

Supporting Statement
Cargo Manifest/Declaration, Stow Plan, Container Status Messages and Importer
Security Filing

1651-0001

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 1302: The master or commander of a vessel arriving in the United States from abroad with cargo on board must file CBP Form 1302, *Inward Cargo Declaration*, or submit the information on this form using a CBP-approved electronic equivalent. CBP Form 1302 is part of the manifest requirements for vessels entering the United States and was agreed upon by treaty at the United Nations Inter-government Maritime Consultative Organization (IMCO). This form is provided for by 19 CFR 4.5, 4.7, 4.8, 4.34, 4.86, and 4.99 and is accessible at: http://forms.cbp.gov/pdf/CBP_Form_1302.pdf.

CBP Form 1302A: The master or commander of a vessel departing from the United States must file CBP Form 1302A, *Cargo Declaration Outward With Commercial Forms*, with copies of bills of lading or equivalent commercial documents relating to all cargo encompassed by the manifest. This form is provided for by 19 CFR 4.62, 4.63, 4.75, 4.82, and 4.87-4.89 and is accessible at: http://forms.cbp.gov/pdf/CBP_Form_1302A.pdf.

CBP Form 7509: The aircraft commander or agent must file two copies of CBP Form 7509, *Air Cargo Manifest*, with CBP at the departure airport, or respondents may submit the information on this form using a CBP-approved electronic equivalent. CBP Form 7509 contains information about the cargo onboard the aircraft. This form is provided for by 19 CFR 122.48, 122.52, and 122.54 and is accessible at: http://forms.cbp.gov/pdf/CBP_Form_7509.pdf.

CBP Form 7533: The master or person in charge of a conveyance files CBP Form 7533, *INWARD CARGO MANIFEST FOR VESSEL UNDER FIVE TONS, FERRY, TRAIN, CAR, VEHICLE, ETC*, which is required for a vehicle or a vessel of less than 5 net tons arriving in the United States from Canada or Mexico, otherwise than by sea, with baggage or merchandise. Respondents may also submit the information on this form using a CBP-approved electronic equivalent. CBP Form 7533 is provided for by 19 CFR 123.4 and is accessible at: http://forms.cbp.gov/pdf/CBP_Form_7533.pdf.

Manifest Confidentiality: An importer or consignee may request confidential treatment of its name and address contained in manifests by following the procedure set forth in 19 CFR 103.31.

Vessel Stow Plan: For all vessels transporting goods to the US, except for any vessel exclusively carrying bulk cargo, the incoming carrier is required to electronically submit a vessel stow plan no later than 48 hours after the vessel departs from the last foreign port which includes information about the vessel and cargo. For voyages less than 48 hours in duration, CBP must receive the vessel stow plan prior to arrival at the first port in the U.S. The vessel stow plan is provided for by 19 CFR 4.7c.

Container Status Messages (CSMs): For all containers destined to arrive within the limits of a U.S. port from a foreign port by vessel, the incoming carrier must submit messages regarding the status of the events if the carrier creates or collects a container status message (CSM) in its equipment tracking system reporting that event. CSMs must be transmitted to CBP via a CBP-approved electronic data interchange system. These messages transmit information regarding events such as the status of a container (full or empty); booking a container destined to arrive in the U.S.; loading or unloading a container from a vessel; and a container arriving or departing the U.S. CSMs are provided for by 19 CFR 4.7d.

Importer Security Filing (ISF): For most cargo arriving in the U.S. by vessel, the importer, or its authorized agent, must submit the data elements listed in 19 CFR 149.3 via a CBP-approved electronic interchange system within prescribed time frames. Transmission of these data elements provide CBP with advanced information about the shipment.

- 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 information collected is essential to CBP's ability to control cargo, and for pre-arrival targeting of shipments for enforcement examination purposes. This information also improves CBP's ability of to identify high-risk shipments in order to prevent smuggling and ensure cargo safety and security.

- 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.**

Ninety percent of the information in this information collection is transmitted to CBP using a variety of CBP approved electronic data interchange systems. Specifically methods of transmission are as follows:

- Forms 7509, 7533, and 1302 are transmitted via the Automated Manifest System (AMS).
- Vessel Stow plans are transmitted either through AMS, Secure File Transfer Protocol (sFTP) or email.
- Importer Security Filing is submitted via the Automated Broker Interface (ABI).
- Container Status Messages are transmitted through sFTP.

