

Supporting Statement
Declaration for Free Entry of Returned American Products
1651-0011

A. 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.**

Form-3311, Declaration for Free Entry of Returned American Products, is pursuant to the requirements of 19 CFR 10.1, 10.5, 10.6, 10.66, 10.67, 12.41, 123.4, 142.11, 143.21, 143.23, 143.25.

When duty-free entry is claimed for a shipment of returned American products under the Harmonized Tariff Schedules of the United States Annotated (HTSUSA.), Form-3311 is one of the supporting documents that substantiate the claim for duty free status. Also, when the value of the shipment is \$10,000 or less, and is being imported (a) for purposes of repair or alteration prior to exportation, or (b) after having been either rejected or returned by the foreign purchaser to the United States for credit, the Form-3311 is used for the duty-free entry claim.

This collection of information applies to the importing and trade community who are familiar with import procedures and with the CBP regulations.

- 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 .**

Form-3311 is used by importers and their agents for several purposes. In the case of formal entries, it is the sole declaration made by the importer or his agent, claiming that the goods are American made and that (a) they have not been advanced in value or improved in condition while abroad, (b) were not previously entered under a T.I.B. provision, and (c) drawback was never claimed and/or paid.

- 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 .**

The Form 3311 must be submitted manually because it requires a signature from a

CBP officer.

- 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 duplicated in any other place or any other form.

- 5. If the collection of information impacts small businesses or other small entities , 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 Form-3311 is not filed with a formal entry, the claim for duty-free entry as American Goods Returned would be jeopardized.

- 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 May 21, 2009 (Volume 74, Page 23876) and on August 12, 2009 (Volume 74, Page 40605). No comments were 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 of 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
Form 3311	42,000	12,000	35	420,000	6 minutes (.10 hours)

Public Cost

The hourly rate was raised from \$22.00 to \$28.00:

The estimated cost to the respondents is \$1,176,000. This is based on the estimated burden hours (42,000) multiplied (x) hourly rate (\$28.00)

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

This was added:

There are no record keeping, capital, start-up or maintenance costs associated with this information collection.

This was removed:

The record keeping burden is estimated to be 9,000 hours, based on 12,000 respondents averaging .75 hours (45 minutes) per year at an average rate of \$22.00 per hour. The annual record keeping costs is estimated to be \$198,000.

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 hourly rate was raised from \$30.00 to \$35.00:

The estimated cost to the Federal Government for collecting, analyzing and processing this information collection is \$1,220,100. This is based on total responses (420,000) multiplied by time spent per response (5 minutes or .083 hours) = 34,860 hours multiplied (x) an average hourly rate of \$35.00= \$1,220,100.

- 15. Explain the reasons for any program changes or adjustments reported in Items 12 or 13.**

This was added:

There was a decrease in the burden hours from 51,000 hours to 42,000. This is because CBP had previously reported that there were special record keeping requirements associated with Form 3311. Upon further research and evaluation, CBP determined that this Form and the associated sections of the regulations do not contain any record keeping requirements. Therefore, the 9,000 hours of record keeping that were previously reported were removed from the burden hours.

- 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 and exception to the certification of this information collection.

B. Collection of Information Employing Statistical Methods

No statistical methods were employed.

