

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

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 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 rail and bus trips before their arrival in the United States, as well as inbound and outbound international flights before their arrival in, or departure from, the United States. APIS data includes biographical information for 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, rail carriers and bus carriers. 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, air carriers operating a passenger flight in foreign air transportation to the United States must electronically transmit to CBP a passenger and crew manifest containing specific identifying data elements and any other information that DHS determines is reasonably necessary to ensure aviation safety. The specific passenger and crew identifying information required by statute consists of the following: full name; date of birth; gender; citizenship; document type; passport number; country of issuance and expiration date; and alien registration number where applicable. The APIS regulatory requirements are specified in 19 CFR 122.49a, 122.49b, 122.49c, 122.75a, 122.75b, and 122.22. These provisions lists all the required APIS data.

Respondents submit their electronic manifest either through a direct interface with CBP, or using eAPIS which is a web-based system that can be accessed at <https://eapis.cbp.dhs.gov/>.

Proposed Changes:

CBP is currently running a pilot with 9 respondents in which Bus carriers are

currently submitting passenger manifest data voluntarily to assist CBP in writing future regulations that will mandate the submission of this data in advance of passenger arrival into the United States. CBP would like to revise this information collection to include bus and rail respondents which would allow CBP to expand the pilot beyond the current 9 respondent limit.

Bus and rail carriers submit their APIS information to CBP via the Land Pre-Arrival System Application (LPAS), embedded in the ROAM application.

In the ROAM application, the collection of passenger information is primarily done through electronic submission. The bus or rail carrier designee submits passenger information by scanning the Machine Readable Zone (MRZ) of each passengers' passport which automatically is loaded into the application. Should the MRZ not automatically go into the application, the bus carrier will manually input the passengers' passport information. This is the only point at which information is collected from travelers.

The user registers the bus or rail as the mode of travel and is prompted to complete information on the company. Information includes:

- Mode of Travel (Bus/Rail)
- License Country
- Registration Province
- License Number
- Sender ID
- Carrier Code (APIS code from CBP)
- Bus/Rail Company

Each carrier will be required to create a 'Driver Profile' by entering in their documentation using the MRZ or manually. This profile is then saved to be associated with each bus or rail that the driver operates and will have to be selected prior to submitting the trip. The driver is prompted to information on themselves, including:

- Name
- Date of Birth
- Sex
- Country of Citizenship
- Country of Residence
- Document Type
- Document Number
- Date of Issue
- Date of Expiration
- Country of Issue

This process is then duplicated for passengers boarding the bus or train. Each

traveler profile is then saved for the trip but is deleted from the application immediately after the information is submitted to CBP.

Prior to submitting passenger information to CBP, the user must fill in required arrival fields. These fields include:

- Arrival Location in the US
- Estimated Arrival Date
- Estimated Arrival Time
- Arrival Code (Port of Entry)
- Entry State
- Last Country Visited
- Contact Email

Previously, the ROAM application also permitted self-reported submission of information to CBP officers through a face-time feature. This self-reporting feature has been disabled for LPAS and will not be used at any time in conjunction with the Bus APIS pilot or the resulting program that arises from the pilot. The bus carrier, either through the bus driver or another employee, will be the only party submitting responses to the LPAS feature within the ROAM application. The basis for this decision arose out of the necessity to collect traveler information prior to arrival in the land environment as it is done in the air environment. For pre-arrival vetting and targeting to be conducted, officers must be able to collect information on travelers prior to their arrival at the border to promote officer safety and increase security. In air Ports of Entry, officers have access to traveler information 72 hours prior to arrival. However, this standard does not exist in the land environment, as travelers can board a bus just 10 minutes prior to arriving at the border. In the air environment, airline carriers are the users submitting traveler information. Therefore, in order to closely mirror this successful process, bus and rail carriers will submit traveler data in the land environment. In order to reduce the burden of manual data entry, the LPAS feature includes a technology that reads the MRZ on a passport. As a result, the bus driver can simply scan a passenger's passport in order to populate the required data fields and accurately submit that data to 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).

Bus and rail carriers submit their APIS information to CBP via the Land Pre-Arrival System Application (LPAS), embedded in the ROAM application.

- 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 ROAM – LPAS application and eAPIS so small bus and rail carriers as well as private pilots would not need to purchase equipment and/or incur programming expenses. Carriers require internet connection and a mobile device to access the application. 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, sea, and land (bus and rail) carrier industries.

- 7. Explain any special circumstances.**

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 November 28, 2016 (Volume 81, Page 85587) on which two comments were received, and on March 3, 2017 (Volume 82, Page 12460) 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 SORN for the Advanced Passenger Information System, published on March 13, 2015 (Volume 80, Page 13407) and a PIA for the Advanced Passenger Information System, the dated June 5, 2015, will be submitted as part of this ICR. No assurances of confidentiality are provided. A PIA for APIS-VRBS has also been updated to include the use of the LPAS application.

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.

Information Collection	BURDEN HOURS	RESPONDENTS	No. of Responses per Respondent	TOTAL RESPONSES	TIME PER RESPONSE
Commercial Airlines	307,246	1,130	1,637.94	1,850,878	10 minutes (.166 hours)

Commercial Airline Psngr (3 rd party)	496,937	184,050,663	1	184,050,663	10 seconds (.0027 hours)
Private Aircraft Pilots	115,000	460,000	1	460,000	15 minutes (.25 hours)
Bus Passenger Carrier	77,324	9	34,366	309,294	15 minutes (.25 hours)
Commercial Passenger Rail Carrier	1,590	2	4,745	9,540	10 minutes (.166 hours)
TOTAL	998,097	184,511,804		186,680,375	

Public Cost

Commercial Airlines: The estimated cost to the respondents is \$12,759,927. This is based on the estimated burden hours (307,246) multiplied by (x) the average loaded hourly wage rate for flight attendants (\$41.53). CBP calculated this loaded wage rate by first multiplying the Bureau of Labor Statistics' (BLS) 2019 annual median wage rate, converted to an hourly rate, for Flight Attendants (\$27.23) by the ratio of BLS' average 2019 total compensation to wages and salaries for Transportation and Material Moving occupations (1.5252), the assumed occupational group for flight attendants, to account for non-salary employee benefits.¹ This figure is in 2019 U.S. dollars and CBP assumes an annual growth rate of 0 percent; the 2019 U.S. dollar value is equal to the 2020

¹ Because median hourly wage information was not available for Flight Attendants, CBP adjusted the annual median wage for Flight Attendants (\$56,640) to an hourly estimate using the standard 2,080 hours worked per year. Source of median wage rate: U.S. Bureau of Labor Statistics. Occupational Employment Statistics, "May 2019 National Occupational Employment and Wage Estimates United States." Updated March 31, 2020. Available at https://www.bls.gov/oes/2019/may/oes_nat.htm. Accessed June 12, 2020. The total compensation to wages and salaries ratio is equal to the calculated average of the 2019 quarterly estimates (shown under Mar., June, Sep., Dec.) of the total compensation cost per hour worked for Transportation and Material Moving occupations (\$30.3550) divided by the calculated average of the 2019 quarterly estimates (shown under Mar., June, Sep., Dec.) of wages and salaries cost per hour worked for the same occupation category (\$19.9025). Source of total compensation to wages and salaries ratio data: U.S. Bureau of Labor Statistics. Employer Costs for Employee Compensation. Employer Costs for Employee Compensation Historical Listing March 2004 – December 2019, "Table 3. Civilian workers, by occupational group: employer costs per hours worked for employee compensation and costs as a percentage of total compensation, 2004-2019." March 2020. Available at <https://www.bls.gov/web/ecec/ececqrtn.pdf>. Accessed June 12, 2020.

U.S. dollar value.

Commercial Airline Passengers (3rd Party Reporting): The estimated cost to the respondents is \$23,405,733. This is based on the estimated burden hours (496,937) multiplied by (x) the average hourly wage rate for all-purpose air travelers (\$47.10). CBP used the U.S. Department of Transportation's (DOT) recommended hourly value of travel time savings for intercity, all purpose travel by air and high speed rail, which is provided in 2015 U.S. dollars. CBP assumes an annual growth rate of 0 percent; the 2015 U.S. dollar value is equal to the 2020 U.S. dollar value.²

Private Aircraft Pilots: The estimated cost to the respondents is \$10,239,600. This is based on the estimated burden hours (115,000) multiplied by (x) the average loaded hourly wage rate for aircraft pilots (\$89.04). CBP calculated this loaded wage rate by first multiplying the Bureau of Labor Statistics' (BLS) 2019 annual median wage rate, converted to an hourly rate, for Aircraft Pilots and Flight Engineers (\$58.38), which CBP assumes best represents the wage for aircraft pilots, by the ratio of BLS' average 2019 total compensation to wages and salaries for Transportation and Material Moving occupations (1.5252), the assumed occupational group for aircraft pilots, to account for non-salary employee benefits.³ This figure is in 2019 U.S. dollars and CBP assumes an annual growth rate of 0 percent; the 2019 U.S. dollar value is equal to the 2020 U.S. dollar value.

