

**SUPPORTING STATEMENT**  
**Passenger List, Crew List**  
**(Form I-418)**  
**OMB No. 1651-0103**

**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.**

CBP Form I-418 is prescribed by the Department of Homeland Security, Customs and Border Protection (CBP), for use by masters, owners, or agents of vessels in complying with Sections 231 and 251 of the Immigration and Nationality Act (INA). This form is filled out upon arrival of any person by commercial vessel at any port within the United States from any place outside the United States. The master or commanding officer of the vessel is responsible for providing CBP officers at the port of arrival with lists or manifests of the persons on board such conveyances. CBP is working to allow for electronic submission of the information on CBP Form I-418. This form is provided for in 8 CFR 251.1, 251.3, and 251.4. A copy of CBP Form I-418 can be found at [http://forms.cbp.gov/pdf/CBP\\_Form\\_I418.pdf](http://forms.cbp.gov/pdf/CBP_Form_I418.pdf)

- 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 Form I-418 is for use by masters, owners, or agents of conveyances in complying with sections 231 and 251 of the INA. This form provides necessary information for the identification of arriving passengers and crew and serves as a "traveling manifest" to be updated, as necessary, from the time a conveyance arrives in the United States until it departs.

- 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.**

CBP is working on a project to automate the submission of the I-418 data elements using eNOAD transmissions. System requirements are currently being developed.

- 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.**

Under section 231 of the INA, no master or commanding officer of an arriving commercial vessel shall be granted clearance until he or she has provided the passenger/crew list to CBP officers at the port of arrival.

- 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: a 60-day notice published on December 7, 2010 (Volume 75, Page 76021) on which four comments were received, and a 30-day notice published on February 22, 2011 (Volume 76, Page 9806) on which no comments have been received.

Comments were received from the Gulf States Maritime Association, the West Gulf Maritime Association, the United States Great Lakes Shipping Association, and the National Association of Maritime Organizations.

**The comments were all similar with all of them making the following points:**

- 1) The paper version of the I-418 should be eliminated.

- 2) The commenters all support CBP's current efforts to implement electronic reporting of the data on the I-418.
- 3) CBP Form I-418 serves no useful purpose.
- 4) CBP should work with the U.S. Coast Guard to harmonize the I-418 information with the eNOA/D transmission.

**CBP's response is as follows:**

The CBP Program Office (Admissibility and Passenger Programs) that is currently working on the I-418 process has been working closely with members of the maritime industry, including those which have provided comments. CBP continues to work closely with industry stakeholders as well as USCG.

Three of the commenter's have indicated that the information collected on the I-418 is not necessary for the proper performance of the agency.

The data collected on the I-418 is the primary source of gathering seafarer information by CBP. This data, whether provided via the eNOA process or in hard copy format, is the data collection for all incoming seafarers arriving into US seaports. It provides advanced information to DHS in order to identify potential risks.

Current regulatory guidelines require the capture of data on the I-418 and the submission of a paper form at arrival and departure (8 CFR 251.5). In order to eliminate the form in hard copy, the regulation will need to be changed.

The I-418 is also specified in the eNOA regulations at 33 CFR 160.206 (c) as a means to collect information for each Crewmember onboard. CBP agrees that the methodology of collecting this data in paper format needs to be modernized, but that the data collection itself serves a real and meaningful purpose for the proper performance of the agency's mission.

The I-418 serves as dual purpose for CBP. First, it is the data collection platform for crew information; and second, it is used subsequently by CBP officers for the recordation of inspection results. Since most crewmember inspections are performed onboard the vessel or in remote locations without the benefit of real time connectivity, the I-418 provides the mechanism for recording initial and subsequent inspectional results. Automation of the form does not account for the subsequent process that is annotated on the form.

On January 10, 2011, CBP commenced a pilot program, involving 3 shipping lines, to test an automation process for the I-418. The pilot was developed to test a mechanism to utilize I-418 data transmitted electronically via the eNOA process, and determine if the recordation process can be achieved without

requiring the I-418 in hard copy. This pilot is still in the early stages and it would be premature to indicate what the results of the pilot will be. In the event the mechanism provides successful results, CBP plans to expand the pilot to introduce new variables within the maritime industry while concurrently pursuing a regulatory change to remove the requirement that the I-418 be submitted in the hard copy format.

CBP acknowledges the need to work closely with USCG on this process, and continues to coordinate these efforts within the appropriate USCG programs. Although there are significant overlaps in the data collected on the I-418 and the data submitted via the eNOA/D process, the eNOA/D submission satisfies the requirements for APIS, not the requirements for the I-418 under current regulations. Additionally, adding data fields to the eNOA/D format will not capture certain data collection points that can only be completed after the arrival and inspection of a vessel, such as Date Separated or Inspection Results.

**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.**

A SORN was published on December 18, 2008 (Volume 73, Page 68435) for passenger lists and crew lists. A copy of this SORN will be submitted with this ICR.

**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.**

<b>INFORMATION COLLECTION</b>	<b>TOTAL ANNUAL BURDEN HOURS</b>	<b>NO. OF RESPONDENTS</b>	<b>NO. OF RESPONSES PER RESPONDENT</b>	<b>TOTAL RESPONSES</b>	<b>TIME PER RESPONSE</b>
Passenger List/ Crew List Form I-418	95,000	95,000	1	95,000	60 minutes

## Public Cost

**The estimated annual public cost is \$1,900,000.** This is based on the burden hours (95,000) multiplied (x) by the average hourly rate (\$20.00) = \$1,900,000.

- 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 **\$662,340**. This is based on the number of responses (95,000) that must be reviewed (x) the time to review and process each response (.166 hours) = 15,770 hours (x) the average hourly rate (\$42.00) = \$662,340.

- 15. Explain the reasons for any program changes or adjustments reported in Items 12 or 13 of this Statement.**

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