

SUPPORTING STATEMENT
Visa Waiver Program Carrier Agreement
(Form I-775)
OMB No. 1651-0110

A. Justification

- 1.** Section 217 of the Immigration and Nationality Act (INA) to provide for certain aliens to be exempt from the nonimmigrant visa requirement if seeking entry as a visitor for a period not exceeding ninety (90) days provided that no potential threat exists to the welfare, safety, or security of the United States. Under this program applicants for admission will not be subject to the routine screening process at the American Consulates.

Form I-775 is the form used by carriers to request acceptance by CBP into the Visa Waiver Program and whereby the carriers agree to the terms of the VWP as delineated in Section 217(e) of the INA. Once participation is granted, the Form I-775 serves to hold the carriers liable for transportation costs, to ensure the completion of required forms, to share passenger data, and to subject the carriers to the imposition of fines in those instances where they violate the agreement.

- 2. Purpose of Collection of Information.** The agreement executed by the CBP Commissioner and the transportation lines, places the burden upon the carrier for ensuring that every alien transported to the United States pursuant to this statute meets all of the stipulated eligibility criteria prior to embarkation. It also outlines additional requirements to be satisfied by the carrier subsequent to entry and a provision whereby continual carrier violations may result in the Commissioner's cancellation of the agreement upon five days' written notice.

Via an agreement, the carriers would exercise greater diligence in transporting only eligible aliens as repeated violations would warrant the termination of the transportation privileges under this statute.

- 3. Use of Information Technology.** This form cannot be automated as it is a signatory agreement between the carriers and the US Government. Original signatures of responsible parties is required.
- 4. Duplication of Effort.** A review of the agency's Forms Inventory Report revealed no duplication of effort, and there is no other similar information currently available that can be used for this purpose.
- 5. Impact on Small Businesses.** This collection of information does not have an impact on small businesses or other small entities.

6. **Importance of Information.** If this information is not collected there would be no accountability by the transportation carriers to ensure that the aliens meet entry eligibility requirements pursuant to the Act. This information collection ensures carriers exercise greater diligence in transporting only eligible aliens, as repeated violations would warrant the termination of transportation privileges under the statute.
7. **Special Circumstances.** The special circumstances contained in item 7 of the supporting statement are not applicable to this information collection.
8. **Public Comments.** Two Federal Register Notices were published soliciting public comments. The 60-day notice was published on November 20, 2006 and the 30-day notice was published on January 24, 2007. As of this submission, no comments have been received.
9. **Payment or Gifts.** The Service does not provide payment or gifts to respondents in exchange for a benefit sought.
10. **Assurance of Confidentiality.** There is no assurance of confidentiality.
11. **Questions of a Sensitive Nature.** There are no questions of a sensitive nature.
12. **Annual Reporting Burden:**

a.	Number of Respondents	400
b.	Number of Responses per each request	1
c.	Total Annual Responses	400
d.	Hours per Response	2
e.	Total Annual Reporting Burden	800
f.	Total Public Cost	\$ 8,000

Annual Reporting Burden

Total annual reporting burden is 800. This figure was derived by multiplying the number of respondents (400) x frequency of response (1) x two (2) hours per response. The projected hours per response for this collection of information were based on previous Service experience.

Annual Public Cost

The estimated annual public cost is \$8,000. This estimation is based on the number of respondents (400) x two (2) hours per response x \$10 (average hourly rate).

13. **Start-Up Costs.** There are no capital or start-up costs associated with this information collection. Any cost burdens to respondents as a result of this

collection are identified in item 14. (*There is no fee charge associated with the filing of this information collection.*)

14. **Government Cost**

The estimated cost of the program to the Government is \$12,000. This figure is calculated by using the estimated number of responses (400) multiplied (x) by 60 minutes (1 hour) per response (CBP time required to collect and process information) x \$30 (average hourly rate.)

15. **Difference in Burden Hours/Costs.** There are no changes to this information collection.

16. This information collection will not be published for statistical purposes.

17. We will put the expiration date on the form when we receive a Notice of Action from OMB with the new date.

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

B. Collection of Information Employing Statistical Methods.

Not Applicable.