

DEPARTMENT OF HOMELAND SECURITY

U.S. CUSTOMS AND BORDER PROTECTION

AGENCY INFORMATION COLLECTION ACTIVITIES:

Importation Bond Structure

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security

ACTION: 60-Day Notice and request for comments; Extension and revision of an existing collection of information: 1651-0050

SUMMARY: As part of its continuing effort to reduce paperwork and respondent burden, CBP invites the general public and other Federal agencies to comment on an information collection requirement concerning the: Importation Bond Structure. This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)).

DATES: Written comments should be received on or before

(INSERT DATE 60 DAYS FROM THE DATE OF PUBLICATION IN THE FEDERAL REGISTER), to be assured of consideration.

ADDRESS: Direct all written comments to U.S. Customs and Border Protection, Attn: Tracey Denning, Regulations and Rulings, Office of International Trade, 799 9th Street, NW, 7th Floor, Washington, DC. 20229-1177.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to Tracey Denning, U.S. Customs and Border Protection, Regulations

and Rulings, Office of International Trade, 799 9th Street, NW, 7th Floor, Washington, DC. 20229-1177, at 202-325-0265.

SUPPLEMENTARY INFORMATION: CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)). The comments should address: (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) the annual costs burden to respondents or record keepers from the collection of information (a total capital/startup costs and operations and maintenance costs). The comments that are submitted will be summarized and included in the CBP request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this document CBP is soliciting comments concerning the following information collection:

Title: Importation Bond Structure

OMB Number: 1651-0050

Form Numbers: 301 and 5297

Abstract: Bonds are used to assure 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. Any person who is required to post a bond to secure a customs transaction usually submits the bond on CBP Form 301, Customs Bond, to CBP.

CBP proposes to revise CBP Form 301 in order to accurately reflect the changes that have occurred with regard to CBP bonds. Specifically, the revised Form 301 will capture the new types of bonds which have been authorized by law and regulation, as well as better harmonize this form with current and future automation system requirements. *Section II* of the CBP Form 301 will be revised to specifically cover continuous activity code bonds for Importer Security Filing, Marine Terminal Operator, and Intellectual Property Rights Samples.

Bonds are usually executed by an agent of the surety. The surety company grants authority to the agent via CBP Form 5297, Corporate Surety Power of Attorney. Once this form is filed with CBP, 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. The trade community now has the ability to submit the information on CBP Form 5297 via the internet by using Automated Commercial Environment (ACE) portal technology. ACE surety portal account access allows sureties to add, revoke, and change their surety agent powers of attorney electronically. This ACE portal account access is available to any surety who applies for the functionality at www.cbp.gov.

Bonds are required pursuant to 19 U.S.C.1608, and 1623; 22 U.S.C. 463; 19 CFR Part 113.37 and 113.11. CBP Forms 301 and 5297 are accessible at <http://www.cbp.gov/xp/cgov/toolbox/forms/>.

Current Actions: This submission is being made to extend the expiration date with a change to the burden hours based on revised estimates by CBP.

Type of Review: Extension (with change)

Affected Public: Businesses

Form 301, Customs Bond

Estimated Number of Respondents: 800,000

Total Number of Estimated Annual Responses: 800,000

Estimated time per Response: 15 minutes

Estimated Total Annual Burden Hours: 200,000

Form 5297, Corporate Surety Power of Attorney

Estimated Number of Respondents: 500

Total Number of Estimated Annual Responses: 500

Estimated time per Response: 15 minutes

Estimated Total Annual Burden Hours: 125

Dated: August 11, 2010

Tracey Denning

Agency Clearance Officer

U.S. Customs and Border Protection

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