

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 United States. Shrimp imports are valued at an estimated \$4.6 billion annually.

2. The information collected on this form is used by Department of Homeland Security/Customs and Border Protection (CBP) to determine if shrimp and shrimp products shipped to the United States after May 1, 1996, meet the requirements for entry pursuant to Section 609, which prohibits imports of 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. those 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 the request of CBP or another USG agency 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 CBP agreed on a modified process to document shrimp imports (known as ACE/ITDS). Modification into an electronic version is still in process and we anticipate that it should be available for roll-out by FY 2014. Through ACE/ITDS, importers would initially file an electronic-version DS-2031 and keep a hard copy DS-2031 on file, and 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 forego 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, and can provide for more focused and more effective enforcement activities. The modifications should allow improved access to U.S. markets and better implementation of U.S. 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. Enforcement of Section 609 would not be possible without this information.

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 their 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 implementation of Section 609 requires that the U.S. Government make a determination as to 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 of State published a 60-day notice to solicit public comments for this collection on March 12, 2013. 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 former filings. 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 per form burden of 10 minutes (10,000 x 10 minutes / 60 minutes). The hour cost burden is estimated to be \$49,647 based on a weighted wage of \$29.80 (1,666 hours x \$29.80 weighted wage = \$4,9647).

The time burden to maintain the respondent's DS-2031 for three years, as required by law, is extremely minimal.

13. The cost burden to respondents will be negligible. Each respondent submits an average of three responses per year. The cost of the recordkeeping burden to maintain three DS-2031 forms is extremely minimal as well.

14. The total average annualized cost incurred by the U.S. government is estimated to be \$52,698.99.

This estimate is based on the cost of distributing the form overseas by U.S. Department of State

Foreign Service Officers (Grade FO-04/01) and the cost of reviewing the form on import by U.S. Customs and Border Patrol (CBP) Import Specialists (Grade GS-07/09).

The State Department cost is estimated to be \$4,572.70. This represents two hours of Grade FS-04/01 Foreign Service Officer time involved in the posting and distribution of the form ($\$29.69 \times 1.4 = \41.57 - FS weighted wage) in each of the 55 countries exporting shrimp to the United States in 2012. The total burden was determined by multiplying $\$41.57 \times 2 \times 55 = \4572.70 . The Department's responsibility is simply to post the form online at its Embassy websites or email it electronically to the exporters, so there is no cost associated with form production and distribution other than the stated hours.

Customs and Border Protection (CBP) does the main form review and its cost for this is estimated to be \$48,126.29. This represents 1,667 hours (10 minutes average processing time per 10,000 forms) x the average weighted hourly salary of \$28.87 for a CBP Grade GS-07/09 Import Specialist ($\$20.62 \times 1.4 = \28.87).

Therefore the total cost to Government would be $\$4572.70 + \$48,126.29 = \$52,698.99$.

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. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.