

**Supporting Statement  
Passenger and Crew Manifest  
1651-0088**

- 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.**

The Advance Passenger Information System (APIS) is an automated method in which U.S. Customs and Border Protection (CBP) receives information on passengers and crew onboard inbound and outbound international flights before their arrival in, or departure from, the United States. APIS data includes biographical information for international air passengers arriving in or departing from the United States, allowing the data to be checked against CBP databases.

The information is submitted for both commercial and private aircraft flights. Specific data elements required for each passenger and crew member include: full name; date of birth; gender; citizenship; document type; passport number; country of issuance and expiration date; and alien registration number where applicable.

APIS is authorized under the Aviation and Transportation Security Act, Public Law 107-71. Under this statute, air carriers operating a passenger flight in foreign air transportation to the United States must electronically transmit to CBP a passenger and crew manifest containing specific identifying data elements and any other information that DHS determines is reasonably necessary to ensure aviation safety. The specific passenger and crew identifying information required by statute consists of the following: full name; date of birth; gender; citizenship; document type; passport number; country of issuance and expiration date; and alien registration number where applicable. The APIS regulatory requirements are specified in 19 CFR 122.49a, 122.49b, 122.49c, 122.75a, 122.75b, and 122.22. These provisions lists all the required APIS data.

Respondents submit their electronic manifest either through a direct interface with CBP, or using eAPIS which is a web-based system that can be accessed at <https://eapis.cbp.dhs.gov/>.

- 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 uses APIS data to target high-risk travelers and to facilitate the progress of legitimate travelers in and out of the United States by collecting data on all inbound and outbound passengers and crew members before their arrival in or departure from 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 .**

CBP has developed a web-based system (eAPIS) that allows the respondents to access the internet and electronically submit the manifest data directly to CBP. This alleviates the smaller carriers from having to invest in expensive departure control/reservation systems or reprogramming their existing systems. The web address is <https://eapis.cbp.dhs.gov>

Large commercial carriers submit their APIS information to CBP via electronic interface (UNEDIFACT).

- 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.**

CBP established the eAPIS website so small carriers and private pilots would not have to purchase equipment and/or incur programming expenses. This information collection does not have an impact on a substantial number of small businesses.

- 6. Describe consequences to Federal program or policy activities if the collection is not conducted or is conducted less frequently.**

Without this information, CBP would not be able to meet the requirements of the applicable law and ensure the safety of international passengers and the commercial air and sea carrier industries.

- 7. Explain any special circumstances.**

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 comments were solicited through two Federal Register notices published on November 28, 2016 (Volume 81, Page 85587) on which two comments were received, and on March 3, 2017 (Volume 82, Page 12460) on which no comments have been received.

Comment Received and CBP Response:

A comment was received from Michael C Mullen, Executive Director, Express Association of America (EAA).

A comment was received from Don Woods, Director, UPS Supply Chain Solutions, Inc.

EAA and UPS recommend that the APIS electronic submission process be migrated over to the ACE platform for data collection from the current standalone system. ACE has become the primary means of providing required information to CBP, and hosting APIS on ACE would allow for streamlining data submissions. This also would provide for greater reliability and support the Export Control Reform as required by the White House.

CBP RESPONSE: The Advance Passenger Information System (APIS) is not currently a standalone system, APIS is part of TECS with numerous processes and entities that use the system. There is an interactive component to APIS that provides carriers with Boarding Pass printing instructions based on national security and law enforcement checks. APIS is also used for real-time admissibility checks prior to travelers boarding a flight, and APIS is used as part of the system for processing travelers upon arrival. Since APIS is much more than a system used for data collection, and there are numerous other systems and operational processes tied to APIS, it would not be practical to migrate APIS over to the ACE platform.

EAA and UPS also recommends that the APIS process be expanded to include the General Declaration, OMB Number 1651-0002 as required by 19 CFR 122.43, 122.52, 122.54, 122.73 and 122.144. Participation in the current pilot program to make the GenDec an electronic form is limited to passenger carriers, but all parties who are required to submit this form will clearly need to do so electronically in the future. EAA is recommending combining the APIS

submission and the GenDec into a single form and allowing a single data submission into the ACE platform.

CBP RESPONSE: APIS is often used for automation and streamlining processes, including automating the Paper I-94. There is also a single window-process for carriers to meet both CBP APIS requirements and TSA Secure Flight requirements by submitting a single message. APIS data alone does not currently provide all of the data necessary for the General Declaration. In addition, APIS data is required before departure to meet the operational national Security mission, and certain data is not available as part of the APIS message, such as the block-time. Although APIS does have some of the elements necessary for a General Declaration in the electronic form, an additional process is still needed to provide all of the elements of the current General Declaration.

