

**SUPPORTING STATEMENT**  
**Application to Pay Off or Discharge an Alien Crewman**  
**Form I-408**  
**(OMB No. 1651-0106)**

**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-408, Application to Pay Off or Discharge an Alien Crewman, is used as an application by the owner, agent, consignee, charterer, master, or commanding officer of any vessel or aircraft arriving in the United States to obtain permission from the Secretary of the Department of Homeland Security to pay off or discharge alien crewmen. This form is submitted to the CBP officer having jurisdiction over the area in which the vessel or aircraft is located at the time of application. CBP Form I-408 is authorized by Section 256 of the Immigration and Nationality Act (8 U.S.C. 1286) and provided for by 8 CFR 252.1(h). This form is accessible at:

<https://www.cbp.gov/newsroom/publications/forms?title=408&=Apply>

- 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 the information on CBP Form I-408 to make a determination on whether to allow the pay off or discharge of alien crewmen.

- 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 various admissibility forms used in the seaport environment. While consideration was given to automate the Form I-408, it is not currently a working project. At this time other forms (the I-95 specifically) are being addressed first. A timeline to begin working on automation of the I-408 is not known. In the meantime, a fillable version of this form is available on CBP's website at

<https://www.cbp.gov/newsroom/publications/forms?title=408&=Apply>

Pursuant to 8 CFR 252.1(h), application to payoff/discharge an alien crewmembers shall be made by the owner, agent, consignee, charterer, master, or commanding officer of the vessel or aircraft on which the alien crewman arrived on Form I-408 is filed with the immigration officer having jurisdiction over the area in which the vessel or aircraft is located at the time of application. This submission is made in person to CBP with both the crewmember and the vessel agent (or employee/representative and or master of the vessel) present. During this submission the CBP Officer reviews the information provided and asks questions to verify the information. At this time, the agent (or other vessel representative) has an opportunity to discuss, with CBP, the submission and any questions or concerns regarding the information collection.

- 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.**

If this collection were conducted less frequently, CBP would not be able to carry out its responsibilities under Section 256 of the Immigration and Nationality Act.

- 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 March 03, 2023 (88 FR 13454) on which no comments were received, and a 30-day notice published on July 31, 2023 (88 FR 49477) 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 Advanced Passenger Information Systems (APIS) dated June 5, 2015, and a SORN for Advanced Passenger Information Systems (APIS) dated March 13, 2015 provide coverage for this information collection. 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
Form I-408	46,875	112,500	1	112,500	25 minutes (0.416 hours)

**Public Cost**

The estimated cost to the respondents is \$2,808,281. This is based on the estimated burden hours (46,875) multiplied by the average loaded hourly wage rate for ship and boat captains and operators (\$59.91). CBP calculated this loaded wage rate by first multiplying the Bureau of Labor Statistics' (BLS) 2021 median hourly wage rate for Ship and Boat Captains and Operators (\$38.47), which CBP assumes best represents the wage for ship and boat captains and operators, by the ratio of BLS' average 2021 total compensation to wages and

salaries for Transportation and Material Moving occupations (1.4953), the assumed occupational group for brokers, to account for non-salary employee benefits.<sup>1</sup> CBP assumes an annual growth rate of 4.15% based on the prior year's change in the implicit price deflator, published by the Bureau of Economic Analysis.

**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 documents is \$1,273,500. This is based on the number of responses that must be reviewed (112,500) multiplied by the time burden to review and process each response (10 minutes or 0.166 hours) = 18,750 hours multiplied by the average hourly loaded rate for a CBP Officer ( $\$67.92$ )<sup>2</sup> = \$1,273,500.

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

There has been an increase in the estimated annual burden hours previously reported for this information collection. The increase is due to updating agency estimates for the number of respondents and not due to a change in the program. The number of respondents increased from 85,000 to 112,500; the annual burden hours have been adjusted accordingly, increasing from 35,360 to 46,875. There is no change to the information collected or method of collection.

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1 Source of median wage rate: U.S. Bureau of Labor Statistics. Occupational Employment Statistics, "May 2021 National Occupational Employment and Wage Estimates United States." Updated March 31, 2022. Available at [https://www.bls.gov/oes/current/oes\\_nat.htm](https://www.bls.gov/oes/current/oes_nat.htm). Accessed May 25, 2022. The total compensation to wages and salaries ratio is equal to the calculated average of the 2021 quarterly estimates (shown under Q01, Q02, Q03, Q04) of the total compensation cost per hour worked for Transportation and Material Moving occupations (\$32.7725) divided by the calculated average of the 2021 quarterly estimates (shown under Q01, Q02, Q03, Q04) of wages and salaries cost per hour worked for the same occupation category (\$21.9175). Source of total compensation to wages and salaries ratio data: U.S. Bureau of Labor Statistics. Employer Costs for Employee Compensation. "ECEC Civilian Workers - 2004 to Present." March 2022. Available at <https://www.bls.gov/web/ecec.supp.toc.htm>. Accessed May 25, 2022.

2 CBP bases this wage on the FY 2022 salary and benefits of the national average of CBP Officer Positions, which is equal to a GS-11, Step 10. Source: Email correspondence with CBP's Office of Finance on June 27, 2022.

**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.