

**Supporting Statement**  
**Lien Notice**  
**1651-0012**

**A. Justification**

1. Carriers, Cartmen and similar persons or firms which transport and handle imported merchandise depend for their livelihood on the payment by importers, consignees and their agents for services rendered. To protect their interest in the goods, Section 564, Tariff Act of 19, as amended (19 U.S.C. 1564) provides that the claimant of a lien for freight or can notify Customs and Border Protection (CBP) in writing of the existence of a lien, and Customs shall not permit delivery of the merchandise from the public stores or a bonded warehouse until the lien is satisfied or discharged. 19 CFR 141.112 provides that the lieu claimant shall file his claim of lien on Form 3485.
2. The data collected on CBP Form 3485 is used by CBP officers to assure that liens have been satisfied or discharged before delivery from public stores or bonded warehouses and to assure that proceeds from public auction sales are duly distributed to lienholder. Form 3485 is usually prepared and submitted to CBP by carriers, cartmen and similar persons or firms. Frequently, the person filing the lieu is an agent of a corporation or business.
3. The Lien Notice will be automated in the Automated Commercial Environment (ACE). Completion of this project is planned for 2013.
4. This information is not collected in any form, and therefore is not duplicated elsewhere.
5. This information is not collection does not have an impact on small businesses or other small entities.
6. There would be no consequence to the Federal program or policy if this information was collected less frequently. This information is collected for the benefit of the claimant. It is desirable to protect carriers of imported merchandise to assure the free flow of commerce into the United States. The failure to collect money claimed by them could be a severe financial burden to them, and could result in their being financially unable to transport merchandise.
7. This information collection is conducted in a manner consistent with the guidelines in 5 CFR 1320.5(C)(2).
8. Public comments were solicited through two Federal Register notices dated March 16, 2009 (Volume 74, Page 11126) and May 27, 2009 (Volume 74, Page 25271-25272). No comments were received.
9. There is no offer of a monetary or material value for the information collection.

10. There are no assurances of confidentiality provided to the respondents for this information collection.
11. There are no questions of sensitive nature.
12. Estimated Annualized Burden on the Public

INFORMATION COLLECTION	TOTAL ANNUAL BURDEN HOURS	NO. OF RESPONDENTS	NO. OF RESPONSES PER RESPONDENT	TOTAL RESPONSES	TIME PER RESPONSE
Form 3485	9,296	112,000	1	112,000	5 minutes (.083 hours)

Estimated Annualized Costs to the Public The estimated cost to the respondents is \$185,920 based on 9,296 hours at a cost of \$20.00 per hour.

13. Estimated record keeping burden on the public There is no record keeping burden associated with this information collection.

Estimated capitalization cost burden on the public There are no capitalization or startup costs associated with this collection.

14. The estimated annual cost to the Federal Government associated with the review of these records is **\$325,360**. This is based on the number of responses (112,000) that must be reviewed (x) the time to review and process each response (5 minutes or .083 hours) = 9,296 hours (x) the average hourly rate (\$35.00)= \$325,360.
15. There are no changes to this information collection.
16. This information collection will not be published for statistical purposes.
17. CBP will display the expiration date for OMB approval of this information collection.
18. CBP does not request an exception to the certification of this information collection.

**B. No statistical methods were employed.**