

Supporting Statement
Importation Bond Structure (Forms 301 and 5297)
1651-0050

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.**

Bonds are used to ensure that duties, taxes, charges, penalties, and reimbursable expenses owed to the Government are paid; to facilitate the movement of cargo and conveyances through CBP processing; and to provide legal recourse for the Government for noncompliance with laws and regulations. Bonds are required pursuant to 19 U.S.C. 1608, and 1623; 22 U.S.C. 463; 19 CFR Part 113.

Each person who is required by law or regulation to post a bond in order to secure a Customs transaction must submit the bond on CBP Form 301 which is available at: <https://www.cbp.gov/newsroom/publications/forms?title=301&=Apply>, or in another form required by the Commissioner, or the Commissioner's delegate, and prescribed via specific instruction.

Surety bonds are usually executed by an agent of the surety. The surety company grants authority to the agent via a Corporate Surety Power of Attorney, CBP Form 5297. This power is vested with CBP so that when a bond is filed, the validity of the authority of the agent executing the bond and the name of the surety can be verified to the surety's grant. CBP Form 5297 is available at: <https://www.cbp.gov/document/forms/form-5297-corporate-surety-power-attorney>.

Proposed Changes:

In accordance with the eBond test notices, beginning in 2015, CBP allows sureties or their authorized filer who have been approved as eBond test participants to submit certain bonds to CBP via an electronic system in ACE (eBond). The electronic transmission of the bond includes a sub-set of information required on the CBP Form 301.

CBP is proposing a rulemaking that would only allow sureties or their authorized filer to submit bonds to CBP and they would be required to use an electronic data interchange, except in certain prescribed instances.¹ CBP is proposing that all

¹ Exemptions allowing for or requiring the use of emailed bonds are listed in the forthcoming proposed 19 CFR 113.11(c).

bonds, riders, terminations, and changes to power of attorney must be transmitted electronically to CBP via eBond by sureties or their authorized filer.² Ebond is an electronic system for filing customs bonds and is part of CBP's ACE.

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 uses bonds to ensure that duties, taxes, charges, penalties, and reimbursable expenses owed to the Government are paid; to facilitate the movement of merchandise through CBP; and to provide legal recourse for the Government for noncompliance with CBP laws. Without these documents, all imported merchandise would have to remain in physical CBP custody until compliance with all applicable laws and regulations and duties and taxes had been determined. This would disrupt the orderly flow of cargo and increase the cost of importing.

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 information on CBP Form 5297, Power of Attorney, can be submitted via CBP's Automated Commercial Environment (ACE).

In accordance with the eBond test, CBP allows sureties or their authorized filer who have been approved as eBond test participants to submit certain bonds to CBP via an electronic system in ACE (eBond). The electronic transmission of the bond includes a sub-set of information required on the CBP Form 301.

Usability Testing:

Since we couldn't gather direct feedback from users, the CBP Experience (CBPX) team evaluated the forms based on usability best practices. Based on the evaluation, it is recommended that emphasis on plain language and consistent terminology to support both first time and experienced user's form interactions continue to be prioritized. For form 301A, this includes clarifying when and how the addendum should be used. For form 301, this includes providing plain language descriptions of bond types and enabling form field validation (where possible) to reduce the likelihood of errors. These

² Ebond is an electronic system for filing customs bonds and is part of CBP's ACE.

improvements will help ensure all forms deliver clear actionable guidance and minimize confusion for end users.

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.**

The importing process would be deterred significantly because these forms allow CBP to physically release imported merchandise to importers and consignees before final determinations on duties and taxes are made. In addition, these forms allow for the storage and safekeeping of merchandise that CBP officers wish to examine and make a final determination prior to physical release.

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 notice published on December 23, 2024(89 FR 104556)) on which no comments were received, and a 30-day notice published on August 28,2025(90 FR 42021) 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.

No assurances of confidentiality are provided to respondents.

PIA coverage is provided by:

- [DHS/CBP/PIA-003 \(b\)](#) Automated Commercial Environment (ACE) (July 13, 2015)

SORN coverage is provided by:

- [DHS/CBP-001](#) Import Information System (IIS) System of Records (July 26, 2016) (81 FR 48826)
- [DHS/CBP-010](#) Persons Engaged in International Trade in Customs and Border Protection Licensed/Regulated Activities (December 19, 2008) (73 FR 77753)

11. Provide additional justification for any questions of a sensitive nature

There are no questions of a sensitive nature.

