

**Supporting Statement
Free Trade Agreements
1651-0117**

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.**

Free Trade Agreements (FTAs) are established to reduce and eliminate trade barriers, strengthen and develop economic relations, and to lay the foundation for further cooperation to expand and enhance benefits of the agreement. These agreements establish free trade by reduced-duty treatment on imported goods.

The U.S. has entered into the following FTAs: United States-Chile Free Trade Agreement (US-CFTA) (Public Law 108-77); the Republic of Singapore (Public Law 108-78, 117 Stat. 948, 19 U.S.C. 3805 note); Australia (Public Law 108-286); Morocco (Public Law 108-302); Jordan (Public Law 107-43); Bahrain (Public Law 109-169); Oman (Public Law 109-283); Peru (Public Law 110-138, 121 Stat. 1455); Korea (Public Law 112-41); Colombia (Public Law 112-42, 125 Stat. 462); Panama (Public Law 112-43); and Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras, and Nicaragua (CAFTA-DR) (Public Law 109-53, 119 Stat. 462).

These FTAs involve collection of data elements such as information about the importer and exporter of the goods, a description of the goods, tariff classification number, and the preference criterion in the Rules of Origin.

Respondents can obtain information on how to make claims under these FTAs at <http://www.cbp.gov/trade/free-trade-agreements>, and use a standard fillable format for the FTA submission by going to <http://www.cbp.gov/document/guides/certification-origin-template>

- 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 to be used by U.S. Customs and Border Protection (CBP) officers to document preferential tariff treatment under the provisions of the free trade agreements.

- 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 will be required to be submitted through the ACE Document Imaging System as of November 1, 2015.

- 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.**

If this information were not collected, CBP would not be able to ensure that duty-free or reduced-duty treatment is provided on imported goods under the free trade agreements.

- 7. Explain any special circumstances.**

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.**

Public comments were solicited through two Federal Register notices published on November 17, 2014 (Volume 79, Page 68458) on which no comments were received, and on March 11, 2015 (Volume 80, Page 12829) 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.

All data submitted and entered into ACE is subject to and protected by the Trade Secrets Act (18 U.S.C. 1905) and is considered confidential, except to the extent as otherwise provided by law. A PIA for the Automated Commercial Environment (ACE) dated July 31, 2015, and a SORN for ACE, dated January 19, 2006 (Vol. 71, Page 3109) will be included in this ICR.

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 and the specific uses to be made of the information.

There are no questions of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information.

	TOTAL		NO. OF		
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INFORMATION COLLECTION TITLE	ANNUAL BURDEN HOURS	NO. OF RESPONDENTS	RESPONSES PER RESPONDENT	TOTAL RESPONSES	TIME PER RESPONSE
U.S.-Chile FTA	80,000	40,000	1	40,000	2 hours
U.S.-Singapore FTA	90,000	45,000	1	45,000	2 hours
U.S.-Australia FTA	40,000	20,000	1	20,000	2 hours
U.S.-Morocco FTA	8,000	4,000	1	4,000	2 hours
U.S.-Bahrain FTA	1,000	500	1	500	2 hours
U.S.-Jordan FTA	5,000	2,500	1	2,500	2 hours
U.S.-Oman FTA	200	100	1	100	2 hours
U.S.-Peru TPA	8,000	4,000	1	4,000	2 hours
U.S.-Korea FTA	400,000	200,000	1	200,000	2 hours
U.S.-Colombia TPA	80,000	40,000	1	40,000	2 hours
U.S.-Panama TPA	5,000	2,500	1	2,500	2 hours
CAFTA-DR-U.S. FTA	4,800	800	3	2,400	2 hours
TOTAL	722,000	359,400		361,000	

Note that although CBP estimates 361,000 certifications are prepared by the trade community, CBP requests submission of approximately 1 percent (or 3,610) of these certifications

Public Cost

The estimated cost to the respondents is \$20,577,000. This is based on the estimated burden hours (722,000) multiplied (x) hourly rate (\$28.50).

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 documents is **\$33,523**. This is based on the number of responses actually submitted to CBP (3,610) that must be reviewed (x) the time to review and process each response (.166 hours) = 599.26 (x) the average hourly rate (\$55.94) = \$33,523.

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

CBP has reevaluated the time necessary to prepare and submit information related to these free trade agreements. Prior to this ICR, CBP estimated a time per response of 12 minutes, or 0.2 hours. Based on our recent evaluation, CBP believes that 2 hours per response is a more accurate estimate. This update has increased the estimated burden hours for this ICR from 71,720 annual hours to 717,200 annual hours.

In addition to reevaluating the burden hours associated with this ICR, CBP has also added the Dominican Republic-Central American-United States Free Trade Agreement (CAFTA-DR) to this ICR because it has the same information collection requirements as the other FTA's. Previously, CAFTA-DR was reported under OMB Control Number 1651-0125. Combining collection 1651-0125 with this ICR adds 4,800 annual burden hours to this ICR. CBP will submit a discontinuation request for collection 1651-0125.

Also, the US-Panama TPA had been inadvertently dropped and is added back in to this submission. The US-Panama TPA is not a new collection of information. There is no new information required or substantive changes related to Free Trade Agreements.

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.

A. Collection of Information Employing Statistical Methods

No statistical methods were employed.