

**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 and departure 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 or departure with lists or manifests of the persons on board such conveyances. CBP is currently working to allow for electronic submission of the information on CBP Form I-418. This form is provided for in 8 CFR 251.1 and 251.3. A copy of CBP Form I-418 can be found at <http://www.cbp.gov/sites/default/files/documents/CBP%20Form%20I-418.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. This information is also used by U.S. Consulates and the United States Public Health Service.

- 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. Currently 33 percent of I-418 data is captured using eNOAD data instead of the paper form.

- 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.**

Currently CBP receives electronic I-418 manifest data from all commercial vessels, including cruise ships via the U.S. Coast Guard's electronic Notice of Arrival/Departure information system. CBP plans to amend regulations, and publish the changes in Federal Register in 2018.

- 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 vessel or aircraft 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.**

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 August 21, 2017 (Volume 82, Page 39610) on which one comment has been received, and a 30-day notice published on November 9, 2017 (Volume 82, Page 52068) on which one comment has been received.

Two similar comments received: Email from: Glen Nekvasil, Vice President, Lake Carriers' Association.

Comment Author: James Weakley, President, Lake Carriers' Association.

Comment: As we have stated before on several occasions CBP Form I-418 is duplicative of the electronic Notice of Arrival and Departure (“eNOAD”) and therefore should be retired. The eNOAD was introduced specifically as an advance notification of arrival into the U.S. from a foreign country or departure from the U.S. to a foreign port. The details provided on each crew member and passenger are identical to that provided on the I-418 paper form. (We should note our members’ vessels are not permitted to carry passengers for hire.) In addition, the eNOAD also transmits basic cargo information, vessel contact information, the five most recent foreign ports of call, with expected departure and arrival times and dates for the upcoming trip. The eNOAD data is transmitted to both the local customs office and the National Vessel Movement Center, and a confirmation is issued electronically. Updates to time and date, or cancellations of the trip are also issued via the eNOAD system.

CBP I-418 form is a paper version of the eNOAD submission. The current form includes a signature from the vessel’s Master, certification that baggage declarations have been made to incoming passengers (again not carried), and, that they have been or will be filed in accordance with the law or regulation. The CBP agent countersigns this certification and issues a receipt number. With the exception of this certification, the eNOAD Passenger List/Crew List provides identical information found in the CPB I-418 in advance of the vessel’s arrival to local customs as well as the National Vessel Movement Center. The confirmation number issued via NVMC eNOAD could replace the receipt number. The remaining single difference in the I-418 is the signature of the Master and the Customs agent, which could also be acknowledged electronically with some amendments to the eNOAD.

**CBP Program Response:** In order for CBP to process maritime activities more efficiently, we are in the process of automating processing procedures. Currently CBP receives electronic I-418 manifest data from all commercial vessels, including cruise ships via the U.S. Coast Guard’s electronic Notice of Arrival/Departure information system.

Pursuant to Title 8 CFR §§ 251.1(a), 251.3(a), and 251.5, all commercial vessels (except for certain Great Lakes vessels – see below in blue) are required to submit paper Form I-418 to CBP upon each arrival and pre-departure to and from the United States in compliance with section 251(a) and (c) of the Immigration and Nationality Act. To amend above mentioned regulations, Office of Trade, Regulations and Rulings is conducting an “Economic Impact Study” to determine benefit/detriment of eliminating paper Form I-418 and adopting automated processing of I-418 manifest data. Once the study is complete, CBP plans to amend regulations and publish the changes in Federal Register. CBP estimates the publication date in 2018.

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 for Advanced Passenger Information Systems (APIS) dated June 5, 2015, provide coverage for this information collection, and a SORN for APIS dated March 13, 2015 (Vol. 80, Page 13407) will be included in this ICR. No assurances of confidentiality are 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 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	79,337	79,337	1	79,337	60 minutes

**Public Cost**

The estimated cost to the respondents is \$4,121,557. This is based on the estimated burden hours (79,337) multiplied by (x) the average loaded hourly wage rate for ship and boat captains and operators (\$51.95). CBP calculated this loaded wage rate by first multiplying the Bureau of Labor Statistics' (BLS) 2016 median hourly wage rate for Ship and Boat Captains and Operators (\$33.48) by the ratio of BLS' average 2016 total compensation to wages and salaries for Transportation and Material Moving occupations (1.5363), the assumed occupational group for ship and boat captains and operators, to

account for non-salary employee benefits.<sup>1,2</sup> CBP then adjusted this figure, which was in 2015 U.S. dollars, to 2017 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>

**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 \$1,596,500. This is based on the number of responses that must be reviewed (79,337) multiplied by (x) the time burden to review and process each response (.333 hours) = 26,419 hours multiplied by (x) the average hourly loaded rate for other CBP employees (\$60.43)<sup>4</sup> = \$1,596,500.

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

There has been an increase in the estimated annual burden hours due to agency estimates in the number of respondents. There are no changes to the information collected.

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1 Source of median wage rate: U.S. Bureau of Labor Statistics. Occupational Employment Statistics, "May 2016 National Occupational Employment and Wage Estimates, United States- Median Hourly Wage by Occupation Code." Updated March 31, 2017. Available at [http://www.bls.gov/oes/2016/may/oes\\_nat.htm](http://www.bls.gov/oes/2016/may/oes_nat.htm). Accessed June 20, 2017.

2 The total compensation to wages and salaries ratio is equal to the calculated average of the 2016 quarterly estimates (shown under Mar., June, Sep., Dec.) of the total compensation cost per hour worked for Transportation and Material Moving occupations (\$27.08) divided by the calculated average of the 2016 quarterly estimates (shown under Mar., June, Sep., Dec.) of wages and salaries cost per hour worked for the same occupation category (\$18.2775). 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 Employer Costs for Employee Compensation Historical Listing March 2004 – March 2017, "Table 3. Civilian workers, by occupational group: employer costs per hours worked for employee compensation and costs as a percentage of total compensation, 2004-2017 by respondent type." June 20, 2017. Available at <http://www.bls.gov/ncs/ect/sp/ececqrtn.pdf>. Accessed June 20, 2017.

3 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 20, 2017.

4 CBP bases this wage on the FY 2017 salary and benefits of the national average of other CBP positions, which is equal to a GS-12, Step 7. Source: Email correspondence with CBP's Office of Finance on June 14, 2017.

- 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.