

Supporting Statement for Paperwork Reduction Act Submission
Shrimp Exporter's/ Importer's Declaration
OMB Number 1405-0095
DS-2031

A. JUSTIFICATION

1. The DS-2031 is necessary for the certification that shipments of shrimp exported to the United States have been harvested in a manner that does not harm sea turtles, pursuant to Section 609 of P.L. 101-162 (hereinafter referred to as Section 609). As of May 1, 1996, the Department of State has established guidelines requiring that each shipment have a copy of this form, signed by the exporter (and, under certain circumstances, a government official) of the harvesting country. Without this form, shrimp shipments may not enter the U.S.

2. The information collected on this form is used by Customs and Border Protection (CBP) to determine if shrimp and shrimp products shipped to the United States after May 1, 1996, and annually thereafter, meet the requirements for entry pursuant to Section 609, which calls for embargoes to be placed on shrimp and shrimp products from countries not certified as having a sea turtle protection program comparable to the U.S. program.

The CBP is responsible for verifying that a form has been duly completed and signed. The CBP can deny entry into the U.S. shipments of shrimp without the accompanying DS-2031. For shipments with a properly completed DS-2031, the form is retained by the U.S. importer for a period of three years, to be produced upon DHS/CBP's or another USG agency request in the course of enforcing Section 609.

3. For enforcement purposes, the DS-2031 must be completed with original signatures. In July 2009, the Department of State and Department of Homeland Security/Customs and Border Protection (DHS/CBP) agreed on a modified electronic process to document shrimp imports. It is planned that the electronic version will be available by FY 2012. Through Automated Commercial Environment/International Trade Data System ACE/ITDS, the importer would initially file an electronic-version DS-2031, but DHS/CBP would retain the option to request a hard copy DS-2031 from importers if required for targeted enforcement activities. Under this system, DS-2031 forms from uncertified countries would benefit from the e-filing option, and the United States would not forgo the additional fraud-prevention advantages that an original signed DS-2031 provides. We expect that DS-2031 filings from uncertified countries would routinely be tagged for increased scrutiny. This system gives all users the convenience of e-filing, but also allows for more focused and more effective enforcement activities. The modifications should allow improved access to United States markets and better implementation of United States Government conservation policy objectives.

4. The information requested on DS-2031 is not available in any other source and does not duplicate any existing information collections. Without this information enforcement of Section 609 will not be possible.

5. The collection of this information may involve small businesses in foreign countries; however the burden on any respondent to provide the relevant information will be minimal. Moreover, without the collection of this information, these small businesses would suffer considerable loss of income due to the inability to export shrimp to the United States.

6. The collection of information, through the use of the DS-2031, represents the only viable approach to effective implementation of Section 609. The embargo called for by Section 609 requires that the U.S. Government make a determination on whether shipments of shrimp and shrimp products will be allowed entry into this country. Without the DS-2031, no documentary evidence will be available for the U.S. Government to make that determination with any degree of confidence.
7. There are no special circumstances in this collection
8. The Department published a 60-day Notice in the Federal Register requesting comments from the public. No comments were received.
9. No payment or gift is provided to respondents.
10. The DS-2031 requests no potentially proprietary information, and thus no assurance of confidentiality is necessary, nor has any been provided.
11. The DS-2031 requests no information of a sensitive nature.
12. The number of responses is estimated to be 10,000 from an estimated 3,000 respondents, based on USCS records. This may fluctuate as market conditions change. Each shipment will require a Form DS-2031. The annual burden is estimated at 1,666 hours, based on a form burden of 10 minutes. (10,000 x 10 min /60 min.)

The time burden to maintain the respondent's DS-2031 for 3 years, as required by law, is extremely minimal.
13. The cost burden to respondents will be negligible. Each respondent submits an average of 3 responses per year. The cost of the recordkeeping burden to maintain three DS-2031s is extremely minimal as well.
14. The Department estimates that the cost of this information collection to the Federal Government is minimal. The Department of State will utilize its embassies in the affected countries to distribute a copy to their host governments. Otherwise, the form will be distributed mainly by private industry and importers will be required to keep the DS-2031 on file for three years.
15. No program changes or adjustments are being reported.
16. No publication of the information to be collected by the DS-2031 is planned.
17. The Department will display the expiration date for OMB approval of the information collection.
18. The Department is not requesting any exception to the certification statement.

B. STATISTICAL METHODS

This collection does not employ statistical methods.

Justification for Extension of DS-2031
"U.S. Department of State
Shrimp Exporter's/Importer's Declaration"

The DS-2031 is necessary for the certification that shipments of shrimp exported to the U.S. have been harvested in a manner which does not harm sea turtles, pursuant to Section 609 of P.L. 101-162. The Department of State has established guidelines that require each shipment of shrimp shipped to the U.S. to have a copy of this form, signed by the exporter (and, under certain circumstances, a government official) of the harvesting country as of May 1, 1996. Without this form, shrimp shipments may not enter the U.S. Shrimp imports are valued at an estimated \$2.5 billion annually.