

**Supporting Statement**  
**Screening Requirements for Carriers**  
**1651-0122**

**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.**

This information collection is contained in 8 CFR Part 273. Section 273(e) of the Immigration and Nationality Act (Act) allows the Department of Homeland Security (DHS) to establish procedures carriers must undertake for the proper screening of passengers at the ports of embarkation to become eligible for a reduction, refund, or waiver of a fine (fines mitigation) imposed under section 273 of the Act. Section 273 of the Act allows carriers, which fail to have a screening performance level (PL) at or better than the DHS acceptable performance level (APL), to present evidence to the DHS for consideration.

- 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.**

The evidence collected is used by DHS to determine whether sufficient steps were taken by a carrier demonstrating improvement in the screening of its passengers in order for the carrier to be eligible for automatic fines mitigation. Some examples of the evidence collected include:

- (a) a description of the carrier's document screening training program,
- (b) the number of employees trained, ,
- (c) information regarding the date and number of improperly documented aliens intercepted by the carrier at the port(s) of embarkation, including, but not limited to, alien's name, date of birth, passport nationality, passport number, other travel information, reason boarding was refused, and
- (d) any other evidence to demonstrate the carrier's efforts to properly screen passengers destined for the United States.

- 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.**

Submission of this information is not automated because carrier representatives do not submit a completed form to DHS, but rather must submit certain types of evidence that they have complied with 8 CFR Part 273.

- 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 (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 the information is not collected, DHS will not be in a position to determine if carriers have taken extensive measures to prevent the transport of improperly documented passengers to the United States; therefore, the carrier would not be eligible for automatic fines mitigation.

- 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 1320.5(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 published on December 17, 2008 (Volume 73, Page 76672) and on February 20, 2009 (Volume 74, Pages 7911). As of this submission, 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.**

There are no assurances of confidentiality provided to the respondents of 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.

**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
Screening Requirements for Carriers	6,500	65	1	65	100 hours

## **Public Cost**

The estimated cost to the respondents is \$178,750. This is based on the estimated burden hours (6,500) multiplied (x) hourly rate (\$27.50).

**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 annual cost to the Federal Government associated with processing this information is **\$18,200**. This is based on 8 hours to review each response, for a total of 520 hours expended (65 responses x 8 hours). The number of hours expended by CBP (520) multiplied (x) hourly rate (\$35.00) = \$18,200.

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

There has been no increase or decrease in the estimated annual burden hours previously reported for this information collection.

**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."**

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

**B. Collection of Information Employing Statistical Methods.**  
No statistical methods were employed.