

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/201-418.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.

- 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 is currently working to amend regulations, and publish the changes in Federal Register.

- 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 July 23, 2018 (Volume 83, Page 34856) on which one comment has been received, and a 30-day notice published on November 14, 2018 (Volume 83, Page 56861) on which no comment has been received.

Comment Received: July 23, 2018

Comment submitted by: James Weakley, President, Lake Carriers' Association

Comment: CBP Form I-418 is duplicative of the electronic Notice of Arrival and Departure ("eNOAD") and therefore is no longer useful. 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, and 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.

Program Response: As noted by the comment received from the Lake Carriers' Association, the eNOAD submission includes the data elements of the I-418 form, and is available to CBP. CBP is working on a project to automate the submission of the I-418 data elements using the eNOAD transmissions, which would make the separate submission of this information unnecessary. CBP is currently working to amend regulations, and publish the changes in the Federal Register.

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.

INFORMATION COLLECTION	TOTAL ANNUAL BURDEN HOURS	NO. OF RESPONDENTS	NO. OF RESPONSES PER RESPONDENT	TOTAL RESPONSES	TIME PER RESPONSE
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Passenger List/ Crew List Form I-418	77,935	77,935	1	77,935	60 minutes
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Public Cost

The estimated cost to the respondents is \$3,963,774. This is based on the estimated burden hours (77,935) multiplied by (x) the average loaded hourly wage rate for ship and boat captains and operators (\$50.86). CBP calculated this loaded wage rate by first multiplying the Bureau of Labor Statistics’ (BLS) 2017 median hourly wage rate for Ship and Boat Captains and Operators (\$33.14) by the ratio of BLS’ average 2017 total compensation to wages and salaries for Transportation and Material Moving occupations (1.5346), the assumed occupational group for ship and boat captains and operators, to account for non-salary employee benefits.^{1,2} This figure is in 2017 U.S. dollars and CBP assumes an annual growth rate of 0 percent; the 2017 U.S. dollar value is equal to the 2018 U.S. dollar value.

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 \$1,660,149. This is based on the number of responses that must be reviewed (77,935) multiplied by (x) the time burden to review and

1 Source of median wage rate: U.S. Bureau of Labor Statistics. Occupational Employment Statistics, “May 2017 National Occupational Employment and Wage Estimates, United States- Median Hourly Wage by Occupation Code.” Updated March 30, 2018. Available at https://www.bls.gov/oes/2017/may/oes_nat.htm. Accessed June 11, 2018.

2 The total compensation to wages and salaries ratio is equal to the calculated average of the 2017 quarterly estimates (shown under Mar., June, Sep., Dec.) of the total compensation cost per hour worked for Transportation and Material Moving occupations (\$29.2075) divided by the calculated average of the 2017 quarterly estimates (shown under Mar., June, Sep., Dec.) of wages and salaries cost per hour worked for the same occupation category (\$19.0325). 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 – March 2018, “Table 3. Civilian workers, by occupational group: employer costs per hours worked for employee compensation and costs as a percentage of total compensation, 2004-2018 by respondent type.” March 2018. Available at <https://www.bls.gov/web/ecec/ececqrtn.pdf>. Accessed June 11, 2018.

process each response (.333 hours) = 25,952 hours multiplied by (x) the average hourly loaded rate for a CBP Officer (\$63.97)³ = \$1,660,149.

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

There has been a decrease in the estimated annual burden hours due to agency estimates in the number of respondents. There are no changes 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.

³ CBP bases this wage on the FY 2018 salary and benefits of the national average of CBP Officer positions, which is equal to a GS-12, Step 2. Source: Email correspondence with CBP’s Office of Finance on June 1, 2018.