

**Supporting Statement
e-Allegations Submission
1651-0131**

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.

In order to detect trade violations to customs laws, Customs and Border Protection (CBP) established the e-Allegations website to provide a means for concerned members of the trade community to confidentially report violations to CBP. The e-Allegations site allows the public to submit pertinent information that assists CBP in its decision whether or not to pursue the alleged violations by initiating an investigation. The information collected includes the name, phone number, and email address of the member of the trade community reporting the alleged violation. It also includes a description of the alleged violation and the name and address of the potential violaters.

This collection of this information is authorized by the Tariff Act of 1930, as amended (Title 19, United States Code, section 1202 et seq.), the Homeland Security Act of 2002 (Title 6, United States Code, 101), and the Security and Accountability for Every Port Act of 2006 ["SAFE Port Act"] (Public Law 109-347, October 13, 2006). The e-Allegations website is accessible at <https://apps.cbp.gov/eallegations/>.

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 collected has been used by select CBP officials solely for the purpose of pursuing trade violations. There are no changes to how this information will be used. CBP will continue to use this information for the purpose of pursuing trade violations.

The information is being collected to assist CBP with its mission of protecting the revenue through trade compliance and enforcement. The information will also assist CBP with its other areas of responsibility such as intellectual property rights enforcement and import safety issues. This system helps CBP address actual violations of law.

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.

Information regarding potential trade violations are electronically submitted via the e-Allegations website at <https://apps.cbp.gov/eallegations/>.

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 a significant impact on a substantial number of small businesses or entities.

6. Describe consequences to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

The consequence of not allowing this collection is that many trade violations will not be caught by law-enforcement officials. In many cases, not catching these violations will result in economic injury to the United States, a risk to public health and safety, and a greater threat of terrorist attack in the U.S.

7. Explain any special circumstances.

This information collection is conducted in a manner consistent with the guidelines in 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.

Two Federal Register Notices were published soliciting public comment on this collection of information including a 60-day notice published on March 29, 2017, (Volume 82, Page 15530) on which one comment was received, and a 30-day notice was published on July 14, 2017, (Volume 82, Page 32561) on which no comments have been received.

Comment:

Submitted by: Kyle Pitsor, Vice President, Government Relations, National Electrical Manufacturers Association.

Summary Comments of the National Electrical Manufacturers Association (NEMA):

- The ongoing operation of the U.S. Customs and Border Protection (CBP) e-allegation information collection is not only necessary but essential to the agency's trade functions.
- The burden of the information collection is justified.
- The quality, utility, and clarity of the information being collected would be enhanced through addition of more specific types of violations to the e-allegation form. Examples include: failure to meet Department of Energy minimum energy performance standards, failure to meet labeling standards set the Federal Trade Commission, and intellectual property rights violations.
- CBP should find ways to better promote awareness and accessibility of the e-allegations tool.

CBP Response:

CBP has managed the e-Allegations web portal available to the public on CBP.gov since 2008 with the intention of providing a readily accessible means for the public to confidentially share information concerning trade violations. The e-Allegations portal has become a recognized source of trade intelligence within CBP that assists the agency in carrying out our trade mission. The portal was designed to require a minimum of input by the public and allows claimants the option of submitting e-Allegations anonymously if they wish to not share their identity.

CBP recognizes the benefits of continually reviewing, updating, and modernizing the systems the agency uses to collect information and appreciates the recommendations presented by NEMA for the addition and explanation of violation types. Both "Energy Conservation Standard" and "FTC Labeling Standard" as violation types plus a more complete explanation of "Intellectual Property Rights" will be presented as viable options during the next review of modifications pending programming availability.

The internet link to e-Allegations is currently found at CBP.gov on the "Trade" page. CBP agrees that an additional link on the "Priority Trade Issue" page would be beneficial. CBP is continually exploring additional ways to market our products to the public and appreciates the efforts of trade associations like NEMA in helping CBP educate their members on the benefits of e-Allegations.

