

**Supporting Statement**  
**Approval of Commercial Gaugers & Accreditation of Commercial Laboratories**  
**1651-0053**

**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.**

Section 613 of Public Law 103-182 (NAFTA Implementation Act), codified at 19 U.S.C. 1499, directs Customs and Border Protection (CBP) to establish a procedure to accredit privately owned testing laboratories. The application procedure was established to comply with the statute. Additional authorization for the collection of data resides in 19 CFR 151.12, Accreditation of Commercial Laboratories, and 19 CFR 151.13, Approval of Customs Gaugers. This collection of information is used by CBP in deciding whether to approve individuals or businesses desiring to measure bulk products or to analyze importations.

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.**

Commercial gaugers and laboratories seeking accreditation or approval must provide the information specified in 19 CFR 151.12 to CBP. After the initial accreditation, a private company may "extend" its accreditation to add facilities by submitting a formal written request addressed to the Executive Director, Laboratories and Scientific Services, Customs and Border Protection. The submitted information is used to determine whether or not a private company meets the requirements for accreditation/approval. To ensure compliance, periodic performance checks and triennial on-site audits are conducted.

- 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.**

This information collection requires an original signature, so electronic submission would not be appropriate.

- 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 collection of the information is critical in establishing the applicant's credentials so CBP can decide whether the applicant is qualified to test and analyze importations. Proper duty collection and admissibility of merchandise are at risk if the data is not collected. Further documentation is not required unless a substantive change in the gauger's or laboratories' operations occur. These changes include change of ownership, business name change, the establishment of new sites, etc.

- 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 November 10, 2009 (Volume 74, Page 58036) and on January 13, 2010 (Volume 75, Page 1799). 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
Reporting	250	200	1	200	75 minutes (1.25 hours)
Record Keeping	200				60 minutes (1 hour)
<b>TOTAL</b>	<b>450</b>			<b>200</b>	

**Public Cost**

The estimated cost to the respondents is \$15,750. This is based on the estimated burden hours (450) multiplied (x) the average hourly rate (\$35.00).

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

There are no capital, start-up or maintenance costs associated with this information collection. Record keeping burden and costs are summarized in Items #12 and #13 of this statement.

- 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 **\$16,800**. This is based on the number of responses (200) that must be reviewed (x) the time to review and process each response (2 hours) = 400 hours (x) the average hourly rate (\$42.00) = \$16,800.

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

Although there were no substantive changes to this information collection, the number of responses was decreased from 250 to 200 to correct a previous calculation error.

- 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.**

There is no form involved with this collection of information so it would not be appropriate 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.