 final 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)), and to violate the BCPSA implementing regulations (16 USC 3373(a)(3)). 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 authorized a limited exception from the prohibition on possession for a person or entity to register live specimens of prohibited wildlife species if certain requirements were met

and continue to be met (16 U.S.C. § 3372(e)(2)(E)). The exception was intended to allow current owners of big cats at the time of enactment of the BCPSA to keep their big cats; however, they must have registered 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 having registered 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 have registered 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 was 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 used 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:

- Have registered 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 recognized 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 was 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 was 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 was 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 registered 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 have registered 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 have led to an impossibility for some current owners of big cats both to comply with the law and possess big cats that were born on or after the effective date of the BCPSA from breeding that occurred before the effective date of the BCPSA, such big cats were considered eligible for registration.

In addition to meeting all the other requirements above, such big cats could have been registered if the registrant included 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 were affected still must have met 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 was 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) were 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.

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

As required by the Service in Form 3–200–11, owners must provide the Service with updates if information concerning the registered big cats changes, 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.

Form 3-200-11, "*Registration Form – Big Cat Public Safety Act* (Pub. L. 117-243, December 20, 2022, 136 Stat. 2336), collected the following information during the initial registration process:

- 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).

JUSTIFICATION FOR BURDEN DECREASE – We are decreasing the estimated burden associated with amendments of Form 3-200-11 to account for a lower number of amendments anticipated to be submitted by owners to the Service per year.

CHANGES TO FORM 3-200-11
We are proposing the following changes to Form 3-200-11 since OMB's last approval at the interim rule stage to:

- **Remove registration instructions and initial registration fields**, since the BCPSA required owners to register all big cats with the Service by **June 18, 2023**.
- **Retain the amendment portion of the form**, which allows registered pre-BCPSA owners to update their existing registrations, including reporting the death of an animal or changes in housing location, breeding-prevention protocols, public-contact prevention protocols, ownership, or unique identifier.

POPULATION MANAGEMENT AND CARE PLAN (50 CFR 14.254)
To qualify for an exception in § 14.257, a USDA-licensed entity or a USDA-registered Federal facility must provide a population management and care plan to the Service for consideration in accordance with the BCPSA (16 U.S.C. 3372(e)(2)(A)(i)(III)). If a licensed entity or registered Federal facility allows any person who is neither (1) a trained professional employee or contractor of the licensed entity (or an accompanying employee receiving professional training) nor (2) a licensed veterinarian (or a veterinary student accompanying such a veterinarian) to come into direct physical contact with prohibited wildlife, then prior to allowing any such individual to come into direct physical contact with prohibited wildlife species the conservation program of the licensed entity or registered Federal facility must meet certain requirements. One requirement is that the licensed entity or registered Federal facility must provide a species-specific, publicly available, peer-edited population management and care plan 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;
- Promotes animal welfare by ensuring that the frequency of breeding is appropriate for the species;

RECORDKEEPING REQUIREMENTS – We do not anticipate the recordkeeping requirements will impose any significant burden, because the maintenance of these records is typically a normal business practice. Therefore, complying with the requirement to make records available can likely be met by making available and copying, if needed, a small number of documents pertaining to the possession, transportation, acquisition, disposition, importation, or exportation of the prohibited wildlife species, which we estimate can be completed in an hour or less.

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(d) and (e) Registered Pre-BCPSA Owners – BURDEN DECREASE
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 make available these records to Service officials, if requested.

(1) Pre-BCPSA owners are required to maintain records of their BCPSA activities with big cats and provide the Service with updates on registered big cat(s). Owners must update the registration within 10 calendar days if a big cat dies or if there is any change in: the location where the big cat is housed; protocols taken to prevent breeding; protocols taken to prevent direct contact between the public and big cat; ownership; or unique identifier.
(2) 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.

JUSTIFICATION FOR BURDEN DECREASE – We are decreasing the estimated burden associated with the recordkeeping requirements at 50 CFR 14.255(e). Our initial estimates in the previous submissions were higher than the actual number of registered owners and we are now lowering the burden to correct that overage.

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 – REMOVAL
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.

JUSTIFICATION FOR REMOVAL – We are removing this recordkeeping IC because the requirement to document breeding dates under 50 CFR 14.257(b) is no longer necessary, as registration has ended and breeding is no longer authorized under the BCPSA unless an applicable exception is met.

