

**Supporting Statement**  
**Application to Use Automated Commercial Environment (ACE)**  
**1651-0105**

**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.**

The Automated Commercial Environment (ACE) is a trade processing system that will eventually replace the Automated Commercial System (ACS), the current import system for U.S. Customs and Border Protection (CBP) operations. ACE is authorized by Executive Order 13659, 79 Fed. Reg. 10655 which mandates implementation of a Single Window for trade, and by 19 USC 1413. ACE supports government agencies and the trade community with border-related missions with respect to moving goods across the border efficiently and securely. Once ACE is fully implemented, all related CBP trade functions and the trade community will be supported from a single common user interface.

Currently, ACE is used for imported merchandise by brokers, carriers, sureties, service providers, facility operators, foreign trade zone operators, cart men and lighter men. In order to establish an ACE Portal account, participants submit information such as their name; their employer identification number (EIN) or social security number, and if applicable, a statement certifying their capability to connect to the internet. This information is submitted through the ACE Secure Data Portal is accessible at: <http://www.cbp.gov/trade/automated>

CBP is proposing to add export functionality to the system which will allow participation from the exporter community. Trade members wishing to establish an exporter account will need to submit the following data elements:

1. Company Information
  - a. EIN
  - b. DUNS (optional)
  - c. Company Name
  - d. Company Address
  - e. End of Fiscal Year
2. ACE Export Account Owner Information
  - a. Name
  - b. Date of Birth
  - c. Telephone Number
  - d. Fax Number (optional)

- e. Email
- f. Account Owner address if different from Company Address

3. Filing Notification Point of Contact

- a. Name
- b. Phone Number
- c. Email

**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.**

CBP needs basic information from companies electing to establish an ACE Secure Data Portal account in order to establish an account structure for each company. This information is also needed by CBP for enforcement and security purposes.

**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.**

Respondents can submit their information using the ACE Secure Data Portal. This can be accessed at CBP.gov at <http://www.cbp.gov/trade/automated>

**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 collection is unique and 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.**

If CBP does not collect this information, we would not have enough information to establish accounts for companies or individuals choosing to use ACE. In addition, CBP would not be able to evaluate the functionality of ACE.

**7. Explain any special circumstances.**

This information collection is conducted in a manner consistent with the guidelines in 5 CFR 1320.5(c)(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 in Federal Register notices dated December 9, 2014 (Volume 79, Page 73098) on which one comment was received, and on February 18, 2015 (Volume 80, Page 8677) on which no comments have been received.

A letter was received, dated January 15, 2015, from the Federal Maritime Commission stating:

**Comment:** The proposed new application uses the wrong term for “FMC Organization Number” by referring to it as “FMC License Number.”

**CBP Response:** CBP agrees with the commenter and upon re-examination has determined that we do not need that data element. It has been removed from the proposed application.

**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.**

A PIA for the Automated Commercial System (ACS) and Automated Commercial Environment (ACE) dated December 2, 2008, and a SORN for ACS/ACE, dated December 19, 2008 (Vol. 73, Page 77759) will be included in this ICR. No assurances of confidentiality are provided to respondents.

**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 personal or sensitive nature associated with this collection.

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

<b>INFORMATION COLLECTION</b>	<b>TOTAL ANNUAL BURDEN HOURS</b>	<b>NO. OF RESPONDENTS</b>	<b>NO. OF RESPONSES PER RESPONDENT</b>	<b>TOTAL RESPONSES</b>	<b>TIME PER RESPONSE</b>
Application to ACE (Import)	6,930	21,100	1	21,100	20 minutes (.33 hours)
Application to ACE (Export)	594	9,000	1	9,000	4 minutes (.066 hours)
<b>Total</b>	<b>7,524</b>	<b>30,100</b>		<b>30,100</b>	

The changes to the above chart include the addition of the Application to ACE (Export) which adds an estimated 9,000 annual respondents and 594 annual burden hours to this collection. There are no changes to the Application to ACE (Import).

**Public Cost**

The estimated cost to the respondents is \$214,434. This is based on the estimated burden hours (7,524) multiplied by (x) the average 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 capitalization, 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 annual estimated cost to the Federal Government associated with reviewing

and processing the information is \$419,550. This is based on the number of responses (30,100) multiplied by (x) time spent to review each response (15 minutes) = 7,775 hours multiplied by (x) the average hourly rate of \$55.94 = \$434,933.

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

CBP proposes to add an estimated 9000 annual respondents and 594 annual burden hours to this collection as a result of a new application to the ACE portal for exporters. There are no other proposed changes to this collection of information.

**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.