

Supporting Statement
Foreign Trade Zones Annual Reconciliation and Recordkeeping Requirement
1651-0051

Justification

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

This collection is required of foreign trade zone operators to account for zone merchandise admitted, stored, manipulated and removed from zones as required by the Foreign Trade Zones Act, as amended (Title 19 U.S.C. 81a, et seq) and Customs and Border Protection (CBP) Regulations 19 CFR 146.4 and 146.25). The operator is required to prepare a reconciliation report within 90 days after the end of the zone year unless the port director authorizes an extension for reasonable cause, retain that annual report for a spot check or audit by CBP, and submit to the port director within 10 working days after the annual reconciliation, a letter signed by the operator certifying that the annual reconciliation has been prepared, is available for CBP review and is accurate.

- 2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.**

The information is supplied by the foreign trade zone operator, and CBP uses the information to determine compliance with the applicable laws and regulations. If the collection of information were not made, determinations for compliance of the laws and regulations would be impossible.

- 3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g. permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.**

Because this is a recordkeeping requirement, zone operators are free to maintain their inventory and recordkeeping systems in any format that they select. The certification letter submitted once a year requires an original signature to certify that operators have kept records in accordance with the CBP regulations, so it would not be feasible to automate it.

- 4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.**

This information is not collected in any form, and therefore is not duplicated elsewhere.

- 5. If the collection of information impacts small businesses or other small entities (Item 5 of the OMB Form 83-I), describe any methods used to minimize burden.**

This information collection does not have an impact on small businesses or other small entities.

- 6. Describe consequences to Federal program or policy activities if the collection is not conducted or is conducted less frequently.**

If this information were required less frequently, CBP would not be able to determine timely compliance.

- 7. Explain any special circumstances that would cause an information collection to be conducted in a manner:**

This information is collected in a manner consistent with the guidelines of 5 CFR 1320.6.

- 8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

Public comments were solicited through two Federal Register notices published on June 27, 2008 (Volume 73, Page 36542) and on September 8, 2008 (Volume 73, Page 52061). As of this submission, no comments have been received.

- 9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.**

There is no offer of a monetary or material value for this information collection.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

There are no assurances of confidentiality provided to the respondents for this information collection.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

There are no questions of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information.

INFORMATION COLLECTION	TOTAL ANNUAL BURDEN HOURS	NO. OF RESPONDENTS	NO. OF RESPONSES PER RESPONDENT	TOTAL RESPONSES	TIME PER RESPONSE
FTZ Recordkeeping	195	260	1	260	45 minutes (.75 hours)

Public Cost

The estimated cost to the respondents is \$3,900. This is based on the estimated burden hours (195) multiplied (x) hourly rate (\$20.00).

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information.

There are no capital or start-up costs associated with this information collection.

14. Provide estimates of annualized cost to the Federal Government. Also provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.

The estimated annual cost to the Federal Government associated with this collection is \$1225.00. This is based on the estimated number of hours expended by CBP Field Auditors (35) multiplied (x) hourly rate (\$35.00) = \$1225.00.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.

There has been no increase or decrease in the estimated burden hours previously reported for this information collection.

16. For collection of information whose results will be published, outline plans for tabulation, and publication.

This information collection will not be published for statistical purposes.

17. If seeking approval to not display the expiration date, explain the reasons that displaying the expiration date would be inappropriate

This is a recordkeeping function, so there is no form on which to display the expiration date.

18. "Certification for Paperwork Reduction Act Submissions."

CBP does not request an exception to the certification of this information collection.

B. Collection of Information Employing Statistical Methods

No statistical methods were employed.