

**Supporting Statement
Andean Trade Preference Act
1651-0091**

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.**

This collection of information is required to implement the duty preference provisions of the Andean Trade Preference Act (ATPA) and the Andean Trade Promotion and Drug Eradication Act (ATPDEA). These programs involve duty-free or reduced-duty treatment of imported goods under certain rules that are provided for in these two Acts, as codified in 19 U.S.C. 3201 through 3206.

The ATPA declaration format is found under the Customs and Border Protection (CBP) Regulations, 19 CFR Part 10.201- 10.207. The type of information collected includes the processing operations performed on articles, the material produced in a beneficiary country or in the U.S., and a description of those processing operations. CBP has also developed a new form and instructions, CBP Form 17, Andean Trade Preference Act (ATPA) Declaration, which may be used when claiming preferential treatment under ATPA.

The ATPDEA regulations are found in 19 CFR 10.251-10.257. Claims under ATPDEA are submitted using CBP Form 449, Andean Trade Promotion and Drug Eradication Act (ATPDEA) Certificate of Origin. This form can be used only when claiming ATPDEA preferential treatment on the goods listed on the back of the form.

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.**

The information is used by CBP personnel to verify the validity of preference claims made under the provisions of these programs.

- 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.

It would not be efficient to automate this collection of information because CBP requests that importers submit this information about 60 times per year. However, CBP Form 449 for ATPDEA is an electronically fillable form and is accessible at http://forms.cbp.gov/pdf/CBP_Form_449.pdf. In addition, CBP has developed CBP Form 17 for ATPA which will be placed on CBP.gov as a fillable form once it is approved by OMB.

- 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 collected in any form, and therefore is not duplicated elsewhere.

- 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.**

Failure to collect this information would result in CBP being unable to ensure that duty-free or reduced-duty treatment is provided only when appropriate. The ATPA and ATPDEA specify the documentary and procedural requirements that apply to preference claims.

- 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 1320.6.

- 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, including a 60-day notice published on November 29, 2010, (Volume 75, Page 73118) on which no comments were received, and a 30-day notice published on February 15, 2011 (Volume 76, Page 8766) on which no comments have been 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 is no PII associated with this collection of information.

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
ATPA Declaration CBP Form 17	711	2,133	2	4,266	10 minutes (.1667 hours)
ATPDEA CBP Form 449	815	233	7	1,631	30 minutes (.5 hours)
TOTAL	1,526	2,366		5,897	

- The totals reflect the number of responses prepared by importers, but only about one percent are requested by CBP (60 responses).

Public Cost

The estimated cost to the respondents is \$30,520. This is based on the estimated burden hours (1,526) multiplied (x) hourly rate (\$20.00).

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers 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 this collection is \$420. This is based on an estimated processing time per response requested by CBP (10 minutes or .167 hours) multiplied (x) the estimated number of responses requested by CBP (60) = 10 hours multiplied (x) the average hourly rate (\$42.00) = \$420.

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

There has been no increase or decrease in the estimated annual burden hours previously reported for this information collection. There has been no change in the information being collected. However, CBP has developed a new electronically fillable form for APTA, CBP Form 17 to address the Terms of Clearance from the previous approval of this 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.