

**Supporting Statement
Crewman's Landing Permit
(Form I-95)
1651-0114**

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-95, *Crewman's Landing Permit*, is prepared and presented to CBP by the master or agent of vessels and aircraft arriving in the United States for nonimmigrant crewmembers applying for landing privileges. This form is provided for by 8 CFR 251.1(c) which states that, with certain exceptions, the master, captain, or agent shall present this form to CBP for each nonimmigrant crewmember on board. In addition, pursuant to 8 CFR 252.1(e), CBP Form I-95 serves as the physical evidence that a nonimmigrant crewmember has been granted a conditional permit to land temporarily, and it is also a prescribed registration form under 8 CFR 264.1 for crewmembers arriving by vessel or air. CBP Form I-95 is authorized by Section 252 of the Immigration and Nationality Act (8 U.S.C. 1282) and is accessible at:

<https://www.cbp.gov/sites/default/files/assets/documents/2018-Nov/CPB%20Form%20I-95.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.**

The use of this form provides the most efficient means for collecting and processing data regarding nonimmigrant crewmembers applying for landing privileges and serves as proof for the nonimmigrant's lawful presence in the United States. The landing permit, form I-95, is carried on the crewmembers' persons, and used to demonstrate lawful presence in the U.S. (to CBP, ICE/HIS, Border Patrol, State/local law enforcement, etc.).

- 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.**

This form is currently filled out on a conveyance or at a border location so it would

not be feasible to submit this information electronically. Furthermore, the paper form is carried on the crewmembers' persons and thus would have limited usefulness as a purely electronic form. CBP is assessing the viability of an electronic form for I-95 and whether an electronic version of the form is permissible under current regulation.

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 fully duplicated in any other place or any other form. The landing permit, form I-95, is carried on the crewmembers' persons, and used to demonstrate lawful presence in the U.S. (to CBP, ICE/HIS, Border Patrol, State/local law enforcement, etc.). Thus, the information must be captured fully on the prescribed 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.

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.

If this information were not collected, CBP as well as an owner, agent, consignee, master or commanding officer of any vessel or aircraft entering the United States would be in violation of the Immigration and Nationality Act, which requires the report of manifest requirements and authorizes entry into the United States of crewmen.

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 dated June 11, 2021 (Volume 86, Page 31311) on which no comments were received, and on

September 17, 2021 (Volume 86, Page 51909) on which no comments have been received.

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 Advance Passenger Information System, dated June 5, 2013 and a SORN for this collection entitled, Advance Passenger Information Systems, dated March 13, 2015 (Volume 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 associated with this collection.

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

INFORMATION COLLECTION	ANNUAL BURDEN HOURS	RESPONDENTS	RESPONSES PER RESPONDENTS	TOTAL RESPONSES	TIME PER RESPONSE
CBP FORM I-95	29,011	433,000	1	433,000	4 minutes (0.067)

Public Cost

The estimated cost to the respondents is \$1,553,829. This is based on the estimated burden hours (29,011) multiplied by the average loaded hourly wage rate for ship and boat captains and operators (\$53.56). CBP calculated this loaded wage rate by first multiplying the Bureau of Labor Statistics' (BLS) 2020 median hourly wage rate for Ship and Boat Captains and Operators (\$35.39) by the ratio of BLS' average 2020 total compensation to wages and salaries for Transportation and Material Moving occupations (1.5134), the assumed occupational group for ship

and boat captains and operators, to account for non-salary employee benefits.¹ This figure is in 2020 U.S. dollars and CBP assumes an annual growth rate of 0 percent; the 2020 U.S. dollar value is equal to the 2021 U.S. dollar value

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

There are no capital or start-up costs associated with this information collection. Additionally, there is no fee charge associated with the collection of this information.

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

The estimated annual cost to the Federal Government associated with the review of these records is \$3,695,655. This is based on the number of responses that must be reviewed (433,000) multiplied by the time burden to review and process each response (6 minutes or 0.1 hours) = 43,300 hours multiplied by the average hourly loaded rate for a CBP Officer (\$85.35)² = \$3,695,655.

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

There has been a decrease in the estimated annual burden hours previously reported for this information collection, due to program office shortening their previously reported estimated time per response and annual burden hours. There is no change to the information being collected.

16. For collection of information whose results will be published, outline plans for tabulation, and publication.

¹ Source of median wage rate: U.S. Bureau of Labor Statistics. Occupational Employment Statistics, “May 2020 National Occupational Employment and Wage Estimates United States.” Updated March 31, 2021. Available at https://www.bls.gov/oes/2020/may/oes_nat.htm. Accessed June 1, 2021. The total compensation to wages and salaries ratio is equal to the calculated average of the 2020 quarterly estimates (shown under Mar., June, Sep., Dec.) of the total compensation cost per hour worked for Transportation and Material Moving occupations (\$31.5350) divided by the calculated average of the 2020 quarterly estimates (shown under Mar., June, Sep., Dec.) of wages and salaries cost per hour worked for the same occupation category (\$20.8375). 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 2020, “Table 3. Civilian workers, by occupational group: employer costs per hours worked for employee compensation and costs as a percentage of total compensation, 2004-2020.” March 2021. Available at <https://www.bls.gov/web/ecec/ececqrtn.pdf>. Accessed June 1, 2021.

² CBP bases this wage on the FY 2021 salary and benefits of the national average of CBP Officer Positions, which is equal to a GS-11, Step 9. Source: Email correspondence with CBP’s Office of Finance on September 7, 2021.

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.**

There are no exceptions to the certification statements.

B. Collection of Information Employing Statistical Methods

No statistical methods were employed.