Bus Passenger Carriers: The estimated cost to the respondents is \$2,188,270. This is based on the estimated burden hours (77,324) multiplied by (x) the average hourly wage rate for bus drivers (\$28.30). CBP used the U.S. Department of Transportation's (DOT) recommended hourly values of travel time

² Source: U.S. Department of Transportation, Office of Transportation Policy. *The Value of Travel Time Savings: Departmental Guidance for Conducting Economic Evaluations Revision 2 (2016 Update)*, "Table 4 (Revision 2 - 2016 Update): Recommended Hourly Values of Travel Time Savings for Intercity, All-Purpose Travel by Air and High-Speed Rail." September 27, 2016. Available at <https://www.transportation.gov/sites/dot.gov/files/docs/2016%20Revised%20Value%20of%20Travel%20Time%20Guidance.pdf>. Accessed June 12, 2020.

³ Because median hourly wage information was not available for Aircraft Pilots and Flight Engineers, CBP adjusted the annual median wage for Aircraft Pilots and Flight Engineers (\$121,430) to an hourly estimate using the standard 2,080 hours worked per year. Source of median wage rate: U.S. Bureau of Labor Statistics. Occupational Employment Statistics, "May 2019 National Occupational Employment and Wage Estimates United States." Updated March 31, 2020. Available at https://www.bls.gov/oes/2019/may/oes_nat.htm. Accessed June 12, 2020. The total compensation to wages and salaries ratio is equal to the calculated average of the 2019 quarterly estimates (shown under Mar., June, Sep., Dec.) of the total compensation cost per hour worked for Transportation and Material Moving occupations (\$30.3550) divided by the calculated average of the 2019 quarterly estimates (shown under Mar., June, Sep., Dec.) of wages and salaries cost per hour worked for the same occupation category (\$19.9025). Source of total compensation to wages and salaries ratio data: U.S. Bureau of Labor Statistics. Employer Costs for Employee Compensation. Employer Costs for Employee Compensation Historical Listing March 2004 – December 2019, "Table 3. Civilian workers, by occupational group: employer costs per hours worked for employee compensation and costs as a percentage of total compensation, 2004-2019." March 2020. Available at <https://www.bls.gov/web/ecec/ececqrtn.pdf>. Accessed June 12, 2020.

savings for Bus Drivers, which are provided in 2015 U.S. dollars. CBP assumes an annual growth rate of 0 percent; the 2015 U.S. dollar value is equal to the 2020 U.S. dollar value.⁴

Rail Passenger Carriers: The estimated cost to the respondents is \$66,144. This is based on the estimated burden hours (1,590) multiplied by (x) the average hourly wage rate for locomotive engineers (\$41.60). CBP used the U.S. Department of Transportation's (DOT) recommended hourly values of travel time savings for Locomotive Engineers, which are provided in 2015 U.S. dollars. CBP assumes an annual growth rate of 0 percent; the 2015 U.S. dollar value is equal to the 2020 U.S. dollar value.⁵

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**.

Bus carrier operations and maintenance costs associated with collecting APIS include are negligible due to the ROAM-LPAS application being free of charge, and the majority of carriers already supplying mobile devices to drivers.

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.

⁴ Source: U.S. Department of Transportation, Office of Transportation Policy. *The Value of Travel Time Savings: Departmental Guidance for Conducting Economic Evaluations Revision 2 (2016 Update)*, "Table 4 (Revision 2 - 2016 Update): Recommended Hourly Values of Travel Time Savings for Bus Drivers." September 27, 2016. Available at <https://www.transportation.gov/sites/dot.gov/files/docs/2016%20Revised%20Value%20of%20Travel%20Time%20Guidance.pdf>. Accessed June 12, 2020.

⁵ Source: U.S. Department of Transportation, Office of Transportation Policy. *The Value of Travel Time Savings: Departmental Guidance for Conducting Economic Evaluations Revision 2 (2016 Update)*, "Table 4 (Revision 2 - 2016 Update): Recommended Hourly Values of Travel Time Savings for Locomotive Engineers." September 27, 2016. Available at <https://www.transportation.gov/sites/dot.gov/files/docs/2016%20Revised%20Value%20of%20Travel%20Time%20Guidance.pdf>. Accessed June 12, 2020.

The estimated annual cost to the Federal Government associated with the review of these records is \$12,677,423. This is based on the number of responses that must be reviewed (2,629,712) multiplied by (x) the time burden to review and process each response (5 minutes or .083 hours) = 219,143 hours multiplied by (x) the average hourly loaded rate for other CBP employees (\$57.85)⁶ = \$12,677,423.

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

There are increases to the burden hours due to the addition of Bus and Rail carrier respondents to the information collection. For changes to the information being collected, see proposed changes under section 1.

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.

⁶ CBP bases this wage on the FY 2020 salary and benefits of the national average of other CBP positions, which is equal to a GS-12, Step 3. Source: Email correspondence with CBP's Office of Finance on July 2, 2020.