Supporting Statement for Paperwork Reduction Act Submissions

for applications for permits for **CITES Import/Export/Eagle Transport for Indian Religious Purposes** contained in the regulations at 50 CFR 22.22, 23.11, 23.12, 23.13, and 23.15.

A. Justification

The following information is provided as part of a request to renew the Office of Management and Budget's approval for information collection pursuant to regulations that implement the Convention on International Trade in Endangered Species (CITES) and the Bald and Golden Eagle Protection Act (BGEPA). These information collection requirements are contained in permit applications that will allow for the import or export under CITES and the transport into or out of the United States under the BGEPA of eagle feathers and other parts for Indian Religious purposes. The Application Form for the CITES Import/Export Eagle Transport for Indian Religious Purposes permit is assigned **Form 3-200-60**.

1. CITES regulates trade in many species of wildlife, including eagles, through a system of permits. International shipments of eagle parts must be accompanied by CITES documentation. Prior to import of CITES Appendix I species, the importing country must determine that the import will not be for purposes detrimental to the survival of the species, the specimens were lawfully acquired, and the specimens will not be imported for primarily commercial purposes. Regulations authorizing permits appear in 50 CFR 23.11 - 23.15. The BGEPA protects bald and golden eagles. Under BGEPA, it is unlawful to take, possess, import, export, transport, sell, purchase, barter, or offer for sale, purchase or barter, any migratory bird, their parts, nests, or eggs, except as permitted by regulations. Regulations implementing BGEPA authorize certain activities through a permitting system. The regulations authorizing permits for transport into and out of the United States of eagle feathers and parts for Indian Religious Purposes appear in 50 CFR 22.22. The transport into and out of the United States of eagle items was only recently authorized with amendment of 50 CFR 22.22 (64 FR 50467, September 17, 1999). To facilitate applicants, a new form has been created to cover both CITES and BGEPA. The application will also allow them to include other species protected under CITES and/or the Migratory Bird Treaty Act. The information collection requirements necessary for the public to apply for the CITES and BGEPA permits are contained in the current OMB approvals (1018-0093 and 1018-0022), but will be combined into a single application form under OMB approval 1018-0022.

The appropriate sections of the CITES and the BGEPA and the implementing regulations mandating or authorizing the collection of information are attached.

2. The collection of information will be achieved using Service Application **Form 3-200-60**. The information will be used by the Service to evaluate whether a permit can be issued to allow the applicant to import and/or export under CITES and transport into and out of the United States under BGEPA eagle feathers and other parts for Indian Religious Purposes.

3. To date, the electronic submission of the application is not possible. We must receive an originally signed application form. Facsimile and e-mailed signatures are not accepted, although

applicants may submit supporting materials by facsimile transmission. We expect that as technology advances, we will be able to accept electronic submissions of applications. Therefore, we have changed the format of page 1 of the application form so that the information fields on the form correspond to the data fields in our Service-wide permit issuance and tracking computer system. Once the form is approved, it will be posted on the Internet in a format that will allow the public to complete the form on-line and print the completed form for signature and submission.

4. No duplicate information is collected elsewhere in the Service that could be used to decide whether this permit can be issued or whether a permittee is in compliance with his/her permit. Except for general information such as name and address, no other Federal agency collects information of this kind.

5. No small businesses or small entities will submit this application. The permit authorizes possession and transport of eagle feathers only for personal use.

6. The consequence of not collecting the information contained in this application form is that the applicant would not be issued a permit since the collected information is either required on the permit itself or needed to make the legal findings and determinations under CITES and the BGEPA.

7. It is not anticipated that a respondent would have to address any of the information collection methods or circumstances described in this justification instruction.

8. We will request comments on this information collection in a Federal Register notice.

9. There is no provision within the CITES or the BGEPA to provide any gift or payment to respondents.

10. Since the information collected is subject to the requirements of the Privacy Act and the Freedom of Information Act, the Service can assure confidentiality to respondents. All applicants receive an information sheet explaining the requirements of both Acts.

11. None of the information collected on this application form is of a sensitive nature.

12. The Service expects that approximately 250 respondents will apply for a CITES/Eagle Transport Permit for Indian Religious Purposes each year. The frequency of response is on occasion. It will take the respondent an average of 45 minutes (0.75 hours) to complete the application, with a total burden assumed by all applicants of 187 hours.

13. There is no annual "out of pocket" cost to the respondents because the application processing fee is waived for Native Americans.

14. The annualized cost to the Federal Government for processing these permits is approximately $ 10,500. This value is based on the average salary per hour of the Service

personnel likely to be involved in the processing of the applications ($17), plus operational expenses per hour ($4), multiplied by the estimated number of hours required to process an application (2), multiplied by the number of applications the Service receives each year (250).

15. This represents an increase in cost burden to the Government because this is a new permit activity recently authorized pursuant to amendment of 50 CFR 22.22 to authorize transport into and out of the United States of eagle parts (64 FR 50467).

16. There are no plans for publication of the results of this information collection.

17. The Service is not seeking approval to not display the expiration date for OMB approval.

18. There are no exceptions to the certification statement contained in Item 19 of OMB Form 83-I for the information being collected by this application form.

B. Collection of Information employing Statistical Methods.

No statistical methods are used.