

**Supporting Statement  
Automated Clearinghouse  
1651-0078**

**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 Clearinghouse (ACH) allows participants in the Automated Broker Interface (ABI) to transmit daily statements, deferred tax, and bill payments electronically through a financial institution directly to a CBP account. ACH debit allows the payer to exercise more control over the payment process. In order to participate in ACH debit, companies must complete CBP Form 400, *ACH Application*. Participants also use this form to notify CBP of changes to bank information or contact information. The ACH procedure is authorized by 19 U.S.C. 58a-58c and 19 U.S.C. 66, and provided for by 19 CFR 24.25. CBP Form 400 is accessible at <https://www.cbp.gov/newsroom/publications/forms>

- 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.**

This notification procedure informs CBP that filers intend to use statement processing via ACH.

- 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.**

CBP Form 400 may be filled out electronically and emailed to CBP to an email address provided on CBP.gov. However, these forms must be signed and scanned prior to being emailed. CBP requires an original signature for this collection because companies are authorizing CBP to access their bank accounts. This is in accordance with both the Treasury Financial Management Green Book (Section B 7-4) and with 19 CFR 24.25(b) which both require that CBP obtain advance written permission from the filer to debit their bank account.

- 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 was not collected, companies would have to use another method to pay their duties, such as a check.

- 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. 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 July 14, 2020 (Volume 85, Page 42419) on which no comments were received, and a 30-day notice published on October 23, 2020 (Volume 85, Page 67556) 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.**

This collection is not affected by the Privacy Act and is not impacted by a PIA or SORN. 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 sensitive nature.

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

| FORM         | TOTAL ANNUAL BURDEN HOURS | NO. OF RESPONDENTS | NO. OF RESPONSES PER RESPONDENT | TOTAL RESPONSES | TIME PER RESPONSE      |
|--------------|---------------------------|--------------------|---------------------------------|-----------------|------------------------|
| CBP Form 400 | 240                       | 1,443              | 2                               | 2,886           | 5 minutes (.083 hours) |

### Public Cost

The estimated cost to the respondents is \$7,504.80. This is based on the estimated burden hours (240) multiplied by (x) the average loaded hourly wage rate for brokers (\$31.27). CBP calculated this loaded wage rate by first multiplying the Bureau of Labor Statistics' (BLS) 2019 median hourly wage rate for Cargo and Freight Agents (\$21.03), which CBP assumes best represents the wage for brokers, by the ratio of BLS' average 2019 total compensation to wages and salaries for Office and Administrative Support occupations (1.4869), the assumed occupational group for brokers, to account for non-salary employee benefits.<sup>1</sup> This figure is in 2019 U.S. dollars and CBP assumes an annual growth rate of 0 percent; the 2019 U.S. dollar value is equal to the 2020 U.S. dollar value.

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<sup>1</sup> Source of median wage rate: U.S. Bureau of Labor Statistics. Occupational Employment Statistics, "May 2019 National Occupational Employment and Wage Estimates United States." Updated March 31, 2020. Available at [https://www.bls.gov/oes/2019/may/oes\\_nat.htm](https://www.bls.gov/oes/2019/may/oes_nat.htm). Accessed June 12, 2020. The total compensation to wages and salaries ratio is equal to the calculated average of the 2019 quarterly estimates (shown under Mar., June, Sep., Dec.) of the total compensation cost per hour worked for Office and Administrative Support occupations (\$28.1550) divided by the calculated average of the 2019 quarterly estimates (shown under Mar., June, Sep., Dec.) of wages and salaries cost per hour worked for the same occupation category (\$18.9350). 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 – December 2019, "Table 3. Civilian workers, by occupational group: employer costs per hours worked for employee compensation and costs as a percentage of total compensation, 2004-2019." March 2020. Available at <https://www.bls.gov/web/ecec/ececqrtn.pdf>. Accessed June 12, 2020.

**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 records is \$35,446.00. This is based on the number of responses that must be reviewed (2,886) multiplied by (x) the time burden to review and process each response (0.166 hours) = 479 hours multiplied by (x) the average hourly loaded rate for a CBP Trade and Revenue employee (\$74.00)<sup>2</sup> = \$35,446.00.

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

There are no increases or decreases in the burden hours associated with this collection and no changes to the information collected.

**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.

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<sup>2</sup> CBP bases this wage on the FY 2020 salary and benefits of the national average of CBP Trade and Revenue positions, which is equal to a GS-13, Step 5. Source: Email correspondence with CBP's Office of Finance on July 2, 2020.

## **B. Collection of Information Employing Statistical Methods**

No statistical methods were employed.