

Supporting Statement
Application for Withdrawal of Bonded Stores for Fishing Vessels and
Certificate of Use

1651-0092

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.**

CBP Form 5125, *Application for Withdrawal of Bonded Stores for Fishing Vessel and Certificate of Use*, is used to request the permission of the CBP port director for the withdrawal and lading of bonded merchandise (especially alcoholic beverages) for use on board fishing vessels involved in international trade. The applicant must certify on CBP Form 5125 that supplies on board were either consumed, or that all unused quantities remain on board and are adequately secured for use on the next voyage. CBP uses this form to collect information such as the name and identification number of the vessel, ports of departure and destination, and information about the crew members. The information collected on this form is authorized by 19 U.S.C. 1309 and 1317 and is provided for by 19 CFR 10.59(e) and 10.65. CBP Form 5125 is accessible at:
https://www.cbp.gov/newsroom/publications/forms?title_1=5125.

- 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 Form 5125 is used by the master of the vessel to request permission from CBP to lade duty free supplies and/or to verify that the supplies on the vessel were either consumed or secured onboard for use on the next voyage. CBP Form 5125 is used by CBP to ensure that the vessel is employed in substantially continuous fishing activities and none of the withdrawn articles intended to be removed from the vessel or otherwise returned to, the United States without the payment of duty or tax.

- 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.**

The CBP Form 5125 has been traditionally filled out on the fishing vessel prior to

departure and also verified on the vessel upon return. This form has the potential to be digitized for electronic filing through the Vessel Entrance and Clearance System (VECS) however, the total responses and applicable universe (to fishing vessels) makes it a lower priority for inclusion in VECS compared to current ongoing enhancements. Nonetheless, the CBP form 5125 will be added to the list of requirements for VECS to digitize and automate going forward.

- 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.**

Data elements from the form such as: Name of Vessel, Vessel ID, Place of Departure, Destination, Date of Departure, Number of Crew, and other port and date related items can be automated from data already held in CBP systems.

- 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, CBP would not be able to assess duty on this material.

- 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, a 60-day published on March 09, 2022 (87 FR 13303) on which no comments were received, and on July 1, 2022 (87 FR 39540) 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.

A PIA for the Automated Commercial Environment (ACE) dated July 31, 2015, and a SORN for IIS, dated July, 26, 2016 (Vol. 81, Page 48826) 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 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
Form 5125 Application for Withdrawal of Bonded Stores	165	500	1	500	20 minutes (.33 hours)

Public Cost

The estimated cost to the respondents is \$9,885. This is based on the estimated burden hours (165) multiplied by the average loaded hourly wage rate for ship and boat captains and operators (\$59.91). CBP calculated this loaded wage rate by first multiplying the Bureau of Labor Statistics’ (BLS) 2021 median hourly wage rate for Ship and Boat Captains and Operators (\$38.47), which CBP assumes best represents the wage for ship and boat captains and operators, by the ratio of BLS’ average 2021 total compensation to wages and salaries for Transportation and Material Moving occupations (1.4953), the assumed occupational group for brokers, to account for non-salary employee benefits.¹ CBP assumes an annual growth rate

¹ Source of median wage rate: U.S. Bureau of Labor Statistics. Occupational Employment Statistics, “May 2021 National Occupational Employment and Wage Estimates United States.” Updated March 31, 2022. Available at https://www.bls.gov/oes/current/oes_nat.htm. Accessed May 25, 2022. The total compensation to wages and salaries

of 4.15% based on the prior year's change in the implicit price deflator, published by the Bureau of Economic Analysis.

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 \$5,637. This is based on the number of responses that must be reviewed (500) multiplied by the time burden to review and process each response (0.166 hours) = 83 hours multiplied by the average hourly loaded rate for a CBP Officer ($\$67.92$)² = \$5,637.

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

There are no increases or decreases to the burden hours associated with this collection of information. There are 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."

ratio is equal to the calculated average of the 2021 quarterly estimates (shown under Q01, Q02, Q03, Q04) of the total compensation cost per hour worked for Transportation and Material Moving occupations (\$32.7725) divided by the calculated average of the 2021 quarterly estimates (shown under Q01, Q02, Q03, Q04) of wages and salaries cost per hour worked for the same occupation category (\$21.9175). Source of total compensation to wages and salaries ratio data: U.S. Bureau of Labor Statistics. Employer Costs for Employee Compensation. "ECEC Civilian Workers - 2004 to Present." March 2022. Available at <https://www.bls.gov/web/ecec.supptoc.htm>. Accessed May 25, 2022. 2 CBP bases this wage on the FY 2022 salary and benefits of the national average of CBP Officer Positions, which is equal to a GS-11, Step 10. Source: Email correspondence with CBP's Office of Finance on June 27, 2022.

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.