

**SUPPORTING STATEMENT**  
**OMB No. 1651-0121**  
**(Form 823S and CBP Form 823F)**

**Application - Alternative Inspection Services/Fast Commercial Driver Application**

**A. Justification.**

1. In 1990, Congress specifically addressed the need to shorten the length of time required by the former Immigration and Naturalization Service, now the Department of Homeland Security (DHS), to inspect persons arriving at air and land border ports of Entry (POEs). In so doing, Congress mandated that the primary inspection of all arriving air passengers be completed within 45 minutes of being presented for processing. Additionally, when establishing the Land Border Inspection Pilot Program in 1990, Congress identified the need to use available technology to speed up the inspection of vehicles and passengers at land border ports of entry, and the need to use that technology to halt the flow of illegal drugs and illegal aliens into the United States.

To meet this legal mandate, in 1993, the Immigration and Naturalization Service's Passenger Accelerated Service System (INSPASS) became operational at Newark, NJ International Airport. Since then, more airports have been added to the program. In 1995, the Service, in cooperation with the FBI, DEA, State Department, and U.S. Customs, and as part of a Justice Performance Review Laboratory known as SENTRI, made the development of an automated inspection process at a land border POE a Service priority. The information for SENTRI is collected on CBP Form-823S. All land border inspection programs, including SENTRI, are collectively known as PORTPASS (Port Passenger Accelerated Service System). They are provided for in 8 CFR 235.7.

In addition, national security concerns have necessitated the need for an additional form, FAST Commercial Driver Application- Mexico, CBP 823F. FAST is a clearance process for known low risk shipments. This program seeks to expedite clearance of low risk trans-border drivers with shipments by meeting CBP information requirements, and by dedicating lanes at major crossing points to FAST participants. It is an expansion of the Free and Secure Trade Initiative to the U.S. southern border. FAST membership will help companies satisfy the security requirements of their customers and service providers. This program has been operating on the northern border using a Canadian/U.S. form, administered and collected by the Canadian Government. The information for the FAST Program is collected on CBP Form-823F.

2. The general purpose of enrolling in SENTRI and FAST is to prescreen applicants and their vehicles in order to expedite travelers seeking admission to the United States. The target audience is any law abiding frequent traveler who is legally allowed entry into the United States, e.g., students and business people. The benefit to the traveler is less time waiting in traffic for inspection to take place. For someone not enrolled in the program the inspection takes longer since no background investigation has taken place.

The data used on this form will continue to be used by CBP to determine eligibility for participation in the PORTPASS program. Enrollment in these programs is good for five years. Currently, the pass is good at Otay Mesa, San Ysidro, and Calexico, California, and Brownsville, El Paso, Hidalgo and Laredo, Texas and Nogales, Arizona. Members can now use a single pass for more than one port.

The addition of the FAST application, CBP Form 823F, which will be filled out by commercial drivers crossing the U.S./Mexican border, will facilitate and expedite trade, while enhancing the security of the United States borders. The purpose of this new form is to allow commercial drivers crossing the U.S. southern border to apply for the FAST program. Once drivers are approved under FAST, their clearance at the border will be expedited, and they will be allowed to cross the border using dedicating lanes at major crossing points.

3. CBP is developing a Global On-line Enrollment System which will be a web-based system that applicants will use to apply for the Sentri and FAST Programs. Once this on-line system is operational, CBP plans to phase out the paper version of the 823S and the 823F.
4. The information collected on the 823S and 823F is unique and not duplicated elsewhere.
5. This information collection does not have a significant impact on small businesses or other small entities.
6. If not collected, the DHS would be unable to meet its statutory mandate, and would not be able to determine eligibility for participation in the SENTRI and FAST programs.
7. This information collection is conducted in a manner consistent with the guidelines of 5 CFR 1320.6.

8. Public comments were solicited through Federal Register notices dated March 15, 2007 and June 11, 2007. As of this submission, no comments have been received.
9. The DHS does not provide payment or gifts to respondents in exchange for a benefit sought.
10. No specific assurances of confidentiality are provided for this information collection.
11. The personal information contained in this information collection will be maintained in a secure facility and access will be restricted only to Department of Homeland Security officers on a "need to know" basis, and vetted government contractors who are bound by a non-disclosure agreement.

12. <u>Annual Reporting Burden Form 823S:</u>	
Number of Respondents	250,000
Number of Responses per each Respondent	1
Total annual Responses	250,000
Hours for Response	40 minutes (.666)
<b>Total Annual Reporting Burden</b>	<b>166,500</b>

Annual Reporting Burden for CBP Form 823F:

Number of Respondents:	25,000
Number of Responses per Respondent:	1
Time to Complete Form:	30 minutes
<b>Total Annual Reporting Burden</b>	<b>12,500 hours</b>

**Total Burden Hours for 823S and CBP 823F- 179,000**

13. There are no capital or start-up costs associated with this information collection. Any cost burdens to respondents as a result of this collection are identified in item 14. However, there is a fee of \$25 for filing the Form I-823 and a \$50 fee for filing CBP Form 823F. Additionally, there is an \$80 System Cost Fee charged for approved applicants of the DCL program participating at the Southern border only. There is no System Cost Fee for the APP, INSPASS and FAST programs.

The costs associated with these fees are:

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<b>823S</b> Application Fee:	250,000 respondents x \$25 = \$6,250,000
Approved Applicant Fee:	3,000 respondents x \$80 = <u>\$240,000</u>
	\$6,490,000
<b>823F</b> Application Fee:	25,000 respondents x \$50 = <u>\$1,250,000</u>
	<b>Total \$7,740,000</b>

14. **Government Cost**

The cost to the Government to administer the 823S and the 823-F is zero. This is because all costs are offset by the fees charged to the applicants (\$25 for 823S and \$50 for 823-F, plus additional \$80 for approved applicants on the 823S). These fees were set specifically to cover costs to administer these 2 forms.

15. The title of the Form is 823S, not I-823. The change in burden reflects a more accurate estimate of the time to fill out these forms.

16. DHS does not intend to employ the use of statistics or the publication thereof for this collection of information.

17. We will put the expiration date on the form when we receive a Notice of Action from OMB with the new date.

18. The DHS does not request an exception to the certification of this information collection

**B. Collection Of Information Employing Statistical Methods**

No statistical methods are used.