

**Supporting Statement
Entry and Immediate Delivery Application
1651-0024**

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.**

All items imported into the United States are subject to examination before entering the commerce of the United States. Two procedures are available to effect the release of imported merchandise; "entry" pursuant to 19 U.S.C. 1484 and "immediate delivery" pursuant to 19 U.S.C. 1448(b). Under both procedures, entry and immediate delivery, CBP Forms-3461 and 3461 Alternate, are the source documents in the packages presented to Customs and Border Protection (CBP). CBP Form-3461 is the document used for entry while CBP Form-3461 Alternate is the abbreviated document used for immediate delivery.

The information provided on the forms allows the inspector to verify that the consignee is correct, the shipment is correct and it matches the ship's or aircraft's manifest, and that a bond is on file with CBP. Further, CBP uses these forms to close out the manifest as required. In addition, the documents are used as control documents for data input to track production of the documentation required in 1484(a)(1)(B) and for the deposit of estimated duties within 10 working days after release of the merchandise. Furthermore, the CBP Form-3461 is considered the delivery authorization document and is given to the importing carrier to authorize the release of the merchandise. The CBP Form- 3461 and CBP Form- 3461 Alternate are required under 19 U.S.C. 1484 and 19 U.S.C. 1448(b), 19 CBP-R 141.0a, 141.4, 141.4, 141.19, 141.61, 141.62, 142.2, 142.3, and 142.21.

Also, CBP uses an automated cargo selectivity system in order to allow low risk shipments to be released without examination. The CBP Form-3461 must contain sufficient information in order for CBP to utilize the automated selectivity system.

- 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 collected on the CBP Form-3461 and CBP Form-3461 Alternate is used by importers and brokers to obtain the release of the merchandise from CBP custody. The forms are filled out for each shipment and presented to a CBP officer along with the invoices and a bond to obtain release of the goods. The CBP- 3461 requires more data than the CBP Form-3461 Alternate since it is used for air and sea-cargo. Further, the CBP Form-3461 Alternate utilizes a bar code for the entry

number. This facilitates the release of the goods at the borders. Most of the CBP-3461's are used by brokers who have a computerized system that permits them to easily input data into a computer for printouts.

- 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.**

CBP has expanded the use of Electronic Entry filing through the expansion of the Automated Broker Interface (ABI). Over 98 percent of all entries processed by CBP are received electronically.

- 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 a significant impact on a substantial number of small businesses.

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

If the information was collected less frequently, longer delays in processing cargo into the United States would result. This would prove to be costly and time consuming to the importers and brokers. Further, it could lead to increased risks to the revenue, health and safety of the United States if imported cargo was released without proper screening of import information.

- 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 1320.5(d)(2).

- 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 September 5, 2008 (Volume 73, Page 51833) and on November 10, 2008 (Volume 73, Page 66660). 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 special assurances of confidentiality is 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 associated with this collection.

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

FORM	TOTAL ANNUAL BURDEN HOURS	NO. OF RESPONDENTS	AVG. NO. OF RESPONSES PER RESPONDENT	TOTAL RESPONSES	TIME PER RESPONSE
Entry/ Immediate Delivery Form 3461	2,302,540	6,529	1,410.654	9,210,160	15 minutes (.25 hours)
Entry/ Immediate Delivery Form 3461 ALT	472,203	6,795	1,389.8556	9,444,069	3 minutes (.05 hours)

TOTAL	2,774,743	13,324	2,801	18,654,229	
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Public Cost

The estimated cost to the respondents is \$55,500,860.00. This is based on the estimated burden hours (2,775,043) 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 \$54,190,535. This is based on the estimated number of hours expended by CBP which is based on 5 minutes per response (5 minutes or .083 hours x 18,654,229 responses = 1,548,301 hours expended, multiplied (x) hourly rate (\$35.00) = \$54,190,535.

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

CBP is reporting a slight reduction in the burden hours. This is a result of a correction of a mathematical error made on previous submissions. No substantive changes were made.

- 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**

CBP will display the expiration date for OMB approval of this information collection.

- 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.