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.

The information collected is maintained in the Treasury Enforcement Communications System (TECS, System of Records Noticed, 73 FR 77778). A PIA for TECS, dated August 12, 2016 will be submitted with this ICR. There are no assurances of confidentiality provided to the respondents of this information collection.

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.

This information collection does not involve questions of a personal or 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
e-Allegations	400	1,600	1	1,600	15 minutes (.25 hours)

Public Cost

The estimated cost to the respondents is \$12,016. This is based on the estimated burden hours (400) multiplied by (x) the average loaded hourly wage rate for importers (\$30.04). CBP calculated this loaded wage rate by first multiplying the Bureau of Labor Statistics' (BLS) 2016 median hourly wage rate for Cargo and Freight Agents (\$20.15), which CBP assumes best represents the wage for importers, by the ratio of BLS' average 2016 total compensation to wages and salaries for Office and Administrative Support occupations (1.4762), the assumed occupational group for importers, to account for non-salary employee benefits.^{1,2} CBP then adjusted this figure, which was in 2015 U.S. dollars, to 2017 U.S. dollars by applying a 1.0 percent annual growth rate to the figure, as recommended by the U.S. Department of Transportation's value of travel time guidance.³

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information.

¹ Source: U.S. Bureau of Labor Statistics. Occupational Employment Statistics, "May 2016 National Occupational Employment and Wage Estimates, United States- Median Hourly Wage by Occupation Code." Updated March 31, 2017. Available at http://www.bls.gov/oes/2016/may/oes_nat.htm. Accessed June 20, 2017.

² The total compensation to wages and salaries ratio is equal to the calculated average of the 2016 quarterly estimates (shown under Mar., June, Sep., Dec.) of the total compensation cost per hour worked for Office and Administrative Support occupations (\$25.3575) divided by the calculated average of the 2016 quarterly estimates (shown under Mar., June, Sep., Dec.) of wages and salaries cost per hour worked for the same occupation category (\$17.1775). Source of total compensation to wages and salaries ratio data: U.S. Bureau of Labor Statistics. Employer Costs for Employee Compensation. Employer Costs for Employee Compensation Historical Listing March 2004 – March 2017, "Table 3. Civilian workers, by occupational group: employer costs per hours worked for employee compensation and costs as a percentage of total compensation, 2004-2017 by respondent type." June 20, 2017. Available at <http://www.bls.gov/ncs/ect/sp/ecccqrtn.pdf>. Accessed June 20, 2017.

³ Source: U.S. Department of Transportation, Office of Transportation Policy. *The Value of Travel Time Savings: Departmental Guidance for Conducting Economic Evaluations Revision 2 (2015 Update)*, "Table 4 (Revision 2-corrected): Recommended Hourly Values of Travel Time Savings." April 29, 2015.

<http://www.transportation.gov/sites/dot.gov/files/docs/Revised%20Departmental%20Guidance%20on%20Valuation%20of%20Travel%20Time%20in%20Economic%20Analysis.pdf>. Accessed June 20, 2017.

There are no capitalization 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 records is \$290,064. This is based on the number of responses that must be reviewed (1,600) multiplied by (x) the time burden to review and process each response (3 hours) = 4,800 hours multiplied by (x) the average hourly loaded rate for other CBP employees (\$60.43)⁴ = \$290,064. In addition CBP incurs \$3,000 in recurring costs for administrative support and external hosting of the website.

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 and no changes to the information being collected.

16. For collection of information whose results will be published, outline plans for tabulation, and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

This information collection will not be published.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

CBP will display the expiration date for OMB approval of this information collection.

18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions".

CBP does not request an exception to the certification of this information collection.

19. Collection of Information Employing Statistical Methods

No statistical methods were employed.

⁴ CBP bases this wage on the FY 2017 salary and benefits of the national average of other CBP positions, which is equal to a GS-12, Step 7. Source: Email correspondence with CBP's Office of Finance on June 14, 2017.