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 low number of registrations, and in light of the Department of the Interior exploring

the potential for a new Department-wide permitting system, it is not feasible or financially prudent to digitize the registration process 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. 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 have met the requirements for an exception from the prohibition on possession under 16 U.S.C. § 3372(e)(2)(E), a person or entity must have registered live specimens of pre-BCPSA prohibited wildlife species within 180 days of the enactment of the BCPSA (i.e., by June 18, 2023), which required respondents to prepare a written response to this collection of information within fewer than 30 days if

information in their initial registration changed.

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.

On June 12, 2023, we published in the *Federal Register* (88 FR 38358) an interim rule (RIN 1018-BH23) which announced our intention to request OMB approval of the information collections explained in question 2 above. In that interim rule, we solicited comments for 60 days on the information collections, ending on August 11, 2023. All comments received in response to the interim rule were addressed with the information collection submission with that rule (ICR Ref. No. 202310-1018-005). We did not suplicate the summaries and agency responses to those comments in this submission.

The Service is now preparing final regulations to affirm as final the 2023 interim rule that amended our implementing regulations for the Captive Wildlife Safety Act by incorporating the requirements of the BCPSA. However, this collection expires December 31, 2026 and in order to avoid a violation of the PRA, we are publishing a 30-day notice to provide the public with a second opportunity to comment on this information collection (following the 60-day comment period with the interim rule) while the Service continues to develop the final regulations.

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; modifications published March 16, 2023, 88 FR 16277, and January 12, 2024, 89 FR 2230) 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 **1,830 responses** totaling **1,830 burden hours**. We estimate the annual dollar value of the burden hours is **$87,245** (rounded).

We used Table 1 from the Bureau of Labor Statistics (BLS) News Release USDL-26-1494, September 9, 2026, Employer Costs for Employee Compensation—June 2026, to calculate the cost of the total annual burden hours:

- Individuals – the hourly rate for all workers is $49.46, including benefits.
- Private Sector – the hourly rate for all workers is $46.89, including benefits.

- Government – the hourly rate for all workers is $66.45, including benefits.

** for the new requirements listed below, we are using a placeholder burden response

Type of Action	Number of Annual Respondents	Number of Responses Each	Total Annual Responses	Average Completion Time (Hours)	Total Annual Burden Hours	Hourly Rate	Total Annual Hourly Costs
Amendments – Form 3-200-11, "Registration Form – Big Cat Public Safety Act" (REV FORM/BURDEN DECREASE)							
Reporting – Ind.	5	1	5	.5	5	$ 49.46	$ 247.30
Recordkeeping – Ind.				.5			
Reporting – Private Sect.	5	1	5	.5	5	46.89	234.45
Recordkeeping – Priv. Sect.				.5			
Population Management and Care Plan (50 CFR 14.254)							
Reporting – Private Sect.	5	1	5	.5	5	$ 46.89	$ 234.45
Recordkeeping – Priv. Sect.				.5			
Reporting – Gov.	1	1	1	.5	1	66.45	66.45
Recordkeeping – Gov.				.5			
Recordkeeping – 50 CFR 14.254(c) Licensed Entity or a Registered Facility							
Reporting – Ind.	500	1	500	.25	500	$ 49.46	$ 24,730.00
Recordkeeping – Ind.				.75			
Reporting – Private Sect.	500	1	500	.25	500	46.89	23,445.00
Recordkeeping – Priv. Sect.				.75			
Reporting – Gov.	1	1	1	.25	1	66.45	66.45
Recordkeeping – Gov.				.75			
Recordkeeping – 50 CFR 14.255(d) and (e) Registered Pre-BCPSA Owners							
Reporting – Ind.	30	1	30	.25	30	$ 49.46	$ 1,483.80
Recordkeeping – Ind.				.75			
Reporting – Private Sect.	30	1	30	.25	30	46.89	1,406.70
Recordkeeping – Priv. Sect.				.75			
Recordkeeping – 50 CFR 14.256(b) Wildlife Sanctuaries							
Reporting – Private Sect.	750	1	750	.25	750	$ 46.89	$ 35,167.50
Recordkeeping – Priv. Sect.				.75			
Recordkeeping – 50 CFR 14.257(a) Documentation to Transport Live Prohibited Wildlife							
Reporting – Ind.	1	1	1	.25	1	$ 49.46	$ 49.46
Recordkeeping – Ind.				.75			
Reporting – Private Sect.	1	1	1	.25	1	46.89	46.89
Recordkeeping – Priv. Sect.				.75			
Reporting – Gov.	1	1	1	.25	1	66.45	66.45
Recordkeeping – Gov.				.75			
Recordkeeping – 50 CFR 14.257(b) Documentation of Date of Breeding (REMOVED)							
Reporting – Ind.	0	1	0	.25	0	$ 49.46	$ 0.00
Recordkeeping – Ind.				.75			
Reporting – Private Sect.	0	1	0	.25	0	46.89	0.00
Recordkeeping – Priv. Sect.				.75			
Reporting – Gov.	0	1	0	.25	0	66.45	0.00
Recordkeeping – Gov.				.75			
Totals:	**1,830**		**1,830**		**1,830**		**$ 87,244.90**