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, as well as any technical or legal obstacles to reducing burden.

The consequence to the Federal program or policy if the information were collected less frequently would be a loss of control over imported merchandise, a potential loss of revenue, and security vulnerabilities.

7. Are there any special circumstances?

There are no special circumstances.

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 including a 60-day notice published on November 25, 2011 (Volume 76, Page 72715) on which

one comment was received and a 30-day notice published on February 7, 2012 (Volume 77, Page 6135) on no comments have been received.

A comment was received from Mark FeDuke, Director of Trade Compliance, CCS CMILT, VLM Foods. In his email expresses his support in continuing the information collection for Manifest Confidentiality and states that “budgetary realities may necessitate the streamlining or otherwise revamping of the vessel manifest confidentiality process, however, given supply chain security considerations this program should not be cancelled simply based upon a cost-burden assessment.”

CBP agrees with Mr. FeDuke that the information collection for Manifest Confidentiality should be continued. CBP is under statutory and regulatory obligations to continue to collect this information.

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 PIA dated August 3, 2007 for the Automated Targeting System, and a SORN for the Automated Manifest System dated December 19, 2008 (Vol. 73, Page 77759) will be included in this ICR. There is no assurance of confidentiality provided to respondents.

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 personal or sensitive nature on this collection.

12. Provide estimates of the hour burden of the collection of information.

COLLECTION	TOTAL BURDEN HOURS	NUMBER of RESPONDENTS	NUMBER OF RESPONSES PER RESPONDENT	TOTAL RESPONSES	TIME PER RESPONSE
Air Cargo Manifest (CBP Form 7509)	366,600	260	5,640	1,466,400	15 minutes

Inward Cargo Manifest for Truck, Rail, Vehicles, Vessels, etc. (CBP Form 7533)	962,940	33,000	291.8	9,629,400	6 minutes
Cargo Declaration (CBP Form 1302)	1,500,000	10,000	300	3,000,000	30 minutes
Export Cargo Declaration (CBP Form 1302A)	10,000	500	400	200,000	3 minutes
Importer Security Filing	17,739,000	240,000	33.75	8,100,000	2.19 hours
Vessel Stow Plan	31,803	163	109	17,767	1.79 hours
Container Status Messages	23,996	60	4,285,000	257,100,000	.0056 minutes
Request for Manifest Confidentiality	1,260	5,040	1	5,040	15 minutes
TOTAL	20,635,599	289,023		279,518,607	

*Note that the numbers in ROCIS differ slightly due to rounding.

Public Cost

The cost to respondents is estimated at \$412,711,980. This is based on the estimated burden hours (20,635,599) multiplied (x) by the estimated average hourly rate (\$20.00).

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information.

There are no capitalization or start-up costs associated with this 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 associated with collecting the information is \$974,440,848. This is based on the number of responses (279,518,607) multiplied (x) the time to process each response (5 minutes or .083 hours) = 23,200,044 hours expended multiplied (x) by the average hourly rate (\$42.00) = \$974,440,848.

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

There are no changes to the forms or collections included in the ICR. However, CBP has revised its estimates based on recent data on the following IC's:

CBP Form 7509, *Air Cargo Manifest*: the time per response was lowered from 34 minutes to 15 minutes.

CBP Form 1302, *Cargo Declaration*: the time per response was raised from 10 minutes to 30 minutes.

Importer Security Filing: the number of total annual responses was lowered from 11,300,000 to 8,100,000.

Vessel Stow Plan: the number of respondents was lowered from 440 to 163.

Container Status Messages: the number of respondents was lowered from 74 to 60, and the number of total responses was raised from 72,121,193 to 257,100,000.

Manifest Confidentiality: the number of responses was raised from 1,078 to 5,040 and the time per response was lowered from 30 minutes to 15 minutes.

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 for OMB approval of the information collection, explain the reasons that display would be inappropriate.

CBP will display the expiration date for OMB approval of this information collection.

18. Explain each exception to the certification statement.

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.