

**Supporting Statement
Crew Member's Declaration
1651-0021**

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.**

Form 5129, Crew Member's Declaration, provides for a declaration by a crew member to list all goods acquired abroad which are in his/her possession at the time of arrival in the United States. The Form-5129 facilitates Customs and Border Protection (CBP) delegated enforcement of agriculture quarantines, currency reporting acts and criminal statutes, in addition to CBP revenue laws. This collection is pursuant to 19 CFR 4.7a, 122.44, 122.46, and 148.61-148.67.

- 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 .**

Data required by Form-5129 is used for compliance with currency reporting requirements, supplemental immigration documentation, agricultural quarantine matters, and the importation of merchandise by crew members who complete the individual declaration. The declaration is reviewed and completed by the boarding inspector who calculates duty or takes other appropriate action.

- 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 filled out and submitted at seaports and therefore, it would not be appropriate to submit it electronically.

- 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 (Item 5 of the OMB Form 83-I), 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.**

The information collected on Form-5129 is necessary upon every arrival in the United States, concurrent with the requirement to declare items acquired abroad or to be landed in the United States. Less frequent collection compromises revenue collection, agriculture quarantines and compliance with the law.

7. **Explain any special circumstances that would cause an information collection to be conducted in a manner:**

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 published on June 24, 2009 (Volume 74, Pages 30103-30104) and on August 25, 2009 (Volume 74, Pages 42907). No comments were 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.**

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
Crew Member's Declaration (Form 5129)	996,000	6,000,000	1	6,000,000	10 minutes (.166 hours)

Public Cost

The estimated cost to the respondents is \$27,888,000. This is based on the estimated burden hours (996,000) multiplied (x) hourly rate (\$28.00).

- 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 annual estimated cost to the Federal Government associated with reviewing and processing the information is \$17,430,000. This is based on the time spent per response (5 minutes or .083 hours) x number of responses (6,000,000) = 498,000 hours expended x an annual rate of \$35.00 = \$17,430,000.

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

The burden hours were increased due to a more accurate estimate to fill out Form 5129. The time was increased from 3 minutes to 10 minutes. Also, the number of respondents was increased from 5,968,351 to 6,000,000 for rounding purposes.

- 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 has displayed the expiration date on this form.

- 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.