

*Conservation Action Plan 2000–2004.*  
IUCN: Gland, Switzerland. Pp. 90–97.

## Required Determinations

### Regulatory Planning and Review

In accordance with the criteria in Executive Order 12866, this proposed rule is not a significant regulatory action, because:

a. The annual economic effect of the proposed rule would be less than \$100 million and it would not adversely affect any economic sector, productivity, jobs, the environment, or other units of government. A cost-benefit and economic analysis is not required.

b. This proposed rule would not create inconsistencies with other agencies' actions.

c. This proposed rule would not materially alter the budgetary impact of entitlements, grants, user fees, loan programs, or the rights and obligations of recipients thereof.

d. This proposed rule would not raise novel legal or policy issues.

### Regulatory Flexibility Act

The Department of the Interior certifies that the proposed rule would not have a significant economic effect on a substantial number of small entities as defined under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Most of the potential applicants who might take advantage of the procedures implemented through this rule are individuals or small entities. However, we do not expect that the amount of trade generated as a result of this rule to be large enough to have a significant economic effect on any industries, large or small.

### Small Business Regulatory Enforcement Fairness Act

This proposed rule is not a major rule under 5 U.S.C. 804(2), the Small Business Regulatory Enforcement Fairness Act, because it:

a. Would not have an annual effect on the economy of \$100 million or more.

b. Would not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions.

c. Would not have significant negative effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based companies to compete with foreign-based companies.

### Unfunded Mandates Reform Act

The proposed rule would not significantly or uniquely affect small governments under the Unfunded Mandates Reform Act (2 U.S.C. 1501, *et seq.*). The proposed rule would not produce a Federal requirement of \$100 million or greater in any year, so it is

not a "significant regulatory action" under the Unfunded Mandates Reform Act.

### Takings

Under Executive Order 12630, this proposed rule would not have significant takings implications. The proposed rule would set forth regulations under an existing law (the WBCA) and a takings implication evaluation is not required.

### Federalism

Since the proposed rule applies to the importation of live wild birds into the United States, it does not contain any Federalism impacts as described in Executive Order 13132. This proposed rule would not have a substantial direct effect on the States, on the relationship between the Federal government and the States, or on the distribution of power and responsibilities among the various levels of government, and a Federalism evaluation is not required.

### Civil Justice Reform

Under Executive Order 12988, the Office of the Solicitor has determined that this proposed rule would not overly burden the judicial system and meets the requirements of sections 3(a) and 3(b)(2) of the Order.

### Energy Supply, Distribution or Use

Because this proposed rule would allow the import into the United States of blue-fronted amazon parrots removed from the wild in Argentina under an approved sustainable-use management plan, it is not a significant regulatory action under Executive Order 12866 and is not expected to significantly affect energy supplies, distribution, or use.

### Paperwork Reduction Act of 1995

This proposed rule does not contain any new information collection requirements that require approval from the Office of Management and Budget (OMB). Existing requirements in 50 CFR 15 are currently approved by OMB under OMB control number 1018–0093, which expires on March 31, 2004.

### National Environmental Policy Act

We have prepared a draft environmental assessment under regulations implementing the National Environmental Policy Act of 1969 (NEPA). Council on Environmental Quality regulations in 40 CFR 1501.3(b) state that an agency "may prepare an environmental assessment on any action at any time in order to assist agency planning and decision making." Future regulations implementing the WBCA

may be subject to NEPA documentation requirements on a case-by-case basis. The draft environmental assessment for this proposed action is on file at the Division of Management Authority in Arlington, Virginia, and a copy may be obtained for review and comment by contacting Dr. Peter O. Thomas, Chief, Division of Management Authority, U.S. Fish and Wildlife Service; telephone (703) 358–2093; fax (703) 358–2280.

### Government-to-Government Relationship With Tribes

Under the President's memorandum of April 29, 1994, "Government-to-Government Relations With Native American Tribal Governments" (59 FR 22951) and 512 DM 2, we have evaluated possible effects on Federally recognized Indian tribes and have determined that there are no effects.

### Author

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### List of Subjects in 50 CFR Part 15

Imports, Reporting and recordkeeping requirements, Wildlife.

### Regulation Promulgation

Accordingly, for the reasons given in the preamble, we propose to amend part 15, subchapter B of chapter I, title 50 of the Code of Federal Regulations, as set forth below:

## PART 15—WILD BIRD CONSERVATION ACT

1. The authority citation for part 15 continues to read as follows:

**Authority:** Pub. L. 102–440, 16 U.S.C. 4901–4916.

2. Amend § 15.33 by revising paragraph (b) to read as follows:

### § 15.33 Species included in the approved list.

\* \* \* \* \*

(b) Non-captive-bred species. The list in this paragraph includes species of non-captive-bred exotic birds and countries for which importation into the United States is not prohibited by § 15.11. The species are grouped taxonomically by order, and may only be imported from the approved country, except as provided under a permit issued pursuant to subpart C of this part. The list of non-captive-bred species follows: