

protection would no longer apply. The Endangered Species Act currently prohibits the export, import, and interstate commerce of specimens unless certain biological and legal criteria are met, including a demonstrable benefit to the wild population. However, the protections under the Lacey Act and the Wild Bird Conservation Act (for wild-caught specimens only) would remain unchanged. These species are prohibited from commercial export by the Government of Australia and receive additional domestic protection through the Australian States. Removing these species from the List of Endangered and Threatened Wildlife does not alter or supersede their designations as near threatened (turquoise parakeet) and least concern (scarlet-chested parakeet) by the Government of Australia. In addition, removing them from the List will not increase the level of trade in wild-caught specimens or decrease the level of protection provided by CITES.

Public Comments Solicited

We will accept written comments and information during this comment period from the public, other concerned governmental agencies, the scientific community, industry, or any other interested party. In particular, we are seeking comments concerning:

- (1) Biological, commercial trade, or other relevant data concerning any threat (or lack thereof) to the scarlet-chested parakeet and the turquoise parakeet;
- (2) Additional information concerning the range, distribution, and population size of the scarlet-chested parakeet and the turquoise parakeet;
- (3) Current planned activities in the habitat and their possible impacts on the scarlet-chested parakeet and the turquoise parakeet; and
- (4) Impacts on the species caused by removing them from the List of Endangered and Threatened Wildlife.

Our practice is to make comments, including names and home addresses of respondents, available for public review during regular business hours. Any persons commenting may request that we withhold their home addresses, and we will honor these requests to the extent allowable by law. In some circumstances, we may also withhold a commenter's identity, as allowable by law. If you wish us to withhold your name or address, you must state this request prominently at the beginning of your comment. However, we will not consider anonymous comments. To the extent consistent with applicable law, we will make all submissions from organizations or businesses, and from

individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety. Comments and materials received will be available for public inspection, by appointment, from 8 a.m. to 4 p.m. at the Division of Scientific Authority (see **ADDRESSES** section).

You may also request a public hearing on this proposal. Your request for a hearing must be made in writing and filed within 45 days of the date of publication of this proposal in the **Federal Register**. Address your request to the Division of Scientific Authority (see **ADDRESSES** section).

Peer Review

Under our peer review policy (59 FR 34270; July 1, 1994), we will solicit the expert opinions of three appropriate and independent specialists regarding pertinent scientific or commercial data and assumptions relating to the taxonomy, population models, and supportive biological and ecological information on this proposed rule. The purpose of such review is to ensure that we base listing decisions on scientifically sound data, assumptions, and analysis. To that end, we will send copies of this proposed rule to these peer reviewers immediately following publication in the **Federal Register**.

Clarity of This Regulation

Executive Order 12866 requires each agency to write regulations that are easy to understand. We invite your comments on how to make this rule easier to understand, including answers to the following: (1) Are the requirements of the rule clear? (2) Is the discussion of the rule in the Supplementary Information section of the preamble helpful to understanding the rule? (3) What else could we do to make the rule easier to understand?

National Environmental Policy Act

We have determined that Environmental Assessments and Environmental Impact Statements, as defined under the authority of the National Environmental Policy Act of 1969, need not be prepared in connection with regulations adopted pursuant to section 4(a) of the Act of 1973, as amended. We published a notice outlining our reasons for this determination in the **Federal Register** on October 25, 1983 (48 FR 49244).

References Cited

Brown, P.B., M.C. Holdsworth, and D.E. Rounsevell. 1994. Captive breeding and release as a means of increasing the orange-bellied parrot population in the

wild, pages 135–141, in *Reintroduction Biology of Australian and New Zealand Fauna*. M. Serena, ed. Surrey Beatty & Sons: New South Wales. Pp. 135–141.

Collar, N.J. 1997. Scarlet-chested parakeet (*Neophema splendida*), pages 383–384, in *Handbook of the Birds of the World*. Vol. 4. Sandgrouse to Cuckoos. J. del Hoyo, A. Elliott, and J. Sargatal, eds. Lynx Edicions, Barcelona.

Collar, N.J. 1997. Turquoise parakeet (*Neophema pulchella*), page 383, in *Handbook of the Birds of the World*. Vol. 4. Sandgrouse to Cuckoos. J. del Hoyo, A. Elliott, and J. Sargatal, eds. Lynx Edicions, Barcelona. P. 383.

Dingle, S. 2000. Turquoise parakeet: *Neophema pulchella*. The AFA Watchbird 27(2):12.

Garnett, S.T., and G.M. Crowley 2000. The Action Plan for Australian Birds 2000. Environment Australia, Canberra.

Higgins, P.J. (Ed.) 1999. Handbook of Australian, New Zealand and Antarctic Birds. Vol. 4. Parrots to Dollarbird. Oxford University Press, Melbourne.

International Union for Conservation of Nature and Natural Resources. 2002. 2002 IUCN Red List of Threatened Species. IUCN, Gland, Switzerland.

Juniper, T., and M. Parr. 1998. Pages 365–366 in *Parrots: A Guide to Parrots of the World*. Yale University Press, New Haven and London, pages 365–366.

Landsberg, J., C.D. James, S.R. Morton, T.J. Hobbs, J. Stol, A. Drew, and H. Tongway. 1997. The effects of artificial sources of water on rangeland biodiversity. Report to Environment Australia, Canberra.

Snyder, N., P. McGowan, J. Gilardi, and A. Grajal (eds.). 2000. Page 56 in *Parrots: Status Survey and Conservation Action Plan 2000–2004*. IUCN, Gland, Switzerland and Cambridge, U.K., 180p.

Friends, M.M. 2000. The five popular Australian grass parakeets. The AFA Watchbird 27(2):45–48.

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List of Subjects in 50 CFR Part 17

Endangered and threatened species, Exports, Imports, Reporting and recordkeeping requirements, Transportation.

Regulations Promulgation

We propose to amend part 17, subchapter B of chapter I, title 50 of the Code of Federal Regulations, as set forth below: