

**Supporting Statement
Collection of Advance Information from Certain
Undocumented Individuals on the Land Border
1651-0140**

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.**

The Department of Homeland Security (DHS) and its component U.S. Customs and Border Protection (CBP) have established a process to streamline the processing of undocumented noncitizens under Title 8 of the United States Code at ports of entry (POEs), as the processing of such individuals generally takes longer than when individuals arrive with sufficient travel documentation. This process involves the submission of certain biographic and biometric information to CBP, via the CBP One™ application, in advance of arrival at a POE. CBP is initially using this process at certain land ports of entry on the southwest border.

Under this collection, CBP collects certain biographic and biometric information from undocumented noncitizens via the CBP One™ application, prior to their arrival at a POE, to streamline their processing at the POE. The requested information is that which CBP would otherwise collect from these individuals during primary and/or secondary processing. This information is provided directly by undocumented noncitizens. Providing this information reduces the amount of data entered by CBP Officers (CBPOs) and the corresponding time required to process an undocumented noncitizen at the POE.

The biographic and biometric information being collected in advance, that would otherwise be collected during primary and/or secondary processing at the POEs, includes descriptive information such as: Name, Date of Birth, Country of Birth, City of Birth, Country of Residence, Contact Information, Addresses, Nationality, Employment history (optional), Travel history, Emergency Contact (optional), U.S. and foreign addresses, Familial Information, Marital Status, Identity Document (not a Western Hemisphere Travel Initiative (WHTI) compliant document) (optional), Name and contact information for someone who assisted the user (Optional), Gender, Preferred Language, Height, Weight, Eye color and Photograph.

This collection requires the submission of a live facial photograph for all noncitizens who choose to provide advance information to CBP via CBP One™. The submission of a live photograph in advance provides CBPOs with a mechanism to match a noncitizen who arrives at the POE with the photograph submitted in advance, therefore identifying those individuals, and verifying their identity as well

as conducting advance vetting. The live photograph is particularly important for identity verification if an NGO/IO is not assisting an individual in scheduling their presentation at a POE. In addition, the requirement for a live photo that contains latitude and longitude data points allows CBP to ensure the individual is physically located within the designated geofence areas. Creating designated areas allows an individual to secure an appointment without congregating in potentially dangerous conditions at the U.S. Southwest Border; and only traveling to or through Mexico for the intended purpose of presenting themselves to CBP for inspection.

In addition, CBP allows individuals to request to present themselves for processing at a specific POE on a specific day or days, although such a request does not guarantee that an individual will be processed on a given date or at a given time. Individuals also have the opportunity to modify their requests within the CBP One™ application to an alternate day or time. The functionality to modify their request to an alternative date and time does not require the collection of new Personal Identification Information (PII) data elements.

Noncitizens who use CBP One are processed in a more streamlined manner at the POE, since their advance information is prepopulated into CBP systems, which reduces manual data entry during processing. Noncitizens who did not submit information through CBP One may need to wait to be processed in a separate line from those who used CBP One (reserved for those who submitted their advance information and scheduled a presentation date).

Based on user and stakeholder feedback, CBP One scheduling now occurs through a daily appointment allocation process. Noncitizens submit a daily request in the CBP One app, indicating that they would like an appointment within the next 21 days. Each day at 12:00 PM Eastern Time, available appointments are allocated to those who requested an appointment. Individuals who are issued an appointment then have a 23-hour period to complete the scheduling process (until 11:00 AM Eastern Time the following day), which includes confirming the appointment time and providing a live facial photograph. By providing a long period of time to complete the scheduling process and confirm the appointment (i.e., 23 hours versus a few minutes under FCFS scheduling), this change mitigates certain bandwidth issues that may arise for some users as a result of a large volume of people submitting information during a short window of time. The CBP One app validates the user is within central or northern Mexico, captures a live photo, and matches that photo to the user's registrations photo.

Finally, each day, unconfirmed appointments are reallocated among the current pool of registrations. This process enables noncitizens to request a preferred POE at which to schedule an appointment.

Individuals who use the CBP One app will be able to schedule an appointment to present themselves at the following ports of entry:

- Arizona: Nogales;
- Texas: Brownsville, Hidalgo, Laredo, Eagle Pass, and El Paso (Paso Del Norte); and
- California: Calexico and San Ysidro (Pedestrian West – El Chaparral).

Future and ongoing enhancements to the app are expected based on user and stakeholder feedback to ensure equity in the scheduling process. These enhancements may include expanding appointment slots to additional POEs.

This Emergency Revision:

Change in CBP One Geofence Designated Areas:

In response to a request from the Government of Mexico, CBP is adjusting the specific boundaries from where individuals can request and confirm CBP One appointments.

Under the current process, individuals seeking appointments must be located within Central or Northern Mexico. The Government of Mexico has requested an adjustment to the geofence to assist in its efforts to influence where individuals congregate while they seek a CBP One appointment. CBP will be expanding the geofence for Mexican nationals to all of Mexico and CBP will be adding the Mexican states of Tabasco and Chiapas to the current boundaries for all other nationalities. By adjusting the boundaries, CBP will assist the Government of Mexico in its efforts to enforce its immigration laws and regulations and align resources to those areas where migrants are located. The Government of Mexico has the right to enforce their immigration laws and regulations and the current geofence boundaries hinder their migration enforcement approach. Further geofence adjustments may be made in the future in response to Government of Mexico requests.

Validation Tool:

Due to the volume of individuals traveling through Mexico to present at a POE at a designated date and time, the Government of Mexico is requesting assistance in validating appointments of individuals or groups of individuals it encounters transiting through Mexico. In response, CBP is deploying a validation mechanism to assist Mexican government officials when they encounter an individual or group who claim to have a CBP One appointment. The tool will require the Mexican government official to enter an individual's CBP One confirmation number and date of birth. Once submitted, the tool will return confirmation of any valid CBP One appointment with the appointment date, time, and location, as well as the total number of people in the group.

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.

Individuals use the CBP One™ mobile or desktop application to submit biographic information, as well as a photograph (required for the use of CBP One™), prior to their arrival at a CBP POE for processing. CBP will also collect the latitude and longitude data points to ensure individuals are in the designated geofence locations when scheduling presentation at a POE. This information is collected upon requesting an appointment or confirming an appointment. Collecting this information in advance streamlines processing of undocumented noncitizens upon their arrival at the POE.

Typically, once an undocumented noncitizen arrives at the POE, CBPOs spend significant time collecting and verifying basic biographic data about the noncitizen during the inspection process. The CBPOs interview and manually enter information into the Unified Secondary (USEC) system from each of these individuals during secondary inspection. To facilitate processing upon arrival and reduce the amount of manual data entry into secondary processing systems, CBP One™ data is used to populate the fields in secondary processing systems, which can then be verified by the CBPO.

Undocumented noncitizens may submit the biographic information and a photograph to CBP via the CBP One™ application prior to the individual's arrival at a POE. While no information is stored locally in the CBP One™ application or on a user's device, this data is stored in a segregated backend database within the Automated Targeting System (ATS). The information is tagged as coming from CBP One™. CBP stores a templated copy of the photograph in a standalone Traveler Verification Service (TVS) gallery to be matched against a photograph taken by a CBPO using Simplified Arrival once the individual arrives at the POE. The TVS gallery is populated by the new backend dataset ingested into ATS specifically for the undocumented noncitizen population. When photographs are submitted to ATS from CBP One™, the new TVS gallery will stage those photographs until the individual arrives at the POE.

Using Simplified Arrival, once an undocumented noncitizen arrives at the POE for processing, CBP takes a new photograph to search against the new gallery within TVS. If no match is made, CBPOs manually query ATS based on biographic data to populate Simplified Arrival for processing in primary or query by CBP One™ confirmation numbers, which are provided to the individual after they submit their advance information through CBP One™. As with any undocumented noncitizen

who arrives at the POE, the CBPO uses Simplified Arrival to create a referral to secondary for further processing, which includes the confirmation number received from CBP One™. Once referred to secondary, CBPOs may import the information captured through the CBP One™ application into USEC, the secondary processing system. This reduces the time spent by CBPOs manually entering data in secondary. In secondary, the officers review the advanced data collected for accuracy, edit the data, and save the information in USEC.

The overall goal of the advance information collection is to achieve efficiencies to process undocumented noncitizens under Title 8, consistent with public health protocols, space limitations, and other considerations. This process also offers an orderly pathway for irregular migrants to present at a port of entry in a safe, secure and streamlined manner. When data is collected in advance, it helps expedite secondary processing because it enables advance vetting, proper resource allocation and reduces manual data entry into CBP primary and secondary systems. Such processing reduces the time that individuals remain in CBP custody.

In addition, for the Government of Mexico, the validation tool will enable Mexican government officials to validate encountered individuals with CBP One appointments. Once an appointment is scheduled, Government of Mexico officials can search with an individual's CBP One confirmation number and date of birth and receive confirmation that the individual has an appointment, as well as the date, time and location of the appointment, and the number of people in a group registration that have an appointment.

- 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 collects this information through a mobile or computer application. CBP collects this information electronically, directly from individuals via the CBP One™ application. The CBP One™ application is currently available as a mobile app on both Google Play and Apple stores, as well as a website (<https://cbpone.cbp.dhs.gov/#/home>) accessible from any browser.

In an effort to minimize burden on users of the CBP One mobile app, CBP has developed several resources including fact sheets, written guides, and how-to videos for navigating the app, as well as provided the public with a dedicated email address (CBPOne@cbp.dhs.gov) where users can ask questions, report issues, or

submit ideas for future improvements on an ongoing basis. Based on public feedback and usage, CBP has also translated the English language fact sheets and guides into the most commonly spoken languages of users, including: Spanish, Haitian Creole, Russian, Portuguese, French, Arabic, Dari, Pashto, Punjabi, and Chinese.

CBP has previously consulted with the public on ways to use information technology to reduce burden in the app. As a result, CBP made changes to the appointment allocation process that reduced or eliminated burdensome technical glitches that resulted from bandwidth issues.

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 for this population 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.

Not collecting information in advance would lead to longer processing times for undocumented individuals at POEs, given the need to manually enter identity information, which would increase the time these individuals may need to wait to be processed, thereby increasing the risk of unsafe conditions at POEs. Not offering a predictable orderly mechanism through CBP One to access the United States for this population may result in individuals taking unnecessary risks to traverse between POEs under dangerous conditions that could result in the loss of lives.

Additionally, with regard to the validation tool and the geofence changes, the collection is important for purposes of cooperation and coordination with the Government of Mexico, including on issues related to regional migration. Specifically, the CBP One scheduling process occurs entirely in Mexico and thus is impacted by and warrants coordination and cooperation with the Government of Mexico. The geofence adjustment and validation tool were requested directly by the Government of Mexico, and the United States has an interest in continuing to effectively coordinate with partners, such as the Government of Mexico, to effectively address migration. Migration continues to be a regional issue that requires collaboration and coordination and it is critical the United States acknowledge and, as appropriate, respond to concerns when raised by Mexico in

the interest of safe and orderly regional migration.

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.

This is an emergency revision submission and no public comments were solicited. During the next renewal or revision, CBP will seek public comment as stipulated under 5 CFR 1320.5(d) of the Paperwork Reduction Act.

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.