**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 for the Advanced Passenger Information System, published on March 13, 2015 (Volume 80, Page 13407) and a PIA for the Advanced Passenger Information System, the dated June 5, 2015, will be submitted as part of this ICR. No assurances of confidentiality are provided.

**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.**

IC	BURDEN HOURS	RESPONDENTS	No. of Responses per Respondent	TOTAL RESPONSES	TIME PER RESPONSE
Commercial Airlines	307,246	1,130	1,637.94	1,850,878	10 minutes (.166 hours)

Commercial Airline Psngr (3 <sup>rd</sup> party)	496,937	184,050,663	1	184,050,663	10 seconds (.0027 hours)
Private Aircraft Pilots	115,000	460,000	1	460,000	15 minutes (.25 hours)
<b>TOTAL</b>	<b>919,183</b>	<b>184,511,793</b>		<b>186,361,541</b>	

### Public Cost

**Commercial Airlines:** The estimated cost to the respondents is \$10,305,030.84. This is based on the estimated burden hours (307,246) multiplied by (x) the average loaded hourly wage rate for flight attendants (\$33.54). CBP calculated this loaded wage rate by first multiplying the Bureau of Labor Statistics' (BLS) 2015 annual median wage rate, converted to an hourly rate, for Flight Attendants (\$21.57) by the ratio of BLS' average 2015 total compensation to wages and salaries for Transportation and Material Moving occupations (1.5395), the assumed occupational group for flight attendants, to account for non-salary employee benefits.<sup>1,2</sup> CBP then adjusted this figure, which was in 2015 U.S. dollars, to 2016 U.S. dollars by applying a 1.0 percent annual growth rate to the figure, as recommended by the U.S. Department of Transportation's value of travel time guidance.<sup>3</sup>

<sup>1</sup> Because median hourly wage information was not available for Flight Attendants, CBP adjusted the annual median wage for Flight Attendants (\$44,860) to an hourly estimate using the standard 2,080 hours worked per year. Source of median wage rate: U.S. Bureau of Labor Statistics. Occupational Employment Statistics, "May 2015 National Occupational Employment and Wage Estimates, United States- Annual Median Wage by Occupation Code: 53-2031." Updated March 30, 2016. Available at <http://www.bls.gov/oes/2015/may/oes532031.htm>. Accessed June 14, 2016.

<sup>2</sup> The total compensation to wages and salaries ratio is equal to the calculated average of the 2015 quarterly estimates (shown under Mar., June, Sep., Dec.) of the total compensation cost per hour worked for Transportation and Material Moving occupations (\$27.795) divided by the calculated average of the 2015 quarterly estimates (shown under Mar., June, Sep., Dec.) of wages and salaries cost per hour worked for the same occupation category (\$18.055). Source of total compensation to wages and salaries ratio data: U.S. Bureau of Labor Statistics. Employer Costs for Employee Compensation. *Employer Costs for Employee Compensation Historical Listing March 2004 – December 2015*, "Table 3. Civilian workers, by occupational group: employer costs per hours worked for employee compensation and costs as a percentage of total compensation, 2004-2015 by Respondent Type: Transportation and material moving occupations." June 9, 2016. Available at <http://www.bls.gov/ncs/ect/sp/ececqrtn.pdf>. Accessed June 14, 2016.

<sup>3</sup> Source: U.S. Department of Transportation, Office of Transportation Policy. *The Value of Travel Time Savings: Departmental Guidance for Conducting Economic Evaluations Revision 2 (2015 Update)*, "Table 4 (Revision 2-corrected): Recommended Hourly Values of Travel Time Savings." April 29, 2015. <http://www.transportation.gov/sites/dot.gov/files/docs/Revised%20Departmental%20Guidance%20on%20Valuation%20of%20Travel%20Time%20in%20Economic%20Analysis.pdf>. Accessed June 1, 2016.

**Commercial Airline Passengers (3<sup>rd</sup> Party Reporting):** The estimated cost to the respondents is \$22,014,309.10. This is based on the estimated burden hours (496,937) multiplied by (x) the average hourly wage rate for all-purpose air travelers (\$45.64). CBP calculated this wage rate by adjusting the U.S. Department of Transportation's (DOT) recommended hourly values of travel time savings for intercity, all-purpose travel by air and high-speed rail (\$44.30 in 2013 U.S. dollars) to 2016 U.S. dollars using DOT's recommended annual growth rate of 1.0 percent.<sup>4</sup>