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 **$730** (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*
Amendments – Form 3-200-11, "Registration Form – Big Cat Public Safety Act"			
Recordkeeping – Individuals	5	$ 0.63	$ 3.00
Recordkeeping – Private Sector	5	$ 0.63	3.00
Recordkeeping – 50 CFR 14.254(c) Licensed Entity or a Registered Facility			
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
Recordkeeping – 50 CFR 14.255(d) Registered Pre-BCPSA Owners			
Recordkeeping – Individuals	30	$ 0.40	$ 12.00
Recordkeeping – Private Sector	30	$ 0.40	12.00
Recordkeeping – 50 CFR 14.256(b) Wildlife Sanctuaries			
Recordkeeping – Private Sector	750	$ 0.40	$ 300.00
Recordkeeping – 50 CFR 14.257(a) Documentation to Transport Live Prohibited Wildlife			
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
Recordkeeping – 50 CFR 14.257(b) Documentation of Date of Breeding			
Recordkeeping – Individuals	0	$ 0.40	$ 0.00
Recordkeeping – Private Sector	0	$ 0.40	$ 0.00
Recordkeeping – State/Local/Tribal Govt	0	$ 0.40	$ 0.00
Totals:	**1,824**		**$ 730.00**

*Rounded to Match ROCIS

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 **$229,614** ($18,924 for amendment and recordkeeping activities and $210,690 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 unknown, 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 1.62 to account for benefits in accordance with BLS News Release USDL-26-1494.

AMENDMENTS AND RECORDKEEPING ACTIVITIES – $18,924

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) *
Office Automation Assistant	2026-DCB	GS-05/05	$ 25.31	$ 41.00	100%	$ 41.00
Biologist	2026-DCB	GS-12/05	55.62	90.10	7%	6.31
				Total Weighted Average/Response:		**$ 47.31**

Table 14.2 – Government Costs by Activity

Requirement	Estimated Total Gov't Hours	Weighted Average	Government Costs
Review & Process Amendments	250	$ 47.31	$ 11,827.50
Review of Population Management and Care Plan	100	47.31	4,731.00
Review of Records/Documentation	50	47.31	2,365.50
Grand Total Government Costs:	**400**		**$ 18,924.00**

LAW ENFORCEMENT ACTIVITIES – $208,598

We used Office of Personnel Management Salary Table 2026-RUS (LEO) to determine an average hourly wage for a GS-13, step 5 with Law Enforcement Availability Pay ($57.80). In accordance with BLS News Release USDL-26-1494, we multiplied the hourly rate by 1.62 to account for benefits, resulting in a total hourly cost factor of $93.64.

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 $210,690 ($93.64 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 at the interim rule phase):

Change Due to Adjustment in Agency Estimate

-5,430 Annual Responses
-5,430 Annual Burden Hours
-2,286 Annual Cost Burden

Amendments – Form 3-200-11, "Registration Form – Big Cat Public Safety Act"

Individuals/Households
-245 Annual Responses
-245 Annual Burden Hours
-155 Annual Cost Burden

Private Sector
-245 Annual Responses
-245 Annual Burden Hours
-155 Annual Cost Burden

Recordkeeping – 50 CFR 14.255(d) and (e) Registered Pre-BCPSA Owners

Individuals/Households
-2,470 Annual Responses
-2,470 Annual Burden Hours
-988 Annual Cost Burden

Private Sector
-2,470 Annual Responses
-2,470 Annual Burden Hours
-988 Annual Cost Burden

Change Due to Agency Discretion **–** ***(REMOVED)***

Recordkeeping – 50 CFR 14.257(b) Documentation of Date of Breeding

-3 Annual Responses (individuals/private sector/government)
-3 Annual Burden Hours (individuals/private sector/government)
-0 Annual Cost Burden (individuals/private sector/government)

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.