

**Supporting Statement**  
**Approval of Commercial Gaugers & Accreditation of Commercial**  
**Laboratories**

**1651-0053**

**A. Justification**

1. Section 613 of Public Law 103-182 (NAFTA Implementation Act), codified at 19 U.S.C. 1499, directs the Bureau of Customs and Border Protection (CBP) to establish a procedure to accredit privately owned testing laboratories. The application and resulting fee collection procedures have been established to comply with the statute. Additional authorization for the collection of data resides in 19 CFR 151.12, Accreditation of Commercial Laboratories, and 19 CFR 151.13, Approval of Customs Gaugers.
2. Commercial gaugers and laboratories seeking accreditation or approval must provide the information specified in 19 CFR 151.12 to CBP. After the initial accreditation, a private company may "extend" its accreditation to add facilities by submitting a formal written request addressed to the Executive Director, Laboratories and Scientific Services, Bureau of Customs and Border Protection. The submitted information is used to determine whether or not a private company meets the requirements for accreditation/approval. To ensure compliance, periodic performance checks and triennial on-site audits are conducted.
3. This information collection requires an original signature, so electronic submission would not be appropriate.
4. The information is unique for CBP purposes and is not available elsewhere.
5. The burden increases as the number of site operations by the company increases, therefore, the burden on large companies is greater than those of smaller companies. Moreover, since both large and small companies submit the same class of test results to CBP, the data collected must be the same.
6. The collection of the information is critical in establishing the applicant's credentials so CBP can decide whether the applicant is qualified to test and analyze importations. Proper duty collection and admissibility of merchandise are at risk if the data is not collected. Further documentation is not required unless a substantive change in the gauger's or laboratories' operations occur. These changes include change of ownership, business name change, the establishment of new sites, etc.

7. The information is collected in a manner consistent with the guidelines in 5 CFR 1320.5(c)(2).
8. Public comments were solicited through two Federal Register notices published on February 15, 2007 and on April 18, 2007. As of this submission, no comments were received.
9. There is no offer of a monetary or material value for this information request.
10. A request for work and educational background is made for signatories to establish their eligibility to sign documents submitted to CBP. A background investigation of company officers is completed by the Office of Investigations to determine whether organized criminals are involved in the operation of the business or if a conflict of interest exists. The information collected is kept confidential and stored in a secure location with access granted only to CBP officers with an official "need to know".
11. There are some questions of confidentiality or a sensitive nature associated with this information collection based on the requirement to conduct background investigations. All background investigation data gathered by the Office of Investigation are kept confidential.
12. Estimated Annualized Burden on the Public. The estimated burden hours associated with this information collection is 250 hours. This includes 50 hours based on an anticipated 10 applications, with 5 hours per applicant for certification. It also includes 200 already approved gaugers and laboratories spending 1 hour annually to advise CBP of significant changes.

Estimated Annualized Cost to the Public. The estimated annual cost to the public associated with filing the applications is \$5,500.00. This is based on the estimated number of reporting hours (250), times the rate of \$22.00 per hour.

13. Estimated Record Keeping Burden on the Public. The record keeping burden associated with this information collection is estimated at 200 hours. This is based on the number of approved applicants who must maintain gaugers and laboratory reports as well as assorted work sheets. Each respondent will spend 1 hour maintaining these records (85 x 1) for a total of 200 hours.

Estimated Capitalization Cost Burden on the Public. There are no capitalization costs associated with this collection.

14. Estimated Annualized Cost to the Federal Government. The estimated cost to the Federal government for processing and reviewing the application for laboratories is \$15,000. This is based upon an estimated 500 hours expended at an average hourly rate of \$30.00.
  15. There are no changes to this information collection.
  16. This information collection will not be published for statistical purposes.
  17. This information collection does not involve a form so there is no printed expiration date.
  18. CBP does not request an exception to the certification of this information collection.
- B. Collection of Information Employing Statistical Methods.**  
No statistical methods are employed.