

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 and/or electronic equivalent, is provided for by 19 CFR 4.5, 4.7, 4.7a, 4.8, 4.33, 4.34, 4.38, 4.84, 4.85, 4.86, 4.91, 4.93 and 4.99 and is accessible at:
http://www.cbp.gov/sites/default/files/documents/CBP%20Form%201302_0.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*, or CBP-approved electronic equivalent, with copies of bills of lading or equivalent commercial documents relating to all cargo encompassed by the manifest. This form and/or electronic equivalent, is provided for by 19 CFR 4.62, 4.63, 4.75, 4.82, and 4.87-4.89, and is accessible at:
http://www.cbp.gov/sites/default/files/documents/CBP%20Form%201302A_0.pdf

Electronic Ocean Export Manifest: CBP will begin a pilot in 2015 to electronically collect the ocean export manifest information. This information will be transmitted to CBP in advance via the Automated Export System (AES) within the Automated Commercial Environment (ACE). The data elements are mandatory unless otherwise indicated. Data elements that are indicated as “conditional” must be transmitted to CBP only if the particular information pertains to the cargo. The data elements to be transmitted may include the following:

- Mode of transportation (Vessel, containerized or Vessel, non-containerized)
- Name of ship or vessel
- Nationality of the Ship
- Name of the Master
- Port of Loading
- Port of Discharge

- Bill of Lading Number (Master and House)
- Bill of Lading type (Master, House, Simple or Sub)
- Number of House Bills of Lading
- Marks and Numbers (conditional)
- Container numbers (conditional)
- Seal Numbers (conditional)
- Number and Kind of Packages
- Description of Goods
- Gross Weight (lb. or kg)
- Measurements (per HTSUS)
- Shipper name and address
- Consignee name and address
- Notify Party name and address (conditional)
- Country of Ultimate Destination
- In-bond number (conditional)
- Internal Transaction Number (ITN) or AES Exemption statement
- Split shipment indicator
- Portion of split shipment (conditional)
- Hazmat Indicator
- UN Number (conditional)
- Chemical Abstract Service (CAS) Registry Number (conditional)
- Vehicle Identification Number or Product Identification Number (conditional)

CBP Form 7509: The aircraft commander or agent must file 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, and/or electronic equivalent, is provided for by 19 CFR 122.35, 122.48, 122.48a, 122.52, 122.54, 122.73, 122.113, and 122.118 and is accessible at: http://www.cbp.gov/sites/default/files/documents/CBP%20Form%207509_0.pdf.

Electronic Air Export Manifest: CBP will begin a pilot in 2015 to electronically collect the air export manifest information. This information will be transmitted to CBP in advance via the ACE's AES. The data elements are mandatory unless otherwise indicated. Data elements that are indicated as "conditional" must be transmitted to CBP only if the particular information pertains to the cargo. The data elements to be transmitted may include the following:

- Exporting Carrier
- Marks of nationality and registration
- Flight Number
- Port of Lading
- Port of Unlading
- Scheduled date of departure
- Consolidator (conditional)
- De-Consolidator (conditional)

- Air Waybill type (Master, House, Simple, or Sub)
- Air Waybill Number
- Number of pieces and unit of measure
- Weight (lb. or kg.)
- Number of house air waybills
- Shipper name and address
- Consignee name and address
- Cargo description
- AES ITN number or AES Exemption statement
- Split air waybill indicator (conditional)
- Hazmat indicator
- UN Number (conditional)
- In-bond number (conditional)
- Mode of transportation (Air, containerized or Air, non-containerized)

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, and/or electronic equivalent, is provided for by 19 CFR 123.4, 123.7, 123.61, 123.91, and 123.92, and is accessible at: http://www.cbp.gov/sites/default/files/documents/CBP%20Form%207533_0.pdf.

Electronic Rail Export Manifest: CBP will begin a pilot in 2015 to electronically collect the rail export manifest information. This information will be transmitted to CBP in advance via the ACE's AES. The data elements are mandatory unless otherwise indicated. Data elements that are indicated as "conditional" must be transmitted to CBP only if the particular information pertains to the cargo. The data elements to be transmitted may include the following:

- Mode of transportation (Rail, containerized or Rail, non-containerized)
- Port of Departure from the United States
- Date of Departure
- Manifest number
- Train Number
- Rail car order
- Car locator message
- Hazmat Indicator
- 6-character Hazmat code (conditional)
- Marks and Numbers
- SCAC (Standard Carrier Alpha Code) for exporting carrier
- Shipper name and address
- Consignee name and address

- Place where the rail carrier takes possession of the cargo shipment or empty rail car
- Port of Unlading
- Country of Ultimate Destination
- Equipment Type Code
- Container Number(s) (for containerized shipments) or Rail Car Number(s) (for all other shipments)
- Empty Indicator

