

**Supporting Statement
Passenger and Crew Manifest
1651-0088**

- 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 Advance Passenger Information System (APIS) is an automated method in which U.S. Customs and Border Protection (CBP) receives information on passengers and crew onboard inbound and outbound international flights before their arrival in or departure from the United States. APIS data includes biographical information for international air passengers arriving in or departing from the United States, allowing the data to be checked against CBP databases.

The information is submitted for both commercial and private aircraft flights. Specific data elements required for each passenger and crew member include: full name; date of birth; gender; citizenship; document type; passport number, country of issuance and expiration date; and alien registration number where applicable.

APIS is authorized under the Aviation and Transportation Security Act, Public Law 107-71. Under this statute, the transmission of passenger and crew manifest information is required even for flights where the passengers and crew have already been pre-screened or pre-cleared at the foreign location for admission to the United States. APIS is required under 19 CFR 122.49a, 122.49b, 122.49c, 122.75a, and 122.75b.

Respondents submit their electronic manifest either through a direct interface with CBP (through a globally recognized interface called UNEDIFACT) or using eAPIS, which is a web-based system developed and maintained by CBP.

- 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 APIS data to target high-risk travelers and to facilitate the progress of legitimate travelers in and out of the United States by collecting data on all inbound and outbound passengers and crew members before their arrival in or departure from the United States.

- 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 has developed a web-based system (eAPIS) that allows the respondents to access the internet and electronically submit the manifest data directly to CBP. This alleviates the smaller carriers from having to invest in expensive departure control/reservation systems or reprogramming their existing systems. The web address is <https://eapis.cbp.dhs.gov>

Large commercial carriers submit their APIS information to CBP via electronic interface (UNEDIFACT).

- 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.**

CBP established the eAPIS website so small carriers and private pilots would not have to purchase equipment and/or incur programming expenses. This information collection does not have an impact on a substantial number of small businesses.

- 6. Describe consequences to Federal program or policy activities if the collection is not conducted or is conducted less frequently.**

Without this information, CBP would not be able to meet the requirements of the applicable law and ensure the safety of international passengers and the commercial air and sea carrier industries.

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

- **requiring respondents to report information to the agency more often than quarterly;**
- **requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- **requiring respondents to submit more than an original and two copies of any document;**

- requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;
- in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;
- requiring the use of statistical data classification that has not been reviewed and approved by OMB;
- that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or
- requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

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 published on July 20, 2010 (Volume 75, Page 42115) and on September 20, 2010 (Volume 75, Page 57283). 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.**

A SORN published on November 18, 2008 (Volume 73, Page 223) and a PIA dated July 3, 2007 will be submitted as part of this ICR.

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.

IC	HOURS	RESPONDENTS	TOTAL RESPONSES	TIME PER RESPONSE
Commercial Airlines	307,246	1,130	1,850,878	10 minutes (.166 hours)
Commercial Airline Passengers (3 rd party)	496,937	184,050,663	184,050,663	10 seconds (.0027 hours)
Private Aircraft Pilots	115,000	460,000	460,000	15 minutes (.25 hours)
TOTAL	919,183	184,511,793	186,361,541	

Public Cost

The estimated annual public cost is \$96,673,000. This is based on the monetization of the burden hours as follows:

Commercial Airlines: The number of burden hours (307,246) multiplied (x) by the average hourly rate for ticket agents (\$15.58) = **\$4,786,892.**

Commercial Airline Passengers (3rd Party Reporting): The number of burden hours (919,183) multiplied (x) by the average hourly rate (\$28.00) = **\$25,737,124.**

Private Aircraft Pilots: The number of burden hours (115,000) multiplied (x) by the average hourly rate (\$37.20) = **\$4,278,000.**

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

The estimated operations and maintenance costs associated with this information collection are **\$68,361,719.** This is calculated as follows:

Large carrier operations and maintenance costs associated with APIS and

UNEDIFACT interface: 184,050,663 passengers multiplied (x) by (\$0.33) per passenger = **\$60,736,719**

Large carrier operations and maintenance costs associated with APIS and the Electronic System for Travel Authorization (ESTA) interface: The number of large international carriers (61) multiplied (x) by costs per carrier (\$125,000) = **\$7,625,000.**

- 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 cost to the Federal Government associated with labor for analyzing and processing the information on the manifest **\$8,055,684.** This is based on the total number of non-3rd party submissions (2,310,878) x .083 hours (5 minutes) for a total of 191,802 hours. The total hours (191,802) are then multiplied at an average hourly rate of \$42.00.

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

The estimated burden and capitalization costs were adjusted by CBP to reflect recent data on APIS.

Burden hours for private aircraft were also added as a result Final Rule 1651 AA41 published on November 18, 2008, Volume 73, Page 68295.

No changes were made to the information being collected.

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

This information collection will not be published.

- 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.