The collection is covered by the DHS/CBP/PIA-076(a) Collection of Advance Information from Certain Undocumented Individuals on the Land Border: Post Title 42 and an updated PIA appendix to the DHS/CBP/PIA-068 CBP One™ Mobile Application to document post Title 42 processing of undocumented individuals. The collection is also covered by the: DHS/CBP/PIA-076 Collection of Advance Information from Certain Undocumented Individuals on the Land Border (published January 19, 2023), PIA Update to the DHS/CBP/PIA-067 U.S. Customs and Border Protection Unified Secondary System: Advance Information from Certain Undocumented Individuals (update published May 2021); and the PIA for the DHS/CBP/PIA-056 Traveler Verification Service (originally published November 2018).

The Systems of Records Notices (SORNs) that will be included in this ICR include the ATS SORN (DHS/CBP-006 Automated Targeting System, May 22, 2012, 77 FR 30297), which pertains to the collection of information in advance of travel. All information collected at the time of inspection and processing is covered by the DHS/CBP-016 Nonimmigrant Information System (March 13, 2015, 80 FR 13398) and DHS/CBP-011 U.S. Customs and Border Protection TECS (December 19, 2008, 73 FR 77778) SORNs.

There are no assurances of confidentiality provided to the respondents of this information collection.

- 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
Advance Information on Undocumented Travelers - Registration	100,000	500,000	1	500,000	12 minutes
Daily Appointment Request	500,000	500,000	60	30,000,000	1 minute
Confirmation of Appointment	26,463	529,250	1	529,250	3 minutes
Total:	626,463	1,529,250		31,029,250	

Public Cost

The estimated cost to the respondents is \$18,010,811. This is based on the estimated burden hours (626,463) multiplied by the average hourly wage rate for all-purpose car travelers (\$28.75). CBP updated the U.S. Department of Transportation's (DOT) recommended hourly values of travel time savings for intercity, all-purpose travel by surface modes by following DOT methodology.¹ CBP

¹ U.S. Department of Transportation, Office of Transportation Policy. *Benefit-Cost Analysis Guidance for Discretionary Grant*

assumes a growth rate of 7.88% based on the percent change in the implicit price deflator from 2022 to 2024, published by the Bureau of Economic Analysis.²

The estimate is subject to some degree of uncertainty regarding migration levels, use of the app, and available resources and priorities. The annual number of respondents registering and opting in each day for appointments is based on CBP's current usage given the elimination of Title 42, and the existence of the additional pathways identified to lawfully travel to the United States, such as the DHS-authorized parole processes and recently-announced Regional Processing Centers. The annual range of respondents confirming appointments is based on an estimated to 1,450 daily appointments. CBP is working to increase its capacity to process individuals through the CBP One app subject to the availability of personnel and resources.

All of these estimates are subject to substantial uncertainty depending on migration patterns, policy developments, and a range of other factors. During the three-year approval period, CBP will collect data to calculate the daily number of daily appointment requests and the daily appointment confirmations, per respondent, as well as other relevant data to better inform the collection's burden estimates.

Programs, "Table A-2: Recommended Hourly Values of Travel Time Savings for Intercity, All-Purpose Travel by Surface." December 2022. Available at: <https://www.transportation.gov/sites/dot.gov/files/2023-12/Benefit%20Cost%20Analysis%20Guidance%202024%20Update.pdf>. Original DOT policy is available at <https://www.transportation.gov/sites/dot.gov/files/docs/2016%20Revised%20Value%20of%20Travel%20Time%20Guidance.pdf>. Accessed June 17, 2024.

All-purpose trips are calculated using weighted averages, using distributions of travel by trip purpose on various modes. Distribution for local travel by surface modes: 88.2% personal, 11.8% business. Distribution for intercity travel by conventional surface modes: 78.6% personal, 21.4% business. Distribution for intercity travel by air or high-speed rail: 59.4% personal, 40.6% business. This follows methodology from the U.S. Department of Transportation's "Benefit-Cost Analysis Guidance for Discretionary Grant Programs". Available at: <https://www.transportation.gov/sites/dot.gov/files/2023-12/Benefit%20Cost%20Analysis%20Guidance%202024%20Update.pdf>. Accessed: June 18, 2024

Source for median household income: U.S. Census Bureau. *Income in the United States: 2022*, "Table A-1: Income Summary Measures by Selected Characteristics 2021 and 2022" September 12th, 2023. Annual median household income is divided by 2,080 hours per year to find hourly wage rate. Available at <https://www.census.gov/library/publications/2023/demo/p60-279.html>. Accessed June 18th, 2024.