If the Empty Indicator is no, then the following data elements must also be provided, as applicable:

- Bill of Lading Numbers (Master and House)
- Bill of Lading type (Master, House, Simple or Sub)
- Number of house Bills of Lading
- Notify Party name and address (conditional)
- AES Internal Transaction Number (ITN) or AES Exemption Statement
- Cargo Description
- Weight of Cargo
- Quantity of Cargo and Unit of Measure
- Seal Number
- Split Shipment Indicator
- Portion of Split Shipment (conditional)
- In-bond number (conditional)
- Mexican Pedimento Number (conditional)

Manifest Confidentiality: An importer or consignee (inward) or a shipper (outward) 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 (Import): 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 that 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 United States. The vessel stow plan is provided for by 19 CFR 4.7c.

Vessel Stow Plan (Export): CBP will begin a pilot to electronically collect a vessel stow plan for vessels transporting goods from the United States, except for any vessels exclusively carrying bulk cargo. The exporting carrier will be required to electronically submit a vessel stow plan in advance.

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 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 United States; loading or unloading a container from a vessel; and a container arriving or departing the United States. CSMs are provided for by 19 CFR 4.7d.

Importer Security Filing (ISF): For most cargo arriving in the United States 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 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.
- The proposed automated export pilots for air, rail and ocean will be electronic submissions using the Automated Export System (AES) within the Automated Commercial Environment (ACE).

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 March 31, 2015 (Volume 80, Page 17059) on which two comments were received, and a 30-day notice published on June 10, 2015 (Volume 80, Page 32971) on which no comments have been received.

We received a comment letters from the Express Association of America (EAA) dated May 28, 2015 and from Airlines for America dated, May 29, 2015. The two comment letters raise the following points and questions:

Comment: Does CBP plan to publish FRN's for the proposed electronic export manifest collection providing more details on how the pilot will be conducted?

CBP Response: CBP will issue FRN's announcing these pilots and providing details on how the pilots will be conducted, how to sign up to participate and all other necessary information. This has been communicated to both commenters.

Comment: The proposed list of data element include some new information that is not currently provided on export manifests, namely HAZMAT indicator, UN number and mode of transportation EAA is concerned about the addition of those fields.

CBP Response: The request for the Hazmat indicator and UN number are for officer safety and will be only required for those shipments that are hazardous materials or waste. Since the Hazardous Materials Certificate is a required document for each shipment of hazardous materials or waste, the carriers will be provided the information necessary to complete these fields.

CBP has set up “pilot participants’ working groups” for both the Air and Ocean automated export manifest pilot programs. These pilot groups are in ongoing communication with the Manifest Export Process Working Group of the Advisory Committee on Commercial Operations to Customs and Border Protection (COAC) Subcommittee on Exports.

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.

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 (Import)	31,803	163	109	17,767	1.79 hours
Vessel Stow Plan (Export)	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
Electronic Air Export Manifest	121,711	260	5,640	1,466,400	5 minutes
Electronic Ocean Export Manifest	5,000	500	400	200,000	1.5 minutes
Electronic Rail Export Manifest	2,490	50	300	15,000	10 minutes
TOTAL	20,796,603	289,996		281,217,774	

Note: Burden hours were added for new collections of information including: Vessel Stow Plan (Export); Electronic Air Export Manifest; Electronic Ocean Export Manifest; and Electronic Rail Export Manifest.

Public Cost

The cost to respondents is estimated at \$1,039,830,150. This is based on the estimated burden hours (20,796,603) multiplied by (x) the estimated average hourly loaded rate (\$50.00) of carriers. CBP bases this wage on loaded hourly wage data for the occupation from the U.S. Bureau of Labor Statistics (BLS), adjusted using a BLS wage rate multiplier.

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 annual cost to the Federal Government associated with reviewing and processing these records is \$1,287,026,876. This is based on the number of responses (281,217,774) that must be reviewed multiplied by (x) the time required to review and process each response (.083 hours) = 23,341,075 hours multiplied by (x) the average hourly loaded wage rate of a CBP Officer (\$55.14)¹ = \$1,287,026,876.

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

Additional burden hours were added for four new information collections, including the Vessel Stow Plan (export); the Electronic Air Export Manifest; the Electronic Ocean Export Manifest; and the Electronic Rail Export Manifest. Once these programs are implemented, they will eventually replace the paper forms associated with this collection, so the burden hours will be reduced when that occurs. There are no changes to the forms or other collections included in the ICR

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.

¹ CBP bases this wage on the salary and benefits of the national average CBP Officer (job series 1895) position, which is a GS-12, Step 4. Source: Email correspondence with CBP's Office of Administration on June 25, 2015.

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.