**Private Aircraft Pilots:** The estimated cost to the respondents is \$8,813,600. This is based on the estimated burden hours (115,000) multiplied by (x) the average loaded hourly wage rate for aircraft pilots (\$76.64). CBP calculated this loaded wage rate by first multiplying the Bureau of Labor Statistics' (BLS) 2015 annual median wage rate, converted to an hourly rate, for Aircraft Pilots and Flight Engineers (\$49.29), which CBP assumes best represents the wage for aircraft pilots, by the ratio of BLS' average 2015 total compensation to wages and salaries for Transportation and Material Moving occupations (1.5395), the assumed occupational group for aircraft pilots, to account for non-salary employee benefits.<sup>5,6</sup> CBP then adjusted this figure, which was in 2015 U.S. dollars, to 2016 U.S. dollars by applying a 1.0 percent annual growth rate to the figure, as recommended by the U.S. Department of Transportation's value of travel time guidance.<sup>7</sup>

### 13. Provide an estimate of the total annual cost burden to respondents or

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4 Source: U.S. Department of Transportation, Office of Transportation Policy. *The Value of Travel Time Savings: Departmental Guidance for Conducting Economic Evaluations Revision 2 (2015 Update)*, "Table 4 (Revision 2-corrected): Recommended Hourly Values of Travel Time Savings for Intercity, All-Purpose Travel by Air and High-Speed Rail." April 29, 2015. Available at <http://www.transportation.gov/sites/dot.gov/files/docs/Revised%20Departmental%20Guidance%20on%20Valuation%20of%20Travel%20Time%20in%20Economic%20Analysis.pdf>. Accessed June 1, 2016.

5 Because median hourly wage information was not available for Aircraft Pilots and Flight Engineers, CBP adjusted the annual median wage for Aircraft Pilots and Flight Engineers (\$102,520) to an hourly estimate using the standard 2,080 hours worked per year. Source of median wage rate: U.S. Bureau of Labor Statistics. Occupational Employment Statistics, "May 2015 National Occupational Employment and Wage Estimates, United States- Annual Median Wage by Occupation Code: 53-2010." Updated March 30, 2016. Available at [http://www.bls.gov/oes/2015/may/oes\\_nat.htm](http://www.bls.gov/oes/2015/may/oes_nat.htm). Accessed June 14, 2016.

6 The total compensation to wages and salaries ratio is equal to the calculated average of the 2015 quarterly estimates (shown under Mar., June, Sep., Dec.) of the total compensation cost per hour worked for Transportation and Material Moving occupations (\$27.795) divided by the calculated average of the 2015 quarterly estimates (shown under Mar., June, Sep., Dec.) of wages and salaries cost per hour worked for the same occupation category (\$18.055). Source of total compensation to wages and salaries ratio data: U.S. Bureau of Labor Statistics. Employer Costs for Employee Compensation. *Employer Costs for Employee Compensation Historical Listing March 2004 – December 2015*, "Table 3. Civilian workers, by occupational group: employer costs per hours worked for employee compensation and costs as a percentage of total compensation, 2004-2015 by Respondent Type: Transportation and material moving occupations." June 9, 2016. Available at <http://www.bls.gov/ncs/ect/sp/ececqrtn.pdf>. Accessed June 14, 2016.

7 Source: U.S. Department of Transportation, Office of Transportation Policy. *The Value of Travel Time Savings: Departmental Guidance for Conducting Economic Evaluations Revision 2 (2015 Update)*, "Table 4 (Revision 2-corrected): Recommended Hourly Values of Travel Time Savings." April 29, 2015. <http://www.transportation.gov/sites/dot.gov/files/docs/Revised%20Departmental%20Guidance%20on%20Valuation%20of%20Travel%20Time%20in%20Economic%20Analysis.pdf>. Accessed June 1, 2016.

**recordkeepers resulting from the collection of information.**

The estimated operations and maintenance costs associated with this information collection are **\$68,361,719**. This is calculated as follows:

Large carrier operations and maintenance costs associated with APIS and UNEDIFACT interface: 184,050,663 passengers multiplied (x) by (\$0.33) per passenger = **\$60,736,719**

Large carrier operations and maintenance costs associated with APIS and the Electronic System for Travel Authorization (ESTA) interface: The number of large international carriers (61) multiplied (x) by costs per carrier (\$125,000) = **\$7,625,000**.

- 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 \$12,574,539.12. This is based on the number of non-3<sup>rd</sup> party responses that must be reviewed (2,310,878) multiplied by (x) the time burden to review and process each response (.083 hours/5minutes) = 191,802 hours multiplied by (x) the average hourly loaded rate for other CBP employees (\$65.56)<sup>8</sup> = \$12,574,539.12.

- 15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of this Statement.**

There are no increases or decreases to the burden hours and no changes were made to the information being collected.

- 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.

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<sup>8</sup> CBP bases this wage on the FY 2016 salary and benefits of the national average of other CBP positions, which is equal to a GS-13, Step 5. Source: Email correspondence with CBP's Office of Administration on June 27, 2016.

**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.