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

FORM NUMBER/ TITLE	TOTAL ANNUAL BURDEN HOURS	NO. OF RESPONDENTS	NO. OF RESPONSES PER RESPONDENT	TOTAL RESPONSES	TIME PER RESPONSE
5297 Power of Attorney	125	500	1	500	15 minutes (.25 hours)
301 Customs Bond	152,348	609,392	1	609,392	15 minutes (.25 hours)
TOTAL	152,473	609,892		609,892	

Public Cost

The estimated cost to the respondents is \$5,575,938. This is based on the estimated burden hours (152,473) multiplied by the average loaded hourly wage rate for importers (\$36.57). CBP calculated this loaded wage rate by first multiplying the Bureau of Labor Statistics' (BLS) 2024 median hourly wage rate for Cargo and Freight Agents (\$23.99), which CBP assumes best represents the wage for importers, by the ratio of BLS' Q4 2024 total compensation to wages and salaries for Office and Administrative Support occupations (1.4886), the assumed occupational group for importers, to account for non-salary employee

benefits.³ CBP uses an annual growth rate of 2.42% based on the prior year's change in the implicit price deflator, published by the Bureau of Economic Analysis.⁴

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 \$3,085,575. This is based on the number of responses that must be reviewed (1237)⁵ multiplied by the time burden to review and process each response (10 minutes or .167 hours) = 207 hours and the number of responses that must be reviewed (609,355) multiplied by the time burden to review each response (5 minutes or 0.083 hours) = 50,576 hours. CBP multiplied the total time burden (50,783 hours) by the average hourly loaded rate for other CBP employees (\$60.76)⁶ = \$3,085,575.

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

3 Source of median wage rate: U.S. Bureau of Labor Statistics. Occupational Employment and Wage Statistics, “May 2024 National Occupational Employment and Wage Estimates United States.” Updated April 2, 2025. Available at https://www.bls.gov/oes/2024/may/oes_nat.htm. Accessed June 17, 2025. The total compensation to wages and salaries ratio is equal to the total compensation cost per hour worked for Office and Administrative Support occupations (\$35.86) divided by the wages and salaries cost per hour worked for the same occupation category (\$24.09). See “Table 2. Employer Costs for Employee Compensation for civilian workers by occupational and industry group.” Bureau of Labor Statistics, “Employer Costs for Employee Compensation – December 2024.” Released March 14, 2025. Available at https://www.bls.gov/news.release/archives/ecec_03142024.pdf. Accessed June 17, 2025.

4 To adjust to 2025 dollars, multiply by the 2023-2024 percent change in the Bureau of Economic Analysis's Implicit Price Deflators for Gross Domestic Product (125.230/122.273-1). See "Table 1.1.9. Implicit Price Deflators for Gross Domestic Product," Line 1 Gross Domestic Product, annual. Bureau of Economic Analysis. Updated May 30, 2025. Available at <https://apps.bea.gov/iTable/>

reqid=19&step=2&isuri=1&categories=survey#eyJhcHBpZCI6MTksInN0ZXBzIjpbMSwyLDMsM10sImRhdGEiOltbImNh dG Vnb3JpZXMiLCJTdXJ2ZXkiXSxbIk5JUEFfVGFi bGVtTGldCisiEzIl0sWyJGaXJzdF9ZWYyLiwiMjAxNiJdLFsiTGFzdF9Z WYyLiwiMjAyNCJdLFsiU2NhbgUiLCFwIl0sWyJTZXJpZXMmLl0sImVudC51dQ==

Accessed June 17, 2025.

5 CBP estimates that there are approximately 37 paper CBP Form 301 submissions and 500 CBP Form 5297 submissions annually which require CBP to review and process each response. For CBP Form 301s transmitted electronically through eBond, ACE conducts the processing not CBP staff, therefore eBond transmissions only require CBP time burden to review, the time burden to process eBond submissions is eliminated. CBP estimates that there are approximately 609,355 eBond transmissions each year that must be reviewed and the time burden to review each eBond transmission is 5 minutes.

6 CBP bases this wage on the FY 2023 salary and benefits of the national average of other CBP positions, which is equal to a GS-11, Step 4. Source: Email correspondence with CBP's Office of Finance on September 26, 2023.

There is a decrease in the estimated annual burden hours previously reported for this information collection due to a reduction in the number of respondents. There were 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 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.