

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

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

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

*Unfunded Mandates Reform Act.* In accordance with the Unfunded Mandates Reform Act (2 U.S.C. 1501 *et seq.*):

a. This rule will not “significantly or uniquely” affect small governments. A Small Government Agency Plan is not required. Enforcement of the MBTA is solely the responsibility of the Federal Government.

b. This rule is not a “significant regulatory action” under the Unfunded Mandates Reform Act. It will not produce a Federal mandate of \$100 million or greater in any year.

*Takings.* This rule has no potential takings implications for private property as defined in Executive Order 12630. This rule will not significantly affect private property.

*Federalism.* In accordance with Executive Order 13132, the rule does not have sufficient Federalism effects to warrant preparation of a Federalism assessment. This rule will not interfere with the States’ ability to manage themselves or their funds.

*Civil Justice Reform.* In accordance with Executive Order 12988, the Office of the Solicitor has determined that the rule does not unduly burden the judicial system and meets the requirements of sections 3(a) and 3(b)(2) of the Order.

*Paperwork Reduction Act and Information Collection.* This proposed rule includes many new information collection requirements, including a completed eiderdown import permit application, written preconditions, certification of inspection, labeling requirements, recordkeeping requirements, and reporting.

Simultaneous with the publication of this proposed rule, we have submitted an application for information collection approval to OMB. Under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), information collections must be approved by OMB. Agencies may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. This proposed rule would institute new information collection burden hours, as described below. We will notify the public of OMB’s response

to our application in the final rule for this regulation.

We intend to collect information associated with the importation of Icelandic eiderdown from those U.S. citizens and U.S. companies that are granted an Icelandic eiderdown import permit, from representatives of the Government of Iceland (GOI), and from representatives of the Icelandic Eider Farmers’ Association.

Because it is difficult to identify the species of eider from which down is collected, and because it is difficult if not impossible to identify the source and type of down used in finished products, the requirements for information collection are key to monitoring common eider population stability, eiderdown harvest, down availability, down export from Iceland, government-certified collection procedures, possible down laundering, and possible false labeling. With less than 3 metric tons on average of eiderdown annually harvested from common eiders in Iceland, information collection will help track continuing harvests, alerting the U.S. Fish and Wildlife Service’s (Service) Office of Law Enforcement and the Service’s Division of Migratory Bird Management to possible problems including alleged violations of the Migratory Bird Treaty Act. Without this information collection, it would not be possible to assess population stability and down harvest sustainability.

Information collections associated with this proposed rule are found in sections 21.33 (a) and (c) (completing an eiderdown import permit application), 21.33(b) (preconditions required of the GOI), 21.33(e)(2) (certification of inspection by a GOI inspector), 21.33(e)(3) (labeling requirements), and 21.33(e)(5) and (6) (recordkeeping requirements).

The breakdown of the information collection burden for U.S. citizens is as follows: We estimate that 21.33(a) and (c) will have 25 annual respondents with 25 total annual burden hours valued at \$750; we estimate that 21.33(e)(5) and (6) will have 25 annual respondents with 25 total burden hours valued at \$750. Overall, we estimate that a total of 25 U.S. respondents will annually submit a total of 50 responses to the recordkeeping and reporting requirements associated with the importation of Icelandic eiderdown. We estimate that the average wage of U.S. citizens and representatives of U.S. companies importing eiderdown is \$30 per hour, and we estimate that each response will require an average of 1 hour to complete, for a total 50 hours per year valued at \$1,500 for all of the

information collection and recordkeeping requirements in this proposed rule for U.S. citizens and U.S. companies.

For GOI and members of the Icelandic Eider Farmers’ Association, many of the information collection requirements in this proposed rule are already standard business practice for exporting eiderdown from Iceland to countries other than the United States. Certain additional burden hours for these entities would be newly required by the proposed rule, however, and they are described below.

We estimate that 21.33(b)(3) will require the following information collection burden for GOI: The GOI will need an average of 25 hours per year to locate, photocopy, maintain records, and mail copies of all the veterinary certificates related to export of eiderdown to the United States; 25 hours to locate, photocopy, maintain records, and mail copies of all labeling certificates related to eiderdown export to the United States; 100 hours to visit randomly selected eider colonies to verify that preconditions are being met; 1 hour to locate, photocopy, maintain records, and mail information regarding preconditions to exporting eiderdown; and 1 hour to locate, photocopy, maintain records, and mail information for annual reporting, including information on the amounts of eiderdown exported to countries other than the United States. This amounts to a total of 152 hours per year for GOI to comply with the information collection requirements associated with the export of eiderdown to the United States and to other countries. We estimate that the average wage of GOI officials collecting the information is \$30 per hour (U.S.), and thus, the dollar value of the total annual hour burden is \$4,560.

We estimate that 21.33(b)(3)(v) and (e)(3) will require the following information collection burden for representatives of the Icelandic Eider Farmers’ Association: 50 representatives of the Eider Farmers’ Association will each need 1 hour to photocopy and mail records regarding the processing and export of eiderdown to GOI. This amounts to a total of 50 hours per year for Icelandic eider farmers to comply with the information collection requirements associated with the export of eiderdown to the United States. We estimate that the average wage of eider farmers collecting the information is \$30 per hour (U.S.), and thus, the dollar value of the total annual hour burden is \$1,500.

OMB regulations at 5 CFR part 1320 require that interested members of the public and affected agencies have an