

**SUPPORTING STATEMENT**  
**Guam-CNMI Visa Waiver Information**  
**(Form I-736)**  
**OMB No. 1651-0109**

**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.**

Public Law 110-229, enacted on May 8<sup>th</sup>, 2008, provided for certain aliens to be exempt from the nonimmigrant visa requirement if seeking entry into and stay on Guam or the Commonwealth of the Northern Mariana Islands (CNMI) as a visitor for a maximum stay of 45 days, provided that no potential threat exists to the welfare, safety, or security of the United States, or its territories. Applicants under this provision are not subject to routine screening process at American Consulates. Therefore, to facilitate a determination of admissibility, execution of the Form I-736, Guam-CNMI Visa Waiver Information, by the applicant prior to arrival on Guam or the CNMI is vital. The carrier or travel agent distributes this form to each visa waiver applicant, providing direction and ensuring its completion prior to arrival at the Guam or CNMI Port-of-Entry, paralleling Form I-94. This program applied originally to aliens seeking entry into Guam, and is now being expanded to include CNMI. The regulations for this requirement are under 8 CFR 2121(e).

- 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.**

Upon arrival at the Guam or CNMI Port-of-Entry, each applicant for admission presents a completed Form I-736, to the U.S. Customs and Border Protection Officer. The Officer reviews the form, ensures that no grounds of inadmissibility are apparent, and if all else is in order, admits the alien in the routine manner. Failure to have this information readily available to the inspecting officer results in the officer verbally addressing these issues during the inspection process. This creates unnecessary and unacceptable delays in overall inspection time.

- 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 use of this form currently provides the most efficient means for collecting and processing the required data. This form is filled out by passengers while in-transit to their destinations, such as at land borders and airports. So it would not be appropriate to require automated submission.

- 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 collected in any form, and therefore is not duplicated elsewhere.

- 5. If the collection of information impacts small businesses or other small entities (Item 5 of the OMB Form 83-I), 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 comply with Public Law 110-229 because an alien must apply for the benefits afforded under the Guam-CNMI Visa Waiver Program.

- 7. Explain any special circumstances that would cause an information collection to be conducted in a manner:**

This information is collected in a manner consistent with the guidelines of 5 CFR 1320.6.

- 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 will be solicited through an Interim Final Rule which will be published in the Federal Register in the near future.

- 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.**

There are no assurances of confidentiality provided to the respondents for this information collection.

- 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 associated with this collection.

- 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
I-736 Guam-CNMI Visa Waiver	129,480	1,560,000	1	1,560,000	5 minutes (.083 hours)

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**Public Cost**

The estimated cost to the respondents is \$1,942,200. This is based on the estimated number of respondents (1,560,000) multiplied by burden hours (0.083) and the hourly rate (\$15.00).

**13. Provide an estimate of the total annual cost burden to respondents or recordkeepers 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 cost to the Federal Government associated with this collection is \$4,531,800. This is based on the number of responses (1,560,000) multiplied by the estimated time to process each response (5 minutes or 0.083 hours) multiplied by the hourly rate (\$35.00).

**15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.**

The burden hours were increased by 29,880 hours as a result of the new statutory mandate to expand this collection to include aliens seeking entry into the Commonwealth of Northern Mariana Islands (CNMI). The burden hours were also increased by an additional 85,490 hours to correct CBP's previous underestimate of the original collection which applied only to Guam Visa Waivers. CBP had previously reported that only 170,000 respondents applying for Guam Visa Waivers, when there are actually 1,200,000 respondents applying.

**16. For collection of information whose results will be published, outline plans for tabulation, and publication.**

This information collection will not be published.

**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.

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

No statistical methods were employed.