Source of median wage rate: U.S. Bureau of Labor Statistics. Occupational Employment and Wage Statistics, "May 2023 National Occupational Employment and Wage Estimates United States." Updated April 3, 2024. Available at https://www.bls.gov/oes/2023/may/oes_nat.htm. Accessed June 4, 2024. The total compensation to wages and salaries ratio (1.451582) is equal to the total compensation cost per hour worked for all occupations (\$45.42) divided by the wages and salaries cost per hour worked for the same occupation category (\$31.29). See "Table 2. Employer Costs for Employee Compensation for civilian workers by occupational and industry group." Bureau of Labor Statistics, "Employer Costs for Employee Compensation – December 2023." Released March 13, 2024. Available at https://www.bls.gov/news.release/archives/ecec_03132024.pdf. Accessed June 4, 2024.

2 To adjust to 2024 dollars, multiply by the 2022 Q1 - 2024 Q1 percent change in the Bureau of Economic Analysis's Implicit Price Deflators for Gross Domestic Product (124.203/107.668-1). See "Table 1.1.9. Implicit Price Deflators for Gross Domestic Product," Line 1 Gross Domestic Product, quarterly. Bureau of Economic Analysis. Updated May 30, 2024. Available at <https://apps.bea.gov/iTable/?>

reqid=19&step=2&isuri=1&categories=survey&_gl=1*175tbc1*_ga*MTEyNTU1Nzc4Ny4xNzE3NTEyMTUw*_ga_J4698JNNFT*MTcxOTQzMDIwNS4xLjEuMTcxOTQzMDIzMi4zMy4wLjA.#eyJhcHBpZCI6MTksInN0ZXBzIjpbMSwyLDNdLjYXRhIjpbWyJjYXRlZ29yaWVzIiwuU3Vydml0sWyJOSVBBB1RhYmxlX0xpc3QiLCIxMyJdXX0= Accessed June 4, 2024.

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. Use of the CBP One app is free of charge. CBP assumes that basic internet access is a customary cost of doing business and will not additionally burden any individuals, nor NGO/IO assisting individuals, in submitting this form.

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 \$1,671,403. This is based on the number of responses that must be reviewed (529,250) multiplied by the time burden to review and process each response (3 minutes) = 26,463 hours multiplied by the average hourly loaded rate for other CBP employees (\$63.16)³ = \$1,671,403.

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

There is no change to the annual burden hours previously reported for this information collection at this time.

CBP is adjusting the locations from where individuals can request and confirm a CBP One appointment, including expanding the locations from where Mexican nationals can request an appointment. These adjustments may increase the number of requests per day, however, CBP is unable to estimate how much the geofence changes will increase usage at this time. CBP will update the burden estimate to reflect the accurate numbers – based on observed usage following emergency approval – as part of the forthcoming three-year renewal and revision package.

Additionally, CBP is deploying a validation tool to assist the Mexican government in validating CBP One appointments. This validation tool does not require individuals submit any new information as part of their CBP One registration, but it does require that Mexican government officials will request individuals' CBP One appointment confirmation numbers and dates of birth when they are encountered traveling through Mexico. CBP believes Mexican government officials would be reasonably expected to routinely request and collect this same or similar information from

³ CBP bases this wage on the FY 2023 salary and benefits of the national average of other CBP positions, which is equal to a GS-9, Step 6. Source: Email correspondence with CBP's Office of Finance on June 17, 2024.

migrants, as part of Mexico's own immigration management strategy. CBP will provide additional information or respond to OIRA follow-up regarding any potential burden changes from the validation tool as part of the three-year renewal and revision request, following this emergency.

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.