

Supporting Statement
Application-Permit-Special License Unlading-Lading-Overtime
Services
1651-0005

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.**

The Application-Permit-Special License Unlading-Lading-Overtime Services (Form 3171) is used by commercial carriers and importers as a request for permission to unlade imported merchandise, baggage, or passengers. It is also used for overtime services of CBP officers in connection with lading or unlading of merchandise, or the entry or clearance of a vessel, including the boarding of a vessel for preliminary supplies, ship's stores, sea stores, or equipment not to be reladen, which is subject to free or duty-paid entry. Such requests may be required pursuant to 19 CFR 4.10, 122.29, 122.38, and 123.8 and are authorized by 19 USC 1490(b).

- 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.**

All merchandise of foreign origin arriving in the United States is subject to assessment of duty and taxes by the U.S. Government. In order to control such foreign merchandise and ensure payment of any duty and taxes due, carriers are required to obtain a permit or special license from CBP before unlading this merchandise. A permit or special license to lade merchandise aboard a carrier for exportation is also required. These permits or special licenses enable CBP to supervise the lading and unlading of carriers. This supervision provides a means of accounting for merchandise imported into the United States and preventing the exportation of merchandise normally prohibited or restricted, such as arms, munitions, and radioactive materials.

This application for a permit or special license also provides information to show that a bond is in effect to secure payment of duty and taxes on imported merchandise, as well as payment of any overtime charges incurred.

- 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.

Currently, CBP would like to keep this process manual with a paper form filed because an original signature is needed from the party authorized to obligate the bond.

- 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.**

The consequence to the Federal program if the collection of information was conducted less frequently would be a loss of revenue and payment of overtime charges incurred due to supervision of lading or unloading operations.

- 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 October 1, 2009 (Volume 74, Page 50811) and on December 3, 2009 (Volume 74, Page 63406). 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 3171	51,870	1,500	266	399,000	8 minutes (.13 hours)

Public Cost

The estimated cost to the respondents is \$1,452,360. This is based on the estimated burden hours (51,870) multiplied (x) the average 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.**

There are no record keeping, capital, start-up or maintenance 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 the review of these records is **\$2,781,828**. This is based on the number of responses (399,000) that must be reviewed (x) the time to review and process each response (5 minutes or .166 hours) = 66,234 hours (x) the average hourly rate (\$42.00) = \$2,781,828.

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

There has been no increase or decrease in the estimated annual 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.

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.